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des débats
(Hansard)**

Thursday 5 December 2002

Jedi 5 décembre 2002

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

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L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 5 December 2002

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 5 décembre 2002

*The House met at 1000.
Prayers.*

ORDERS OF THE DAY

RENT FREEZE
AND RENT CONTROL ACT, 2002

LOI DE 2002 SUR LE GEL
ET LE CONTRÔLE DES LOYERS

Mr Prue moved second reading of the following bill:

Bill 215, An Act to amend the Tenant Protection Act, 1997 / Projet de loi 215, Loi modifiant la Loi de 1997 sur la protection des locataires.

The Deputy Speaker (Mr Bert Johnson): According to the standing orders, the member has 10 minutes to make his presentation, and then we'll go in rotation.

Mr Michael Prue (Beaches-East York): This bill does two things: first of all, it implements a two-year rent freeze for the tenants of the province of Ontario; second, it stops the practice of vacancy decontrol whereby when a person leaves an apartment or tenancy and it becomes vacant, the landlord can charge whatever the market will bear.

The policies of this government have been a total disaster when it comes to housing since the Tenant Protection Act and indeed even before that, since 1995. In this province since 1995 there has been virtually no affordable housing built in any of Ontario's major cities, since the coming to power of this government. People with modest incomes are finding it increasingly difficult to find a place to live.

In 1997, the Tenant Protection Act was proclaimed. Part of the hallmark of that act was to allow for vacancy decontrol, which, as I have described, would allow the market to dictate how much an apartment rent could be increased whenever a tenant moves out of a unit and allows it to become vacant. As a result of that, rents have skyrocketed throughout Ontario's major cities, and apartments which at one stage were formerly affordable to the vast majority of Ontarians have now become increasingly unaffordable.

Added to this, the Tenant Protection Act allowed for above-guideline increases, which in many, many cases for people who reside in Ontario have forced rents above the rate set by statute each year at which rents would normally be allowed to rise. Rents have gone up across

the board in major cities like Toronto by an enormous amount. Since 1997 in the city of Toronto, or the case management area of Toronto, rents have increased by \$226 on average. This is an unconscionable amount of money for people on fixed or moderate incomes to be forced to pay. It is similar in other major cities. The cities of Ottawa, London, Peterborough, all the area around the greater Toronto area, have seen increases very similar to those being experienced in Toronto.

Just so people understand what above-guidelines increases are, the guideline is set yearly by the province of Ontario and is no secret. It usually includes the cost of inflation for the year before plus 2%. So if inflation is at 2%, you can expect a guideline of somewhere in the neighbourhood of 4%. But I would suggest that setting a guideline of 4%—or 5% for next year because inflation is starting to creep up a little—is not going to solve the issue.

People cannot and can no longer afford the kind of rents being charged in this province. In fact, if you look at what the average rents are—and I've got some of the average rents. This includes all units: one-, two- and three-bedroom all mixed together. If you look, in Toronto central the average rent is now \$1,075, in Etobicoke it's \$1,055, in Scarborough it's \$1,018, in the northeast portion of North York it's \$1,155, in Mississauga it's \$1,046, in the northeast section of Mississauga it's \$1,050, in Brampton it's \$1,070, and in Oakville it's \$1,001. That's just to give a few examples of what average rents have become in and around the Toronto area.

There is also the problem of above-guideline increases. Tenants all over this province a few years ago were forced to pay money because landlords did not protect themselves during the energy spikes. When natural gas prices went up, tenants were required to pay for those. When natural gas prices, however, went back down, tenants were not reimbursed, because the Tenant Protection Act does not allow for costs no longer borne. The tenants continue to pay.

This government is attempting to allow the continuance of the problem of above-guideline increases. Quite recently, the Associate Minister of Municipal Affairs met with housing advocates in Ontario to talk about capping above-guideline increases—not doing away with them but capping them at 1%; a hard cap, as she calls it. Quite frankly, this is not fair, because there is no provision in the law to take out those costs which are no longer borne. You cannot cap above-guideline in-

creases at 1% and instruct people to continue to pay that year in and year out even when those costs are no longer borne.

Much has recently been made by the government and the landlords' lobby that costs are going to start coming down because vacancy rates are increasing. This, I would suggest to all members of this House, is not a logical argument. Vacancy rates are starting to go up in some of Ontario's major cities, but, with the greatest of respect, this does not address the issue. The issue is that the vacancy rates are going up on those apartments above \$1,200 to \$1,500 to \$1,700 in rent. People who can afford to pay \$1,700 in rent are finding that home ownership is not an onerous task. If they can afford \$1,700 per month to rent a one- or two-bedroom apartment, then they can afford \$1,700 a month to carry a mortgage.

1010

But this does not hold true for those people who are renting in the \$700 to \$800 to \$1,000 range. They cannot afford the mortgage, and their rents are not coming down. They are continuing to be hurt by above-guideline increases. They are continuing to be hurt by the \$226 that they have been paying over and above what they paid five years ago, and their rents will continue to climb, because the vacancy rate at the level below \$1,000 in the case management area of Toronto is and continues to be around 1.5%, which is not enough to affect those rents. Therefore, the people who are least able to afford the rents are going to see their rents continue to increase at amounts above the inflation rate. Those who are able to pay any increase like that are taking the option of buying into luxury condominiums or homes and the urban sprawl that comes with them.

The policy is simply bad. What we need in Ontario is a cooling-off period, particularly for those people of low to modest income. Those people are the ones who require our protection. Those are the people who require an opportunity to get their lives back in order, to get their finances back in order, and it is to them particularly that we owe a cooling-off period. If landlords are now saying that they are able to reduce the increases, then surely it will not be a problem for the landlords if we impose this rent freeze at this time. Equally, it should not be a problem for landlords with vacancy decontrol. If the numbers of apartments are becoming more and more available due to the building boom of high-end condominiums and homes, then surely landlords would not be seeking the increases in any event.

We are finding that so, so many of the people of modest income are being forced into paying rents they can no longer afford. Recently, a woman in her 80s came into my constituency office with tears in her eyes. She was being stuck with another increase, another increase which to her was astronomical. It was only at the guideline, but this followed years of 4%, 5% and 8% increases, and she no longer had the money to stay in her apartment. She did not know what to do. This government has not done anything to help her. She wanted to know how to fight. I told her to watch today how

members of all three parties are going to deal with a problem that is now singularly beyond her control.

I would invite all members to think of your constituents. I would invite you particularly to think of the poorest ones, who cannot afford the rent and who cannot afford for the landlord to increase their rent in the coming years, and vote for this bill.

Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing): It's my pleasure to speak on Bill 215 today. I'm going to be speaking against the bill and I'll explain why.

The Tenant Protection Act is very important legislation in Ontario. It establishes an annual rent increase guideline to protect tenants against rent increases, and it allows landlords to set rents at market value when the unit becomes vacant. In other words, it's fair to the tenants and it's fair to the landlords. What Bill 215 would do is undermine that balance. In fact, Bill 215 would take us back to the days when new rental housing was scarce and existing housing stock was falling apart, requiring billions of dollars in repair. That's not the direction this government wants to go.

Let me remind the House why our government passed the Tenant Protection Act. Rent controls discouraged new private rental construction in Ontario for more than two decades. They created a massive bureaucracy, which meant it took months to resolve basic disputes between tenants and property owners, and they led to the neglect of the rental housing stock.

Let's remember that under the former Rent Control Act, some rental buildings had hundreds of outstanding work orders against them. It was our job as a government to change that environment, so we set out to design legislation that would protect tenants from unfair rent increases and arbitrary evictions, help create a climate in which people would invest in rental housing, streamline administration and dispute resolution and improve building maintenance.

Since its implementation four years ago, the Tenant Protection Act has made headway in each of these three goals. We are now seeing the healthy vacancy rates in many communities, meaning tenants in these areas have better housing options, and rent increases are in check. More than \$283 million has been invested in capital repairs, upgrades and maintenance in the repair of rental units across this province. Rental starts have increased substantially. In fact, between 1995 and 2001 the number of rental units under construction jumped by almost 500%, to 2,717 from 550, and there were more than 3,100 rental starts between January and October 2002. We don't want to reverse these trends. We don't want to return to the days of no private new construction and the billion-dollar boondoggles of the previous two governments. The honourable member from Beaches-East York says he has introduced this bill in the interests of tenants, but tenants are not protected when rental housing starts are at a standstill.

I have talked about the primary benefits of the act, how it limits arbitrary rent increases, encourages new

rental starts and improves maintenance, but there are other benefits worth mentioning here at this time. The act also preserves tenure protection for tenants. It includes strong anti-harassment provisions that protect both tenants and landlords. It allows tenants to apply for relief from the Ontario Rental Housing Tribunal, and for abatement in rent in cases where there has been harassment.

In addition, the Tenant Protection Act provides for automatic rent reductions where municipal property taxes have been decreased. It increases the powers of municipalities to enforce property standards bylaws, and with the Ontario Rental Housing Tribunal, it gives tenants and landlords an efficient venue for resolving their disputes through mediation and adjudication.

The Tenant Protection Act ensures that tenants are protected and that landlords can protect their investments and effectively maintain their properties. Bill 215 is a step backwards. It asks us to undo the good work that's been done with the Tenant Protection Act and all the improvements that are now happening with all our buildings.

Mr Speaker, I thank you for the opportunity to speak on this bill today, and I would encourage the members of the House to seriously consider how they vote on this issue. We don't want to go back to the days of rent increases and rent control. When they talk about rent control, they are out of control.

Mr Dominic Agostino (Hamilton East): I'm certainly pleased to speak to this legislation this morning. I've looked at it and thought I would go through and take a look at the Web site of the party of the member who brought this forward, and I have to be honest with you: I'm a little confused right now. This morning I downloaded the NDP policy on rent control from their Web site, and it says, "Lower rents for Ontario tenants? The NDP says, 'Roll back rents and bring in rent control.'" Then I downloaded another one from the NDP, and it says, "The NDP says, 'Freeze rents and bring in rent control.'"

So I'm a little bit confused as to where the party actually stands on this. The member this morning brings in a resolution that says to freeze rents. I think he ran on the commitment to roll back rents in the by-election. And as of this morning, his Web site still says that the NDP is going to roll back rents. I really don't know which part of it to believe. Maybe my colleague can clarify later if their position today is to roll back rents or freeze rents. Frankly, this is cute political grandstanding. We understand that. The reality is that you need a plan that's going to be workable; you need a plan that is going to actually help tenants in Ontario.

1020

Let's just make it clear that during the time period the NDP was in power, rents went up by about 23% for tenants. So if tenants are looking to the NDP for protection, they certainly had their chance in their time in government to do that. Did we see rent freezes under the NDP government? I don't remember that, no. Did we see rollbacks under the NDP government? No, I don't

remember that. So clearly, it becomes a question of credibility. When you have the luxury of knowing you're not going to have the opportunity or the possibility of governing, you can say anything you want; you can run on anything you want.

What I ask tenants across Ontario is, do you really think in your heart of hearts, regardless of what they promise you, that Howard Hampton and this bunch over here are going to form the next government of Ontario? They can answer that question in their own minds. They don't have to answer it to me or anyone else. Are they going to realistically implement what would be a disastrous plan?

Like this government here, the Tories—we have two extreme positions that do not meet the needs of tenants. You've got an unrealistic, unworkable plan on this side from the NDP and then, of course, you've got a government that for seven years has been in the back pocket of developers. They brought in a plan that shafted tenants across Ontario. They brought in this vacancy decontrol, as they call it. They went to their friends, the landlords, the developers, and said, "How can we best help you?" and they drafted a plan and the Tories introduced it. So now tenants in Ontario, under the Eves-Harris government, when you leave your apartment unit, when you move to a new unit, have absolutely no protection at all. The only protection you have is the generosity of the developer and the landlord. That is what they have done.

This has been the worst case. This has been a gift for their friends by the government at the expense of tenants. Tenants have felt trapped in their apartments under the Tory government plan, because if they dared move, their new unit would be under absolutely no control whatsoever and only at the whim of the landlord or the developer. So they've stayed in substandard conditions and often they've been pushed out by unscrupulous landlords, forced out so they can rent that same unit for a much higher rent. That's the legacy of the Tory government. Developers and landlords never had it so good in this province as they did under the Harris-Eves government.

Both of those positions are not workable. I want to spend a couple of minutes talking about what a real plan is for dealing with this problem in Ontario, and that is the plan unveiled by my leader Dalton McGuinty, when it comes to fixing housing. We understand there's a balance necessary. We understand that you need a balance, that in order to deal with the affordable housing crisis there has to be a balanced plan in place, a plan that would have real rent controls, that would ensure that the unfair and illegal increases faced under the Tory government will not happen. A Dalton McGuinty government, within a year, will bring in legislation that will be fair, rent controls that will be fair, and we will protect tenants.

That's only one part of this puzzle. This government signed what is really a sham, a hoax of a deal, with the federal government to bring new money in. The federal government came to the table and said, "We will put in \$245 million of new money." This government signed

this phony deal. However, understand this: in the way they signed this agreement and the way they're implementing it, not one new cent of provincial money will go into housing in Ontario with the federal deal that the Tories signed, because they're asking the municipalities to put in their portion of it. There's no new money. Under a McGuinty government, we have committed to matching the funds the federal government puts in—new money and land—in order to ensure that we take full advantage, and we will ensure there are 20,000 new units on the market as a result of our co-operation with the federal government and the municipalities.

This plan that the NDP has will not bring anything new on the market, and we know clearly what this government has done since 1995. They've walked away from any involvement in non-profit housing. Clearly, we are going to ensure that within the first mandate, 20,000 new units come on the market. We're also going to do what the Tories promised in 1995—another promise made, promise kept in the Mickey Mouse revolution. They said that they were going to bring in a shelter allowance.

Mr David Caplan (Don Valley East): Whatever happened to that?

Mr Agostino: What happened to that promise? They said they were going to bring in a shelter allowance to help tenants, working people who are at the lower end of the economic scale, who were having a tough time paying their rent. They haven't done it. We're going to do it. We have committed; Dalton McGuinty has committed. We're going to bring in a shelter allowance for 35,000 low-wage earners in Ontario to help them. We're going to ensure that these folks can use that allowance and find a place to live. We're going to build more housing. We're going to have rent controls. It is part of a package; it is not in isolation.

We also understand that people sometimes struggle to pay their rent from month to month, and under the Eves government, Tory government rules, evictions are very common for \$500, \$600 or \$700 in rent that you haven't been able to pay because you've been sick, you've lost your job or other situations have come up. We're going to establish a rent loan bank in Ontario. We're going to put \$10 million into this so that people can apply and come forward and say, "I'm struggling, I can't pay. Here's the reason why." We're going to help you.

Interjection: They did it in the city of Toronto.

Mr Agostino: It has worked to some degree. As we look at this package—

Interjection.

Mr Agostino: Yes, I understand that my colleagues across the floor have a problem with helping people not get evicted. I understand that. Because if you evict them, then your landlord and developer friends can simply turn around and hike the rents. I understand that's what you want. That's not what we want.

My time on this issue is limited. I am sharing with my colleague Mr Caplan, so he's going to go on more. But let me tell you that clearly the NDP plan is unrealistic

and unworkable. They ain't going to govern. I'm telling tenants, don't listen to what they have to say. You've seen what the Tories have done to you. There's only one plan, and it's Dalton McGuinty's plan for housing, to fix this problem in Ontario.

Ms Marilyn Churley (Toronto-Danforth): I would say, with all due respect to the member for Hamilton East, that's what they said in 1990, too, before the election, that the NDP didn't have a chance of winning government, and we certainly did. I would say to all members that, first of all—

Mr Agostino: They won't make that mistake again.

Ms Churley: He's getting scared over there, as they go down in the polls and we go up.

Laughter.

Ms Churley: The reality is, though, as you laugh at that, I would say to all of the tenants out there, Mr Agostino was not in this House when we took over government after the Liberals had reigned and rents were going up 30% to 50%. There was a crisis in our housing market out there, and the NDP came in with a real rent control plan—not a balanced plan, as the Liberals like to talk about. They didn't support it because it wasn't balanced enough. In some issues, you've got to pick sides. Let me tell you, the NDP, while in government, picked sides. We picked the side of the tenants and we brought in real rent control, tough rent control, the toughest rent control in North America, which the Liberals and the Tories did not support.

They're saying the same thing today: they will bring in a balanced piece of legislation. Let me tell you what "a balanced piece of legislation" from the Liberals means. I would say to tenants, be very wary of Liberal promises on rent control, because as I already said, when they were in government, rents went up from 30% to 50%. And not only that, but the Liberals' new plan, which they're going to be bringing in to the election—are you ready for this?—has received the endorsement of ResREIT CEO Dino Chiesa. Do you know what that is? It's Toronto's largest private sector landlord. The former head of Ontario's landlord lobby acts as McGuinty's chief of staff. And you want to know why their so-called tenant protection legislation is balanced? Listen closely. Be wary, because the Liberals promise no rent controls if vacancy rates rise to a reasonable level. Doesn't that sound just like the Tory plan? That means tenants in many Ontario communities will be worse off than even under the Conservatives. Analyze this plan. You will see it.

1030

The Liberals also seem to be under the illusion, just like the government, that the private sector will build affordable housing in low-vacancy, high-rent communities like Toronto and Ottawa. We were laughing hysterically when a Tory member was speaking about that very issue, because the experience under the Tory legislation of the past four years would surely put that notion to rest.

These Liberals get up and laugh at the NDP, when they're the ones, along with the Tories, who voted against the NDP real rent control. Now they sit there laughing and saying, "We've got a plan for the tenants in Ontario." With the plan they have—just like the Tories—they're going right into the pockets of the developers. The reason they get up and laugh today is because they know it, and they should be ashamed of themselves. You are not going to fool the tenants of this province with your crummy piece of legislation to try to deal with a really serious problem in this province.

You come to my riding and you talk to the seniors in my riding.

Mr Agostino: Don't lecture me. I've got more tenants—

The Deputy Speaker: Member for Hamilton East, come to order.

Ms Churley: They need real rent control. They need a freeze on rents and they need it now. You should stop laughing today—

Mr Agostino: Come to my riding.

The Deputy Speaker: I will not warn the member for Hamilton East again.

Ms Churley: —and agree with the NDP and support this freeze.

Mr Agostino: Give me a break.

The Deputy Speaker: Order. I'm naming the member for Hamilton East, Mr Agostino.

Mr Agostino was escorted from the chamber.

Ms Churley: I'm done.

The Deputy Speaker: Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): It's certainly my pleasure to speak on this proposed bill, Bill 215. In essence, the bill proposes to amend the Tenant Protection Act, 1997, to establish a two-year rent freeze and to eliminate vacancy decontrol. The rent freeze they're looking for is from December 1, 2002, to November 30, 2004. This is a very difficult issue. We've heard from the Liberal side and the NDP side. It's a balancing issue in terms of landlords and tenants. That's been going on for many, many years.

In our view, the Tenant Protection Act is fair for both tenants and landlords. It provides strong tenant protection and allows landlords to operate and adequately maintain their properties. We do have a rent control system in this province in terms of fairness to the tenants and also to landlords in terms of the Ontario Rental Housing Tribunal, in terms of very clear rules and regulations, in terms of how rents are increased, and how tenants can seek protection and how landlords can seek to increase safety and improve the buildings in line with these guidelines.

So we have a regulatory system with respect to rent control and it's been in place for many years. Because there was a vacancy problem with respect to rental units, we made some subtle changes with respect to ensuring that there would be an increase in construction with respect to rental units, and in fact, that's what is happening. It has been positive with respect to increasing the

inventory which is needed out there. We don't need any more controls with respect to the rental industry because, quite frankly, some people could tell you that it's more than adequately controlled.

I was listening to the member from Hamilton East outlining the Liberal plan. I don't know how much money this is going to cost the province, but I certainly can see that based on the Peterson's government approach to the rental industry, it's going to increase taxes and it's certainly going to cost a lot of money with respect to what they're talking about.

They've got a number of areas they're talking about. They're going to bring in rent controls. There are already rental controls out there in terms of the rent control system. What are they talking about?

The second thing is they're going to bring in around 20,000 new units with respect to that. We don't know how they're going to do that, but I think they'll be talking to their developer friends in terms of how that's going to be done. They've probably already figured out how that's going to be done with respect to how they're going to bring those on. Certainly any developer that was closely aligned with the Peterson government benefited by some of the nonsense that went on with respect to making sure that units out there were adequately paid for. They also have this shelter allowance program that they're going to come up with for 35,000 individuals. Then we also have this rental fund, which is going to be \$10 million in terms of a part of their program.

What we're talking about here is, who is going to benefit from that? Obviously that money is going to go into the pockets of developers. That's where it always ends up going. What we're here to do is make sure that there is an adequate supply of rental housing out there to make sure that there are fair prices and let the market work.

The market is working. The number of new rental units being built has also increased as landlords have incentive to develop new housing stock. This creates a balanced market with fair rental prices. This is again a positive situation for tenants.

In my area of Barrie-Simcoe-Bradford, we have affordable housing and the rental vacancy rates have increased significantly. That's because of the policies that are in place in terms of fair housing.

In Toronto, the condo boom—I understand that in July of this year there were building permits sent out for over 60,000 new condo units in Toronto—has resulted in people leaving their rented units to go into these condo units, which they can afford to pay for, resulting in a very significant vacancy rate out there. When you have a significant vacancy rate, landlords have to adapt to the market out there in terms of making sure their rents are fair. Toronto has benefited by a condo boom since 1996 and it continues.

Landlords are now reinvesting in their buildings. The Ontario Rental Housing Tribunal reports that up to \$80 million annually is being invested by landlords in their rental housing properties. Only \$2.5 million was spent by

landlords in the final year that the previous legislation was in effect. It doesn't take a lot of imagination to see how low spending on maintenance would lead to deteriorating housing units.

I want to close because I want to let my friend from Parry Sound-Muskoka speak. But the bottom line is that the market forces are in play and they're ensuring there are rental vacancies out there. We do not need to make any of these changes, because we do have a very regulated rental housing industry and it seems to be coming around with respect to having landlords invest in new properties.

Mr Caplan: I appreciate the chance to speak to Bill 215. I want to cast my mind back to a couple of months ago. I was out campaigning with Bob Hunter, the Liberal candidate in the Beaches-East York by-election. I remember that Michael Prue, the candidate for the New Democrats, was talking about rent rollbacks. What happened? Why has he changed his mind about rent rollbacks? It's now a two-year rent freeze, and then, God knows what happens after that. Was it the fact that a rent rollback was one of the most impractical suggestions that the NDP has ever made? I think that may be it: a move that would kill any hope for development of rental housing in Ontario, probably, although it still remains an option in the policy document posted on their Web site. Here you have a case of the NDP saying one thing in one place and saying something different in another place. I don't think they have a real policy when it comes to protecting tenants, when it comes to having a well-thought-out plan.

It's also interesting that my colleague is talking tough about rent controls. It was only a few short months ago that the leader of his party was speaking at the Association of Municipalities of Ontario. He said that there would be flexibility in the rent control system imposed by the NDP. In fact, I have right here his remarks from AMO on August 20, where he said, we will "implement a two-year rent freeze and re-establish rent control with some exceptions if the vacancy rate was higher than 3%." Certainly a different story than what we're hearing today, what we heard back in the Beaches-East York by-election and what we just heard from the member for Toronto-Danforth. It's interesting that the members aren't going to talk about that part of their plan today.

As an aside, it's now interesting that Michael Prue, the member for Beaches-East York, thinks that rents are at an acceptable level. He wants to freeze them at today's level. If he didn't, he wouldn't have changed his position on a rent rollback and introduced a bill to freeze rents at today's level.

It's nice to see the NDP is following our lead on some of the real reforms needed to the Tenant Protection Act. Members will recall several bills that I have proposed in this House. First there was Bill 36, which would have made some real and needed changes to the operation of the Ontario Rental Housing Tribunal, matters involving security of tenancy, evictions, arrears and damages. Notice of hearings would have been sent directly to

tenants by the Ontario Rental Housing Tribunal instead of depending on delivery by landlords. Credit records of tenants would have been updated when payments were made in arrears or eviction orders withdrawn, contrary to the practice now. Eviction orders not executed would expire after six months. In addition, maximum rent would be eliminated entirely.

1040

Next I introduced a bill called the Affordable Housing Incentives Act. It was because members of the Liberal caucus realized that what we really need here is reasonable and strong tenant protection and a workable strategy for the development of new rental housing. That is ultimately one of the best protections tenants can have: to have some consumer choice and ability to get into some new low-cost, affordable housing. I introduced this bill to allow municipalities to offer incentives for the creation of affordable rental housing. I want to give credit where credit is due: I was pleased that the government did adopt this measure by regulation through the Municipal Act, and I do want to put that on the record.

But I wasn't finished there. I introduced Bill 134 and we debated it in this House. Bill 134 would bring back costs-no-longer-borne provisions, in fact a real rent reduction for tenants in the areas of above-guideline rent increases. It is a measure that would have given tenants some real relief. I'm surprised that my colleague from Beaches-East York didn't introduce it in his bill today. It was relief based on decreasing costs for landlords, not an arbitrary decision to freeze rents for a time, really based on nothing except the fact that those are the rents in place today.

Nowhere in Bill 215 is the issue of these permanent, above-guideline rent increases that tenants are facing and are really struggling with. If the member for Beaches-East York wanted to be constructive in the policy about-face he's doing today, maybe he should have thought of reintroducing the suggestions around costs no longer borne. Even the government is rumoured to be contemplating my changes, the provisions I put in Bill 134—which they already defeated, by the way. Maybe the member for Beaches-East York should be thinking about that when he talks about the need for tenants to get some real rent relief.

I want to take a couple of moments, because I don't have very long, to remind the House that there is a well-thought-out, doable, workable plan here in the province of Ontario, a plan that will bring balance to the rental market and will actually build some housing, and that is the Ontario Liberal Growing Strong Communities plan. It is a good plan, it is a smart plan, it is a bold plan, it is an ambitious plan, and I'm proud to stand behind it and talk a bit about it here today.

We're committed to increasing the investment in affordable housing by partnering with the federal government to provide affordable housing for 20,000 families—\$250 million, matching the federal contribution. We're also committed to making government-owned land available for affordable housing, providing a housing allow-

ance for 35,000 low-income families, ensuring real rent control protection for tenants, establishing a provincial rent bank, and establishing the Ontario mortgage and housing partnership.

These measures are reasonable and doable. Let's talk about what some of them would mean for tenants. We will repeal the Harris-Eves government Tenant Protection Act. We will bring back real rent control. We will get rid of vacancy decontrol; it will be gone. We will always protect tenants. Where there are low vacancy levels, tenants will be protected by real rent controls, and when there are high vacancy levels, tenants will be protected by having choice, by having a market that suppresses rent increases below those permitted by rent control. Our new tenant protection law will protect tenants, in situations of high vacancy levels, against unscrupulous landlords who attempt economic eviction by way of selective and excessive rent increases. Rent controls will remain in place whenever vacancy rates are below the threshold at which tenants have real choice.

It is a comprehensive plan. It's a smart plan, an ambitious and doable one.

Mr Gilles Bisson (Timmins-James Bay): I really was looking forward to participating in this debate because, as my colleague knows, I used to be the housing critic and was a member of the NDP government that brought in real rent control.

Let's just put this debate into perspective. What the member for Beaches-East York is trying to do is institute a two-year rent freeze because of what's happening in the market. We've got rents going through the roof. People who can't afford to keep their apartments are moving out to cheaper accommodations because they can't afford the increases on top of everything else that's going on in their lives, like hydro and gas increases.

The second thing the member wants to do is put an end to what the Conservatives have developed, which is vacancy decontrols; that is to say, there's no rent control on a unit once the tenant moves away. So let's say the rent is \$700 a month for an apartment in downtown Timmins. There's rent control on it—a form of rent control that is pretty weak, mind you—as long as a person lives in it. But if the person moves away, the landlord can jack it up to \$1,200 a month and there's absolutely nothing wrong with that, according to what the Tories have done. We're opposed to that, and that's why my good friend the member for Beaches-East York, who is our municipal affairs and housing critic, has put forward this idea of saying, "Let's scrap vacancy decontrol."

How did we get into this mess in the first place? Let's start from the beginning. Through the 1970s, and especially into the 1980s, rents were skyrocketing. They were doing basically what they're doing now. There was a hue and cry from the public, from cities and communities across Ontario, that said, "We call on the provincial government to do something, because people can't afford to pay their rent." You were having 10%, 15% and 25% increases in one year, and as high as 50% in some cases, because there was a shortage of apartments available and

landlords were taking advantage of what was a short market. As a result, our party, the New Democratic Party of Ontario, led first by Stephen Lewis and then by Bob Rae, put a lot of pressure on the Conservative governments to put in place a form of rent control. Rent control was instituted in this province. It was weak at the time, but nonetheless it was a form of rent control put in by the Davis Tories.

When we became the government in 1990, we instituted a real form of rent control that said there was an absolute cap on how much people were able to raise rents, and the only time people were allowed to go above the cap was if serious repairs had to be done to the building, and then they were only temporary. So the situation was that you had an absolute cap on how much people's rents were allowed to go up under NDP rent control. The only time the landlord was allowed to go over that was, let's say, if the roof needed repairs. They would cost how much a roof was and put that into the rent for a period of three, four or five years in order to recoup it, but then that charge came off your rent. So you had real rent control.

Who voted against that? The Liberals. At the time, the leader of the Liberal Party was Mrs McLeod, the member for Thunder Bay. The Liberals stood up and opposed real rent control along with the Tories. They fought us tooth and nail. They were saying this was bad, this was terrible, we were doing a disservice to the public of Ontario. But the reality is that the only time we had real rent control in this province was the five years when the Bob Rae NDP government was in place. Who fought against that every step of the way? It was the Liberal caucus along with the Tories.

So the Tories came to power, scrapped our rent control legislation and put in vacancy decontrol. And now we've got the Liberals, who basically have moved over to where the Tories are on the issue. At one time they at least purported to be somewhat progressive on rent control, but now when we look at the Liberal plan on rent control, what are they calling for? They're saying, first of all, that if the market is such that there's a reasonable availability of rental units on the market, they would remove rent control altogether. They're advocating that there need not be any rent control system in a market such as Toronto.

Under the legislation they would like to bring forward, if there's vacancy in the units available in the city like Toronto or anywhere else, they argue, "Take rent controls out." The Liberals are standing here saying, "Look at what the NDP is proposing on rent control." We have a plan that speaks to tenants. We're clear about what side of the debate we fall on. We're not trying to be on both sides of the same issue at the same time. The Liberals go into one room with their landlord-developer buddies, where they get the big cheques for their campaign, and say, "Don't worry, we're going to be good to you landlords." Then they run off to the rent control meetings and say, "Don't worry, we're with you, because we believe in tenants and we want to do everything right for

tenants.” They’ve got a policy that speaks to both sides, to both groups at the same time. I say that’s duplicitous. At least I know what the Tories are saying.

The Tories have clearly chosen which side of this debate they come down on. They have a philosophical belief that there shouldn’t be rent controls in many instances, and they’re clear about that. I disagree, but at least I understand where the Tories are coming from. But the Liberals want to snuggle up to the developers, so they’ve got a line in their policy that says, “Don’t worry, if vacancy rates rise there won’t be rent control. By the way, can you send me that big \$10,000 cheque for my campaign?” And all those developers, of which the Liberals are good friends, write those cheques and send them off to the Liberal caucus. There’s not a snowball’s chance that we’re going to get a cheque from the landlord component of it, because we’re clearly on the side of the tenants.

1050

What we’re saying by way of this legislation this morning is that a larger debate has to happen when it comes to re-instituting a rent control system. But we don’t believe we could have done that by way of this motion this morning, because we know the government is philosophically opposed to rent control. So we’re calling for the same two things—it’s very simple—that the city of Toronto has called for; the ones who are in the middle of this crisis of rental units took the same position as our caucus. Initially, the Toronto city council said, “Let’s have a rent rollback.” We agreed with that, because we thought that if the city of Toronto thinks it’s not a bad idea and it’s workable in Toronto, it’s something we’re prepared to look at. On further view of the thing, the city of Toronto said, “We’d like to be able to do the rent rollback, but that may be difficult, so we believe there should be a rent freeze,” and that’s the position we’re taking.

So my good friend Mr Prue, who is the former mayor of East York, brings forward this thing to say, “Let’s have a two-year rent freeze, so we can at least freeze the situation today so that when an election happens sometime between now and the next 14 or 16 months, we’re able to put in place legislation as a New Democratic government, or if there’s a minority Parliament here we’ll have the influence to institute real rent control.” The second portion is to at least get rid of vacancy decontrol so we don’t have skyrocketing rents in this province.

Mr Norm Miller (Parry Sound-Muskoka): I’m very pleased to join the debate today on private member’s Bill 215, put forward by the member from Beaches-East York. A couple of the key features, as pointed out by the member from Timmins-James Bay, are that he’s talking about a two-year rent freeze and also that the lawful rent for a rental unit is not affected by the rental unit becoming vacant or becoming occupied by any tenant. Those are a couple of the key points.

I think back to the days when I was at Ryerson and my economics professor talked a lot about rent controls. My

economics professor was Harry Pope, who, I’d like to point out to the third party, was a former NDP candidate, and an excellent professor I might add. His lesson was that rent controls create shortages, and I remember that very clearly. If you have rent controls, the result is that you have fewer apartments being built and you end up with shortages.

I think what we’re seeing currently is that we actually have a pretty good vacancy rate. I’m looking at today’s Toronto Star and articles in the last few days showing that 25 of every 1,000 apartments in the Toronto area are vacant at this time. That’s the highest vacancy rate since 1972. I think this is a good thing that’s happened under the current system, and the current system does have some balance in it.

I’ll quote from today’s article about the vacancy rate and just how hard it is to get people to rent apartments right now: “‘You do whatever it takes to try to get these apartments rented,’ says Robert Herman of Pace Properties, which owns and manages about 1,000 units in the Greater Toronto Area. Besides lowering rents by up to \$100, there’s been an emphasis on things such as changing kitchen cupboards, providing microwaves, installing ceiling fans at its properties, which run the gamut from low- to high-end rentals. ‘The biggest incentive is lowering the rent and then the next step is doing whatever you can to entice people.’ ... ‘The market is the loosest we’ve seen in modern history. Not since the early 1970s have we seen rates like this and landlords competing for tenants,’ says Vince Brescia, president of the Fair Rental Policy Organization.... In some cases the phenomenon is prompting landlords to drop rents by up to \$200 a month, in addition to providing a slew of perks.... ‘I’ve been managing buildings in Toronto for 20 years, and we’ve never had to put the effort into renting apartments that we do today,’ says Herman.”

The legislation being proposed is to freeze rents, but we’re seeing rents drop, so it would be against the interest of tenants to see this legislation passed.

I would like, in the little time I have left, to talk a bit about the Tenant Protection Act, which does hope to achieve a balance. Bill 215 would strip away the progress we’ve made under the Tenant Protection Act. I’d like to remind members of the four fundamental principles of the Tenant Protection Act: protecting tenants from unfair rent increases and arbitrary evictions; helping to create a climate in which people are encouraged to invest in rental housing; streamlining administration and cutting red tape so the system works faster and more fairly; and improving provisions for maintenance so landlords will take care of their rental housing.

The Tenant Protection Act has been an unqualified success since it came into effect in June 1998. It has met all those goals. Tenants are protected by the law. They’re protected from harassment and from illegal eviction. They are also protected by an annual rent increase guideline for as long as they live in that apartment.

I think it would be a move backward if we passed this private member's bill today and would not help the interests of tenants or landlords.

Mr Prue: I thank my colleagues, especially my colleagues from the New Democratic Party who left some of their time for me as well.

I'd just like to speak about, first of all, some of the points that have been made here today. The minister said the plan that the government has come forward with is a good plan, but with the greatest of respect, it is presaged on the idea that the rents are affordable. The rents are not affordable. The rents are geared to average rent, which, as we have seen in Ontario in most of the large cities, is now in excess of \$1,000 a month. So if you can afford \$1,000 in rent, I guess her plan would work, but the reality is that most of the people who are tenants in Ontario are not well enough off to afford that. The reality is that the median income per household of tenants in Ontario is \$23,215. Half of all tenants have less than that, half of all tenants have more than that, but the median, which is a good figure, is \$23,215 per household, not per individual.

If you earn that much, and if you use the figures of CMHC and other groups that suggest tenants should realistically be spending about 30% of their salary on rent or on housing, that would be an apartment rent of about \$580 that they can afford. The reality is that the average rent in all of Ontario is \$883. In the big cities—Ottawa, Hamilton, Oshawa, Toronto, Peterborough and in the GTA—the rents are in excess of \$1,000. People who earn \$23,000 simply cannot afford them. It is illogical that the government would stand there and say that this is what they are attempting to do.

I also look at the silliness, with the greatest of respect, of the Liberal position. One has to laugh. They are challenging developers to build what they cannot rent to drive down the prices of that which they already own. That, in a nutshell, is their policy, and I can't say it any better than that. It is simply not going to happen. It is illogical to the nth degree.

We in the New Democratic Party, and in this bill in particular, believe we have to come to the rescue of those who are having a terrible time. The wages of people in apartments are very, very low. The rents that are going up continue to go up, and they have a singular inability to pay them. The rental housing stock in moderate homes is actually declining. The number of apartment units in Ontario is less today than it was in 1997, because more apartments are being taken down, more buildings are being sold out to condos, than are actually being constructed. It is at the bottom end that we have to worry, not at the top end.

I would ask the members to bear that in mind when they are voting for this bill and to please give a reprieve to the million or so tenants in this province who desperately need the prices to be frozen for two years and that vacancy decontrol be discontinued.

The Deputy Speaker: The member for Beaches-East York has almost two minutes to add if he so wishes.

Mr Prue: Thank you very much, Mr Speaker. I thought that was all rolled together, so I welcome an additional two minutes. There were other things I wanted to say.

Tomorrow, Mr Hodgson, the Minister of Municipal Affairs and Housing, will be in Waterloo. He's going to be announcing some new rent plan or some new housing plan. We're not quite sure what it is. But if I could look inside a crystal ball, I think I know what it's going to be. He's going to talk again about rent supplements, which this government has promised for three years and has done almost nothing about.

1100

He is going to be talking about the provincial funding, on the grand scheme of what the province is going to do with the federal monies. We remember that a little over a year ago the federal government came forward with some \$245 million for the province of Ontario to build affordable housing. The province has earmarked only \$20 million as their share, but beautifully ingenious in a way that one could only describe as Machiavellian, they are counting on an additional \$180 million from municipalities and housing advocates and monies that will not be spent for PST and other things to make up the balance. I am sure that is what is going to be said again tomorrow.

The reality is that in the year since this plan was announced, Quebec has come forward and started building homes in a big way. Nunavut has done it, British Columbia has done it, all the other provinces have done something, and in Ontario we have built four units—four units—under this plan. I don't know what's going to be announced tomorrow, but this bill will do a whole lot more for tenants than anything that's going to be announced tomorrow.

MUNICIPAL AMENDMENT ACT
(PROHIBITING USE
OF PESTICIDES), 2002

LOI DE 2002 MODIFIANT LA LOI
SUR LES MUNICIPALITÉS (INTERDICTION
D'UTILISER DES PESTICIDES)

Mr Patten moved second reading of the following bill:

Bill 208, An Act to amend the Municipal Act, 2001 to permit municipalities to prohibit activities or the use of substances to protect the health, safety and well-being of inhabitants of the municipality / Projet de loi 208, Loi modifiant la Loi de 2001 sur les municipalités pour permettre aux municipalités d'interdire des activités ou l'utilisation de substances afin de protéger la santé, la sécurité et le bien-être des habitants de la municipalité.

The Deputy Speaker (Mr Bert Johnson): The Chair recognizes the member for Ottawa Centre.

Mr Richard Patten (Ottawa Centre): I'm delighted to address the Legislature today on Bill 208, the Municipal Amendment Act, prohibiting the use of pesticides. If this bill passes, it will effectively enable municipalities that wish to pass bylaws to prohibit the non-essential or

cosmetic use of pesticides on a precautionary basis—and I underline precautionary basis—if the municipality is of the opinion that there is a threat to the health, safety and well-being of its citizens.

According to Dr Richard van der Jagt, chair of the Canadian Leukemia Studies Group, an associate professor of medicine, haematology, at the University of Ottawa and Ottawa Hospital, “There is now strong evidence linking pesticide exposure to acute leukemia in children (the most common cancer in children), to breast cancer (the most common cancer in women), and to prostate cancer (the most common cancer in men). There is also clear evidence linking pesticide exposure to neurotoxic effects, to birth defects, to non-Hodgkins lymphoma, to Parkinson’s disease, to bladder cancer. This also harkens back to the days when evidence was emerging on the risks of tobacco smoking. I do not think it appropriate,” he says, “for politicians to be debating and weighing ... medical evidence” when in fact this evidence is medical science.

He goes on to talk about, “... as precaution must be the overriding principle. In any case such as this, where there are serious implications to human health and the environment, the precautionary principle must apply. Logic and reasonableness cannot argue otherwise. Note that the Environmental Protection Agency” in the United States of America “has chosen to adopt a zero tolerance policy to any additional health risk posed by pesticides.”

In my speech today I want to concentrate on evidence that pesticide use is not safe to human health and the environment, who is most at risk, and children and other vulnerable groups. I say “touch on,” because in 10 minutes I can only begin to scratch the surface. There’s so much material on this particular topic and so many studies associating pesticide use, exposure and acute and chronic health effects.

Where is the evidence that pesticide use is not safe to human health and the environment? For the skeptics who say, “Show me the research,” I have here in my hand over 50 pages of abstracts of peer review studies on pesticides that I would be prepared to share with anyone who says there’s no evidence of links to cancer and chemical pesticides.

A 2002 city of Toronto public health report, *Lawn and Garden Pesticides: A Review of Human Exposure and Health Effects Research*, fully reviewed all the subjects and highlighted three types of health problems linked to pesticides: (1) some cancers such as leukemia and lymphomas, (2) reproductive effects, ie, fertility problems, adverse pregnancy outcomes, and (3) neurological effects, such as Parkinson’s disease. The report states that all the potential risks posed by pesticides, particularly hormonal changes and effects on the immune system, cannot be fully appreciated or predicted by the current ways in which measuring is being done. The health effects and potential risks from exposure to pesticides will never be completely understood, they say, and therefore, “A precautionary approach concerning residential-use pesticides is prudent and advisable.”

To those in the public health field, the precautionary principle builds upon the concept of prudent avoidance, which has traditionally intended to ensure that “preventive action is taken in advance of scientific proof in situations where further delay could prove costly to society or nature and/or unfair to future generations.”

In particular, I bring your attention to some recent studies. Two Swedish studies of non-Hodgkin’s lymphoma and exposure to pesticides concluded that exposure to herbicides during the decade before non-Hodgkin’s lymphoma diagnosis resulted in increased risk. A recent Canadian study on women living on farms in the Windsor area concluded that women involved in farming have nine times the risk of developing breast cancer as non-farm women. A 1998 study in northwestern Mexico determined that children living in an agricultural valley who were routinely exposed to the residue from pesticide spraying had poorer motor skills, poorer memory and poorer drawing abilities on balance than children living in better-protected foothills. There was a show on this on CBC at some point, I believe, an exposé.

Exposure to agricultural pesticides is a well-known contributing factor to a number of chronic ailments, including some I’ve just mentioned, and damage to the central nervous system, organs and possibly the endocrine system as well.

The London-based organization Doctors and Lawyers for Responsible Medicine warns that cancer-causing chemicals are now the number one killer of Europeans between the ages of 35 and 65. Experts agree that 80% to 90% of these cancers are caused by carcinogenic chemicals in the environment in which we live.

I have many, many more studies. I haven’t got the time to share them all here, but I am prepared to share them with anybody who has the interest.

In a nutshell, it boils down to this:

“Children are not simply small adults. They are more vulnerable to environmental threats because of their unique physiological developmental and behavioural characteristics from conception to adolescence; children face a variety of exposures to environmental contaminants, from a wide range of sources, over which they have very little control.

“Kilogram for kilogram, children drink more water, eat more food, and breathe more air than adults. This means that children have a disproportionately higher exposure to environmental contaminants in water, food, air and soil. Children can also be exposed to contaminants in the womb, through breast milk, and certain consumer products such as toys. Their natural exploratory behaviour also places them at greater risk of exposure. Children put things in their mouth and they play on or close to the ground where contaminants tend to concentrate.

“In addition to a greater exposure, children have important biological differences. Their organs and tissue are still developing and so their ability to metabolize, detoxify and excrete many toxicants is different from that of adults. Therefore, their mature organs may be less effective at protecting them from toxic exposures and

effects. Infant kidneys, for example, cannot excrete certain foreign compounds as quickly as adult kidneys.

“Today’s children are just beginning a lifetime of exposure to cumulative environmental hazards, the likes of which no other generation has experienced. They have more future years ahead of them in which they can develop chronic diseases that may be triggered by early exposures.”

Over the past 20 years, there has been a fourfold increase in childhood asthma cases, with 12% of Canadian children now experiencing asthma and 29,000 children hospitalized per year. It is responsible for 25% of all school absences.

Neurotoxins like lead, mercury and other toxic chemicals, even at low levels, can disrupt the brain’s wiring, causing permanent cognitive, learning and behavioural problems.

Known hazards and potential health effects of toxins: children exposed in utero or following birth to pesticides, PCBs, heavy metals and other chemicals may face disruption of their endocrine system, stunted growth, mental disability and other neuro-behavioural and developmental effects.

1110

The majority of pesticides in commercial use today were evaluated based on a hypothetical healthy, 70-kilogram adult male—that’s the test—and not the seven-kilogram child or the less-than-14-gram embryo. That is highly, highly significant. We and the companies do not test for children and their sensitivity to this. And there are many other vulnerable groups—the elderly, pregnant women, farm workers, agricultural workers etc—who are very sensitive to what goes on here.

“I wish I could make you understand,” say Linda and Alison Leeming, who have both been diagnosed with severe chemical sensitivity, “what a severe health issue this is for thousands of people like us who are trying to live in this city. Pesticides are known to inhibit a variety of enzymes that are crucial to the function of the immune system.” I could go on and on.

In conclusion, I want to remind the Legislature that Bill 208 is enabling legislation. The current Ontario Municipal Act, section 102, provides municipalities with the power to enact bylaws that regulate the health and safety, morality and welfare of their inhabitants. If passed, my bill would make it clear through the new section 130, the successor section to 102, that the power to prohibit the spreading or use of pesticides on a precautionary basis, regardless of whether the scientific evidence is conclusive and available or not, exists in the new Municipal Act which comes into effect January 1, 2003. Some municipalities have already sought legal opinion on bylaws. My bill will help to reduce the need for costly legal challenges.

Managers in the pesticides section of the standards section themselves say that the act doesn’t explicitly provide for a municipal role in regulating pesticides. Mr Bill Armstrong, who is here today, is a councillor with the

London city council. They passed a resolution supporting moving on this bill.

The Deputy Speaker: Further debate?

Ms Marilyn Churley (Toronto-Danforth): Welcome, Mr Armstrong. I would like to thank him on behalf of all of us for all the work he has done on this issue and for his commitment to getting this bill passed today. He called me some time ago and we had a discussion about this very issue, and I make the point today.

First of all, I support the bill, and I’m very pleased that Mr Patten has brought this very important issue before the Legislature again. Back in 1995, when the NDP was in government, under Ruth Grier the NDP did a study on the primary prevention of cancer. That was published in 1995. It is a really good blueprint for the things we can be doing, should be doing, that government should be promoting, to prevent cancers. There is a whole section in this report—unfortunately, it has been shelved and no action has been taken by the government on it—on the use of pesticides on food, with a number of recommendations, which indeed I tried to get all-party support for back in 1996, I believe. When I raised the issue and had a resolution before the House, I particularly took the piece on the environment, including pesticide reduction, and did get support in the House to move forward on some of the recommendations, but the government chose not to follow up with me on that.

That’s why I so welcome this resolution before us today, because it is really important, as the evidence grows, as Mr Patten knows better than most of us here, being a victim of cancer himself, and I’m very glad to see that he has now taken up the preventive cause. I hope everybody will support the resolution today.

There is another really important report that I would recommend people read, and that is called Stop Cancer Before it Starts: The Campaign on How to Win the Losing War against Cancer, a report by the Cancer Prevention Coalition in the US. When you start reading these reports and studying the overwhelming evidence there is today, pesticides and all kinds of other chemicals in our environment are absolutely without a doubt causing some forms of cancer. We know that childhood cancers remain the number one killer these days, except for accidents, of course. That in itself is a stunning piece of information. For those of us with young children, or grandchildren in my case, we look at these little kids and, being aware of the rise in testicular cancer, of breast cancer in women and of all kinds of other cancers, as the cancer levels rise, are they going to become victims? It makes us feel, as legislators here, that we have a responsibility to them.

There is the opportunity today for the Legislature to pass this very simple bill or resolution before us. It amends the Municipal Act to allow municipalities to pass bylaws prohibiting the “use of pesticides in non-essential situations if the prohibition is related to the health, safety and well-being of the inhabitants of the municipality.” It also provides, and I think this is very important, that they may do this “on a precautionary basis regardless of whether the scientific evidence is conclusive.”

I think Mr Patten and Mr Armstrong are aware of a concern I have. At one point last year, or maybe two years ago, I was in the process of preparing a similar kind of bill and talked to some of the environmental groups about the best approach. They told me what their concerns are. If the bill passes today, I don't have those concerns. I'll wait to hear what the Tories say about this.

The concern is this: according to them and legal opinions, in the Hudson case, the Supreme Court in regard to Hudson, Quebec, made a ruling that the Hudson municipality was allowed under the law to pass such a bylaw, which they did. It was a groundbreaking case. The concern is that we know municipalities have that right now, but it appears as though many municipalities are using as an excuse that they can't pass such a bylaw, that legally they're not allowed to do it. The concern is that if this bill doesn't pass today, it will be a further excuse for some municipalities that don't want the responsibility because of the lobby by some of the big pesticide and chemical companies, that they will use this as another excuse not to move forward: "There was a bill but it didn't pass, so we can't move forward until it does."

I don't want that to happen because it is my view, and the legal opinions and the view of the environmental groups involved in this, that municipalities do have the jurisdiction and the right to do this now. So although I support the resolution before us today, I very much hope that the Conservative members will vote for it so that we make a very clear statement today, on top of the Hudson decision, that makes it absolutely clear to any municipality that they undoubtedly have the right to pass such a resolution.

I read in *Stop Cancer Before it Starts* a very interesting quote. There's lots of interesting information in these reports, including the report by Ruth Grier and others. What they say is:

"Whether against cancer or terrorism, war is best fought by pre-emptive strategies based on prevention, rather than based reactively on damage control. As importantly, the war against cancer needs to be waged by leadership accountable to the public interest and not to special agenda interests of the cancer establishment and ... if not criminal, powerful corporations."

This is a very strong statement by a group of people who are trying to get governments to take responsibility, to deal with the fact that there's now an estimation that cancer is going to increase by 50%, I believe double, over the next several years. This is something we can no longer take lightly. This is an opportunity for us, as responsible legislators today from all three parties, to support this resolution before us and give a very clear statement to municipalities that we support their efforts, that we support the efforts by people like Mr Armstrong, who is here today, and community activists and other councillors who want to take action and help their communities protect their children, their pets, all of the people in their communities.

1120

I want to point out before I sit down and leave some time for my colleagues a very interesting resolution that was just passed, and we applaud them for that. The Ontario town of Cobalt, with little fanfare—we haven't heard much about this, but Mr Patten is aware of it—has become the first place in the province to ban pesticide use on public property. It has been done; it can be done. Yes, they said there was quite a lobby from a lawn care company, but beyond that there was very little opposition to this. They have done it already.

This has now moved beyond what was at one time, when I first got involved in this issue, seen as something that only those on the fringes of the environmental movement supported. It's moved way beyond that. It has now become pretty mainstream. There's a whole list of mainstream organizations that have the facts and the information and know that we have to move, that we have to remove the use of many of those pesticides, and are calling for governments to act.

In closing, I congratulate Mr Patten and also Mr Armstrong for their fight to move forward in helping municipalities take the ball here and run with it and do the right thing for the citizens of Ontario. By a long shot, it's only one piece. There's no time today to get into all the other chemicals that are out there in the water we drink and in the food we eat and in the air we breathe, but this is one very important piece of it today. I hope very much that all members of the Legislature will vote for this very important resolution today.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate with respect to the member's Bill 208, An Act to amend the Municipal Act, 2001 to permit municipalities to prohibit activities or the use of substances to protect the health, safety and well-being of inhabitants of the municipality.

As has already been mentioned by the members across, over the past few years there has been a growing awareness about the use of pesticides in our communities. In my own community, the city of Barrie, certainly I've heard of that in terms of concerns with respect to their use, for example, around nursing homes, which is an area of significant concern because the people who are there are obviously not in 100% health. We don't want to make them any more vulnerable than they already are in terms of this type of activity.

With it, there has been a growing concern about the potential environmental and human health effects of pesticides. That also goes with respect to the use of pesticides on school grounds, just to name another example with respect to where that would be used in terms of pitches on school grounds. City parks are another area. It also applies with respect to individual homeowners and what they do with their properties.

We all know there are appropriate uses for pesticides. If managed carefully, in many circumstances these chemicals can help contain infestation that would otherwise threaten our environment, our health, our food supply and our local economies.

A case in point is the West Nile virus in Manitoba, and in Winnipeg in particular, in terms of the actions that had to be taken by the municipality to deal with that particular situation, which is not over; it is ongoing. That could face us here in this province in terms of the same level that it has faced out in Winnipeg, Manitoba.

We also cannot deny that some pesticides may pose a threat to our health if they are used excessively or indiscriminately. Because of this, there is a movement across the country to restrict the non-essential use of pesticides. We support various initiatives to reduce the reliance on the use of pesticides. This government also respects municipalities' decisions to consult with stakeholders and develop pesticide strategies that are tailored to local concerns, circumstances and desires.

I want to remind all the members of the House, and especially the member for Ottawa Centre, that Health Canada has the lead role in evaluating human health and environmental effects of pesticides and makes decisions whether or not to register them for use in this country. Health Canada's Pest Management Regulatory Agency is also responsible for ensuring that pesticides can be safely used when label directions are followed. They are the gatekeeper in terms of dealing with pesticides in this country.

Our government is encouraged that earlier this year the federal government committed to reintroduce pesticide legislation to strengthen and modernize its Pest Control Products Act to protect the health of all Canadians. We agree with the Pest Control Safety Council of Canada that we need to provide more information to the public about the safe and responsible use of pest control products and support integrated pest management principles to reduce reliance on pesticides.

We feel it is important to respect which level of government is best suited to deal with certain issues. Ontario does have a role to play in pesticide management, and we already have a comprehensive program in place. Our province, through the Pesticides Act, continues to regulate the sale, use, transportation, storage and disposal of federally registered pesticides through requirements for education, licensing and permits.

The Ministry of the Environment is also participating in the joint federal-provincial Healthy Lawns Strategy to reduce reliance on pesticide use on lawns. And Ontario is participating in the initiative with the federal government and the other provinces and territories to harmonize pesticide classification across this country, eliminate duplication, improve and streamline the regulatory system, and place strict controls on consumer access to higher-risk domestic pesticides. This way, Ontario's pesticide regulations are consistent with other jurisdictions and our communities have clear guidelines on pesticide use. Working in partnership with the federal government on this issue benefits everyone. Trying to interfere in issues that are clearly the jurisdiction of other levels of government would have the opposite effect.

I would say this: this government has already acted responsibly. The member across has already mentioned

section 102 of the Municipal Act, which will take effect in the year 2003. I think what he's looking for here—and he's been very honest and upfront about it—is to make sure there are no legal issues here. There is provision in section 102 with respect to enabling other municipalities to deal with the situations I am speaking about. What he is suggesting is that there may be legal challenges. There always are legal challenges, perhaps, when you move into an area where companies feel they are being impacted and want to test the law with respect to how they can deal with that. That would apply also with respect to the proposed amendments my friend is putting forth, because it does provide the municipalities with discretionary power to deal with prohibiting the spreading or use of pesticides in non-essential situations. Obviously, that would be something that would be subject to interpretation itself.

A municipality also would be given the discretion to prohibit the spreading or use of pesticides on a precautionary basis, regardless of whether the scientific evidence is conclusive or not, if the municipality is of the opinion that there is a threat to the health, safety and well-being of the inhabitants of the municipality.

What the member is trying to accomplish here, and I recognize that, is he's trying to put forth, in a situation that could be construed not to be strong enough—it may be strong enough, subject to judicial interpretation, but that's not the point the member is trying to make. He's trying to make the point that it has to be explicit enough so there won't be any vagueness with respect to what the municipality is trying to accomplish in terms of what they're doing.

1130

Interjection.

Mr Tascona: This is debate, member for Kingston. I've got a right to speak here and I intend to. I don't need to be heckled by the member for Kingston. I'm trying to deal with the debate here from the member because it's well thoughtout, and I support the principles that he's putting forth with respect to this issue.

I believe we have a strong framework of environmental and health protection in place. I would say on behalf of my colleagues that certainly this debate is worthwhile; it's timely. I think the member for Toronto-Danforth put it bluntly in terms of, there has to be action taken by municipalities to ensure that this issue is dealt with. That's why they had the Hudson decision that, I believe, went all the way to the Supreme Court of Canada with respect to giving the municipalities that clear right. That's what all this debate is about: to ensure that this issue is dealt with fairly, responsibly, and is not going to be judicially overturned.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I'm pleased to rise and join in this debate. It's a serious issue. I want to provide, at least in passing, an affirmation for my good friend Richard Patten. I've known Richard for over 30 years. We grew up together in the YMCA movement. As younger men we fought valiant fights together many times to try to make a real

difference. I'm pleased to be here in this place with my friend in support of his consistent desire to stand for what is good, proper, progressive and right.

One of the members opposite had made a number of passing references to the legal issue. I think one of the things that municipalities want more than anything else—and as a former mayor of that wonderful municipality the town of Flamborough, I can attest to this—is the sense that the provincial government, particularly when they have their spokespersons refer to being in support of the principles behind a particular piece of legislation, are prepared to go the next step and to assist and clarify something in the face of a legal challenge, which clearly I think would come given the complexity and confusion around the Hudson case, notwithstanding the Canadian Environmental Law Association brief suggesting that in their review they felt the municipalities do have this option.

We've got a situation—my colleague for Kingston may have more to say about this—the infamous contradiction tests, conflicting goods, conflicting laws. What's going to happen, I suspect, with certain municipalities that decide, believing a wink is like a nod in racing to a blind horse, believing that the province is winking through section 102 of Bill 111 to move forward, you're going to get into this argument about competing goods. I agree with the member opposite that we do need strong laws in place. I don't think the laws are strong enough. We have an opportunity today to really help with that.

By way of background, pesticides are clearly toxic. They kill organisms that we deem undesirable. There appears to be growing evidence that they also have the potential to kill organisms we love, organisms like wives, kids and pets and what have you. Given the international recognition in law of the precautionary principle, I think we can take some solace and advice from George Bush to the south when he says, "Let's make sure we never underestimate the potential for problems here." I think there's good evidence that we're at risk. We shouldn't have to wait for the science to prove that conclusively before we act.

All across Ontario throughout municipalities you have a groundswell of concern and a strong desire in a number of areas to do something about it. Municipalities are struggling with the tools they've got. They're trying naturalization projects, better plant management projects, and some are even into the use of biopesticides, although that's a developing field.

I guess I see this as a bit like the second-hand smoke debate. We know for a certainty now that second-hand smoke is hazardous to a person's health and is killing numerous people across the country. The province has failed to move in a generic, comprehensive way recognizing that it's both a health and business issue. Municipalities have had to pick that up and there have been some court challenges to that. I would plead with this government—you're good at downloading—this is one responsibility that ought to be downloaded, and quickly.

I want to suggest that in the absence of clear authority and your moving to support this bill, there may well be plausible evidence quoted in a subsequent court of law that this Legislative Assembly actually intended to preclude municipal regulation with respect to pesticide use. I think if that were to happen, that would indeed be an extremely unfortunate day for the people of the province of Ontario.

Mr Michael Prue (Beaches-East York): I rise today in support of this bill and I would ask all members of the House to seriously consider supporting it.

We need, as a society, to embrace the very basic concept that is being put forward here, and that is to minimize the use of pesticides wherever and whenever we can do so. One of the ways we can do it is to ban the cosmetic use of pesticides. This serves not to protect our food source against unwanted predators or pests but is only to make sure that we don't have the inconvenience of a few dandelions or things in our lawns that we don't otherwise want to have.

In East York, when I was the mayor, we took what was then considered to be a very bold step, in all of our municipal lands and in the school board lands, to ban the use of pesticides on public property. We were one of the first municipalities in Ontario to do so. There were people who came forward and argued with us that this was going to create havoc in our municipality. In fact, some homeowners who lived adjacent to those municipal properties talked about blowing dandelion seeds, that we would have dandelions on our lawn that in the prevailing wind would blow over on to their lawn, and they urged us not to discontinue the spraying.

But we thought the better of it and, to this day, I'm glad that we did so because in reality the amount of spraying went immediately down in all of the neighbourhood properties as well when they saw that we didn't get infested. We used other lawn management tools to make sure the lawns stayed green and healthy. Spraying, if it ever did occur with major infestations, might take place once every five years as opposed to five times a year, as had been the common practice before that.

In the court decision of Hudson in Quebec that went all the way to the Supreme Court of Canada, it has been ruled that municipalities have the right to pass this legislation, and certainly many municipalities have had an opportunity to look at it. My own time at the amalgamated city of Toronto, and on the board of health of the city of Toronto, showed that this is a difficult proposition. When the board of health came forward with a proposition to do exactly what the city of Hudson in Quebec had done, we were met with a great many people who came forward in opposition. Almost all of them were the owners or the employees of lawn care facilities who came forward to argue about their livelihood and to make what I considered the specious argument that these pesticides would do no one any harm, that they lived and worked with them and it wasn't going to cause them any harm.

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I remember raising their ire when I talked about Rachel Carson's book *Silent Spring*, that I had read some 30 years before, when she first raised the alarm bells. The alarm bells are going off with even greater frequency today. When one exposes oneself to potential carcinogens, the damage is done not at the moment, but sometimes many years later.

The lobby of the pesticide companies notwithstanding, it is a good idea wherever possible to reduce the use of pesticides, as this bill intends. It is our belief that municipalities already have the right and that this bill may not confer something they do not already have. However, having said that, if it helps to assuage the fears of the municipal governments to pass the bill, if they can see there is provincial legislation that will obviate the necessity of their going to court, if they feel they are less likely to be sued by the pesticide companies if they enact it, then it is my belief that they will enact what is proper for their communities and for all the residents of this province.

For that reason I commend the bill and Mr Patten for bringing it forward. I would ask that all members of the House consider the safety of themselves, their children, their neighbours and their friends and relatives and take the long-term view that it's better to have a few dandelions than to suffer cancer.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I appreciate the opportunity to address Bill 208, Municipal Amendment Act (Prohibiting Use of Pesticides), 2002. I would like to address this proposed legislation in the context of what communities are already doing, and we've heard some mention of that in the debate today.

A number of communities across Ontario have taken measures to manage any potential health and environmental risks associated with the use of pesticides, including herbicides and insecticides. I do want to inform the members of the House that I'm not in support of this approach in Bill 208.

Fairly simply, this represents what I consider another piece of red tape to add to the myriad constellation of rules and regulations that we have in our society. I don't feel that it really solves anything; it solves little and proposes ideas that many municipalities across the province are already contemplating.

Given the progress that has already been made on pesticide management, Bill 208 is about as relevant as a proposal to send the first man to the moon. This has already been done. I had an opportunity to speak with Buzz Aldrin a number of years ago. He has been there and back. So have Scott Carpenter and Neil Armstrong. They've been there, they've done that, and I suggest that many municipalities have also taken these measures. It's been done; it's on the way.

People are telling us to remove red tape and avoid duplication. If we push forward with legislation like this, we're ignoring these pleas and adding yet another needless set of hoops for people in Ontario to jump through. Many Ontario communities, including Toronto,

Ottawa, as the member from Ottawa Centre would know, London, Waterloo and Caledon, are considering the issue of the use of herbicide, insecticide and other pesticides and are taking action. Really, those municipalities don't need a piece of legislation to tell them what they already know and what they're already considering doing or are doing.

Ontario municipalities are acting in the best interests of their people and their communities. They're doing so without relying on an amendment to the Municipal Act. I commend them for their hard work to this point and I'm loath to support a bill that essentially would pull the rug from under their feet. I question this call for a prohibition on the use of pesticides. I support a science-based approach. I will make mention of section 2(2), and I quote, "A municipality may prohibit the spreading or use of pesticides on a precautionary basis regardless of whether the scientific evidence is conclusive or not." I question that. I feel there is a role for science. I feel there is a strong role for education and information in dealing with this issue. I have a farm. I use herbicides to grow food. I also have a lawn. I have never used chemicals on my lawn. I don't water my lawn. I have priorities. I have this approach because of brochures and information and educational programs that I have picked up over the years.

I mentioned that much work has already been done by municipalities. For example, Toronto released this report on its strategy to reduce the use of outdoor pesticides just this past November. Since then, the board of health has directed the city's medical officer of health to develop a pesticide bylaw for their consideration. What value would this bill have for the city of Toronto under our existing legislation? Toronto is already developing what I consider an effective strategy. It works for Toronto and protects the environment and human health at the same time.

It was the same story in Ottawa earlier this year. The city of Ottawa, as the member for Ottawa Centre will know, released its report on pesticide reduction strategies for private properties. The city will establish pesticide reduction targets in early 2003 and will, again, consider the need for a bylaw within three years if these targets are not met. The city of Ottawa does not require an amendment to Ontario's existing legislation to establish these reduction targets.

Many other communities—Mississauga, Hamilton—joined with park associations to develop a consistent municipal approach with respect to the issue of pesticide management. Really, why should we commend, tap them on the shoulder, tell them, "Thanks for the effort, but we feel we know better what's right" for their communities?

The new Municipal Act comes into effect January 1. It's a significant, far-reaching deal, a new deal, for our municipalities. The new Municipal Act was reviewed through countless consultations with municipal leaders. But now, before it can even come into effect, we're proposing, today, to amend it. Community leaders must be wondering why we would go down this road. Our cities

and towns aren't asking for amendments to an act that they, along with us, fought long and hard to create.

Again, in my view, prohibition is not the road to take. Education, information and persuasion I feel can be a much more fruitful approach to this issue.

Mr John Gerretsen (Kingston and the Islands): I can't understand what's happening here this morning. All this bill does is to clarify the section in the proposed Municipal Act that's going to take effect on January 1 to make sure that municipalities have the ability to pass bylaws. Let me just read the section that we're talking about. It clearly states that "a municipality may prohibit the spreading or use of pesticides" in non-essential situations if the prohibition is related to "health, safety and well-being of the inhabitants of the municipality." It is just to make sure that section 120 of the new act includes the provision that it could pass bylaws in this area as well—not that it will, but that it could.

I'm still of the belief that the local municipal politicians who deal with the down-to-earth, day-to-day problems in municipalities, who are just as legitimately elected as we are at this level, have a much better handle on individual situations when they deal with issues like this than we have at the provincial level or at the federal level.

I noticed that the last member who spoke, and he quoted section (2) of the amendment, didn't quote the entire section. Again, the section states: "A municipality may prohibit the spreading or use of pesticides on a precautionary basis regardless of whether the scientific evidence is conclusive or not," but he didn't continue on and quote the last section; "if the municipality is of the opinion that there's a threat to the health, safety and well-being of the inhabitants of the municipality."

All this section is doing is taking the ambiguity out of the whole new section 120 of the Municipal Act and allowing municipalities if, in their wisdom, after the due consultation that municipal councils usually get involved in, they feel they want to pass bylaws dealing with the prohibition of pesticides.

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I firmly believe that many, many areas are much better dealt with at the local level than at the provincial or the federal level, because I don't think the way we sometimes get involved in passing laws, etc, has the grassroots effect or the grassroots issues that can be addressed at the local level. The evidence is surely clear, from all the various medical reports and medical studies that have been done, that the long-term use of pesticides creates reproductive effects in newborns, neurological effects in individuals, and all sorts of problems that can be related to the long-term use of pesticides. If a municipal council feels it is in the best interests of their citizens to do something about it, they should have the right to do something about it by banning the use of pesticides. Obviously, this has to be done on an individual basis and a case-by-case basis, the way the leaders of that municipality see the issue from time to time.

Some of the other gobbledegook I've heard here this morning about, "Well, this will have to be tested in the courts, and then we can have some adjudication of it"—what this proposed amendment is trying to do is take it out of the area of ambiguity so there will not be any challenges in court. Surely to goodness there are enough members on all sides of the House who agree with the member from Ottawa Centre, who has proposed this private member's bill, that it is the local people in the local municipalities who can best adjudicate this. Again, it is simply giving them the right to do so. It doesn't mean that every municipality is going to do this; it's simply giving them the right to do something they probably should have had the power to do for a long period of time. That's what this is about, and I urge all members to support this bill.

Mr Mike Colle (Eglinton-Lawrence): I want to thank our member from Ottawa Centre, Richard Patten, for having the dedication to bring this forward. I think that sometimes a verification of the reason we're here as lawmakers is to propose good laws. This is a good piece of legislation, a good amendment that makes eminent sense, because it affects people in a real way in terms of their health and the health of their children and families. I want to thank councillor Bill Armstrong, who came here all the way from London, who is also typical of a lot of councillors throughout Ontario who want to do something that benefits their constituents.

In many ways, this is really a no-brainer. Who, except the one member from across the way, stands up and defends the use of pesticides? In an urban setting, it has to be controlled, because properties are so adjacent to each other. Even if you don't use pesticides on your lawn, your next-door neighbour on either side or your neighbours in behind you could be using pesticides, because the lots are so small. That's why you need a municipal government that can enact protective laws so you don't have the free and unlimited use of pesticides.

In Ontario right now, as you know, you can walk into any Home Depot or Home Hardware and get all the chemicals, all the pesticides, you want; there's no limit on it. So if you've got some hare-brained neighbour next door who wants to make his lawn the greenest lawn this side of Ireland, he'll do it with every pesticide he can buy at a discount price at the local hardware store. That's why you have to have some power in the hands of municipalities to control that type of use—and it's rampant. All over this province there are people, especially in cities, who spend all their time pouring chemicals on to their front lawns or back lawns. That chemical, that pesticide, goes beyond that person's property. It goes into water tables, it goes into aquifers. It runs into the storm sewer runoffs and goes into our water supply, into the lakes and rivers that supply us with water. We drink the pesticides because there are some irresponsible people or people who don't understand the impact of that pesticide use. So we have to have some protections for citizens on this unlimited use.

That's why municipalities are saying very clearly, "There's ambiguity out there right now. We want to know what our rights are and that we won't be spending hundreds of thousands of dollars in court trying to defend our right to protect our citizens." That's what is hampering municipalities right now, and this government's got to do something about it. They've got to enable municipalities to be immune from these multi million-dollar court cases that they are going to be confronted with if they confront the DuPont Chemicals of this world.

The member for Ottawa Centre is listening to people all across this province who want the government of Ontario to give municipalities the power—if the provincial government won't do it, they're saying, "Let the municipalities protect us from this rampant use of cosmetic pesticides especially." You can understand in some cases where you've got a need to control some kind of outbreak of mosquito, West Nile virus, but we're not talking about that. We're talking about the cosmetic use of pesticides on properties in every city across this province, and in essence there are no controls on doing that.

Sadly, sometimes the parents don't understand the impact they are having on their children and on themselves, and that these pesticides they use are permanent. They are permanently in the lawn; they are permanently dragged into the house on your feet, on to your carpets; they are in our drinking water. Who in his right mind would not want some kind of protection? It's a little bit of protection that the member for Ottawa Centre is asking for, and I think we, as lawmakers, have a duty to listen to this call for some kind of action on our part. It's a little step we can use to ensure that municipalities will be able to do their job, to stop this rampant use of cosmetic pesticides all across this province.

The Deputy Speaker: The member for Ottawa Centre has two minutes.

Mr Patten: Thank you very much to everyone participating in this debate today. I appreciate the points that were made.

I would like to address one, if I may, to the member for Haldimand-Norfolk-Brant, who said this is going to increase red tape. The point is, it does the exact opposite, in clarifying the position. This isn't taken lightly. I didn't just think about this sitting in my office and say, "You know, I think I'm going to do this." I sought legal advice. I talked to the people in the pesticide control area, or my staff did, rather. Do you know what the managers in the pesticides section, standards development branch, of the Ministry of the Environment said? They indicated that currently the Ontario Pesticides Act and Municipal Act don't explicitly provide for a municipal role in regulating pesticides. So the confusion is there.

This is to enable municipalities that want to take action and reduce legal costs, so it in effect would reduce red tape for a lot of municipalities. A number of municipalities have said to me that they have been deterred by the worry over the legal costs from pursuing something that they think is important for the health of the constituents in their particular town or city.

So I would urge the members—Mr Armstrong from London city council is here today. London city council just voted 18 to 1 in favour of supporting this particular bill because they believe this will help them have a very clear backdrop on which they would be able to proceed if they choose to regulate, mitigate, or in any way try to reduce some of the toxicity in their municipality that has grave health effects for a lot of people.

I want to thank the members who spoke very articulately and added to the debate today.

The Deputy Speaker: The time for private members' business has expired.

RENT FREEZE
AND RENT CONTROL ACT, 2002
LOI DE 2002 SUR LE GEL
ET LE CONTRÔLE DES LOYERS

The Deputy Speaker (Mr Bert Johnson): We will deal first with ballot item number 73, standing in the name of Mr Prue.

Mr Prue has moved second reading of Bill 215, An Act to amend the Tenant Protection Act, 1997.

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

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

We'll stand that down and deal with the second item of business.

MUNICIPAL AMENDMENT ACT
(PROHIBITING USE
OF PESTICIDES), 2002

LOI DE 2002 MODIFIANT LA LOI
SUR LES MUNICIPALITÉS (INTERDICTION
D'UTILISER DES PESTICIDES)

The Deputy Speaker (Mr Bert Johnson): We will now deal with ballot item number 74, standing in the name of Mr Patten.

Mr Patten has moved second reading of Bill 208, An Act to amend the Municipal Act.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

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

The division bells rang from 1201 to 1206.

RENT FREEZE
AND RENT CONTROL ACT, 2002
LOI DE 2002 SUR LE GEL
ET LE CONTRÔLE DES LOYERS

The Deputy Speaker (Mr Bert Johnson): We are dealing with ballot item 73. All those in favour will please rise and remain standing until recognized by the Clerk.

Ayes

Bisson, Gilles	Hampton, Howard	Martel, Shelley
Christopherson, David	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	

The Deputy Speaker: All those opposed will please rise and remain standing until recognized by the Clerk.

Nays

Arnott, Ted	Gilchrist, Steve	O'Toole, John
Baird, John R.	Gill, Raminder	Ouellette, Jerry J.
Barrett, Toby	Gravelle, Michael	Parsons, Ernie
Bartolucci, Rick	Hastings, John	Patten, Richard
Beaubien, Marcel	Hodgson, Chris	Phillips, Gerry
Bountrogianni, Marie	Hudak, Tim	Pupatello, Sandra
Boyer, Claudette	Johns, Helen	Ramsay, David
Bradley, James J.	Kells, Morley	Runciman, Robert W.
Caplan, David	Kennedy, Gerard	Ruprecht, Tony
Chudleigh, Ted	Klees, Frank	Sampson, Rob
Clark, Brad	Lalonde, Jean-Marc	Spina, Joseph
Clement, Tony	Levac, David	Sterling, Norman W.
Coburn, Brian	Marland, Margaret	Stewart, R. Gary
Cordiano, Joseph	Martiniuk, Gerry	Stockwell, Chris
Crozier, Bruce	Maves, Bart	Tascona, Joseph N.
Cunningham, Dianne	Mazzilli, Frank	Tsubouchi, David H.
Curling, Alvin	McDonald, AL	Turnbull, David
DeFaria, Carl	McLeod, Lyn	Wettlaufer, Wayne
Dombrowsky, Leona	McMeekin, Ted	Wilson, Jim
Duncan, Dwight	Miller, Norm	Witmer, Elizabeth
Dunlop, Garfield	Molinari, Tina R.	Wood, Bob
Elliott, Brenda	Munro, Julia	Young, David
Galt, Doug	Mushinski, Marilyn	
Gerretsen, John	Newman, Dan	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 8; the nays are 70.

The Deputy Speaker: I declare the motion defeated.

The doors will be open for 30 seconds for entrance or egress.

MUNICIPAL AMENDMENT ACT
(PROHIBITING THE USE
OF PESTICIDES), 2002

LOI DE 2002 MODIFIANT LA LOI
SUR LES MUNICIPALITÉS (INTERDICTION
D'UTILISER DES PESTICIDES)

The Deputy Speaker (Mr Bert Johnson): We'll deal now with ballot item number 74. All those in favour will please rise and remain standing until recognized by the Clerk.

Ayes

Bartolucci, Rick	Gravelle, Michael	O'Toole, John
Bisson, Gilles	Hampton, Howard	Ouellette, Jerry J.
Bountrogianni, Marie	Hastings, John	Parsons, Ernie
Boyer, Claudette	Kennedy, Gerard	Patten, Richard
Bradley, James J.	Klees, Frank	Phillips, Gerry
Caplan, David	Kormos, Peter	Prue, Michael
Christopherson, David	Lalonde, Jean-Marc	Pupatello, Sandra
Churley, Marilyn	Levac, David	Ramsay, David
Clark, Brad	Marchese, Rosario	Runciman, Robert W.
Clement, Tony	Marland, Margaret	Ruprecht, Tony
Colle, Mike	Martel, Shelley	Spina, Joseph
Cordiano, Joseph	Martiniuk, Gerry	Tascona, Joseph N.
Crozier, Bruce	Maves, Bart	Tsubouchi, David H.

Cunningham, Dianne	Mazzilli, Frank	Turnbull, David
Curling, Alvin	McDonald, AL	Wettlaufer, Wayne
DeFaria, Carl	McLeod, Lyn	Wilson, Jim
Dombrowsky, Leona	McMeekin, Ted	Witmer, Elizabeth
Duncan, Dwight	Miller, Norm	Wood, Bob
Dunlop, Garfield	Molinari, Tina R.	Young, David
Gerretsen, John	Munro, Julia	
Gill, Raminder	Newman, Dan	

The Deputy Speaker: All those opposed will please rise and remain standing until recognized by the Clerk.

Nays

Baird, John R.	Coburn, Brian	Hudak, Tim
Barrett, Toby	Elliott, Brenda	Johns, Helen
Beaubien, Marcel	Galt, Doug	Sterling, Norman W.
Chudleigh, Ted	Hodgson, Chris	Stewart, R. Gary

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 61; the nays are 12.

The Deputy Speaker: I declare the motion carried.

Shall the bill be referred to a standing committee?

Mr Richard Patten (Ottawa Centre): Could I seek unanimous consent to refer this to the standing committee on justice and social policy?

The Deputy Speaker: Shall the bill be referred to the standing committee on justice and social policy? I hear some dissent.

All those in favour will please rise.

All those opposed will please rise.

The majority of the House being in favour, this bill stands referred to the justice committee.

The business of this morning being ended, this House stands adjourned until 1:30.

The House recessed from 1215 to 1330.

MEMBERS' STATEMENTS

HIGHWAY 11/17

Mr Michael Gravelle (Thunder Bay-Superior North): I think it's fair to say that the expenses released earlier this week for former northern development minister Tim Hudak detailing trips to China, Korea, Rio de Janeiro and Las Vegas all in the same year bring into question the priorities of the then minister for the north. Certainly, it's clear from the perspective of a member from northwestern Ontario that much-needed highway improvements were not part of the discussions in those exotic locales.

All of this seems somehow more galling when one notes the tap dance recently exhibited by senior Ministry of Transportation officials related to the need for four-laning the Trans-Canada Highway between Thunder Bay and Nipigon. First we are told that traffic volumes do not justify the four-laning, but then we are told that traffic volumes are not the only factor in the decision to four-lane. In fact, the regional director for the ministry told Thunder Bay television yesterday that a stretch of

highway east of Sault Ste Marie that is being four-laned is being done to address safety concerns unique to that area. So in other words, mitigating factors can override the volume issue.

If I may, let me suggest some vital mitigating factors relating to the stretch of Highway 11/17 between Thunder Bay and Nipigon. One, there is no alternate route available to drivers. Close the highway here and the Trans-Canada is shut down. Two, the section between Thunder Bay and Pass Lake frequently exceeds the volumes required by the ministry, certainly during the summer months. Why not move to at least four-lane that section of the highway? Thirdly, the province 12 years ago determined that four-laning that stretch between Thunder Bay and Nipigon should go forward.

There are more large transports on the highways. That's got to be a consideration. This is a project that is more than justified and, in fact, a vital necessity to ensure the safety of northern drivers. We will not give up until we see it become a reality.

ST FRANCIS OF ASSISI SCHOOL

Mr John O'Toole (Durham): I would first like to take time to acknowledge the grade 5 class, the students and their teacher, Donna Paquette, who are sitting in the public gallery today. They hail from St Joseph's French Immersion Centre in Bowmanville and are here to observe the political process in action.

I also rise in the House to congratulate St Francis of Assisi Catholic Elementary School on the official opening and blessing of this new school in the village of Newcastle. I had the opportunity to attend the school's official opening on October 4, 2002, a wonderful program of music and greetings celebrating the event, with Barb Malone, trustee, as the emcee. The entertainment was provided by the St Francis student and staff choirs and the St Francis recorder club and the St Stephen's Secondary School concert band. The celebration honoured those persons whose strength and commitment have been critical to the development of this new school site.

The new structure, which has a capacity of 558 students, has 19 regular classrooms, a library resource centre, a health room, a special education room, three kindergarten classes, a new resource room, a wonderful gymnasium and an administrative centre. This new school will be under the administrative guidance of Violet Neheli as principal and Katherine Derhak as vice-principal.

I'm very excited to announce the completion of the new St Francis of Assisi school in Durham riding. I'm confident this new building will be a centre for children and their educational achievements and a focal point of the Newcastle community.

I'd ask the members to recognize the grade 5 class with Donna Paquette here today.

WATER EXTRACTION

Mr James J. Bradley (St Catharines): Intense lobbying by Perth-based OMYA Canada Inc appears to have left the company poised to increase its industrial water consumption by 500% and to eclipse the limits set by a recent environmental tribunal. If it gets the green light from the Ontario Ministry of the Environment and Minister Chris Stockwell, OMYA will soon be allowed to pump 4,500 cubic metres of water a day from the Tay River. The proposed intake amount is equal to that used by all 6,000 residents, businesses and civic facilities in Perth.

Today Lanark county citizens called on the Ontario Minister of the Environment to uphold the recommendations of the Walkerton inquiry report when he makes his decision on a controversial water-taking appeal involving the Tay River near Perth. After a two-year struggle in February 2002, permanent and seasonal residents in the Tay River watershed won an Environmental Review Tribunal decision to restrict the volume of water-taking from the Tay River by the company. The tribunal decision restricted the company to taking 1.5 million litres of water a day from the Tay River, one third of the original volume sought by the company. OMYA appealed this decision to the Minister of the Environment, Chris Stockwell, asking him to triple the water-taking to 4.5 million litres per day.

The Tay River Defence appellants were shocked to learn in late November that the Ministry of the Environment, which had initially agreed to the tribunal's decision to restrict the water-taking, had reversed its position and is urging Minister Stockwell to accept the company demands.

It sounds like political pressure to me, and that political pressure should be resisted.

VOLUNTEERS

Mr Norm Miller (Parry Sound-Muskoka): It is my pleasure to announce that today is International Volunteer Day. This day, designated by the United Nations in 1985, is an excellent opportunity for each of us to publicly celebrate the contribution that volunteers make to the strength of this province. In Ontario more than 2.3 million men, women and youth volunteer time equivalent to 205,000 full-time jobs. That time, given freely for community service, has been estimated at a value of more than \$6 billion annually.

Our government recognizes and celebrates the contributions of our volunteers. Since 1995, our government has invested more than \$37 million to support volunteerism, including the International Year of Volunteers celebrations last year. Our government, through the Ministry of Citizenship, supports volunteer initiatives such as Volunteer @ction On-line, the Ontario Screening Initiative, Ontario Voluntary Forum, Making IT Work for Volunteers, and Good Neighbours.

This year, more than 7,000 volunteers were honoured with volunteer service awards and outstanding achievement awards at 28 local ceremonies, including a ceremony held recently in Parry Sound that I was able to attend.

Mr Speaker and honourable members, please take time today to recognize the immense contributions that volunteers can make.

FIREFIGHTERS

Mr Dave Levac (Brant): I rise in the House today to speak about an important issue that has sparked intense debate within and outside this House, Bill 30. Some unknown facts that do not seem to get out there are that the Ontario Professional Fire Fighters Association offered a proposal to the Minister of Public Safety and Security to hold an independent task force to resolve the double-hatter issue by engaging all the stakeholders in this process. To date this offer has been turned down by the government.

In committee, my own amendment was turned down that asked for the very same thing to happen: that negotiations take place before any type of bill is rammed down their throats. Quite frankly, the fire marshal indicated that he only had one meeting with the stakeholders and decided that the negotiations were over. I think it's important for us to make that understood.

Secondly, the OPFFA would reinstate a moratorium on charges against double-hatters if the government would take time to have this task force struck. It seems to me that this resolves the problem in a conciliatory way between all those involved and does not create the chaos that is now happening. I'm consistently perplexed by the way this government continues to alienate entire groups with poorly written and poorly implemented legislation. The OPFFA has made a commitment to work together with all stakeholders to find an equitable solution to all the things that are involved in this issue. I would urge each member of this House not to vote for Bill 30 and to allow these groups to find that task force, to find that negotiation and to come to an equitable solution to this problem.

WATER EXTRACTION

Ms Marilyn Churley (Toronto-Danforth): A multinational corporation, OMYA, applied to have their water-taking increase from 1.5 million litres per day to a whopping 4.5 million litres per day. The ministry issued an order to allow the expanded water-taking, but the citizens who live near the Tay River, some of whom are here today, were concerned that this amount of water taken from the river would threaten its viability, so they appealed the decision to the Environmental Review Tribunal. The tribunal, on recommendation from the minister's staff, agreed with the citizens that they should not be allowed to take that amount of water per day. The tribunal ordered that the company's water-taking be

restricted to 1.5 million litres per day. It also laid out conditions that it should have an independent auditor make sure the water-taking didn't exceed the permit. But OMYA wanted more and they've appealed to both the minister and the courts to overturn the decision and give them the water they asked for. The CEO of OMYA wrote a threatening letter to the government saying that if it didn't give in to their demands, they might have to reassess their "investment and production plans" in Ontario.

The Environmental Review Tribunal stated that before there was an increase in water taken from the Tay, there should be a water budget done so the impact could be assessed. That has not been done. Justice O'Connor recommended the same thing. This government has not done anything on source protection. I appeal to the minister to not give in to the corporation's demand here and to do the right thing.

1340

SISTERS OF THE ASSUMPTION OF THE BLESSED VIRGIN

Mr AL McDonald (Nipissing): Today I rise before the House to talk about a recent event that I attended in my riding of Nipissing.

Last Friday, I had the opportunity to celebrate the good work that the Sisters of the Assumption of the Blessed Virgin have done over the years. This event was held at the École Publique Héritage. Once a year, the school recognizes individuals who have contributed to the quality of life in the community. French education has really benefited from the work that the sisters have done over the years to ensure that students get the education they deserve. Had it not been for them, I am certain there would be a smaller percentage of French-speaking high school and university graduates in North Bay.

As one former student said, the sisters didn't just teach about things found in textbooks, they also taught about life lessons, morals and values. This is indeed something that is taught and not just understood at a very young age. Without a doubt, they have been wonderful role models for students to look up to.

Established in North Bay since 1920, the Sisters of the Assumption founded the first French-language Catholic secondary school in the region. I'd like to thank the sisters for all their dedicated service over the years. I know it is their hope that many more young women show an interest in pursuing sisterhood.

Bonne chance et merci beaucoup. J'espère que vous aurez beaucoup de bonheur dans votre vie.

FINNISH COMMUNITY

Mr Tony Ruprecht (Davenport): Today, my colleague Michael Gravelle and I have the privilege to introduce to you and the House representatives of the government of Finland and of the Canadian Finnish community. They're here to celebrate—

Applause.

Mr Ruprecht: Oh, by golly. This is too early, Mr Speaker.

Interjection: Give him some more time.

Mr Ruprecht: They're here to celebrate the independence of Finland on December 6, 1917. They are Consul General Partanen, Dr Veli Ylänkö, Mrs Viola and Eric Lindala, Mr Kauko Leppälä, Mrs Meeri Apunen, Mr Veikko Kallio and some others as well. We welcome you to this Legislature.

Mr Speaker, with your permission, tomorrow at 12:30 the Finnish community of Canada is going to raise the white and blue flag right in front of the Legislature to celebrate this very important event. All of us are invited to participate.

What these colours remind us of are the great sacrifices Finns have made for their independence. Many people, in fact, hundreds died until Finland had their independence in 1917. What these colours also represent for us is the great contribution Finnish Canadians have made, not only in northern Ontario from Thunder Bay to Sudbury, but also to Toronto, with the Welland Canal, the new City Hall, structural engineering, and even music.

Finally, let me simply say this: these colours will also remind us of the greatest struggle for freedom in the history of modern times, namely, the independence of Finland when the Soviet forces outnumbered the Finns by 10 to one. They fought them to a standstill and great sacrifices were made. In fact, the Finnish population lost half of their men in uniform between the ages of 18 and 25, so it is this generation of Canadians and Finns who know about the struggle for independence, freedom and democracy. They carry on with the torch for freedom into the future. They're the ones who are showing us what to do. They're the ones who deserve an independent Finland for the future. Canada and Finland will be together to have this fight continue.

The Speaker (Hon Gary Carr): I thank the member. We welcome our honoured guests.

CHRISTKINDL MARKET

Mr Wayne Wettlaufer (Kitchener Centre): About 700 years ago, around the year 1310, Germans in Munich participated in an annual opportunity for farmers to go to town to do some shopping and offer their wares for sale. It was called the Nikolausdult Market. To this day, the festival continues in Munich. However, as times change, so do customs and traditions. The festival is now called Christkindl Market, or Christ Child Market.

Along with the new name, this popular festival has adopted new traditions. As the custom of giving gifts became popular around this time of year, the market adopted the custom. The markets became a popular venue for crafts, gift items and foods, and of course a place for the sale of toys for children. They became world renowned for their ceremonies, festivities, entertainment and outstanding gifts and food.

I am proud to say that Kitchener city hall is hosting Canada's own original Christkindl Market. They started yesterday evening and will continue through Sunday, December 8, 2002. Over 25,000 people from across North America come to experience this event. Dozens of volunteers contribute their time and efforts to the success of this event. I will be volunteering my time at the German-Canadian Business and Professional Association booth on Sunday, December 8.

My personal thanks go to Mr Tony Bergmeier and the German community of Kitchener, who organize the event, for their hard work. I invite everyone to come to Kitchener city hall throughout the next three days to experience Ontario's and Kitchener's own Christkindl Market.

ADJOURNMENT DEBATE

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: I seek unanimous consent of this House to reschedule the late show for this evening. Minister Coburn is unable to attend as a result of scheduling, and our offices have come to a mutual agreement to reschedule the late show for Tuesday, December 10.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed. I thank the member for that.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Norm Miller (Parry Sound-Muskoka): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 195, An Act respecting safe drinking water /
Projet de loi 195, Loi ayant trait à la salubrité de l'eau potable.

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

Pursuant to the order of the House dated November 6, 2002, the bill is ordered for third reading.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Joseph Spina (Brampton Centre): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 180, An Act to enact, amend or revise various Acts related to consumer protection /
Projet de loi 180, Loi édictant, modifiant ou révisant diverses lois portant sur la protection du consommateur.

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

Pursuant to the order of the House dated Tuesday, November 19, 2002, the bill is ordered for third reading.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr John Gerretsen (Kingston and the Islands): I beg leave to present a report on the integrated justice project from the standing committee on public accounts and move the adoption of its recommendations.

The Speaker (Hon Gary Carr): Does the member wish to make a brief statement?

Mr Gerretsen: There are 10 recommendations contained in this report. I'll briefly mention three of them. The ministry should take the necessary steps to ensure the integrated justice project will be completed and fully implemented. The Management Board Secretariat should assess the provincial common purpose procurement model and address any shortcomings, taking into account the experience of the integrated justice project. Finally, the third recommendation I want to draw attention to states that the ministry should ensure that consulting and related services can be demonstrated to have been acquired competitively and managed in compliance with government policies and procedures, and that payments are made in accordance with contractual terms and conditions.

I move adjournment of the debate at this point.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Joseph Spina (Brampton Centre): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 151, An Act respecting the Toronto Waterfront Revitalization Corporation / Projet de loi 151, Loi concernant la Société de revitalisation du secteur riverain de Toronto.

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

Pursuant to the order of the House dated Wednesday, October 16, 2002, the bill is ordered for third reading.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Norm Miller (Parry Sound-Muskoka): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 175, An Act respecting the cost of water and waste water services / Projet de loi 175, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

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

Pursuant to the order of the House dated November 4, 2002, the bill is ordered for third reading.

INTRODUCTION OF BILLS

EVES TOLL ROAD ACT, 2002

LOI DE 2002 SUR LA ROUTE À PÉAGE EVES

Mr Phillips moved first reading of the following bill:

Bill 221, An Act to name Highway 407 / Projet de loi 221, Loi visant à nommer l'autoroute 407.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

Mr Gerry Phillips (Scarborough-Agincourt): I've always felt for some time that Premier Eves has not received the recognition he deserves for 407. This bill will name the 407 the Eves Toll Road. I think it will be relatively inexpensive because, as I think most people know, it's called the ETR currently, so the signs will not have to be changed in order to do that.

DEFERRED VOTES

HIGHWAY TRAFFIC AMENDMENT ACT (EMERGENCY VEHICLE SAFETY), 2002

LOI DE 2002 MODIFIANT LE CODE DE LA ROUTE (SÉCURITÉ DES VÉHICULES DE SECOURS)

Deferred vote on the motion for second reading of Bill 191, An Act to amend the Highway Traffic Act to ensure the safety of emergency vehicles stopped on a highway and people who are outside a stopped emergency vehicle / Projet de loi 191, Loi modifiant le Code de la route afin de garantir la sécurité des véhicules de secours arrêtés sur une voie publique et celle des personnes qui se trouvent à l'extérieur de tels véhicules.

The Speaker (Hon Gary Carr): Call in the members. This will be a five-minute bell.

The division bells rang from 1353 to 1358.

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

Ayes

Arnott, Ted	Gerretsen, John	Mushinski, Marilyn
Baird, John R.	Gilchrist, Steve	Newman, Dan
Bartolucci, Rick	Gill, Raminder	O'Toole, John
Beaubien, Marcel	Gravelle, Michael	Ouellette, Jerry J.
Bisson, Gilles	Hampton, Howard	Parsons, Ernie
Bountrogianni, Marie	Hardeman, Ernie	Peters, Steve
Boyer, Claudette	Hodgson, Chris	Phillips, Gerry
Bradley, James J.	Hudak, Tim	Prue, Michael
Bryant, Michael	Jackson, Cameron	Pupatello, Sandra
Caplan, David	Johns, Helen	Ramsay, David
Christopherson, David	Johnson, Bert	Runciman, Robert W.
Chudleigh, Ted	Kells, Morley	Ruprecht, Tony
Churley, Marilyn	Klees, Frank	Sampson, Rob
Clark, Brad	Kormos, Peter	Sergio, Mario
Clement, Tony	Lalonde, Jean-Marc	Smitherman, George
Coburn, Brian	Levac, David	Sorbara, Greg
Colle, Mike	Marchese, Rosario	Spina, Joseph
Cordiano, Joseph	Marland, Margaret	Sterling, Norman W.
Crozier, Bruce	Martel, Shelley	Stewart, R. Gary
Cunningham, Dianne	Martiniuk, Gerry	Stockwell, Chris
Curling, Alvin	Maves, Bart	Tascona, Joseph N.
DeFaria, Carl	Mazzilli, Frank	Tsubouchi, David H.
Dombrowsky, Leona	McDonald, AL	Turnbull, David
Duncan, Dwight	McLeod, Lyn	Wettlaufer, Wayne
Dunlop, Garfield	McMeekin, Ted	Wilson, Jim
Ecker, Janet	Miller, Norm	Witmer, Elizabeth
Elliott, Brenda	Molinari, Tina R.	Wood, Bob
Galt, Doug	Munro, Julia	Young, David

Clerk of the House (Mr Claude L. DesRosiers): The eyes are 84; the nays are 0.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated November 25, 2002, the bill is ordered for third reading.

KEEPING THE PROMISE
FOR A STRONG ECONOMY ACT
(BUDGET MEASURES), 2002

LOI DE 2002 SUR LE RESPECT
DE L'ENGAGEMENT D'ASSURER
UNE ÉCONOMIE SAINTE
(MESURES BUDGÉTAIRES)

Deferred vote on the motion for second reading of Bill 198, An Act to implement Budget measures and other initiatives of the Government / Projet de loi 198, Loi mettant en oeuvre certaines mesures budgétaires et d'autres initiatives du gouvernement.

The Speaker (Hon Gary Carr): All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hudak, Tim	Ouellette, Jerry J.
Baird, John R.	Jackson, Cameron	Runciman, Robert W.
Beaubien, Marcel	Johns, Helen	Sampson, Rob
Chudleigh, Ted	Johnson, Bert	Spina, Joseph
Clark, Brad	Kells, Morley	Sterling, Norman W.
Clement, Tony	Klees, Frank	Stewart, R. Gary
Coburn, Brian	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Turnbull, David
Ecker, Janet	McDonald, AL	Wettlaufer, Wayne
Elliott, Brenda	Miller, Norm	Wilson, Jim
Galt, Doug	Molinari, Tina R.	Witmer, Elizabeth
Gilchrist, Steve	Munro, Julia	Wood, Bob

Gill, Raminder	Mushinski, Marilyn	Young, David
Hardeman, Ernie	Newman, Dan	
Hodgson, Chris	O'Toole, John	

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

Nays

Bartolucci, Rick	Curling, Alvin	McMeekin, Ted
Bisson, Gilles	Dombrowsky, Leona	Parsons, Ernie
Bountrogianni, Marie	Duncan, Dwight	Peters, Steve
Boyer, Claudette	Gerretsen, John	Phillips, Gerry
Bradley, James J.	Gravelle, Michael	Prue, Michael
Bryant, Michael	Hampton, Howard	Pupatello, Sandra
Caplan, David	Kormos, Peter	Ramsay, David
Christopherson, David	Lalonde, Jean-Marc	Ruprecht, Tony
Churley, Marilyn	Levac, David	Sergio, Mario
Colle, Mike	Marchese, Rosario	Smitherman, George
Cordiano, Joseph	Martel, Shelley	Sorbara, Greg
Crozier, Bruce	McLeod, Lyn	

Clerk of the House (Mr Claude L. DesRosiers): The eyes are 49; the nays are 35.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated November 21, 2002, the bill is ordered for third reading.

ELECTRICITY PRICING,
CONSERVATION
AND SUPPLY ACT, 2002

LOI DE 2002 SUR L'ÉTABLISSEMENT
DU PRIX DE L'ÉLECTRICITÉ,
LA CONSERVATION DE L'ÉLECTRICITÉ
ET L'APPROVISIONNEMENT
EN ÉLECTRICITÉ

Deferred vote on the motion for second reading of Bill 210, An Act to amend various acts in respect of the pricing, conservation and supply of electricity and in respect of other matters related to electricity / Projet de loi 210, Loi modifiant diverses lois en ce qui concerne l'établissement du prix de l'électricité, la conservation de l'électricité et l'approvisionnement en électricité et traitant d'autres questions liées à l'électricité.

The Speaker (Hon Gary Carr): Call in the members. This will be a five-minute bell.

The division bells rang from 1405 to 1410.

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

Ayes

Arnott, Ted	Gerretsen, John	Parsons, Ernie
Baird, John R.	Gilchrist, Steve	Peters, Steve
Barrett, Toby	Gill, Raminder	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Beaubien, Marcel	Hardeman, Ernie	Ramsay, David
Bountrogianni, Marie	Hastings, John	Runciman, Robert W.
Boyer, Claudette	Hodgson, Chris	Ruprecht, Tony
Bradley, James J.	Jackson, Cameron	Sampson, Rob
Bryant, Michael	Johns, Helen	Sergio, Mario
Caplan, David	Johnson, Bert	Smitherman, George
Chudleigh, Ted	Kells, Morley	Sorbara, Greg
Clark, Brad	Klees, Frank	Spina, Joseph
Clement, Tony	Lalonde, Jean-Marc	Sterling, Norman W.

Coburn, Brian	Marland, Margaret	Stewart, R. Gary
Colle, Mike	Martiniuk, Gerry	Stockwell, Chris
Cordiano, Joseph	Maves, Bart	Tasca, Joseph N.
Crozier, Bruce	Mazzilli, Frank	Tsubouchi, David H.
Cunningham, Dianne	McDonald, AL	Turnbull, David
Curling, Alvin	McLeod, Lyn	Wettlaufer, Wayne
DeFaria, Carl	McMeekin, Ted	Wilson, Jim
Dombrowsky, Leona	Miller, Norm	Witmer, Elizabeth
Duncan, Dwight	Molinari, Tina R.	Wood, Bob
Dunlop, Garfield	Munro, Julia	Young, David
Ecker, Janet	Mushinski, Marilyn	
Elliott, Brenda	O'Toole, John	
Galt, Doug	Ouellette, Jerry J.	

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

Nays

Bisson, Gilles	Hampton, Howard	Martel, Shelley
Christopherson, David	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 75; the nays are 8.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated December 3, 2002, the bill is ordered for third reading.

VISITORS

The Speaker (Hon Gary Carr): Just before we begin, we have a former colleague in the members' gallery west, Mr Michael Cassidy, the member for Ottawa Centre in the 32nd Parliament. We welcome our colleague.

MEMBER'S BIRTHDAY

Ms Marilyn Mushinski (Scarborough Centre): On a very brief point of order, Mr Speaker: Last week we did recognize the celebration of a 45th wedding anniversary in this House. There is a member who is celebrating her birthday in this place today and I would like to wish her a very happy birthday. That's the Honourable Dianne Cunningham.

The Speaker (Hon Gary Carr): Happy birthday, Minister.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): Thank you very much, everyone.

DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I believe we have unanimous consent for all parties to make a five-minute statement to commemorate the national Day of Remembrance and Action on Violence Against Women.

I also believe we have unanimous consent to wear pins and red roses, the symbol of the national action day of remembrance.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mrs Cunningham: December 6 is Canada's national Day of Remembrance and Action on Violence Against Women. The rose button is produced to commemorate this day and to remember the 14 young women killed in Montreal on December 6, 1989, and all women affected by violence, and of course to send our best wishes, personal regards and sympathies, as always, to the victims' families and friends. Violence against women is a societal issue that affects women, men and children. We can all contribute to making our society a healthy one by supporting anti-violence work in our communities.

We all have this bookmark today to remind us. This is a production of the YWCA of Canada's proud sponsorship of the distribution of the rose button. With member associations right across this great country, the YWCA of Canada provides community-based programs and services across the country in areas of anti-violence, housing, child care, employment, training, health, wellness and fitness in a caring, supportive environment. We want to thank them and the hundreds of sponsors who try to keep this day as one for all of us to remember, and to move forward.

Right here in Ontario our government is committed to assisting women and their children to live free from violence. We continue to take a comprehensive approach, across nine ministries, to domestic violence which focuses on protection and prosecution, support for victims and prevention and education. All levels of government and all members of society must work to stop the violence. It's that simple: stop this violence.

Our government, through our Ontario Women's Directorate, is committed to promote both stopping the violence in any way we can across all ministries and to promote women's economic independence. Funding for programs to combat violence against women has increased 70% since 1995. For example, on September 5, 2002, the government announced our most recent commitment of \$21.4 million in new funding and measures to further address this serious issue. At the top of the list are shelters and services for women.

Just this morning, the Ontario Women's Health Council, a council of our government, announced a \$3-million research program to identify the most effective screening tool for women abuse, and the list goes on; we keep trying in every way we can, together. To be used in a variety of settings, this tool in the health care system will help health care professionals identify abuse earlier and will get women and their children the support they need sooner.

While we've made good progress, I believe, we know that there's always more to do. Just two days ago, the federal-provincial-territorial ministers responsible for the status of women released a statistical profile on violence against women which shows that women continue to be

more likely victims than men, and victims of the most severe and ongoing forms of spousal assault. I represented our government on that provincial territorial council for six of the seven years that we've been in government. The two focuses of that council right across the country that represents women's issues are, first of all, "Stop the violence," and second, women's economic independence.

Each one of us can make a difference by supporting women's rights to choose their own paths and achieve their goals. Today all of us in this House, in a very non-partisan way, urge everyone to take this message to their communities, to their own homes and to members of their families, and just think about those 14 women who were murdered in Montreal, and remember the many others who have become victims of violence since that day. Their memory motivates and guides us, and we have to remember that it's up to each one of us to make a difference.

1420

Mrs Marie Bountrogianni (Hamilton Mountain): I too rise in memory of the 14 women, the engineering students, who were massacred 13 years ago, and of the hundreds and thousands of women who have died alone in their homes, for whom there is no national day of mourning.

Today in Canada we mark the national Day of Remembrance and Action on Violence Against Women. The massacre was a tragedy, as well as a significant loss to society. We still struggle for equal female representation in our science-based programs and professions. Programs like engineering still have the challenge of many fewer females than males. At the time of the Montreal massacre, only 13% of engineering students in the country were female. Today it sits at 20%. The 14 women who lost their lives were, therefore, exceptional. They fought against the mould, had fought the stigma and the stereotypes aligned against them.

Let us reflect for one moment on what the years have meant since this most horrific act 13 years ago. The Montreal massacre was the work of someone who blamed those innocent women for his own failure to succeed. He blamed women for preventing him from obtaining what he thought was rightly his. It is this ignorance, this belief, that enables violence against women to continue. By failing to understand that all people are equal, some individuals are able to project their anger, their dissatisfaction with life upon the women in their lives. This is wrong.

Violence against women is not normal, is not OK and can never, ever be rationalized. We must fight the roots of this violence: poverty, ignorance and discrimination of any kind. We must start with good supports for families and sound educational programs. We must, as parents, teach our own children to take responsibility for their own actions.

Despite our efforts in this country to address the tragedy of wife assault, the number of men accused of killing their partners or former partners rose by 33%, with most of the increase occurring in our province. We

know what we need to do. The recommendations of the Hadley inquest are clear and need to be implemented. Tragically, women continue to be killed by their partners.

I want to speak once again about the important role that second-stage housing plays in preventing such tragedies. Shelters can only house women and children for up to six to eight weeks. They turn women away because they are full. This is where second-stage housing kicks in and gives secure housing for up to a year, along with consistent counselling for children and women who have been abused and who have observed abuse. It's very important to have this consistency. Before 1995, Ontario funded these programs. They cut the funding the minute they came to power. I'm proud to say that under a Dalton McGuinty government we would reinstate funding for second-stage housing.

A few weeks ago, I brought women from second-stage housing from Hamilton. Yesterday, women came from a rural area to educate all of us on additional barriers to rural women fleeing domestic violence. They came from Norfolk county. They came to ask me to ask the minister responsible for second-stage housing to answer their question. With all due respect to the minister who answered the question, it was not what the people came here to hear. They came to hear from the minister for women's issues.

When I went back to my office, I received an e-mail from a young University of Toronto student I don't know. "I am studying here at the University of Toronto, and my friend Patrick and I sometimes stop by to listen in on question period. We were here today and witnessed the horrible reception given to the petitioners that" came "down to Toronto. Dianne Cunningham's 'response' to your questions on second-stage housing was unbelievable, and I was disgusted and ashamed to be a citizen of a province that would abandon these women with such cold-hearted cruelty—not even to look them in the face and answer a simple question is appalling."

Some of the barriers they brought in do have to do with the area of the minister for community and social services, who responded. Jennifer, for example, lost her children voluntarily because she didn't have shelter. Paige, 32 years old, with three children aged 10, six and four, exposed the difficulties with Ontario Works when you're fleeing abuse. The police told her, and quite rightly so, to get to a shelter. She had to leave a job to get to the shelter. When she asked for help, she had to go through all the details of her abuse so that she could convince the authorities she had to leave her job. These are just some of the many stories I heard yesterday.

Thirteen years ago, 14 women were sacrificed. Since then, hundreds have suffered the loss of their lives at the hands of their partners or former partners. Let's finally work to address this tragedy and not let them have died in vain.

Ms Marilyn Churley (Toronto-Danforth): Once again, I rise in this House on behalf of the New Democratic Party to send our condolences, even 13 years later, to the families, friends and loved ones of the 14 young

women who died in Montreal. Once again, all these years later, we mourn and we remember.

I don't know about others in this Legislature and those who may be watching, but tomorrow is December 6, and I will once again be at a ceremony at Women's College Hospital holding in my hand a red rose to symbolize the life of one of those young women who was gunned down that horrible day, 13 years ago.

Having done that every year for a number of years, perhaps it keeps it fresher in my mind, because I sit there with the other women and we hold those red roses, each symbolizing the name of a young woman who used to live, who was bursting with life, full of promise, and who was gunned down. At the end of that ceremony, we all walk to the front of the room and we each put our rose in that vase, and at the end of the ceremony you can't help but look at those red roses sitting in the vase and try to imagine the faces of these vibrant young women who were gunned down that day.

Today, I have some other names to read out in this Legislature. These are the names of women and children, family and friends, murdered in Ontario in the year 2002. They've been killed and we must not forget them either. They have been killed at the hands of spouses or ex-spouses: Karen Grubb, 33, a mother of three children; Wadha Albadri, 29, mother of three children; Glenda LaSalle, 36; Linda Mariani, mother of one; Alexis Currie; Marisa Pasqualino, 36, mother of four children; Shirley Snow, 44; Jessica Nethery, 21; Maria Fitzulak, 26, mother of two children; Mary Ellen Filer, 48, mother of two children; Shannon Cruse, 23, her daughter, Shaniya, 6, and her parents, Mary and Donald Cruse; Libuse Vesely, 77; Patrycja Skibinska, 17; Karen Drinkwalter, mother of two; Kelly Glover, 36, mother of two; Cheryl Lynn Topping, 19; Robert Lawrence Mends, two; Gail Bonita Blunt, 39, mother of two; Ling Wang, 32; Patricia Loyal, 48, and her daughter, Marissa, 13; Tracy Lynn Sweet, 32; and Betty Card, 15.

These are the names of women and children who in most cases have been killed by their spouses or ex-spouses in the past year. As we speak about this today, we have to understand that right now Ontario stands alone as the one province in Canada in which violence against women has spiralled tragically out of control. Across Canada, abuse is declining while in Ontario killings of women by their spouses or ex-spouses jumped by 25% in one year. The number jumped to 69 from 52 with virtually all the increase in Ontario from 2000 and 2001.

This year, the number has increased yet again. A survey of media stories provides us with a grim picture: 19 women have been killed by their spouses or ex-spouses in 2002. So I would say this today: it is time for the government to implement the recommendations of the May-Iles and Hadley inquests. You must act on the emergency measures proposed by the coalition of 165 women's groups. You must solve the crises. The auditor found in last year's report women and children being turned away from overcrowded women's shelters in eight

out of Ontario's nine regions. You must fund or re-fund second-stage housing again.

Once again, on behalf of the New Democratic Party, I send out my condolences and thoughts to the families and loved ones of the 14 women murdered in Montreal and to all the families of all the women and children murdered by their spouses or ex-spouses in this province.

The Speaker: Would all the members and our friends in the gallery kindly rise for a moment of silence.

The House observed a moment's silence.

The Speaker: I thank all members.

1430

VISITORS

Mr Bert Johnson (Perth-Middlesex): On a point of order, Mr Speaker: Sarah Donaldson has been a page from Perth-Middlesex. She comes from the Middlesex part of the riding. Today she would want me to introduce her mom and dad, who are in the members' west gallery, her two sisters who came with her and her paternal and maternal grandmothers.

The Speaker (Hon Gary Carr): I thank the member and welcome our guests.

Mr Peter Kormos (Niagara Centre): On a point of order, Speaker: I want this chamber to join me in welcoming Carolyn Walker to this Assembly and, in addition, wishing her a happy birthday this coming weekend.

The Speaker: Happy birthday.

ORAL QUESTIONS

ACADEMIC TESTING

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. I want to ask you about the report card that came out on your government's handling of education today. It came in the form of the education quality office's test results for grade 3 and grade 6. For the last five years, half of the kids in this province in those grades have been struggling to meet the provincial standard for reading and writing, and 40% have been struggling to meet the provincial standard for mathematics. It's almost unchanged. There is no improvement. Worse than that, this year there are still 38,000 kids in grade 9 taking applied math who did not reach the provincial standard in applied mathematics. I want to ask you, are you satisfied with those results for students in Ontario?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): Yes, the results did become public today. I think it's important to keep in mind that our government was actually the very first one in the history of this province to identify and set about the means to measure literacy and numeracy skills so we could use that knowledge to support and provide the resources to the students in the classroom. That also means we're going to have to

make sure the resources reach the teachers so we can give them the support they need.

I would simply say to you that we are making progress, but there is more work to be done. That's why we've set up the early numeracy and early literacy programs.

Mr Kennedy: Minister, there are 38,000 kids who are not getting their credits, who are not passing the test in grade 9, and you're sitting there, satisfied. Their results would have been better, and the grade 3 and grade 6 results would have been better, if not for your negligence.

When you brought in this historic test you referred to, the very agency you set up said to you, "Set a target. Be serious about how well students do. Take responsibility for how well they do in school. Then also provide the resources." I would submit that you've failed to do either.

We have set a target in our plan. We believe that 75% of Ontario's children should reach the provincial standard within four years.

Minister, I want to ask you, on behalf of those 38,000 children in grade 9 who are waiting for you to respond, on behalf of all the kids who had to go through this testing that you spent \$50 million on, will you adopt our target and start taking responsibility for helping kids do better in our schools?

Hon Mrs Witmer: I might just remind the member opposite that it was our government that first decided to even undertake this. I don't remember your government ever deciding to do this. I'm glad, finally, even though you haven't supported it in the past, that you now recognize that there is some value to identifying how well our students are doing and then providing the necessary resources.

Let me tell you what we've done. As a result of what we know, we now have remediation supports, which are being targeted to help the students in need. In fact, there is \$25 million for students annually in grades 7 to 10. There's \$70 million in ongoing funding to help improve reading. We have, as I said before, introduced early reading and math strategies. As you know, we have extended those from JK to grade 6.

We have support for students at risk. In fact, today I have a committee of people from across the province of Ontario who are helping us to make sure that we have the plan, we have the strategies and we have the resources to support those students who need extra help. We've invested \$370 million to help our teachers.

Mr Kennedy: This is seven years of turmoil and neglect. To see the minister rise in the House content with how badly students are faring—80% of the students taking applied math failed this test, Minister, and you stand in this House happy with that result. I'll give you an example of what your intervention looks like. This year you've cut the spending on early reading by two thirds. Minister, more than that, you spent \$3 million on television ads—expensive, slick television ads—to talk about early reading. Instead, what do we find out today? We find out that for achievement in grade 3 there has

been no improvement; 50% of grade 3s still can't meet the provincial standard—the same as five years ago.

Minister, will you today take responsibility, set a target and commit the resources to have kids in this province do better, or will you continue to squander \$50 million of our education money on tests that go nowhere under your administration?

Hon Mrs Witmer: I just heard the finance minister say that this is Liberal math that the member opposite is using. However, I would say to you that the information that we have is that if we take a look at how our students are doing internationally—and I think this is important—I can tell you that our tough new curriculum, with the support of our hard-working, dedicated teachers, is demonstrating that Ontario students are doing well. In English, Ontario's ranking in Canada improved from 15th to 14th—this was in the English math program. Internationally, in reading for 15-year-old students among 32 countries, only Finland did better than Ontario. In science for grade 8 French students it's 30 points higher—

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

MINISTER'S COMMENTS

Mr Dwight Duncan (Windsor-St Clair): I have a question for the Minister of Public Safety and Security. Your reaction over the past two days to the Provincial Auditor's report goes against the rules and traditions of this place. Following the auditor's report you said—and this is a direct quote from a recording, "I'm implying that it's certainly, with many respects, inaccurate and misleading." When confronted yesterday, you said that you—and again I'm quoting—"never said such things." When confronted by the media yesterday you denied saying these things. Minister, the Provincial Auditor is an officer of this Legislature. You attempted to undermine his reputation for competence and impartiality. Do you believe this is appropriate conduct for a minister of the crown?

Hon Robert W. Runciman (Minister of Public Safety and Security): I don't think I did what the member opposite is suggesting. In fact, I'm a former chairman of the standing committee on public accounts. I worked with Mr Peters and his predecessor, Doug Archer. I have enormous respect for the officeholders, the office and the role they play.

I'm also the minister responsible for public safety and security. When this office releases a report that indicates there are 3,000 serious offenders wandering the streets of Ontario unmonitored, I think I have a responsibility as minister to respond to that. When facts are placed before me by officials within my ministry which are dramatically contradictory to what was released by the Provincial Auditor, again, I believe, as the minister responsible for this portfolio, I have a responsibility to make those facts public.

1440

Mr Duncan: Minister, the auditor said today that you challenged the credibility of his office. He confirmed and demonstrated that there are 10,000 outstanding arrest warrants in Ontario, some dating back 10 years. During committee today, the auditor made a very compelling case that the numbers you cited are in fact incorrect. Instead of fixing the problem, you have attempted, and even today are attempting, to discredit the auditor. We believe this behaviour does not become a minister of the crown.

Will you now acknowledge that the facts put forward by the Provincial Auditor are the correct facts, and that what you said and did in this House was not an appropriate response to such a significant issue?

Hon Mr Runciman: My deputy is certainly prepared to sit down with Mr Peters and discuss this issue with him. He has indicated that to me today.

I want to say that with respect to this whole issue of the numbers, when we're talking about the relevance and accuracy of the numbers, when you publish a figure of 3,000 serious offenders in our community being unmonitored, it's a serious suggestion, accusation or allegation. I have a responsibility to pursue that.

The auditor has indicated that his numbers were an estimate. I think in committee he said "a best guess-timate." Our numbers are based on CPIC. I don't want to get into a stone-throwing contest with the auditor. That's the least of my concerns. My concern is allaying any public safety concerns that were raised as a result of the publication of those numbers. The numbers I've been provided with by the ministry officials based on CPIC analysis are the ones I will stand by.

Mr Duncan: Minister, referring to the auditor's report, you said, "I'm implying that it's certainly, with many respects, inaccurate and misleading." Three times you repeated the word "inaccurate." Twice you repeated "misleading." You even questioned his fairness, saying, "Maybe that's not his role." This is an unprecedented attack by a minister of the crown on the Provincial Auditor. As bad as that was, you made it worse when you came into this House and denied making the statement you had clearly made.

This is not about the integrity of the auditor, whose report is clear. The auditor gave your deputy minister and your officials many opportunities to reply to the numbers, and they never did. The first time we had it was yesterday. The auditor puts a compelling case that in fact his numbers are accurate and yours aren't. Why don't you do the right thing and acknowledge that the auditor's numbers are right and that you as minister have not done enough to deal with the serious issues he's raised in this House and in this Legislature?

Hon Mr Runciman: This is certainly not about the integrity of Mr Peters. I have enormous respect for him and the job he does. He raised, I think, some serious and relevant issues. I'm not happy with 178 serious offenders not being monitored. I wouldn't be happy with one. But I think I have a responsibility when the auditor puts a

figure out, an estimate suggesting to the public of Ontario that there are 3,000 serious offenders on the streets of this province, to check that out. I have a responsibility to put the real facts on the table. What the opposition is suggesting is that I should not respond in a truthful way to this situation. That's not a role I'm prepared to play simply to be politically correct.

HYDRO GENERATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. The independent market operator tells us that this week several electricity generating stations are out of commission; they're not producing electricity. He also tells us that Ontario is close to brownouts and blackouts because of that situation. Yet, because you don't want the people of Ontario to know about the nasty part of hydro deregulation and privatization, which generating stations are shut down is kept secret from the public. You've imposed an information blackout on the consumers of Ontario. Minister, which electricity generating stations are down and why are you trying to hide this information from the hydro consumers who deserve to know it and need to know it?

Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs): To listen to the question of the member opposite, you would think that he would suggest that we're trying to keep brownouts from the people of the province of Ontario. There haven't been any, and they're certainly not anything we would want to keep from the public.

I do think it's important that in a competitive market environment we respect the obvious challenge that full disclosure would pose. If people knew that one plant was down, that could help a competing firm, whether it was Ontario Power Generation or another market participant. I don't think that would be in the best interests of consumers. I don't think it would be in the best interests of competitive and low prices for working families in the province.

Mr Hampton: Minister, you can get this information on a Web site in California, and you can get it on a Web site in Alberta. They don't seem to share your concern. In fact, what's really going on here is that by keeping all this information secret, you're really saying you are more in favour of corporate secrecy than you are of protecting the public interest. What it means is that the hydro-electricity system can be manipulated and the price driven through the roof. Minister, don't you think the people of Ontario deserve to know whether or not the lights and the heat will come on when they flick on the switch?

Hon Mr Baird: The people of Ontario just have to flick the switch and they'll know whether the lights come on. It'll happen 365 days a year.

I never thought I would see the leader of the third party stand in his place and say, "Well, they do it in California. They do it in Alberta. Why can't we do it here?" Obviously, there are competitive reasons why you

wouldn't want such information disclosed in the current system that we have in Ontario. We did have a number of units off being refitted, making the substantial investments in anti-pollution and pollution abatement materials with our coal plants. There were a few coal plants down because the Ernie Eves government is making substantial investments in anti-pollution and pollution abatement equipment at those coal-fired plants. On occasion, a unit or two will go off in various plants, and that was a concern earlier this week. But I was pleased that the professionals at the independent market operator worked hard and the lights stayed on.

Mr Hampton: Yes, the hydro independent market operator had to import 3,000 megawatts of electricity to save your bacon, Minister. The result of that is that the price of electricity in the deregulated, privatized system rose to 23 cents per kilowatt hour. That's five times what you're trying to tell the public out there the price is. You hope that by imposing hydro rate caps of 4.3 cents per kilowatt hour you can hide that 23 cents per kilowatt hour price from people, but all it means is this: what people aren't paying now before the election, they will pay for even more after the election when their hydro bills go through the roof. That's what's really going on.

Minister, don't you think it's time you simply admitted that hydro privatization and deregulation isn't working in terms of providing stable supplies of power? It certainly isn't working in terms of price when you have to cover up a price that's five times what you say it is. Why don't you just end it now, rather than continuing with this charade?

1450

Hon Mr Baird: In fact, he is correct. The price did reach almost 23 cents on the day. It also reached as low as six cents a kilowatt hour. I know the member opposite would want to put that on the record. Obviously it was a concern with respect to the price of electricity on those days. I think it's important that the IMO went to work on behalf of the people of Ontario.

Every day in the five years the NDP were in power, every single day, we imported electricity. It's not something new in this period after May 1. So the member opposite certainly did not practise what he preaches when he was in government.

We brought forward an action plan to lower hydro rates to 4.3 cents for consumers, for working families, for small business people, for farm operators. I think that's in the best interests of the people of the province. It allows us to work at bringing on new supply where we'll see more than 3,200 megawatts of new electricity available to the people of Ontario next year that we didn't have this summer. That'll be good for consumers, it'll be good to keep the lights on and I believe it'll have a very positive effect on price.

CONTAMINATED SOIL

Ms Marilyn Churley (Toronto-Danforth): My question is for the Minister of the Environment. The people of

Port Colborne risk getting sick from soil contaminated by the Inco nickel smelter, and now they have to live with the knowledge that you don't care. Your government's own health risk assessment, completed in March 2000, shows that the risk of cancer from contaminated soil is 16 times higher than your own government's guidelines, yet you accepted a cleanup order that didn't even consider the cancer risk. When the residents appealed that order, we find out that you, your Environmental Review Tribunal and the Inco lawyers take the position that cancer is not a human health issue. Minister, I ask you, how can you sleep at night knowing that you violated your own guidelines and are exposing Port Colborne residents to 16 times the acceptable cancer risk?

Hon Chris Stockwell (Minister of the Environment, Government House Leader): Just to get it on the record off the top, obviously cancer is a medical and health issue, and of course we take it very seriously. To suggest otherwise I think may become a little too partisan, with respect to the question. I don't think anyone here would suggest for a moment that in any situation where cancer is caused, it's not a serious issue we should all be looking at.

I appreciate your question. I understand the concerns of the people in the community. Inco has commissioned a community-based risk assessment for soil remediation in Port Colborne. The CBRA process was approved by city council in 2000 and included establishment of a public liaison committee to ensure the public is represented and consulted throughout the process. The Ministry of the Environment will continue to address soil contamination. The draft reports for ecological and human health risk assessment components and community-based risk assessment are scheduled for technical review by a technical steering committee component, a public liaison committee in June 2003.

To suggest we've ignored this issue I think is profoundly unfair. We've been on top of this. We've been working with Inco. We've been working with the community. I've been working with Mr Hudak, who represents the community and is very cognizant of the issue and cares very deeply for these people.

Ms Churley: Minister, I want a specific answer that you are going to include the cancer risk in the soil cleanup. You can make all the excuses you want, but this is your responsibility. The facts remain: the people of Port Colborne have to endure a greater than acceptable cancer risk. They are fearing for the health of their community. Your own study of two years ago shows that the cancer risk is 16 times higher than the acceptable guidelines, yet you ignored that serious risk in your cleanup order. That is a fact.

Minister, you have a choice to make here. You can stick up for Inco, a big corporation that doesn't want to clean up, to spend the money to clean up this mess, or you can stick up for the health of the people of Port Colborne and order Inco to clean up the contamination and protect their health. Which is it going to be?

Hon Mr Stockwell: I'm fairly certain that you're not treating this in a partisan, unfair, unreasonable fashion. I know the member to be a very honourable member.

I can say to you that you know that the cancer risk issue will be dealt with in the community-based risk assessment process. I know that you're not suggesting for a moment that anyone in this ministry, anyone in this government would countenance any risk to the health of the people of this province with respect to cancer-causing issues. I know you wouldn't make that allegation. I know, because no honourable member in this House would make it. I know that you know that we've worked with the community. I know that you know we've met with the community and created community-based associations to deal with the risk management. I know that you would never suggest that I would be part of any process that would put the health of constituents in this province at risk of getting cancer. I know you would never say that.

MINISTER'S COMMENTS

Mr John Gerretsen (Kingston and the Islands): My question is to the Minister of Public Safety and Security. As a senior member of this Assembly and a senior minister of the crown, and as past Chair of the public accounts committee, I'm positive that you think it's absolutely necessary that the integrity of the offices of this Assembly be maintained, because they report not to you, not to us, but to all of us as representatives of the people of Ontario. He told us in committee on more than one occasion this morning that the numbers were cleared with your ministry and the methodology he used. I'm quoting directly: He states, "The numbers were cleared with the bureaucracy of the ministry." On at least five or six occasions over the last five or six months he met with senior members, including the deputy minister for your ministry, and—again I'm quoting—"No concerns were expressed to us by the ministry. The only thing the ministry was concerned about was that it was police responsibility to enforce the warrants."

Taking all that into account, and taking into account what you said about him, how he was misleading us, do you not think that at this time it is appropriate for you to apologize to him and to us, and through us to the people of Ontario, for what you said about his report the other day?

Hon Robert W. Runciman (Minister of Public Safety and Security): I'm certainly not about to apologize to the honourable member opposite, but I will say that we have a disagreement here. The deputy has agreed to sit down with Mr Peters and discuss this. I've given the accurate figures as provided by the ministry, off CPIC, and no apology is necessary. Once again I want to indicate that nothing I've said reflects on the integrity of Mr Peters as the Provincial Auditor of this province. I respect him as an individual and very much respect the job he's doing.

Mr Gerretsen: Let me quote something else that you said. These are quotes from the press conference, from the scrum that you gave the other day: "And when you have someone like the Provincial Auditor using an estimate, and he admits it's an estimate, and using a high-end estimate, you know, I'm obviously bothered by that. I'm concerned that it leaves a wrong impression, a misleading impression." That's what you said.

He has met with your deputy and other senior members on at least a half-dozen occasions. He has had all the meetings. They went through the numbers. As a matter of fact, what he said in committee this morning was that he used a lower estimate, because they had actually talked about a higher number than 10,000. By the way, you darn well know that not every municipal police reports to CPIC. The CPIC numbers have nothing to do with the numbers he quoted and the numbers that were agreed to by your ministry when they met with him. They signed off on the facts that he put in his report. Will you not do the right thing now and either resign or apologize for what you said about him?

Hon Mr Runciman: With respect to the discussions that occurred, I think we've agreed to disagree. With regard to CPIC versus best guesses, I'll opt for CPIC every time.

ONTARIO ECONOMY

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question this afternoon is to the Minister of Finance. Yesterday you provided the members of this House with an update on the province's economic outlook when you delivered the fall statement. I was very pleased to hear that growth for this year will be strong and that forecasts were revised upwards to 3.5% real growth from 3.2% projected at the time of the budget. I noticed, though, that next year's growth is expected to be 3.5%, compared to the previous forecast of 4.3% that you made at the time of the budget. Does this mean that my constituents in the great riding of Bramalea-Gore-Malton-Springdale and people across Ontario should be worried about the economy?

Hon Janet Ecker (Minister of Finance): I thank the honourable member for the question. There's no question that private forecasters have a more cautious outlook for the global economy next year. But still with that, in Ontario we are doing better and we are expected to do better than our G7 nation colleagues, if you will, with real growth next year of 3.5%. I think it is very good news that the economy is rebounding from the just over 1% growth that we had last year. But I think what probably proves the point even more is the fact that we have over a million net new jobs in this province. The majority of them are full-time jobs, with job growth in every region of the province: the north, the south, the east, the west and central. These are jobs for Ontario families that help them keep the promise for growth and prosperity.

1500

Mr Gill: Minister, thank you for that answer. While I'm very pleased to hear that we are on track for a fourth consecutive balanced budget, I wonder how the need to invest in priorities and meet economic challenges will affect this noble goal. Will our government have to sell over \$2 billion worth of assets in order to balance our books?

Hon Mrs Ecker: I think it's important to recognize that when we came into office in 1995, we inherited a government that was spending \$1 million more an hour, going into debt. We turned that debt train around. We stopped it dead in its tracks. We've been paying back the debt, over \$4.5 billion. In the June budget we set out a plan. As the budget indicated, through SuperBuild we are going to continue to review assets that the government owns to ensure that taxpayers are getting the value they should be getting out of those assets. We laid the plan for revenues and expenditures in the budget. We are proceeding with that plan to another balanced budget.

MINISTER'S COMMENTS

Mr Dwight Duncan (Windsor-St Clair): My question is to the Minister of Public Safety and Security. Earlier today, contradicting what you said in scrum and in this House, the Provincial Auditor backed up his numbers with the following. He told the public accounts committee that he ran his numbers past your officials, including your deputy minister, several times and not once had they raised this concern. In your scrum, you implied in fact that he had never spoken to your officials about these issues. Can you tell us, then, Minister, how it is you can say on the one hand that the auditor had not consulted with your officials, and then turn around and say in fact he's wrong, without having ever criticized him? The simple fact is that your version of the numbers is not correct; the auditor's is. The auditor backed his numbers up sufficiently today. Will you tell us how that can happen? If you can't give a better explanation, why won't you resign until this is resolved?

Hon Robert W. Runciman (Minister of Public Safety and Security): He should resign for not coming up with original questions. That's three in a row.

I said to the earlier questioner, the member for Kingston and the Islands, that we have agreed to disagree on that with respect to the auditor's position. I have been assured by officials in my ministry that officials did challenge the numbers and did challenge the methodology. The deputy is going to sit down. He's had that discussion with Mr Peters. We're going to pursue that. Obviously we have a misunderstanding somewhere along the line, but certainly the view from my ministry officials is that indeed they did challenge the numbers and the methodology.

Mr Duncan: First of all, nobody agrees to disagree. In fact, the auditor certainly doesn't agree to disagree. The auditor has been very clear: his numbers are accurate. This is the first time we can determine that any minister

of the crown has openly challenged an auditor, openly challenged an audit procedure, when in fact, before this was released, your ministry officials, including your deputy minister, had the opportunity on at least five occasions to challenge the numbers and didn't do it.

At what point, then, did your ministry decide to change the numbers? Why did they wait until this was made public? Why weren't those numbers challenged in the meetings? Will you now produce the evidence to say that your story hasn't changed from the time they were discussed internally until the time the report was released publicly the day before yesterday?

Hon Mr Runciman: The member opposite doesn't know whether he's coming or going on this issue; really, he does not. He talks about openly challenging an audit. That's what he just said. Has he ever heard of an audit that uses estimates or best guesstimates? We're talking about public safety issues here. We're talking about serious offenders on the streets of the province.

Interjection.

Hon Mr Runciman: That's right, absolutely right. You're saying, on one hand, you can say a figure here which is perhaps incorrect, but I don't have a responsibility to say what the facts are. That's what he's saying. That's a Liberal's view of responsibility. It's not a Conservative view of responsibility.

INNOVATION INDEX

Mr Bert Johnson (Perth-Middlesex): My question is for the Associate Minister of Enterprise, Opportunity and Innovation. Of course, I'm speaking about the Honourable David Turnbull, the innovative, enterprising, hard-working member for Don Valley West.

Minister, I wanted to take this opportunity to bring to your attention the enterprise of the people of Stratford and the Discovery Centre. I'll get into more of the details with you when I have the specific request for help from your ministry.

I understand that earlier today you received Ontario's first innovation index. Can you take a moment and tell the members of this House and the people of Perth-Middlesex about the index and detail some of the findings from that study?

Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation): The innovation index, which was released by the Ontario Science and Innovation Council today, tells us where Ontario stands in terms of innovation. I'm pleased to report to the House that Ontario is faring very well overall.

Ontario ranks very high on a number of important indicators. We have a highly skilled workforce. In fact, Ontario has the highest population of bachelors' and masters' degrees in Canada. Household Internet use is up from 33% in 1997 to over 63% in 2001. With respect to the availability of venture capital for innovation, Ontario leads the rest of Canada and is one of the best among the Great Lakes states.

Mr Johnson: One of those other enterprising, opportunistic and innovative projects in my riding is the Canadian Baseball Hall of Fame and Museum in St Marys. They deserve an honourable mention at this time as well.

I know the index provides an excellent complement to the report of the Task Force on Competitiveness, Productivity and Economic Progress that was released last month at the Ontario Innovation Summit, which you of course attended and I did as well. Minister, can you elaborate on the findings of the innovation index and tell the members of the House how they compare with those of the first report of the task force?

Hon Mr Turnbull: In fact, the index report echoes many of the findings of the Martin task force. Outside of the United States, Ontario is now the most productive place on the face of the earth. Ontario has one of the most attractive R&D tax credit systems in the world. The after-tax cost of \$100 of R&D in Ontario can be as low as \$41. We have already stated that by the year 2006, Ontario will have the lowest combined corporate tax rate in the whole of North America. But there is still work to be done. We must work to close the prosperity gap with the United States and we must continue to promote commercialization.

The Martin report and the innovation index both indicate Ontario's—

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

1510

CHILDREN'S MENTAL HEALTH SERVICES

Mr Peter Kormos (Niagara Centre): I have a question to the Minister of Health. In Niagara, there are no in-patient hospital mental health services for children. Why did you let the eight youth mental health beds intended for Niagara end up being located in Hamilton?

Hon Tony Clement (Minister of Health and Long-Term Care): In fact, our investments in all aspects of mental health have been a point of pride for this government. The investments since 1995 are certainly in the double digits, in the mid-20% range. The honourable member is also referring to, I believe, some of the investments that we intend to make once we have more of a handle on institutional care and what is appropriate for institutional care, but also what is appropriate for community care. We are certainly working with the implementation task forces to get those recommendations and to make the right decisions.

Mr Kormos: Minister, there is a crisis in mental health care for youth and adolescents in Niagara region. There has been a recent spate of teen suicides in Welland. The eight youth mental health beds in Hamilton are impossible to access. That means that competent, caring psychiatrists like Dr Thoppil Abraham have to put youth, children and adolescents into adult psychiatric wards when they require hospitalization. That's not only

counterproductive in terms of treatment, it's downright dangerous. You know it, or you ought to know it.

There are no in-patient hospital mental health services for children in Niagara. Why aren't you creating beds in Niagara to accommodate those children in extreme crisis, their families and the communities?

Hon Mr Clement: The honourable member is talking about a particular situation. I would certainly undertake to review it with him in greater detail. I would say this, however: when you look at the totality of our investments in this area, there has been a \$212-million increase in mental health investment since 1995-96. A lot of it, I will certainly concede to the honourable member, is community-based investment. Our investment in community-based mental health services has gone up by 92% because we've been trying to focus our investments in that area. That is the consensus amongst those who know the mental health area the best, that we have to focus in on more community-based mental health care and less so on institutional-based mental health care. We are following those recommendations and, indeed, we have put our money where our mouth is.

MINISTER'S COMMENTS

Mr John Gerretsen (Kingston and the Islands): I'd like to go back to the Minister of Public Safety and Security. The reason for doing that is because what you stated here earlier this afternoon when you said, "We agree to disagree," just isn't good enough, Minister.

The auditor was very clear, and I quote once again: "The numbers were cleared with the ministry, as well as the methodology used. We are in a very vigorous fact-finding process." He says that none of the numbers he produced were disputed by anyone within your ministry at any of the meetings he had. The last contact he had with your ministry, as a matter of fact, was on November 13, just immediately prior to putting the entire report together so we would have it here earlier this week. He says the number was cleared with bureaucrats of the ministry: "No concerns were expressed to me at all by the ministry." How can you possibly say, "We agree to disagree on the numbers"? He cleared the numbers with the ministry and, if anything, downplayed them.

If you feel the way you do, why don't you resign? Because what you're saying here is in direct contradiction of what he told the public accounts committee this morning.

Hon Robert W. Runciman (Minister of Public Safety and Security): As is frequently the case, the member's argument is nonsensical, at best. I indicated earlier that I acknowledge what the member is saying with respect to, I gather, the auditor's testimony at committee. I'm indicating that the officials in my ministry have a different view of the world with respect to how these conversations occurred or did not occur. The deputy has called the Provincial Auditor and had a preliminary discussion. They are going to meet to discuss and review the situation.

Mr Gerretsen: He's now saying that basically he agrees with what the auditor said this morning in committee. You can't have it both ways. He cleared these numbers with your ministry over the last six months. You are publicly disowning those numbers. As a matter of fact, in your scrums you are saying that they are "inaccurate and misleading." Let me quote you again. You said, "I'm obviously bothered by that. I'm concerned that it leaves a wrong impression, a misleading impression" about a report that comes here from an officer of this assembly, on whom we all rely to make sure the taxpayers get value for money. You are disputing that. I think the proper thing for you to do, sir, is to resign until this matter gets resolved.

Hon Mr Runciman: Talk about convoluted logic. I stand by the numbers I was provided with by my ministry. I stand by the position that they take, that consultation did occur. There was a disagreement with respect to the numbers and the methodology used. If anyone should be resigning, perhaps it's the member for Kingston and the Islands for failing to clean up after his dog.

BORDER SECURITY

Ms Marilyn Mushinski (Scarborough Centre): My question is for the great Minister of Public Safety and Security. Earlier this week the Commons committee for foreign affairs and international trade warned Canadians that our national government has failed to recognize the importance of common cross-border trade and security issues with our continental partners. In fact, this Liberal-dominated Commons committee has urged a proactive, strategic agenda to safeguard Canadian interests, including consideration of a continental security perimeter.

Minister, no one, I believe, has been more forceful in advocating for enhanced and effective security built upon the security perimeter concept than you, yourself, Ontario's Minister of Public Safety and Security. I would like to ask you for an update on our efforts to achieve this goal for all Ontarians.

Hon Robert W. Runciman (Minister of Public Safety and Security): The threat of terrorism is multi-faceted. At its most immediate it includes threats to persons and property, but for Ontario it also includes a threat to our economic security and the unprecedented prosperity and liberty it helps bring about. Ensuring security and confidence on both sides of the 49th parallel is a key component, a key strategy, in protecting and preserving the cross-border trade between our two nations.

Immediately following the terrorist attacks in the United States, Ontario took decisive action: a cross-border round table of industry leaders, a counter-terrorism summit and a Michigan-Ontario summit. I visited New York City to meet with counter-terrorism officials. We've appointed security advisors and created a security council, among other measures. The Eves government supports the concept of a continental security perimeter to ensure the safety and security of our province and to

make sure it doesn't come at the price of closed borders, plant shutdowns and economic crisis.

1520

Ms Mushinski: Minister, I want to thank you for what I consider to be a very comprehensive and detailed answer.

It's obvious that Ontario has recognized that leaving public security up to the federal Liberals naturally is a mistake. We're evidently taking the lead in ensuring that Ontarians' safety and security is well in hand. I want to ask the minister if he could provide us with his thoughts on what lies ahead to secure the common continental security perimeter, because obviously we can't trust the federal Liberals to do it.

Hon Mr Runciman: For Ontario we continue to work to ensure integration of effort at home and co-operation of activity across the border. We've advised Ottawa, for example, that living up to the 30-point agreement reached between Governor Ridge and Deputy Prime Minister Manley is an obligation that is in our best interest.

We've told Ottawa that it's time—in fact, long past time—that we get coordinated, integrated security straight at our seaports, our airports, and our border crossings. We need to create common databases with our global partners so that the Mohamed Attas and Ahmed Bassams of the world that would do us harm are never permitted to enter our countries to plot and execute their evil.

We need to work with each other to ensure that persons refused entry or deported from one of our jurisdictions for security reasons do not find refuge in the other. We need to co-operate as never before to shut down those that would raise money to fund terrorist activities here, in the United States and abroad.

In summary, our challenge and our opportunity is to work with our neighbours in common cause to protect and preserve our liberty, our security and our prosperity, and I want to assure Ontarians that the Eves government is working hard to meet that challenge.

MINISTRY OF NATURAL RESOURCES

Mr Ernie Parsons (Prince Edward-Hastings): My question is to the Minister of Natural Resources and requires just a simple yes or no answer. It appears that the member for Oklahoma has again created another crisis in another ministry. Did your staff tell you that your ministry has no plan to manage species at risk? You shut down the walleye and whitefish industry with no numbers to support it—

The Speaker (Hon Gary Carr): Order. Member take his seat. The member will know that there is no member for Oklahoma. I would ask that you not get involved in that. Please withdraw it.

Mr Parsons: I withdraw it, Speaker. Thank you.

You paid \$2 million to a call centre that did not answer 65% of its reservation calls. Less than half of the parks have a management plan. You have no inventory of resources to be protected. Have your staff told you that

they don't even know what your ministry owns? Minister, did your senior people tell you that 70% of your superintendents say their parks cannot enforce your rules? And, lastly, have your senior staff told you that your senior people have said to the auditor that they do not have sufficient staff or budget to do their jobs?

Hon Jerry J. Ouellette (Minister of Natural Resources): I thank the member for the question. He touched on a lot of issues there regarding the auditor's report. I think we can start off by addressing the park plans. Clearly, 95% of the parks within the province of Ontario do have park plans. The ones that do not have park plans are very remote areas or very few individuals would attend those areas. The parks clearly do have a large number of plans. Over 95% of the parks in the province of Ontario do have plans.

Mr Parsons: The auditor noted that most of them are long out of date. It seems that the only animals in this province that are safe are the ones that your ministry doesn't manage.

But it gets worse. The majority of your infrastructure is between 20 and 45 years old. Eighty per cent of your park superintendents say that the funding is inadequate. They rate two thirds of their infrastructure as out of date.

Even more serious than anything I've said, the auditor states that "there is a risk that the ministry will operate provincial parks for the 2003 season with water treatment and distribution systems that do not meet provincial standards." The auditor cannot assure the people of Ontario that they will have safe water in their parks.

Minister, I am asking you, will you guarantee the people of Ontario that the parks will be safe for them this coming summer?

Hon Mr Ouellette: I hope the member realizes that we have over 10 million visitors annually to our provincial parks and are very proud of that figure in itself. The numbers are up over 20% from the mid-1990s to 2002 and, very clearly, our parks will have safe drinking water.

LONG-TERM CARE

Mr Bart Maves (Niagara Falls): My question today is for the Associate Minister of Health and Long-Term Care, the strong member from Scarborough Southwest, the Honourable Dan Newman. I'm proud to be part of a government that has demonstrated such a strong commitment over the years to meeting the long-term-care needs of Ontario's seniors. I am very pleased to say that in my riding of Niagara Falls, the new Meadows of Dorchester facility is set to open this week and become home to 128 residents from an older long-term-care facility in the area.

I know how much this move to a brand new home means to many of my constituents and their families. In fact, my 92-year-old grandmother-in-law, Lillian Tozer, will be moving into the new facility.

I would appreciate it if the associate minister could tell my constituents and this House about the province's investment in this tremendous new facility.

Hon Dan Newman (Associate Minister of Health and Long-Term Care): It's always my pleasure to respond to the hard-working member from Niagara Falls.

The new and state-of-the-art \$13.7-million Meadows of Dorchester facility in Niagara Falls is one that will make an incredible difference in the lives of residents, their families and loved ones. That's because it will provide a level of care that quite simply is second to none. The facility is located on 9.2 acres of land. It's 76,000 square feet in size. Staff have described it as a dream come true for residents. The new home follows our government's new construction guidelines for new long-term-care facilities and is divided into four neighbourhoods of 30 rooms, allowing residents to develop close relationships with each other and to feel more at home. Residents will also enjoy the benefits of new meeting rooms, a chapel, a salon and courtyards.

The Meadows of Dorchester's administrator has described the facility's new residents as "ready to move and just raring to go." I wish them the very best as they make this facility their new home.

Mr Maves: It is truly a beautiful facility that those residents will be moving into. We in Niagara are always happy to welcome the minister to our area of the world. He usually comes with good tidings and a shovel to do groundbreaking for new facilities.

I'm very pleased to hear that our government's commitment to long-term care is making such a difference in the lives of my constituents and the lives of residents in facilities all across Ontario. In fact, it was my pleasure to join the associate minister last July for the groundbreaking ceremony for yet another brand new long-term-care facility that is being built in the Niagara region.

I would like to ask the associate minister to please update my constituents on the status of our government's long-term-care-bed implementation initiatives in the Niagara service area.

Hon Mr Newman: I'm pleased to say that all operators that have been awarded long-term-care beds in the Niagara region are proceeding with fulfilling their commitments to the area, commitments that total 1,480 new and redeveloped beds in the Niagara service area. The Ministry of Health and Long-Term Care's long-term-care redevelopment project is in regular contact with each awardee to obtain information on the status of the projects.

I'd like to tell the honourable member that in the city of Niagara Falls, 320 new long-term-care beds and 120 redeveloped beds are in the process of being constructed, with 160 of the new beds expected to be completed in the next month. There is no question that these new and redeveloped beds will mean even better long-term-care services to the people in the Niagara region and across Ontario now and in the years to come.

CONSIDERATION OF BILL 213

Mr Howard Hampton (Kenora-Rainy River): My question is for the government House leader, the Minister of the Environment. Bill 213 includes long-overdue changes to make the practice of public accounting accessible to all chartered accountants, certified general accountants and certified management accountants who meet the prescribed high standards. Bill 213 has also created a huge lobbying campaign by chartered accountants who want the accounting reforms to die.

New Democrats want Bill 213 to pass. We want these accounting changes passed into law as soon as possible. We believe these accounting reforms are important. Minister, will you give unanimous consent to vote on these important accounting changes, to vote on this bill today?

Interjections: Yes, yes.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): I appreciate all the assistance from my friends behind me.

I will say that we introduce legislation in the House all the time, as you know, and we introduced that legislation with the idea of the legislation being passed. Normally, there's a process that we have to work our way through which your House leader and the House leader of the Liberal Party are very cognizant of. "Co-operation" generally isn't the watchword of those meetings.

I will say that from my point of view, if you're asking me if I would speak on behalf of my party and give unanimous consent for second and third readings, my first answer and probably last answer would be, absolutely.

1530

Mr Hampton: Then what I propose is that later on today we ask for that unanimous consent so we can expedite the passage of this legislation. Because, as you know, these accounting reforms are long overdue. These accounting reforms are fair. Whether they be a certified management accountant, whether they be a certified general accountant or whether they be a chartered accountant, anyone who can pass the exam and meet the standards would be entitled to practise public accountancy. That's only fair and reasonable.

But you also know, Minister, that the House recesses next week, on Thursday. You also know, I think, that if these reforms are not passed into law by then, there could very easily be an election in the spring. So what I'm asking for I guess is two things: would you be prepared to ask for that unanimous consent this afternoon, and above all else, will you commit that these accounting reforms, that Bill 213 will become law before the House recesses?

Hon Mr Stockwell: I'm accustomed to this kind of co-operation and collegiality between the third party and the government House leader. He often comes to me with these opportunities for us to flow legislation through in a very timely and quick way. So you've caught me not at any loss. I totally expected this kind of co-operation.

I just directed the House leader's office to draft up a consent motion. We will move that consent motion. I will be happy to move that consent motion right after question period to seek second and third readings of Bill 213—my pleasure.

GOVERNMENT ASSETS

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. We understand from conversations that the exact same people who negotiated the 407 deal are negotiating the fire sale of the other assets, the \$2 billion worth of assets.

The 407, as the minister will know, when you announced the sale of that—and Mr Eves was deeply involved—you said you had controls on tolls, that they could go up very little over the next 15 years. I have an example where when the toll road was sold in 1995 someone was paying \$1,400 a year in tolls; now for the exact same trip they're paying \$4,000. The people who bought that toll road put in an equity investment of \$700 million; 30 months later it was worth \$3 billion. They were selling their shares for four times what they paid. In the next 10 years, the poor users of the 407 will pay between \$7 billion and \$8 billion worth of tolls. It was the worst possible deal negotiated in the history of Canada.

My question is this: why in the world would the people of Ontario have any confidence in your fire sale of assets when the same person, Mr Eves, is in charge, and exactly the same people are doing this negotiation? Why should the people of Ontario have any confidence in this process, having seen what happened with the 407?

Hon Janet Ecker (Minister of Finance): The honourable member says, "Why should the people of Ontario have confidence?" They should have confidence because there was no highway coming into Durham. We now have a highway that was built without the direct cost to the taxpayer. We have a highway. We would like more of that highway in Durham region, quite frankly, and we would love to be able to move forward with that.

Secondly, Provincial Auditor Erik Peters stated that the sale of Highway 407 was really very well handled.

Thirdly, Highway 407 has been set up as a toll road because Highway 401 provides an alternative.

Fourthly, I have a number of other wonderful economic statistics about the sound economic principles this government has put in place: higher family take-home pay because of our tax cuts, more jobs, balanced budgets, debt repayment; very good, positive numbers that show that people in this province can have confidence in the economic management of this province.

The Speaker (Hon Gary Carr): The time for question period is over. It is now time for petitions.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker—

The Speaker: Stop the clock. Oh, I guess we haven't started it. The government House leader on a point of order.

Interjections.

Hon Mr Stockwell: I think I need attention. I just want to make sure everyone knows.

Interjections.

Hon Mr Stockwell: Five minutes? I don't have a point of order; I'm sorry, Mr Speaker.

The Speaker: We're willing to be flexible. It is now time for petitions.

PETITIONS

HEALTH CARE FUNDING

Mr James J. Bradley (St Catharines): This is to the Legislative Assembly of Ontario.

"Whereas long-term-care facilities in this province are understaffed, underfunded and ignored by the current government;

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

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

"Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are inadequately covered by OHIP;

"Whereas long waiting lists for diagnostic tests such as MRIs, CT scans and ultrasounds are jeopardizing the health of many individuals already facing serious illness;

"Whereas the Harris-Eves government has now spent over \$250 million on blatantly partisan government advertising in the form of glossy brochures and television and radio ads;

"We, the undersigned, call upon the Conservative government of Ernie Eves to immediately end their abuse of public office and terminate any further expenditure on political advertising and to invest this money into health and long-term care in the province of Ontario."

I'm in complete agreement, as I suspect you are, Mr Speaker. I affix my signature.

MEDICAL REVIEW COMMITTEE

Mr Peter Kormos (Niagara Centre): I have a petition to the Legislative Assembly of Ontario.

"Whereas the OHIP schedule of benefits is often unclear about its definitions of good medical practice for many serious medical conditions: general checkups, re-

checks, psychotherapy counselling and often major illness care by specialists. The medical review committee of the College of Physicians and Surgeons has been aggressively clawing back payments to hard-working, conscientious doctors on the basis of these flawed definitions and skewed statistical analyses.

"We, the undersigned, request the Minister of Health to suspend further reviews by the medical review committee; return the monies with its penalties, pending a negotiated agreement of an unambiguous schedule of benefits with representatives of affected practising physicians."

It's signed by many, and I've affixed my signature as well. Thank you, Garnet.

CT SCANNER

Mr Ernie Hardeman (Oxford): I have a petition here to the Legislative Assembly of Ontario.

"We, the undersigned, request" the "installation of a CT scanner at the Woodstock General Hospital. It is an essential piece of equipment for the practice of modern medicine. The arrangements to go to London for a CT scan are unsatisfactory, cumbersome and cause unnecessary delay. It is standard equipment for a hospital of this size in North America. All counties in southwestern Ontario have at least one CT scanner, except Oxford county. This situation should be rectified as soon as possible."

It's signed by a great number of my constituents in and around the city of Woodstock.

PROGRAMME D'ALPHABÉTISATION ET D'INTÉGRATION COMMUNAUTAIRE

M^{me} Claudette Boyer (Ottawa-Vanier): « Attendu que les 44 personnes qui assistaient au programme d'alphabétisation et d'intégration communautaire de la Cité collégiale perdent en moyenne 2,5 jours par semaine de services directs et d'appui dans leur communauté dû à la fermeture de ce programme;...

« Attendu que les 44 personnes qui assistaient à ce programme seront maintenant insérées sur la liste d'attente à coordination des services, qui comprend déjà plus d'une trentaine de personnes francophones, et que certaines d'entre elles attendent déjà depuis plus de deux ans;

« Attendu que nous considérons inacceptable de laisser les personnes ayant une déficience intellectuelle et leurs familles sans ou avec trop peu de soutiens, de programmes ou de services;

« Nous, parents, familles, amis et intervenants, demandons au gouvernement Eves de collaborer afin d'assurer un financement adéquat pour la mise en oeuvre d'un modèle de services aux personnes francophones ayant une déficience intellectuelle qui répondra aux besoins, favorisera la mouvance dans le système de déficience intellectuelle, réduira la liste d'attente et

reconnaitra le droit à l'éducation pour les personnes ayant une déficience intellectuelle. »

J'y appose avec fierté ma signature.

NATURAL GAS RATES

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

“Be it resolved that we, the undersigned, demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive” rate “hike granted to Union Gas; and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive increases.”

This petition is signed by other 1,000 of my constituents.

1540

GARDE D'ENFANTS

M. Gilles Bisson (Timmins-Baie James): J'ai une pétition ici qui dit :

« Attendu que 70 % des femmes de l'Ontario ayant des enfants de moins de 12 ans sont sur le marché du travail;

« Attendu que, elles et leurs familles ont absolument besoin de services de garde de qualité, sûrs et abordables;

« Attendu que l'étude sur la petite enfance réalisée pour le gouvernement conservateur par le D^r Fraser Mustard et l'honorable Margaret McCain a conclu que les services de garde de qualité favorisent un développement harmonieux des enfants; et

« Attendu que le gouvernement a réduit le financement pour les garderies réglementées plutôt que d'appuyer les familles ontariennes en investissant dans l'apprentissage et les soins offerts aux jeunes enfants;

« Pour ces motifs nous, soussignés, demandons que le gouvernement de l'Ontario adopte le plan du NPD pour des espaces de garderie à 10 \$ par jour, et qu'il commence par réduire la totalité des frais de garde pour les enfants de deux ans à cinq ans actuellement inscrits dans des garderies réglementées; que le gouvernement alloue des capitaux permanents pour agrandir les garderies existantes et pour en construire de nouvelles; que le gouvernement finance l'équité salariale pour le personnel, et qu'il crée de nouveaux espaces de garderies à 10 \$ par jour dans cette province. »

C'est soussigné par beaucoup de monde dans mon comté.

EDUCATION FUNDING

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

“Whereas the Ontario government led by the Harris-Eves Tories has severely damaged public education and

created turmoil in our schools since they took office...; and

“Whereas the current ... education funding formula is broken when it comes to rural schools; and

“Whereas our community schools in both Springfield and West Lorne are being threatened with closure; and

“Whereas rural schools are the heart and soul of their communities;

“Therefore be it resolved that we ... demand that” the “education minister ... immediately address the funding formula in relation to rural schools and place a moratorium on rural school closures.”

I am in full agreement and sign my signature to this petition.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): “For the past two years, a group of citizens has opposed the taking of a large amount of water from the Tay River for consumptive industrial use.

“In February 2002, the environmental review tribunal reached a decision that was a compromise between the needs of an expanding industry and the need for caution in matters concerning water. The company, OMYA, now seeks to overturn the tribunal's ruling and has appealed the decision to both the Divisional Court and the Minister of the Environment. The Minister of the Environment has agreed to hear the appeal to him first.

“We, the undersigned, urge the Minister of the Environment to uphold the decision of the environmental review tribunal and its precautionary and ecological approach to the management of water. In doing so, the minister upholds the government's commitment to the principles and recommendations of the Walkerton Inquiry report.”

I will sign my signature to this petition because I am in full agreement.

HYDRO RATES

Mr Steve Peters (Elgin-Middlesex-London): “Be it resolved that we, the undersigned, demand that the Ernie Eves government convene a legislative committee to oversee electricity issues in order to inform and protect the public interest.”

I'm in full agreement and have signed my signature to this petition.

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): This is a petition to the Legislative Assembly of Ontario. It's the ongoing petition of 28,000 signatures with regard to the four-laning of Highway 69 between Sudbury and Parry Sound.

“Whereas modern highways are economic lifelines for the north; and

“Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

“Whereas the carnage on Highway 69 has been staggering; and

“Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

“Whereas immediate action is needed to prevent more needless loss of life; and

“Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Harris-Eves government has failed to do so;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Harris-Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease.”

I have of course affixed my signature and give it to Brian to bring to the table.

WATER EXTRACTION

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario. It’s concerning the OMYA Canada Inc appeal of the decision of the Environmental Review Tribunal in a matter of a permit to take water from the Tay River, Perth, Ontario.

“For the past two years a group of citizens has opposed the taking the large amount of water from the Tay River for a consumptive industrial use. In February 2002 the Environmental Review Tribunal reached a decision that was a compromise between the needs of an expanding industry and the concerns of local citizens for the protection of water.

“The company, OMYA, now seeks to overturn the tribunal’s ruling and has appealed the decision to both the Divisional Court and the Minister of the Environment. The Minister of the Environment has agreed to hear the appeal to him first.

“We, the undersigned, urge the Minister of the Environment to uphold the decision of the Environmental Review Tribunal and its precautionary and ecological approach to the management of water. In doing so, the minister upholds the government’s commitment to the principles and recommendations of the Walkerton Inquiry report.”

I affix my signature; I am in complete agreement with this petition.

ADOPTION DISCLOSURE

Ms Marilyn Churley (Toronto-Danforth): I do have some petitions on adoption disclosure.

“To the Legislative Assembly of Ontario:

“Whereas Bill 77 passed second reading on June 28, 2001; and

“Whereas Bill 77, the Adoption Disclosure Statute Law Amendment Act, received committee hearings in November 2001; and

“Whereas Bill 77 addresses privacy concerns for those who wish to avoid or delay contact; and

“Whereas adoptees are dying from genetic diseases in the absence of their family medical history; and

“Whereas birth mothers were never promised confidentiality;

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

“Immediately call Bill 77, the Adoption Disclosure Statute Law Amendment Act, for third reading and final vote.”

Can you hear me, Mr Speaker? I will affix my signature to this petition because I fully support it.

The Acting Speaker (Mr David Christopherson): Too many meetings going on here, members. If you would, please? Thank you.

EDUCATION FUNDING

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): “To the Legislative Assembly of Ontario:

“Whereas the funding for school boards is now based on the student-focused funding legislative grants....;

“Whereas the Hastings and Prince Edward District School Board is in a period of declining enrolment, a trend that is projected to continue over the next five years;

“Whereas application of the student-focused funding model does not allow sufficient funding to the Hastings and Prince Edward District School Board for secretarial support in schools, principals and vice-principals, transportation or school operations;

“Whereas costs in these areas cannot be reduced at the same rate as the enrolment declines;

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

“To reassess the student-focused funding legislative grants for the 2002-03 school year to provide additional funding for those areas where funding is insufficient and to adjust future student-focused funding GLGs to address the situation of declining enrolments faced by the Hastings and Prince Edward District School Board and other boards in Ontario.”

I affix my signature to this petition because I am in full agreement.

LONG-TERM CARE

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

“Whereas the Harris-Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities, by 15% over three years; and

“Whereas the fee increase will cost seniors and our most vulnerable more than \$200 a month after three years;

“Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario;

“Whereas, according to the government’s own funded study, Ontario will rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care....;

“Therefore we, the undersigned, demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions.”

I am in full agreement and sign my signature to this petition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): “To the Legislative Assembly of Ontario:

“Whereas the Eves government has increased the fees paid by seniors and the most vulnerable living in long-term-care facilities by 15% over three years, or \$3.02 per diem in the first year and \$2 in the second year and \$2 in the third year, effective September 1, 2002; and

“Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month after three years; and

“Whereas this increase is above the rent increase guidelines for tenants in the province of Ontario for 2002; and

“Whereas, according to the government’s own funded study, Ontario will still rank last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

“Whereas the long-term-care funding partnership has been based on the government accepting the responsibility to fund the care and services that residents need; and

“Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years; and

“Whereas this province has been built by seniors, who should be able to live out their lives with dignity, respect and in comfort;

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

“Demand that Premier Eves reduce the 15% increase over three years in accommodation costs to no more than the cost-of-living increase annually and that the provincial government provide adequate funding for nursing and personal care to a level that is at least the average standard for nursing and personal care in those 10 jurisdictions included in the government’s own study.”

I will affix my signature to this petition because I am full agreement.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): On a point of order, Mr Speaker: I would seek unanimous consent to immediately put the questions on second and third reading on Bill 213.

The Acting Speaker (Mr David Christopherson): Is there unanimous consent? All in favour? Any opposed? Hearing none, the unanimous consent is granted.

JUSTICE STATUTE LAW
AMENDMENT ACT, 2002

LOI DE 2002 MODIFIANT DES LOIS
DANS LE DOMAINE DE LA JUSTICE

Mr Stockwell, on behalf of Mr Young, moved second reading of the following bill:

Bill 213, An Act to improve access to justice by amending the Solicitors Act to permit contingency fees in certain circumstances, to modernize and reform the law as it relates to limitation periods by enacting a new Limitations Act and making related amendments to other statutes, and to make changes with respect to the governance of the public accounting profession by amending the Public Accountancy Act / Projet de loi 213, Loi visant à améliorer l'accès à la justice en modifiant la Loi sur les procureurs pour autoriser les honoraires conditionnels dans certaines circonstances, à moderniser et à réviser le droit portant sur les délais de prescription en édictant la nouvelle Loi sur la prescription des actions et en apportant des modifications connexes à d'autres lois, et à modifier les règles qui régissent la profession de comptable public en modifiant la Loi sur la comptabilité publique.

The Acting Speaker (Mr David Christopherson): Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1553 to 1623.

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

Ayes

Arnott, Ted	Elliott, Brenda	O'Toole, John
Barrett, Toby	Galt, Doug	Ouellette, Jerry J.
Beaubien, Marcel	Gilchrist, Steve	Peters, Steve
Bisson, Gilles	Gill, Raminder	Phillips, Gerry
Bountrogianni, Marie	Hampton, Howard	Prue, Michael
Bradley, James J.	Hodgson, Chris	Runciman, Robert W.
Caplan, David	Hudak, Tim	Ruprecht, Tony
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Churley, Marilyn	Johnson, Bert	Spina, Joseph
Clark, Brad	Klees, Frank	Stewart, R. Gary
Colle, Mike	Kormos, Peter	Stockwell, Chris
Cordiano, Joseph	Marchese, Rosario	Tsubouchi, David H.
Cunningham, Dianne	Maves, Bart	Turnbull, David
Curling, Alvin	McDonald, AL	Wilson, Jim
DeFaria, Carl	Miller, Norm	Witmer, Elizabeth
Dombrowsky, Leona	Molinari, Tina R.	Wood, Bob
Duncan, Dwight	Munro, Julia	Young, David
Ecker, Janet	Mushinski, Marilyn	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 53; the nays are 0.

The Acting Speaker: I declare the motion carried.

By agreement of the House, this bill is ordered for third reading.

JUSTICE STATUTE LAW
AMENDMENT ACT, 2002

LOI DE 2002 MODIFIANT DES LOIS
DANS LE DOMAINE DE LA JUSTICE

Mr Stockwell, on behalf of Mr Young, moved third reading of the following bill:

Bill 213, An Act to improve access to justice by amending the Solicitors Act to permit contingency fees in certain circumstances, to modernize and reform the law as it relates to limitation periods by enacting a new Limitations Act and making related amendments to other statutes, and to make changes with respect to the governance of the public accounting profession by amending the Public Accountancy Act / Projet de loi 213, Loi visant à améliorer l'accès à la justice en modifiant la Loi sur les procureurs pour autoriser les honoraires conditionnels dans certaines circonstances, à moderniser et à réviser le droit portant sur les délais de prescription en édictant la nouvelle Loi sur la prescription des actions et en apportant des modifications connexes à d'autres lois, et à modifier les règles qui régissent la profession de comptable public en modifiant la Loi sur la comptabilité publique.

The Acting Speaker (Mr David Christopherson): Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate by saying "aye."

All those opposed, please indicate by saying "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1626 to 1656.

The Deputy Speaker (Mr Bert Johnson): All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Dunlop, Garfield	Mushinski, Marilyn
Barrett, Toby	Ecker, Janet	O'Toole, John
Beaubien, Marcel	Elliott, Brenda	Ouellette, Jerry J.
Bisson, Gilles	Galt, Doug	Peters, Steve
Bountrogianni, Marie	Gilchrist, Steve	Phillips, Gerry
Bradley, James J.	Gill, Raminder	Prue, Michael
Bryant, Michael	Hampton, Howard	Runciman, Robert W.
Caplan, David	Hastings, John	Ruprecht, Tony
Chudleigh, Ted	Hodgson, Chris	Sampson, Rob
Churley, Marilyn	Hudak, Tim	Spina, Joseph
Clark, Brad	Klees, Frank	Stewart, R. Gary
Colle, Mike	Kormos, Peter	Stockwell, Chris
Cordiano, Joseph	Marchese, Rosario	Tsubouchi, David H.
Cunningham, Dianne	Maves, Bart	Turnbull, David
Curling, Alvin	McDonald, AL	Witmer, Elizabeth
DeFaria, Carl	Miller, Norm	Wood, Bob
Dombrowsky, Leona	Molinari, Tina R.	Young, David
Duncan, Dwight	Munro, Julia	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 53; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORDERS OF THE DAY

ACCOUNTABILITY FOR EXPENSES ACT
(CABINET MINISTERS AND
OPPOSITION LEADERS), 2002

LOI DE 2002 SUR L'OBLIGATION
DE RENDRE COMPTE DES DÉPENSES
(MINISTRES ET CHEFS D'UN PARTI
DE L'OPPOSITION)

Resuming the debate adjourned on December 3, 2002, on the motion for second reading of Bill 216, An Act respecting access to information, the review of expenses and the accountability of Cabinet ministers, Opposition leaders and certain other persons / Projet de loi 216, Loi concernant l'accès à l'information ainsi que l'examen des dépenses et l'obligation de rendre compte des ministres, des chefs d'un parti de l'opposition et de certaines autres personnes.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr AL McDonald (Nipissing): Thank you very much, Speaker. There were a lot of members on this side of the House who wanted to speak to this bill, and I just want to let you know that I'll be sharing my time with the hard-working members from Kitchener Centre, Bramalea-Gore-Malton-Springdale, Niagara Falls and Durham.

I would like to thank the member from York North for setting the framework for us so well on Tuesday while opening the debate on this very important piece of legislation, Bill 216, the Accountability for Expenses Act (Cabinet Ministers and Opposition Leaders), 2002. This is an important new measure by this government to bring even greater transparency and accountability to government and the tax dollars it spends.

I know there isn't one member here who would disagree with this principle, at least not on the record. I say that because I know there are members of the opposition, particularly their leader, Dalton McGuinty, who have said a bunch of nice things about transparency, but, when the rubber meets the road, have run away from the prospect of submitting details of their own expenses, have run away from it like children being chased from a hive full of bees.

We're really talking about details here—none of the summaries that Dalton McGuinty talks about, but the real receipts that show how much he spent, when and where. Why has he done that? I'd really like to know. Of course I say that rhetorically because I know that I can't ask questions of the opposition in this House. We all know it is a right reserved for the opposition parties to call on the government to account for its policies and its actions.

Let me emphasize the word "account," because one of the most important principles of this House is being accountable: being accountable for policies, money spent and the ideas that we bring into this chamber every single

day. Again, I think we'll agree that all of us here, regardless of political stripe, must be accountable to our constituents and all the people of this great province. For any government in this province, accountability measures are numerous on the government, and that's the way it should be. After all, we all know that while elections are the greatest forms of accountability, there's far too much time between elections for real accountability.

In our system there are a number of measures to ensure that the government, entrusted with the reins of power, uses it, as we say in the House, wisely and well. There are dozens of means by which the government is held to account in our system. Every day I sit here in the Legislature and listen as the cabinet stands in front of the opposition and takes a grilling. Every day any member of the opposition can stand up and ask the head of government about any question in the world.

I see a lot of heads shaking—

Mr Gilles Bisson (Timmins-James Bay): So what?

Mr McDonald: —and saying, “So what?” Right? The member for Timmins-James Bay is saying, “So what?”

Mr Bisson: It's called question period.

Mr McDonald: It's called question period. But do you know what? I think they take it for granted, exactly how important this is. Think about it. Can you imagine the President of the United States providing this much access?

There are so many other ways that government is held to account. For an example, we saw one just today with the Provincial Auditor's report, an independent officer of this Legislature who is free to comment on pretty well any issue under the sun.

What are the other ways, you might ask? Well, there are of course the other officers of the Legislature: the Information and Privacy Commissioner, the Environmental Commissioner and of course the Integrity Commissioner. But I'll come back to him and his office in a minute.

What really is the point of all of this accountability? My point is that there are a great deal of ways in which the government is held to account in this Legislature, without even getting into the discussion about the media and the important role they play. Speaker, I hope you don't misinterpret what I'm trying to say here. The accountability should come with the office. Government should be held to account and to a standard that is very high. We don't disagree. Taxpayers deserve to have this amount of oversight—checks and balances, as we often say. After all, we all know that it is the taxpayers' money that we spend, not our own. We also know that taxpayers really don't know who spends their money; they only know that someone else aside from them is spending it. That's why so few people can tell the difference between the government per se and the assembly. In many ways, they are all part of a giant tax-spending machine.

That's also true for the members of the opposition. Taxpayers pay for everything they do as well, and they pay for all your work. Constituency work, opposition work, committee work are all done on the taxpayers'

dime. Of course, we all know this; it's nothing new. But there needs to be some accountability at all levels, and, to be quite frank, some of that accountability just doesn't cut it. There is too much money being spent by members across the floor for duties other than constituency work and for which there is no added accountability.

For example, if we say, and I'm just going to pick one at random, the member for Windsor West were to go out for dinner with a public interest group to talk about their thoughts in regard to a government policy, that would probably be a legitimate expense, business expense, although—

Mr Bisson: On a point of order, Mr Speaker. Referring to the standing orders, it's very clear that no member of the assembly can charge such an expense and have it reclaimed. It's out of our pocket. We cannot reclaim. None of the members, government or back-bench—

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): He's misleading the House.

The Deputy Speaker: That is not a point of order, and we don't use that kind of language. I would like to give you the opportunity of withdrawing.

Mrs Dombrowsky: I withdraw it.

The Deputy Speaker: Thank you. The Chair recognizes the member for Nipissing.

Mr McDonald: Mr Speaker, I'll withdraw it if it offends the member opposite.

Interjection.

Mr McDonald: I've withdrawn it. Although it would be clearly not a legitimate expense, there is nothing there that involves advocating on behalf of their constituents. But I'll withdraw that.

I just want to talk about the leaders of the opposition. As a member of the opposition, they could claim that from that \$3.5 million that they are entitled to and that Dalton McGuinty talks about so affectionately—

Interjection.

Mr McDonald: Well, you know, that's a lot of money. That's taxpayers' money that they have to account for, and right now they don't have to account for it. There's no legislation. The taxpayers aren't allowed to look at how they spend their money. There is no legislation that says they have to submit their bills. That's wrong, and I think this is what this bill is truly about. The taxpayers of Ontario want to be able to know how their money is being spent, and right now the leader of the official opposition does not have to show the public one single expense.

This is a really valid point. We don't know how he spends his money. No one knows. No one has any idea how the opposition spends that money. I don't know that he really spends money he shouldn't be spending—I don't know that—but he could. I'm sure he doesn't spend it on frivolous things, but he could. I'm sure he doesn't spend it on booze at night, but he could. He could spend it on just about anything, because he's not accountable to the taxpayers. But he could be, and he should be. That is why this bill should carry, so that Dalton McGuinty and

his dozens of staff account for some of the money they get from the taxpayers of Ontario.

1710

Interjections.

Mr McDonald: I know the members opposite are going to try to blow this out of proportion; I'm hearing it right now. That's the standard operating procedure of your party: bluster and confuse and maybe, if you're lucky, pull the wool over someone's eyes.

Let's be clear: there is nothing in this bill that would give any person any more depth of access to information about the government. The simple fact is that the government will remain held to a tougher, more rigorous standard. That's the way it should be. This government should be held accountable at very high standards, and we don't disagree with that.

The Freedom of Information and Protection of Privacy Act would continue to apply to all government members—all the members on this side—for more information than is being proposed for the members opposite. In other words, we're being held accountable. We have to put our claims forward. They can access them through the freedom of information act. We don't disagree. We're happy to be able to do that. We'd hope that the members opposite would agree that their leaders should be accountable as well, and we're hoping they support this legislation.

Mrs Dombrowsky: Absolutely.

Mr McDonald: That's good to hear. I'm glad to hear it.

Bill 216 extends the Freedom of Information and Protection of Privacy Act to the opposition leaders and their staff. Their staff spend taxpayers' money. It would be limited to the four types of expenses of opposition leaders and staff; ie, travel, meals, hospitality and hotels.

In comparison, what would be the grand total of members of the official opposition who would be covered by this bill? One. Just one. Their deputy leader would not be covered, even though our Deputy Premier is; their House leader would not be covered, even though ours is; the same goes for their whip and every single member of their shadow cabinet—not one more ounce of accountability. All this side shares accountability, and we welcome that. This bill only speaks to one member on that side being accountable. It would just be your leader and his office staff, however many that might be. I've heard 42 used before, but I'm not really sure.

Ultimately, my point is that there desperately needs to be some accountability for the members across the way, or at least their leaders. I personally think it wouldn't be a bad idea to make all their members open to FOI—freedom of information—requests, but I think it might be a bit more measured approach that only their leaders be open. I understand the decision that only their leaders be open. But let's just say that the Liberals were to put forward an amendment to the Freedom of Information and Protection of Privacy Act to apply to all their benches. That I would support. I don't know if I am going to hear that when they stand up, but I would

support that amendment if they put it into the legislation. Somehow I think that would be as likely as me getting my Christmas shopping done early. I don't know about the member from Timmins-James Bay, but I probably wait till the last minute to do a lot of my Christmas shopping, because we're pretty busy down here.

Now that I've had my say about accountability, there really are some points I'd like to make about the rest of this bill. I've heard from the Chair of Management Board about the review that was being done on this policy. I was not surprised to find that this was not an issue new to this House nor unique to this government. In fact, during the David Peterson Liberal government, the Provincial Auditor, in his 1989 annual expenses, said, "In our opinion, further classification is required as to what types of expenses are permitted for ministers." In that same 1989 annual report, the auditor noted \$6,300 spent on a staff Christmas party, \$1,100 for an annual membership fee to a social club and \$425 for dry cleaning.

In addition to all this vagueness, I find it troubling that there was no independent referee who could counsel ministers on the interpretation of the rules. Now, all members will always be ultimately accountable to their constituents and to this House for their own decisions. That is the fundamental aspect of our system, and that should not change. However, we all know that reasonable people will disagree on some matters and it is important that there be an independent referee who can provide this type of advice. Clearly there is a real need for an independent person who can provide advice about the rules for expenses and compliance. For decades, governments have crafted their own rules. It's time to end all of this and give the people of Ontario some real certainty and accountability about the rules surrounding these expenditures.

This bill will do just that. It will provide clear rules to ministers and their staff and provide for an annual public mechanism where the Legislature and the people of Ontario can be reassured that the government is indeed spending their money in a reasonable manner. We are currently working with the Integrity Commissioner, an independent officer of the Legislature, to provide ministers with greater clarity about their expenses and to give the people of Ontario greater certainty that their hard-earned tax dollars are spent prudently.

Under the bill, the Integrity Commissioner would not only have the ability to provide advice but also set the form of expense claim information and recommend corrective action if he or she felt there was a case of non-compliance with the rules. Of course, the Freedom of Information and Protection of Privacy Act would still apply, providing people with a dual track of accountability. One will provide for a regular reporting mechanism to this House and one will continue to give any person the ability to request and review the information on a first-hand basis.

Of course, the members of the official opposition might tell this House that the legislation is not necessary since they have always been willing to submit their

expenses to the Legislature. It has been more than a month since the leader of the official opposition, Mr McGuinty, offered this up and we've yet to see one shred of information from his office about it. This is not surprising, since the leader of the official opposition so clearly told the media, "I've got no problem releasing my expenses," but when asked if he would expect his staff to do the same, he said, "Why would I do that? I'm talking about my own personal expenses." He would want to do that because that money was spent by his staff. Why aren't they accountable?

Mr McGuinty, why isn't your staff, who are spending taxpayers' money, accountable to the people of Ontario? I just ask that question.

These comments only underscore the importance of this legislation. It is a reasonable way that taxpayers will be able to see for themselves how reasonable and responsible the leaders of the official opposition are and if they are practising what they preach, or if, in typical style, it is the usual "Do as I say, not as I do."

1720

Mrs Dombrowsky: They will be so impressed.

Mr McDonald: I take this piece of legislation very seriously. I hear the member heckling. But I hope you support this and make your leader accountable to the taxpayers of Ontario—and his staff. I'd like to hear you say, "His staff will be accountable as well and will submit all their expenses." Will you agree to that?

We expect the Liberals will support this bill. After all, the deputy leader of the official opposition, the member for Windsor West, said, "You can't have a double standard here. It's about leadership." She also said quite clearly, "I'm prepared to tell you how I spent, what I used," of the \$3.5 million her caucus is allocated by way of expenses.

This is an important piece of legislation. However, I don't believe it is as important as the hydro legislation in this House, nor do I think it's as important as the clean water legislation or the bereavement legislation before the House. That's not to say that these are my personal priorities, but these are priorities of the people of Ontario. The people of Ontario want clean drinking water and they want reasonable hydro prices. Those are very important issues that we face here in the Legislature as we move forward.

This bill is about accountability, and we think it's only reasonable that the leaders of the official opposition and the third party release their expenses to the public so the public can see how they're spending the taxpayers' money. The leader of the official opposition has \$3.5 million to spend any way he pleases because there's no accountability, nor did he have to explain how he spent all their money, and even joked that he could spend all the money on expensive luggage. I don't believe he spent the money on expensive luggage—

Mr Wayne Wettlaufer (Kitchener Centre): But you don't know that.

Mr McDonald: —but I don't know that, and he has joked about it. So I think it's important that the taxpayers

of Ontario see clearly where, I believe, every dollar is spent in this Legislature. I don't have a problem. I'm happy to make my expenses public. It's one of the things we have to do for the taxpayers of Ontario. I believe we're accountable to them and we should be open and transparent.

Interjections.

Mr McDonald: I hear the heckling across. I've always stood for transparency and an open process. I have since I was elected, even on my municipal council in northern Ontario. I was very clear. I believe that decisions should be made public, should be made in the open, and we should be able to explain. The public should be able to understand why we make the decisions we do.

The people who sent us here are probably hoping that we come to some speedy conclusion on this bill and get on with the rest of our business. I believe the people of Ontario want us to get on with the running of this province, to provide them with jobs, provide them with clean drinking water, provide opportunities for our youth, and to invest in our colleges, universities, schools and hospitals. That's what is important to the people of Ontario. But we're also talking about accountability here. Accountability is important because all of that is important. So we're hoping there is speedy passage of this bill. That's really important work that we should be doing here. With the co-operation of the opposition leaders and parties, we'll be able to get on with the real business of the province.

It was a pleasure to stand here and speak to Bill 216 because it is important. But in the grand scheme of things, I'm hoping we all agree that accountability to the taxpayers of Ontario is important and that we all agree that our expenses should be open and transparent; there's no question. I don't believe that one taxpayer in Ontario would say, "Do you know what? I don't think you should have to turn your bills in or show us the bills." I don't believe there's one person in the province who pays their taxes who is going to say, "It doesn't really matter how they spend their money." On the government side, we are responsible. We have been held accountable. We have higher standards that we have to live up to compared to the official opposition and the official opposition leader. Right now, he does not have to show us how he spent his money.

As I said when I stood up, there were a lot of members on this side of the House who thought it was very important that I share my time in speaking to this bill. If I could, Mr Speaker, I will turn it over to one of my colleagues to continue to speak to this bill. I believe the member for Bramalea-Gore-Malton-Springdale really wanted to stand up and speak first. I know there are a couple right behind him, but Raminder's the closest one to me so I thought it might be appropriate that he speak. I know he's a hard-working member here in Toronto at Queen's Park. His constituents are very lucky to have him. I'd like to turn over some of my time to that member.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to join this debate on Bill 126, Accountability for Expenses Act. I'm sure the people at home want to know what we're discussing today. This is the cabinet ministers' and opposition leaders' Accountability for Expenses Act, 2002.

I want to thank the very important and hard-working member for Nipissing who has given me the opportunity this afternoon to put my views forward on this very important bill. I know the member is working very hard for his constituents. He's also looking forward to perhaps more comments and questions on this later on when he gets a chance on another day. I'll be fairly concise because I know there are many other members who want to speak on this important bill. I thank you, Mr Speaker, for allowing me the opportunity to discuss this bill.

Seven years ago, our party promised the people of Ontario that we would inject discipline and accountability into the public sector. It was a promise our opponents and many so-called experts said would be impossible to keep. I've said it several times before: promises made, promises kept. In fact, that's what really interested me when I ran for this party in 1999, that we came up with a certain platform. We sent it to the people so that they could examine it and ask us questions before the election. I'm glad people agreed with what we were saying and gave us this opposition to represent them. I want to thank the members of my constituency, which as you know is Bramalea-Gore-Malton-Springdale. I know that similarly the people of Nipissing are very happy to send Mr AL McDonald here to represent them. He's doing so very eloquently, with a lot of hard work and accountability.

We took a different approach to government. Our commitment to accountable, transparent government started with us. As you may remember, we reduced the number of politicians on the public payroll. We cut our pay and eliminated pensions and perks. As most people do, I have been doing a lot of door-knocking, which means talking to the people and trying to get the pulse of what their concerns are. One thing I must point out is that the perception out there still is that we have these golden pensions like fat cats. I want to put it on the record that those pensions were eliminated before I even came to this office. I guess they are really making that understanding from the federal members, because people must know that they have some of the best pensions pretty well in the world.

Today I'm happy to say that our government is moving ahead with even further measures to bring accountability and transparency to the way politicians spend taxpayers' hard-earned dollars.

1730

Many times politicians come to office and in the euphoria, I suppose, of the office, they forget that there's only one taxpayer and it is their money that we, with a very responsible manner, have to spend wisely. If we expect the taxpayers to tighten their belts, then it behooves us that we lead by example. That is why

Premier Harris ran on the platform of a lesser number of politicians, and in fact you know that we reduced the number of politicians in the Ontario Legislature from 123 to 103.

I have from time to time had the pleasure of discussing this with delegations from throughout the world and they just can't believe it. They can't believe that a government would reduce the number of people. We felt there was too much government, there was too much red tape, so it was fair that we reduced the number of people. In fact, similar things happened by our, perhaps, advice so that even the number of Toronto councillors was reduced.

For far too long politicians of all political stripes were plagued with problems, with unclear, misguided and inconsistently applied rules relating to how they spent taxpayers' money. Like I said earlier, there's only one taxpayer and, as you know, some of that money that the Ontario taxpayers pay goes to Ontario and some of that money goes to Ottawa. In a nutshell, in the overall scheme of things, we actually get back less money from Ottawa. Many of the provinces, and I'm not trying to say it's right or wrong, get more money than they send in. We get back less money.

At the same time, there was a typical boondoggle that was exposed yesterday, something to do with the gun registry, where the federal government estimated that they were going to spend \$2 million. That expense has increased to \$1 billion, and I don't believe they yet have a handle on how much more money—taxpayers' money—they're going to be wasting.

Politicians who had control and purview over millions of dollars of public money found it a genuine challenge to navigate the various schemes which were presented before them. You had what, de facto, became 26 different sets of rules for 26 different cabinet ministers. What was worse, opposition and third party leaders, who are largely seen as carrying similar responsibilities over staff and public dollars as cabinet ministers, got away scot-free without any accountability.

As MPP for Bramalea-Gore-Malton-Springdale, I know that the hard-working men and women and small businesses of my riding don't care if one taxpayer's dollar is spent by someone in government or by someone sitting across the way in opposition; it's all taxpayers' money and it must all be accounted for.

If passed by this Legislature, Bill 216 will bring accountability, clarity, fairness, and unprecedented openness to the way cabinet ministers, parliamentary assistants—including myself naturally; I'm parliamentary assistant to the Premier now—opposition and third party leaders, and all their respective staff spend taxpayers' dollars.

For the first time there will be one set of clear rules that all will be required to abide by. For the first time ever a neutral third party is going to review expenses and say what is and what is not allowed. The primary good news in all this is that the system is being fixed to protect taxpayers, with regular disclosure plus an independent review of what is and what is not allowed. If passed, we

will be the first government in Ontario's history to legislate safeguards governing the way ministers spend your hard-earned dollars—yours and mine; we're all taxpayers—and of course public taxpayer dollars.

This bill will establish a rigorous framework that spells out clear expectations, demands compliance and gives the Integrity Commissioner, an independent third party, power to oversee ministers' expenditures. We have brought greater accountability and transparency to the way your hard-earned tax dollars are spent by broadening public access to expense information of the other party leaders. We are raising the bar of accountability and transparency for all politicians in a leadership role, regardless of party or political affiliation. We're leading from the top by building accountability and transparency into the way politicians do business, thereby protecting taxpayers' hard-earned dollars. We will be the first government in Ontario's history, and in all Canada for that matter, to legislate oversight of this kind to govern the way ministers spend your hard-earned tax dollars. In fact, during a thorough review, the government found no other jurisdictions in the Commonwealth with legislative oversight for such expenses.

We will bring accountability and transparency to the way your money is spent by improving public access. We are honoured that the Integrity Commissioner, an independent third party with the complete confidence of the Legislature, has agreed to be a major player in this new regime. The Integrity Commissioner will have involvement in every step of this process. He will be helping to shape and craft these new rules for ministers, parliamentary assistants, opposition leaders and their staff. He will have complete, unobstructed access to expenses incurred by these individuals for meals, travel and hospitality in the course of carrying out their day-to-day public service.

But we all know that our hard-working taxpayers deserve more than just access; they deserve disclosure. This bill would also require all individuals covered by this legislation to table all expenses incurred with the Integrity Commissioner by the end of April each year. The Integrity Commissioner would then include a summary of this information in an annual report released in June in conjunction with the MPP expense release, that is, the global budget release. Of course, like ministers of the crown and their staff, leaders of the opposition parties and their staff should be held to the same high standards of public accountability because they are in a position of leadership—I wonder about that sometimes.

Other members of the Legislature are governed by budget limits established by the Board of Internal Economy and so do not need to be covered by the proposed legislation. Not only will the Integrity Commissioner participate in the development of the new rules we must all abide by, but he will also be given the real muscle he needs to recommend that corrective action be taken when the rules are strayed from. The corrective action he may recommend can vary, depending on the severity of the specific situation, from a request to make

repayment of any inappropriate expenses incurred, to whatever remedial action he deems necessary, including—and this is important for people to know—declaring the seat the member holds vacant.

One of the more severe reprimands for non-compliance contained in this legislation is that it allows the Integrity Commissioner to publicly name any person covered under the legislation who does not follow the rules.

Interjection.

Mr Gill: Yes, it is hard, but it's fair.

Mr McDonald: The way it should be.

1740

Mr Gill: The way it should be, as the member from Nipissing so eloquently said. I agree with him.

This provides a strong incentive for compliance, for there is no greater scrutiny than that of public scrutiny.

The opposition has made a great deal of noise about expenses incurred by ministers dating all the way back to 1995. Our government wants to move forward and look to the future, but in order to do so, we need to clear the air and bring closure to events of the past. So in addition to the annual filing by ministers and the annual review and reporting by the Integrity Commissioner on expenses, we are taking clear, unprecedented steps to correct any wrongs of the past and clear the air once and for all.

As a first step, the legislation proposes that the Integrity Commissioner report on all expenses incurred for the period 1995 to 2002 by January 21, 2003, and that he include in his report his recommendations and actions. As I've said before, there have been umpteen sets of rules for umpteen cabinet ministers. With such confusion and chaos, there have inevitably been some problems.

This legislation aims to honestly, critically and thoroughly review all expenses incurred to date and put the review in the hands of an independent, non-partisan third party: the Integrity Commissioner. This step is unprecedented. While opposition members point to specific individuals and specific situations, our government feels that nothing less than a full review can adequately address this issue, right the wrongs of yesterday and help us move this House to a more productive and useful purpose.

For far too long, the members across the floor have devoted their efforts to self-defeating, navel-gazing efforts that did nothing to improve the quality of education and health care in this province, to accusations and mud-slinging that did absolutely nothing to help protect our environment and keep our streets safe. All these accusations have done is to distract our attention from the issues of real importance to the people of Bramalea-Gore-Malton-Springdale and to the people of Ontario, and focus on theatrics and bad spin.

My friends, today the other shoe has dropped. If this legislation receives royal assent, Dalton McGuinty and Howard Hampton and their collective staff will be held to the same standards of accountability and transparency that government members with similar responsibilities

will be called to hold to. Today we are levelling the playing field by treating both government and opposition leaders the same. We are raising the bar for all politicians in a leadership position, regardless of their party or political affiliation.

Traditionally, we have viewed opposition leaders in the same way as cabinet ministers in terms of their capacity and breadth and scope of responsibility over office dollars and staff. Shouldn't they be called upon to meet the same standards? Shouldn't they heed the same rules? Shouldn't they meet the same reporting requirements? Shouldn't members of the public have the same access?

This legislation is fair and equitable, and I urge all members of the Legislature to give it speedy passage.

Mr Wettlaufer: It is my pleasure to speak this evening on this important bill, the Accountability for Expenses Act, 2002. After listening to the members speak, and of course after listening to the exchange in the House during question period a couple of weeks ago, I am convinced that this bill is fair, transparent and, more importantly, necessary.

I see across from me today the member for York South-Weston, who ran for the leadership of his party. Joe Cordiano, I know, is a very respectable person. I saw him sitting there with his head in his hands earlier. I know that he knows that if he was leader of his opposition party, this bill would not have been necessary, because that party, that leader and his office and his staff, would have made available their expenses very quickly upon request.

Instead, what did we have? On October 4, 2002, in a scrum, Mr McGuinty was asked by the media, and I quote: "Mr McGuinty, the FOI's going back: I believe Mr Jackson included his staff, Mr Stockwell included his staff. Are you willing to include your staff in FOIable requests?" Dalton McGuinty said, "I'm prepared to make my own expenses public." The question: "Why not your staff?" And McGuinty said, "Because it's not up to my staff to, uh—" Question: "We're talking tax dollars." Dalton McGuinty said, "Yeah, but again, you know, what we've got is a set of rules here that says that the Liberal caucus is entitled to about three and a half million dollars and it's up to us to decide how we are going to spend those three and a half million dollars."

In the same scrum, he admitted there is no control over how a caucus spends its money. He said, "Under the rules that we play by today, we get three and a half million dollars, it says here, folks; there's your three and a half million dollars. Put it all into supper if you want, all into salary if you want, put it all into polls, put it all into expensive luggage."

I see the member for York South-Weston over there, and I know that he knows that would not have happened if he was the leader of that party. There's no accountability in that party. There's no desire to be accountable in that party. The other night the member from Kingston spoke up and said, "My leader's expenses you should know about, and we should know about your leader's

expenses too." I agree with that. We have requested a number of times, numerous times, to have detailed expenses from the Liberal leader's office. The people of Ontario and this government are still waiting to see those expenses. He's willing to provide a summary, but he is not willing to provide details.

I think the member for York North may have said it best Tuesday night when she said, and I'd like to quote from Hansard:

"Acting in good faith, ministers, parliamentary assistants and their respective staffs have claimed expenses which in turn have been called into question by their critics. Whether they were claims from dinners, trips or hosting delegations, all parties at some point have been on the receiving end of this criticism.

"Now is the time to take action to end the uncertainty and speculation, and to give taxpayers real assurance that the people who spend their hard-earned money are truly accountable for it and have clear, consistent rules by which they must abide."

I think this says perfectly how this bill, if passed by this House, would introduce an element of fairness and independence into the whole system that has long been missing.

I'm not going to say that there are not certain things that I think should be allowable. There are certain things that I do believe should be allowable. Right now, under the present system, we are not allowed to spend any amount on liquor, not one cent on liquor in entertainment—

Interjection.

Mr Wettlaufer: Alcohol. That's right. It includes beer and wine. Thank you, I say to the member for York North. We are not allowed to spend one iota and claim it on our expense accounts. If we have consultants, experts in their field, come here to advise us on a particular item for a particular afternoon or evening, we don't pay them per diem—

Interjection.

1750

Mr Wettlaufer: Hang on. We don't pay them per diem, meals and mileage. That's right. Now, I'm not saying we don't provide that under contracts; that might be possible under contracts. But in numerous cases we have experts in their field come in and advise us, and we will take them out for supper. If you have an expert who in the business world is quite often used to having a glass of wine or a beer with his or her meal, are we going to say the government of Ontario, or the opposition parties, are not going to provide that to that individual, that expert? Are we going to be so cheap so as not to allow that individual to have a glass of wine? No, we're not. Are we going to say the host, the elected member, is going to pick it up out of his or her own pocket? That's nonsense. I think the vast majority of the public realizes that's nonsense.

Now is the time to take action. I know that members of this House when doing business in the interests of their constituents, whether it's in opposition or as a

minister or as a parliamentary assistant, incur expenses that should not be on their own ticket. Travelling on government or legislative business, hosting a foreign delegation or, as I said earlier, a delegation that is coming in to give advice, whether to the opposition parties or to the government, are examples of what I think taxpayers see as legitimate expenses. Certainly most taxpayers do. Do you agree, I say to the member for Niagara Centre.

Mr Peter Kormos (Niagara Centre): A little glass of Niagara wine.

Mr Wettlaufer: You want them to buy Niagara wine. OK.

I know that to a certain degree the members opposite agree with me; I can see by the nodding over there. I think the member for Kingston and the Islands and the member for Timmins-James Bay both acknowledged this on Tuesday night when they said certain expenses are quite legitimate. I think most of us agree with that.

The real matter here is what is reasonable. That is probably subjective. We would look at it and say, "Oh yeah, that's valid." But that is subjective from our own point of view. The members opposite have an overriding goal in all of this, and that is to embarrass the government, and that's fair. That's politics. We all know that to some degree the role of the opposition is to act as a viable alternative to the government of the day.

I would prefer, as the member for Kingston and the Islands said earlier this week, that we be able to spend time today speaking to certain other issues, whether it be health care or education, because they're more substantive. Nevertheless, we're here talking about this particular issue.

This leads to arguments about accountability and how there is a need for the opposition to be held accountable for the money with which they've been entrusted by the people of Ontario. Right now their responsibility is not matched by accountability. I think we on this side of the House certainly feel that should change. I was encouraged the other night to hear a couple of the members say there should be consistent, tough standards for opposition and government members. I think that point has been effectively argued by all my colleagues here, not just on my side of the House but on your side. So I would like to spend more of my time addressing the issue of fairness and how we can address it, how it relates to the various rules we have in the House.

We have the Integrity Commissioner, in whom we all have a lot of confidence. We think he is above reproach. He is appointed by the Legislature.

Interjection.

Mr Wettlaufer: That's right. That's how it should be federally; I agree with the member for Niagara Centre. But in Ontario he is appointed by the Legislature, and he reports to the Legislature. He does not report to the government, nor does he report to either of the opposition parties. He is accountable to all of us in here and, in turn, to the people of Ontario. We have a great deal of confidence in him. We have a great deal of confidence in

his independence and in his professionalism. I don't think I have ever heard a word of reproach toward him.

What we are saying in this bill is that we think members' expenses should be reviewed by him; not the individual members, but the parliamentary assistants, the cabinet ministers and the opposition leaders. This is where most of the money is spent and this is where there is that possibility of abuse. There should not be any abuse. The people in my riding of Kitchener Centre don't want there to be any abuse. It's their money that we all are entrusted with in here. When they hear of abuse, they call me and rail against it, and they have every right to do so, because I rail against it. We all pay taxes here too. Is there one of us in this House who thinks it's fair that our taxes should be abused?

Mr Kormos: What about the government's consultants? They haven't been paying taxes.

Mr Wettlaufer: Maybe some of them do. You never know.

This is not a new phenomenon; it's been going on for 20 years. On Tuesday night, the member for Kingston and the Islands said that we shouldn't stop right now, that we should be going back further. In the interests of fairness, and considering that rules change dramatically over the years, it's difficult to put today's values, today's norms, on to a leader seven years, eight years, 10 years, 20 years away. So we drew the line and we said that former Premiers would not be subject. The member for Kingston and the Islands made a big deal of the fact that former Premier Mike Harris was not subject to this bill. Well, I say to you that neither is former Premier Bob Rae, nor is former Premier David Peterson, nor the cabinet ministers in their cabinets. I know, you know and all the members on that opposite side know that there was considerable abuse, using today's standards and today's norms, in those cabinets, because this has been going on for 20 years.

What we are saying is that it's not practical for us to say, "I'm taking somebody out for supper tonight. I'm not too sure whether or not this is FOIable. I'm too sure if this is eligible for expenses. Maybe I should call the Integrity Commissioner." No, no, you're not supposed to call the Integrity Commissioner at 10 after 6 at night, when you've got somebody out for dinner at 20 after 6. There are going to be clear and hard—

Interjection.

Mr Wettlaufer: That's right. We're not going to abuse it.

There are going to be clear and firm guidelines set out that we will know, and so will you, the members on the opposite side. You will know exactly what is going to be claimable, what is legitimate, what we can justify to the public that pays our salaries and our expenses.

Will there be some alcohol allowable? I hope so. I think we have to realize that this is the 21st century.

I would like to read a short paragraph from the Members' Integrity Act about this. The preamble to the act, which sets out broad parameters, states, "Members are expected to perform their duties of office and arrange

their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members."

How better to define that this is what we want with this bill? The act will then outline how the commissioner should go about assisting members in the reaching of this worthy goal.

The public, the taxpayers, really don't care whether it's the Liberals, the NDP or the Progressive Conservatives, government or opposition; all they care about is how they spend it and how it's accountable.

The Deputy Speaker: It being after six o'clock, this House stands adjourned until 6:45.

The House adjourned at 1801.

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