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**Official Report  
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(Hansard)**

**Journal  
des débats  
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**Thursday 8 May 2003**

**Jeudi 8 mai 2003**

Speaker  
Honourable Gary Carr

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L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 8 May 2003

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

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*The House met at 1000.  
Prayers.*

PRIVATE MEMBERS'  
PUBLIC BUSINESS

IMMIGRATION

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I move that in the opinion of this House, the government of Ontario should enter into discussions with the federal government forthwith pursuant to which responsibility for immigration matters pertaining to the province of Ontario would be transferred to the government of Ontario.

**The Acting Speaker (Mr David Christopherson):** Mr Tascona has moved ballot item number 3. He now has 10 minutes to present his resolution.

**Mr Tascona:** I'm very pleased to begin the debate with respect to the resolution. I want to start by quoting a history article I've received, *The Long Road to Canadian Diversity*, written by Luca Codignola. It's in the magazine, *Partners: Italy & Canada*. I want to start by speaking to that because my father's family originally immigrated to Canada in 1907. In fact, it was the first Italian family in the city of Winnipeg at that time.

I want to quote this article, which is at page 11:

"While growing from" 11 million "in 1941 to over 31 million in the year 2001, and in spite of the leadership of Prime Ministers of apparently conflicting views, post-war Canada has continued to profit from de facto choice immigration (between 1950 and 1970, Canada welcomed over 430,000 Italians), its proximity to the United States and its traditional British and Commonwealth heritage. Meanwhile, it has maintained certain features that are uniquely 'Canadian': a great regional diversity together with provincial powers that have been steadily growing since Confederation. Bilingualism (English and French), a law since 1969 and more than a simple federal ... obligation is now seen as an asset by most educated persons."

Immigration for this country has been very successful. The point I'm making today with respect to my resolution deals with the failure of the federal government to provide appropriate screening at airports and the recent report by the federal Auditor General, Sheila Fraser, detailing the inability of the federal government to manage the country's customs and immigration. That's the catalyst for my private member's resolution in the Legislature today.

Ontario's economic prosperity has been and continues to be strengthened by the immigration of skilled workers,

professionals and their families, all in search of a better life. The quality of life for all Ontarians is enriched by an immigration system which properly screens, selects and enforces the law.

The federal Auditor General's report clearly indicates there is a growing number of people who are still in Canada despite Citizenship and Immigration Canada's having directly removed them from the country. Fraser notes that this gap has increased to approximately 36,000 over the last six years. According to Fraser's news release, "Enforcement activities should be given higher priority. The growing backlog of removals undermines the system used to admit people to Canada."

Other findings from the federal Auditor General's April 2000 report indicate the following; this is her critique of the Department of Immigration: "Immigration officers are present at only 44 of the 272 staffed ports of entry and most of those 44 ports are not staffed 24 hours a day by immigration officers. Ports of entry where no immigration officer is present handle about 15% of the total traffic."

As of 2000, Citizenship and Immigration Canada "estimated that close to 60% of all refugee claimants arrive with no documents or with false documents...."

"Facilities in the Ontario region reached capacity several times over the last few years and officers were instructed to choose people for detention carefully and consider alternatives to detention."

I also want to point to the recent SARS crisis in Toronto as another dramatic failure of federal officials. There is no doubt that the federal government's decision to play down the threat of SARS and refusal to properly screen arrivals to Canada was a primary cause of the WHO travel advisory and the economic damage that ensued.

I want to quote the Toronto Star with respect to the federal actions. This is an article from April 30:

"Ottawa Failed to Heed Ontario's SARS Plea.

"Health Minister Anne McLellan was warned by her Ontario counterpart almost a month ago about inadequacies in the way the federal government was screening travellers for SARS.

"Ms McLellan, who has been accused of not doing enough to tackle the SARS outbreak, replied to the letter from Ontario Health Minister Tony Clement by insisting the federal government was taking reasonable and appropriate precautionary measures related to inbound and outbound air passengers.

"Two weeks after her reply, the World Health Organization issued an advisory against travelling to Toronto,

noting that some SARS cases in other countries appeared to have been exported from Canada.

“The WHO is removing the advisory today after Canadian authorities agreed to improve screening procedures, which until now have consisted mainly of putting cards in airports advising passengers who pick them up of SARS symptoms. Most people were permitted to enter and exit the country without getting any information, either verbal or written, about SARS.” The title of this article is “Ottawa Failed to Heed Ontario’s SARS Plea.”

We also have an article from the *Globe and Mail* of May 1, “McLellan Fends Off Calls to Quit.”

It says, “In his letter, obtained by the *Globe and Mail*, Mr Clement,” the Minister of Health for Ontario, “expressed concern that incoming passengers, particularly from SARS hot spots travelling to Canada through the United States, might be missed. He also asked Ms McLellan to keep him abreast of any disaster planning the government was doing, and urged her to make sure there were enough staff at Pearson International Airport and border crossings.

“The World Health Organization slapped a travel advisory on Toronto three weeks after the letter,” from Minister Clement, “warning people to avoid non-essential trips to the city.”

Also, in the *National Post* of May 1, 2003, an article says, “Did Ottawa fumble its response to the outbreak of SARS in Toronto? Anne McLellan, the federal Minister of Health, says no. On Monday, she claimed Ottawa is doing its bit to make sure SARS is being ‘controlled and contained.’ One day later, Jim Flaherty, Ontario’s Minister of Enterprise, contradicted her. Ottawa, he said, failed to provide the sort of ‘significant reassurance’ that would have demonstrated it was taking SARS seriously—and possibly forestalled the infamous WHO travel advisory. Mr Flaherty zeroed in on Ottawa’s lackadaisical approach to screening for SARS at Toronto’s Pearson International Airport as the worst example of this.” In a quote in this article, they say Mr Flaherty “is absolutely correct.”

#### 1010

The resolution put forward by myself today would see the federal government give responsibility for customs and immigration matters pertaining to the province to the Ontario government. The resolution would allow the province and the federal government to negotiate the transfer in the best interests of public safety and public accountability. That’s what this resolution is about.

The province of Quebec has responsibility for these matters already. They have an agreement with the federal government with respect to shared costs and with respect to dealing with immigration in their particular province. This is not something that is not done elsewhere in this country.

I want to go back to the federal auditor’s report. It’s the report of the Auditor General to the House of Commons, chapter 5, on Citizenship and Immigration Canada, control and enforcement. This is a scathing report of the

federal government with respect to how they are dealing with our immigration matters. It says at page 29:

“Enforcement activities are under increasing stress and are falling behind. The gap between removal orders and confirmed removals is increasing. Detention budgets and facilities are a departmental concern. The growing backlog in enforcement activities places the integrity of a major part of the immigration program at risk....

“Our examination at ports of entry found problems that have been present for several years. The department does not currently know how well the Canada Customs and Revenue Agency is performing its immigration-related duties, nor how well Immigration’s secondary examination process is working. Citizenship and Immigration Canada and the Canada Customs and Revenue Agency need an updated agreement that includes performance standards and a way to evaluate and measure performance.”

I want to repeat that. This is 5.119, page 29, chapter 5 of the federal auditor’s report. They say, “The department does not currently know how well the Canada Customs and Revenue Agency is performing its immigration-related duties, nor how well Immigration’s secondary examination process is working.”

That is not acceptable to the citizens of Canada. It’s not acceptable for the province of Ontario with respect to the public health and the public security of this province. It’s not proper for the Minister of Health for the federal government to wave off a letter from the Minister of Health for this province with respect to our concerns. It’s very clear why the WHO removed its travel advisory when they were promised that there would be screening done at Pearson International Airport. That screening just started today, with respect to that.

I would say that we have a serious problem in this province with respect to the federal government’s approach to immigration and customs and it has to be dealt with, like the province of Quebec is dealing with it today. They’ve taken responsibility. We should do so also.

**The Acting Speaker:** The floor is open for debate.

**Mr Michael Bryant (St Paul’s):** I came into the room, I think maybe like a number of people, very interested in this particular resolution because it touches upon a number of issues that are of great concern to all members, certainly to Dalton McGuinty and the Ontario Liberals.

In particular, I was interested to see whether or not we were here to talk about how Ontario might exercise its concurrent constitutional powers over immigration. The province of Ontario obviously receives a vast number of new Canadians. Last year, 60% of all newcomers to Canada settled in Toronto. I would hope that, if we are going to continue with a serious debate on this, we would recognize that the city of Toronto has got to be involved in this particular debate, because the city of Toronto is so impacted by any changes to our immigration laws and rules. It’s interesting that the greater Toronto area is larger in population than any other province in the country next to Quebec and the rest of Ontario. It’s larger

than British Columbia, larger than Alberta, larger than any other province, and yet of course it plays no role whatsoever in any such constitutional changes or issues, which is what's being addressed here.

Other provinces do have agreements with the federal government in terms of particular issues that affect immigration. Saskatchewan, Manitoba, New Brunswick, Newfoundland and Alberta have all dealt with particular issues, including specific labour market needs. We're quite interested in that too. I can tell you that, particularly when it comes to foreign-trained professionals who are currently being shut out of many industries in the midst of our labour shortage, one of our commitments for a number of years now has been that we have to address that and get the regulating, or if not, get the Legislature working to address that.

But that's not what I heard from the member's comments today. It wasn't about those issues, and there are a lot of other issues that come with taking over this concurrent power. Our jobs would change substantially, and everybody, I would hope, knows that a big part of what an MPP's office does is to deal with this. Amongst other things, you'd have to dramatically change the set up of MPP's offices, budget and otherwise.

The resolution does state that the province of Ontario take over responsibility for immigration matters. It does not say some; it doesn't say all. I'd be interested to hear from the member, maybe in his comments, whether he's talking about everything, because everything would be quite a change and not necessarily in the public interest. But on the other hand, the government of Ontario has, for the last eight years, obviously not expressed any interest in these changes, so there must be a reason for that. Perhaps we can hear from the government on that front.

If the member wants to have a debate about who did what right and wrong in SARS, we have been having that debate for many days. If the member wants to talk about a change to the responsibility over airports, that's a bit of a different matter, isn't it? As the member, who's a lawyer, knows, the responsibility for airports falling under the federal government comes not just for immigration but also, under the Constitution Act, section 91, sub 10, Minister Collenette, for example, has responsibility over airports because that is a federal responsibility. It's not just customs. So if the member is interested in taking over airports as well, the budget is getting bigger here.

Interesting, not impossible; there are areas where the provincial government works with, or takes over, federal areas for particular reasons, maybe health reasons, and can do so. Sometimes it gets fought out in the courts, but by and large, if provinces want to take over responsibilities, then they should.

We, on this side of the House, are interested in this debate and this discussion, particularly as it relates to the workforce in Ontario and as it relates to economic issues and public safety issues in Ontario. But if this debate is going to be about who did what right and when, who ought to have been golfing or not golfing in Arizona,

then we can have that debate. I hope that the spirit of this doesn't turn into a debate that ought to take place in the federal Parliament, but rather one that deals with the serious provincial issues that have come to the fore that we talked about in our Opposition Day motion yesterday. I look forward to seeing whether this is just going to be fed-bashing or whether this is a serious discussion about changes to the responsibilities of the province of Ontario when it comes to new Canadians and airports.

**Mr Michael Prue (Beaches-East York):** It is a delight to stand up here and to speak to this issue, having spent so much of my life speaking to this issue on many occasions. For members of the House who may not be aware, for 20 years or more before becoming an elected member, I served as counsel to the Minister of Immigration. In fact, I wrote some of those laws in Ottawa; I enforced the act through the Immigration and Refugee Board at ports of entry and much of what member Tascona had to speak about today.

I will tell you that I came here to speak in favour of his motion but I'm somewhat troubled by the tone with which he speaks. With the greatest of respect, he is attempting to enter areas of total federal jurisdiction.

It's quite clear that the provinces have a role in immigration, and it is quite clear, in my view, that that should be exercised. I go back to where the province gets that jurisdiction. It's Section 95 of the British North America Act, which is still extant, and I'd like to read that into the record.

Section 95 of the British North America Act reads:

"In each province the Legislature may make laws in relation to agriculture in the province, and to immigration into the province; and it is hereby declared that the Parliament of Canada may from time to time make laws in relation to agriculture in all or any of the provinces, and to immigration into all or any of the provinces; and any law of the Legislature of a province relative to agriculture or to immigration shall have effect in and for the province as long and as far as it is not repugnant to any act of the Parliament of Canada."

**1020**

It's quite clear that when this was written it was the intent that the provinces would have a say in agriculture and immigration but that the federal law would pre-dominate, and where they were in opposition the federal law would be the one that went forward.

In this province, since 1867, we have always had an agricultural minister and no one would have thought for a moment that we should not have an agricultural minister, either in this province or federally. In fact, to this day we have them and they co-operate and they come together and they make rules related to agriculture. But this province has never taken the opportunity of exercising the second option, which is for immigration.

In the days of 1867, most people lived on farms and agriculture was a very large component of the economic lifeblood of this province. It has declined, unfortunately, and continues to decline as people leave the farms and we get into agribusiness, to the point that immigration is

by far the more important of the two roles that can be jointly exercised today.

I would suggest that a number of other things have happened which make this particular resolution timely. The immigration classes have changed. In the 1950s and 1960s and even up until the late 1980s, those who entered Canada came primarily in the family class and from sponsored and dependent relatives. I know, because I processed some of those applications for a time. Those people came and they were looked after by the relatives who sent for them and who signed for them to make sure they would not become public charges; by the relatives who went out and found them work, and by the relatives who made sure that if they fell into tough economic times they did not go on welfare.

Those times have changed. They slowly started to change in the 1980s and then rapidly started to change in the 1990s. Today, the majority of immigrants do not fall within the family class. The dependent relatives class has been obliterated; it is no longer part of the legislation, and today the majority of people come in the independent category. With respect, it is because they come within the independent category that, more than ever, the province, and particularly the province of Ontario, has to have a say.

Today, people come from all around the world. Up until the 1950s and 1960s, they came primarily from Europe and from the United States, which were the feeder countries. Today, quite literally, they come from all of the 180 countries around the world, and they come here expecting that they are going to be treated very well. They come here expecting that this is a land of opportunity—which it is; that Ontario is a province of opportunity—which it is.

When they come here, I will tell you that many of them are disappointed. They are disappointed because Ontario has never done what it is supposed to do, and that is, be involved in the selection process, and has never really exercised what it needs to do, and that is, to recognize the skills that have been obtained in foreign lands and to use those skills in a way that will benefit not only the people who come here with them, but will benefit the broader Canadian and Ontario community. We have failed to do that, with respect. We have failed to do that, and what this bill could do, if it wasn't about fed-bashing, is plug that hole.

I go back to the province of Quebec. The province of Quebec in 1978 established an act related to immigration in that province, and that act has been changed some 15 times in that period. It was at first a fairly small act, an act that established a grid so that people could be chosen with criteria that were not those on which immigrants were chosen for the rest of Canada, but gave particular points and incentives for people who were able to speak Canada's two official languages, particularly the French language. It gave particular points because that province was looking for professors and teachers and engineers and doctors and nurses who were able to converse in French. It has been, I would suggest, very successful.

The act today is a much better act than it was in 1978 when I first started to work on it and with it in Ottawa. Today the act contains a number of things which I think this province should emulate. It contains provisions that allow for the selection of immigrants, as it has always done, but it has broadened out today to include integration, how applications are made abroad, work permits for people who need to come into the country for a very short period of time, and financial assistance to allow new immigrants to choose Quebec as a place to live and to work. So Quebec is the chosen designation as opposed to Ontario or British Columbia or other places immigrants might naturally tend to want to go to. Quebec has been very successful in its application of the law.

What Quebec has not chosen to do is what the member opposite suggested in his opening statement. They have not chosen to go into the enforcement field because quite literally, and with respect, they cannot. The enforcement field has always and will always continue to be a field that is under federal jurisdiction, and indeed it must be. How do you deport a person from one province who may not be deportable in another? The law has to be the same. The law has to be dealt with the same and the enforcement aspects of who gets into Canada at a port of entry or who is forced to leave after they are here if they run afoul of the Immigration Act must be the same in each and every jurisdiction. If it is not, one could merely move from one jurisdiction to another or fly into one jurisdiction or another or cross the border at one jurisdiction or another and have different applicable laws as to who is admissible and who is not. With the mobility requirements of the charter, this is an impossibility of which the member speaks.

I am supporting the motion, notwithstanding that I think he has started on the wrong tenet. I am supporting it because it is a good resolution. We see other provinces that have got into the immigration game as well, such as Manitoba. Manitoba has done many of the same things, and the city of Winnipeg today is a thriving community because people are coming from all around the world with the skills that Manitobans want. Manitoba has set out the welcome mat. Manitoba has assessed the people who are coming in for their foreign experience. They have worked hand in hand with industry, particularly in Winnipeg, to bring in skilled workers to make sure that the development of that province proceeds ahead. We would like to emulate, and believe that we should emulate, what is being done in Manitoba.

In fact, Ontario is the only province of the 10 in Canada that has not signed an immigration accord with Ottawa. Ontario, which is the province most immigrants come to, has not signed the accord. Because we have not signed the accord, the monies that flow here for immigration settlement are less—

*Interjection.*

**Mr Prue:** I'm going to listen to you. I think I know what I'm talking about a good deal more than you do on this topic.

They have not signed the accord. That has to be the first thing that we do: we need to sign the accord as a

province. Having signed the accord, we need to do what Quebec has done; particularly, we need to do it in three fields. The first is in the selection. We need to be there when we are choosing immigrants from around the world. We need to choose the professionals we need in this province. If we need doctors or nurses or nurse practitioners or if we need atomic scientists or if we need people in particular fields in this province to help Ontario grow, then we should be there to choose them and to make sure that their transit to Canada and their coming into the general workforce is done in a seamless manner. That is why we need to be in the selection process.

We need to be in the application process as well. We need to do the assessments overseas, and that will involve a great deal of money, I hope the members realize. You have to send the equivalent of visa officers to posts around the world to choose those immigrants. But having chosen them, we have a golden opportunity to provide them guidance. We have a golden opportunity to choose, once we have chosen them, to tell them what upgradings they are going to need in the period they have to wait for their immigrant visa before they come to Canada. We have an opportunity to tell them that we will accept their qualifications if they take an additional three- or four-month or six-month or a year's course in Canada to upgrade their skills to meet Canadian standards. People will have an opportunity to determine at that point whether they want to choose Canada and choose Ontario, and we will be better off for it because when they get here they can immediately use those skills. We have an opportunity for those who come to Ontario to integrate them through English as a second language, through retraining, through job searches, things that we need to do in this province for new immigrant populations.

1030

What we do not need to do, with respect, is get into the whole argument about whether our borders are being properly enforced, whether the Immigration and Refugee Board, or whatever it's going to morph into in its newest iteration, is doing a proper job. Of course there needs to be more money spent federally; of course there does. Having worked there myself for more than 20 years, I will tell you there were never enough immigration officers; there was never enough enforcement. And I will tell the members opposite, the very worst minister we ever had was Flora MacDonald, who opened up most of this stuff and made a mess of it. If you really want to know when it became a mess, it was in the time of Brian Mulroney.

What we should not get into is the whole argument about SARS, because if you work at Pearson airport, as I once did, you will know that the whole issue of health is handled by an official of Health Canada and by a doctor who is on duty at international airports. That doctor does not work for immigration and customs; that doctor works for health, and anyone who is deemed to be sick is referred on primary inspection.

The whole issue about customs: customs is a total federal responsibility; it is not a shared jurisdiction. The

customs officers at ports of entry belong to the revenue department and not to the immigration department.

When you're looking at the issue of refugees, which is contained within the Immigration Act, it is a United Nations convention to which Canada is a signatory nation, having signed as one of the earliest nations in 1951. We are also a signatory nation to the protocol signed in New York in 1967. The protocol signed in 1967 involved Canada, not the provinces of Canada. It is Canada that is responsible for determining which persons are refugees, how the hearings are held and what rights of appeal they have, not the provinces.

Last but not least, the enforcement aspect is entirely within federal jurisdiction. I explained that earlier. If the removal is to take place, it cannot be a removal from one province to another; it cannot be a removal which is predicated on different standards. It must be a removal from the country. If people are inadmissible, the same thing holds true: the inadmissibility must be Canada-wide, not province-wide.

Having said that, I commend the member for bringing this forward. It is high time that Ontario got into the immigration game. It is vital to the security of this province, but what is more important, it is vital to the economy of this province. If Ontario is going to continue to lag behind the other provinces, if Ontario is not going to seize what is rightfully theirs, which Quebec so long ago, in 1978, realized was important to them, to their culture and to their economy, then I think we in this province are going to be the losers. It will cost money, but it is important and it would be the right thing by the people who choose Ontario and the people who choose Toronto as a good place to live.

Mr Speaker, we will be supporting the motion.

**Mr Wayne Wettlaufer (Kitchener Centre):** I'm quite pleased to be able to rise and speak to this resolution. For the members opposite, especially the one from Beaches-East York who just spoke, and also the member from St Paul's who spoke, I don't believe the member from Barrie-Simcoe-Bradford was doing any fed-bashing. I think his resolution is quite clear. He says, "In the opinion of this House, the government of Ontario should enter into discussions with the federal government forthwith pursuant to which responsibility for immigration matters pertaining to the province of Ontario would be transferred to the government of Ontario."

It's not a matter of fed-bashing. In his speech, the member from Barrie-Simcoe-Bradford used sections of the Auditor General's report to justify why he felt a review is necessary and why we should enter into negotiations. He stated, for example, that there were 36,000 immigrants who had been ordered deported from the country—deported from the country, I should say—over the course of the last six years that the government had lost touch with. They lost touch with 36,000 people whom they had ordered deported.

If you look at this in actual years, in 1997, removal orders were issued for over 14,000; only 8,000 were actually deported. There are similar figures in 1998 and

1999. In 2000, the figures actually improved somewhat in that more than 12,000 were ordered deported and nearly 9,000 were in fact deported. But in 2001 and 2002, the figures seriously reversed themselves. In 2001, nearly 18,000 people were ordered deported from the country and only 9,000 were in fact deported. In 2002, 14,000 were ordered deported, and only 8,000 were removed from the country. That is the source of the member's concern.

In addition, and this is very serious, he pointed out the Auditor General's statement that "Immigration officers are present at only 44 of the 272 staffed ports of entry." Only 44 of 272 ports of entry have an immigration officer. And of these 44 ports, most are not staffed 24 hours a day. That is very, very serious.

What is important to me as a member of a riding in a community that receives the fourth-largest number of immigrants in all of Canada—I'm not talking percentages of immigrants; I'm talking numbers of immigrants who make major contributions to our community and to our province and to our county—when something takes place like September 11, many of the Sikhs or Muslims who are making major contributions to our community are tarred with a brush and suffer major racial prejudice as a result of the attacks on the federal government's failure to monitor its immigration system properly. These people should not be tarred with that brush, and wouldn't be tarred with that brush if our government was monitoring its immigration system. That is why the member for Barrie-Simcoe-Bradford has suggested that Ontario should take a greater part, should sit down and negotiate with the federal government on how we can screen, how we can enforce the immigration process in this country.

The member for St Paul's said that the number of immigrants to Toronto constitutes 60% of all immigrants to this country. That's true. I'm sure he feels, like I do, that they are making a major contribution to this province and to this community.

And then we have the member for Beaches-East York, the posh Beaches area, suggesting that perhaps we should put restrictions on foreign-trained professionals.

*Interjection.*

**Mr Wettlaufer:** You said that. You said we should put restrictions on them, that we should monitor the skills that are needed in this province and in this country before we bring them in. You said that. I don't agree with that.

**Mr Prue:** You don't know what you're talking about.

**Mr Wettlaufer:** You already said that earlier. You said that you knew far more about this issue than anybody else in here. I don't think you do.

**The Acting Speaker:** Through the Speaker, please.

**Mr Wettlaufer:** Thank you, Speaker, I appreciate that.

We talked about the immigrant settlement allowance. The member for Beaches-East York said that Ontario was the only province in the country that hadn't signed the immigration settlement agreement. There are very good reasons for that. That is, the federal government wasn't offering us what it offered the other provinces.

It's very simple: they offered—and agreed to—the province of Quebec four times what they were willing to offer Ontario. That, of course, is not odd, because in the area of tourism—which is slightly off topic, I agree—the federal government offers Quebec, gives Quebec, eight times what it gives Ontario in tourism-events planning. So that's not out of the ordinary.

Even more important, of course, was the issue of SARS. The federal government was not doing proper screening. The World Health Organization stated this. The only condition on which the World Health Organization withdrew its travel advisory to the city of Toronto was that the federal government would properly implement a screening procedure, which is something that wasn't being done.

I do say that I will support the member from Barrie-Simcoe-Bradford in this resolution. His motives are very noble.

**1040**

**Mr Dominic Agostino (Hamilton East):** When I came in this morning, I guess I was anxious to hear from the government member what the rationale for this bill was. I can tell you that from listening to the debate this morning I'm quite disturbed as to what this is all about. It sounds innocent on the surface. When you look at what they have said, though, more than what's in this resolution, this has been about SARS, it has been about screening processes and it has been about September 11. Let me suggest to you that I believe this resolution here today is dangerous, in view of the way it has been put by the government members. To try to somehow exploit the SARS tragedy and link it to immigration—we're talking about screening processes here. We're talking about Canadian citizens who have travelled overseas and come back; Canadian citizens leaving the country and coming into the country. To somehow link SARS to an immigration policy is outrageous, disturbing and, in my view, exploiting a tragedy in this province.

They talk about screening processes. What does that have to do with a Canadian citizen travelling somewhere else and coming back into Canada and not being properly screened? What does that have to do with immigration?

The cap of all of this is the quotation from the member from Brampton Centre: "We should at least be more careful about the kind of immigration that comes in.... I think we should look at it closely, yes, absolutely, because of SARS and because of anything else we ... run the risk of incurring."

What an ignorant comment. What an ignorant comment from a son of an immigrant. I'm lucky, and most of us in this room and across the province are lucky, that there was no law that decided the type of immigrants that would come into Canada and Ontario. It is disgusting.

**Mr Tascona:** Mr Speaker, I want that comment removed from the record.

**The Acting Speaker:** Would the member for Hamilton East take his seat, please. Which comment?

**Interjection:** All of them.



**Mr Tascona:** “Ignorant comment from a son of an immigrant.”

**The Acting Speaker:** I’m sorry, I don’t see, in that context, where that word is unparliamentary. Please take your seat. The member will continue.

**Mr Agostino:** I’m upsetting the member because I’m breaking his little code words that he has put in this resolution here.

To do it in the context in which it has been done, to do it in the context of the comments from the member for Brampton Centre, and to somehow put this as some benign immigration policy is an insult to the millions of immigrants in this province.

**Mr Tascona:** You’re an insult.

**Mr Agostino:** What are the right types of immigrants? You tell me what the right types of immigrants to Ontario are, sir. Maybe when you get your chance, you’ll tell me what the right type of immigrants are. To link the SARS outbreak to an immigration issue, to somehow suggest that if you come from a certain country you’re to blame for what’s happened here in Ontario, is disgusting.

**Mr Wettlaufer:** You’re an apologist.

**Mr Agostino:** I’m angered. No, I’m an apologist for your comments, sir. What your member has said—and no one has distanced himself from that—in this policy today, in my view, is an insult to all Ontarians who have come here from other countries.

This is simply a code word to try to blame others for what has happened in Ontario, to try to blame people who come from other countries, who have different skin colour or a different religion for SARS and September 11, as has been mentioned. I’m angry. I think many Ontarians are going to be angered by this. This is not some feel-good policy to control immigration and make Ontario a better place. This is to choose who comes into Ontario. This is to somehow link immigration with the fact that the federal government may have failed in their screening process at Pearson airport. To somehow link the failure of the federal government to properly screen people who have come into this country, maybe Canadian citizens coming back, to an immigration policy is absurd, to say the least.

I cannot, in any way, shape or form, agree with this. I realize the members are getting a little rattled over there, and I appreciate their uncomfortableness with having what this is all about exposed. The reality is that the immigration policy in this country, despite its flaws, has worked well over the years.

The member talks about the number of illegal immigrants or people who haven’t left the country. Yes, that’s a problem. He refers to 36,000. Ideally there should be none. These same members who wrap themselves in the American flag every chance they get should realize there are over 350,000 illegal immigrants in the United States of America today. Despite their crackdown, despite their anti-immigrant stance, there are still over 350,000 illegal immigrants in the United States of America. As they wrap themselves in the American flag every chance they get, they should remember that.

I cannot, under any circumstance, support this type of bill—a bill that, in my view, is anti-immigration; a bill that, in my view, is set up to screen the type of people who come into Ontario; a bill that, in my view, exploits the SARS tragedy, somehow blaming it on certain people from certain countries.

The breakdowns that have occurred should be fixed, but to somehow suggest that they are linked to the immigration policy of the federal government and that Ontario controlling this would somehow fix it is absurd. In my view, it’s an insult to every immigrant who has ever set foot in this province, in this country. There is no way that I could ever support this type of biased policy; it goes against the grain of everything we believe in this province and against the intent and grain of every immigrant who has ever come to Ontario.

*Interjections.*

**The Acting Speaker:** Order, right now.

**Mr John O’Toole (Durham):** I’d like to bring things back to sort of a normal pitch, if I may, respectfully. I want to start by reading the member for Barry-Simcoe-Bradford’s resolution, which we’re discussing, and clarify some of the weak and very spurious information that was presented just a few moments ago.

“In the opinion of this House, the government of Ontario should enter into discussions with the federal government forthwith pursuant to which responsibility for immigration matters pertaining to the province of Ontario would be transferred to the government of Ontario.”

I think that’s a reasonable request. There are certain suggestions—I think there are really three aspects to the immigration process: the selection process first, the screening and the enforcement. I think it’s really on the latter, the enforcement part, where the federal government has to some extent, and more recently, fallen down.

This isn’t a comment made by this government as much as it is a comment made by the federal Auditor General. With your indulgence, I would like to read, for the record, some of the comments she made. I think she was trying to say to us that the issue of enforcement has shown up more recently under the SARS initiative. It’s for the public’s safety. All Ontarians, indeed all Canadians, need to be reassured and have some confidence that the federal government is exercising due diligence and taking public safety seriously. The Auditor General said here in her report for April, 2003—and I just want to repeat these for the record. It’s from page 24 of her report. “During the past six years, the department”—that is the Department of Citizenship and Immigration Canada—“has removed an average of about 8,400 persons per year.” There’s a schedule here to exhibit that. “In 2002, some 8,100 persons were removed from the country.” The point she’s making here is, “The gap between removal orders and confirmed removals has grown by about 36,000 in the past six years.” That really implies that the court or some process, some legally constituted process, has determined that there’s a number of removal orders—these are people who are here illegally who should be removed—and that list is grow-

ing. The chart shows very clearly that that list, the removal orders, is growing faster than the orders to remove. In other words, they're not actually practising due diligence and dealing with the enforcement matters.

#### 1050

It's even more alarming, actually. All Ontarians, indeed all Canadians, need to understand this is the fundamental issue that I think, respectfully, Quebec has used to their advantage by taking a more proactive position on the three phases that I mentioned earlier.

This is the second alarm bell on page 16 of the auditor's report on Citizenship and Immigration, in section 5.56. It says, "Immigration officers are present at only 44 of the 272 staffed ports of entry and most of those 44," of the 272, "are not staffed 24 hours a day by immigration officers." Those persons who illegally want into the country or abuse the privilege of living in Canada—this information would be on the Web site, as is appropriate. So guess where they would be coming in? At the most vulnerable spots.

It's those few people who spoil it for the vast majority, and when I say the vast majority, as I look around the House, I see even our Minister of Citizenship, who is here listening today—he's also, by the way, the provincial minister who would be responsible, the senior person on the lead file of immigration provincially; he has a Portuguese background. In fact, if I look at myself—I always look in the mirror—I have an Irish background. If I look at Mr Tascona, he has an Italian background. The previous speaker, Mr Wettlaufer, I believe has a German background. I'm looking around me and almost every person—Mr Mazzilli is here this morning; he's Italian. Almost all the members here very much reflect the collage of different cultures and nationalities, and religions, for that matter, that make up this great province. This in no way has, nor would I want anyone to imply that this has, any tone of intolerance to it, because I would not stand here and support any resolution on any side that had any tone of intolerance.

There will be those who will draw political fire to it and potentially—the Liberal members like to think they have ownership. But if I look at the comments made by the Auditor General—and more recently, by Sheila Copps, the federal minister who is in the leadership thing, she has brought up that Anne McLellan isn't properly executing her responsibilities. The member for Hamilton East used to work for Sheila Copps, so I think he comes to this without a clear, objective position.

If you're going back to the premise of Mr Tascona's resolution here, it's for the collective safety that governments are responsible for, in the case of West Nile virus, in the case of SARS, in the case of persons who constitute a threat. The province is responsible for the issue of public safety, and in that respect I support this. Any suggestion of tampering with the selection process, the screening process, I have very serious reservations that it could be misconstrued. What this is to me, in summary, is a respect for process, respect for people, respect for the responsibilities that governments are required to execute and carry out on behalf of the people who elect them.

It would appear, from what the Auditor General has said and the comments here this morning, that that respect has been threatened and the execution of those responsibilities is at risk. It's in that context that I respect and support Mr Tascona's intent to have the province meet forthwith and discuss with the federal government responsibilities for immigration matters that pertain to the province of Ontario. In that context, I am supportive of the resolution.

**Mr Mike Colle (Eglinton-Lawrence):** I'm here today basically to express my outrage at this cheap attempt by the member for Barrie-Simcoe-Bradford and his Conservative colleagues to exploit a most tragic health situation that occurred in Ontario, the SARS outbreak, and equate it to basic problems, supposedly, as they've said, with immigration. They have talked about immigration as a problem, illegal immigrants—the member from Oshawa just stood up—they've talked about September 11, all in this resolution about immigration now being taken over by Ontario. The people of Ontario are much smarter than you. They know what you're up to. They know what your intent is. Your intent is to basically say that if we control these immigrants, we're going to solve these problems.

The SARS outbreak was not about an immigration problem or about the immigrants. SARS was a health problem. It was a government problem. It was not about these people from different countries who have built this country, built this province with their blood, sweat and tears. For you, the member for Barrie-Simcoe-Bradford, to say it's their fault that we've got SARS is an abomination, and you should resign your seat for blaming that on immigrants.

As an immigrant myself, I've seen for too long how you Conservatives patronize new Canadians. Why don't you have a resolution celebrating the great contributions immigrants have made to Ontario? Instead, you come here trying to slag them and blame them for problems like SARS. That's what you're trying to do. You're trying to speak to the extreme right-wing radicals in your party who like beating up on new Canadians. That's what you're trying to do.

The people of Ontario can see through this phony resolution because immigrants have come here, worked and raised families. One of the reasons Ontario's so prosperous is because new immigrants have bought cars and houses. Ninety-nine per cent of new immigrants work and are law-abiding. They don't cause any problems. Yet, we have a resolution here today trying to exploit this horrific tragedy of SARS, saying that if we do something about immigrants, if we stop them at the airport, if the feds start stopping them at the airport, then we won't have these problems.

We know what they're getting at. Thankfully, the people of Ontario have moved beyond blaming things on groups. That's what you're doing. You're blaming these groups of immigrants. If the feds step on them, screen them and put them in jail, then this problem will be eliminated.

This is an amazing indictment against the Conservative Party and all of you members who stand up here at this time of great provincial and city danger in terms of health. We have to come together as a community and say this is not about the Chinese, Italian, Portuguese or Sri Lankan communities. This is about all the citizens of Ontario solving a problem of health. It's a health issue that we've got to solve. Instead, you've done the worst thing possible.

The member from Barrie should be ashamed of himself for trying to exploit this issue of health and blaming it on immigrants. You should withdraw this resolution. You should be condemned for trying to exploit this for your political advantage. It's a shameful resolution that nobody should support.

**The Acting Speaker:** I believe all party time has expired in terms of the caucuses. Therefore, Mr Tascona now has up to two minutes for closing remarks.

**Mr Tascona:** I'm very pleased to close out this debate. Certainly the province has a role in the immigration system constitutionally, as pointed out by the MPP for Beaches-East York. The resolution I have put forth today speaks to exercising that provincial role, which we constitutionally have the right to do. It's vital to our economy and to the security of this province. Yes, we've entered a new world since 9/11. That's a fact. But the fact also is that the federal Auditor General is not satisfied with the enforcement of the immigration system.

What I'm speaking about today is dealing with proper selection, proper screening. That's something the province of Quebec is doing right now. That's their constitutional right. They negotiated with the federal government. I think the member from St Paul's pointed out that other provinces—he mentioned Saskatchewan, Manitoba, Newfoundland, Alberta—have gone into specific issues with respect to immigration. Why can't we? Why can't we stand up here today and say that we want to have a role like other provinces? What's wrong with that? That's all my resolution speaks to.

**1100**

This province has a role to play. This resolution says, "Start exercising that role." That's what other provinces are doing. Public security and the public health of this province are the responsibilities of this province. The federal government makes the rules with respect to criminal activity, and we enforce those. We have that role.

*Interjections.*

**The Acting Speaker:** Order.

*Interjections.*

**The Acting Speaker:** Order. This is not going to get out of hand; I'm telling you right now.

#### GRIDLOCK

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** I move that in the opinion of this House, the Ontario government should adopt Dalton McGuinty's Growing Strong Communities platform to tackle gridlock by dedi-

cating two cents of the existing gas tax to municipalities to use for transit, and by creating the Greater Toronto Transportation Authority and giving it the resources and mandate to repair the damage from years of neglect by:

Putting more GO trains on existing lines;

Expanding GO parking;

New vehicles for the TTC;

Removing highway bottlenecks;

Establishing a seamless integrated ticket system allowing users to move across the GTA region with a single ticket.

**The Acting Speaker (Mr David Christopherson):**

Mr Sorbara has moved private member's resolution number 4. The member for Vaughan-King-Aurora now has up to 10 minutes to present the arguments for his resolution.

**Mr Sorbara:** Sooner or later Ernie Eves, the Premier of Ontario, is going to have the courage to call an election. That may come later on this month. He said it might come in September. He said it might come next year. Voters all across—

**Mr Frank Mazzilli (London-Fanshawe):** Just be ready.

**Mr Sorbara:** My friend says, "Just be ready." There is no doubt, sir, that we're ready.

I think the marvellous thing about elections is that the population of the province has an opportunity to examine the record of the incumbent government, in this case the Harris-Eves government. I think when that examination takes place, overwhelmingly the theme will be this: that during the course of eight years, when the economy of Ontario was growing and expanding rapidly, the great tragedy in Ontario was that public services of every variety fell into disrepair.

That certainly has been the case in education.

That certainly has been the case in health care, and we see that most recently in the case of the quality of public health care in the province of Ontario.

That certainly has been the case in our public services that deal with environmental protection.

I submit to you today—and it's the basis of this resolution—that that is most assuredly the case when it comes to managing transportation systems, the public responsibility to do that, and certainly in the greater Toronto area.

In my two years back in this House representing the people of Vaughan-King-Aurora, I hear on a daily basis how angry people are about the fact that over the course of the past eight years, nothing has been done to improve public transportation throughout the GTA.

You hear it every day. Let me just give you an example of what I'm talking about. Back in 1989, I was part of a government that made a commitment to expand the Toronto subway system along University Avenue up to York University. It was approved by cabinet, the funding was there, we were going to go ahead with it. It has never been done.

Right across the GTA, we've had expansions of close to 100,000 people and more. What has the government

done in the area of public transportation? People who use the TTC every day know that just the buses themselves, the regularity of the subway—the whole system has fallen into disrepair.

In York region, some attempts have been made to start a system, and in that regard—let's be fair here—I want to congratulate the government on one small point. At the 11th hour, a few days before an election, they finally had the courage to take one small step. They have adopted the fourth part of the resolution that we're proposing: establishing a seamless, integrated ticket system allowing users to move across the GTA. We heard the announcement from the Ministry of Transportation just a few days ago. That's yet another thing that has been lifted from Liberal proposals for the campaign and incorporated into the Tory pre-election announcements. Good. Let's get it done. That's one less thing, I tell my friends over there, we'll have to do after the next election.

But I'll tell you something: this does not work unless—

*Interjections.*

**The Acting Speaker:** I'm sorry. Take your seat. Hopefully I'll only have to do this once.

I'm not going to mention the members. You know who you are. I'm going to ask you to be quiet or you're going to leave.

I'm sorry for the interruption. I hope there won't be another one.

**Mr Sorbara:** The point I'm trying to make is that this announcement by the Minister of Transportation doesn't really work until we do what really needs to be done and acknowledge that the greater Toronto area needs a greater Toronto transportation authority.

Sir, you and I were very young when the Toronto Transit Commission was formed. I'm not even sure you were born. But I have a vague memory of it. It used to be that in Metropolitan Toronto, now the city of Toronto, there were 13 transportation authorities. The wisdom of Metropolitan Toronto was that there would be one transportation authority in Toronto, and that was the TTC. That was in the early 1950s. At that time, that was all that was necessary. Well, over the course of the past 50 years, the transportation area has expanded to take in all five municipalities in the greater Toronto area. What we're proposing here and what needs to be done and what is going to be done after the next election, should we be successful, is we're going to create a greater Toronto transportation authority to integrate the transportation system so that one can move seamlessly through the system without the chaos which now exists.

My friends over there are cackling and making noise. I just want to tell them that last Saturday, I had the opportunity to speak at the annual general meeting of the Ontario Chamber of Commerce, an organization that is friendly to all political parties but which has had, shall I say, a special relationship with the government party. I just want to read a resolution passed by the Ontario Chamber of Commerce at their annual meeting:

“To immediately create and fund the resolve, a task force to conduct a three-month study on establishing a

transportation authority.... The study will make recommendations on the authority's geographic scope, mandated activities, governance structure, business plan, revenue streams and accountability provisions.”

That's not much different than the Ontario Liberal Party is proposing, should we win the next election. This is not even a partisan thing. This is something that needs to be done. This city, this region and this greater Toronto area is not working any more because of gridlock.

Over the course of the past eight years under their administration, what have we seen in terms of initiatives? Transportation systems falling into disrepair. There is a theme from over there. If you're in the private sector, things have gotten better. If you're a public transportation user, things have gotten worse. You see that in education. If you go to private schools, you're getting a tax credit. If you go to public schools, everything is cut back. It's the same thing in transportation. You ask one user of the Toronto Transit Commission system whether it's better now than it was eight years ago. During a time of great economic growth, no investments have been made, and this has got to stop. We are choking on our traffic out there.

**1110**

I am delighted that just a few minutes ago my leader announced to the province that, should we be elected, we're going to be rolling back rates on Highway 407 and we're going to be regulating them. Highway 407 is yet another example of where if you're rich, if you've got all the resources you need, you get private highways built and there's no limit to the fare increases. What investments, I ask my friends on the other side, have you made in public transit in the same area that is served by Highway 407?

These themes must change. Government in Ontario has to start looking at the public interest, the consumer interest, has to start looking at what is in the interest of the overall population. Selling Highway 407 at bargain-basement prices and inviting the owners to raise rates at their leisure was not in the public interest. Falling behind eight years in building public transportation systems was not in the public interest, just like giving tax credits for private education is not in the public interest.

But all that, sir, I tell you, is going to be re-examined over the course of the 28 days when this province determines a choice for the new government. I want to put my friends on the other side on notice that during the 28 days, this party will be campaigning exclusively for the public interest of Ontario, not the private interest, and it is in the public interest in Ontario that we have this kind of transportation authority.

**Mr Bart Maves (Niagara Falls):** It's a pleasure to rise and speak to this Liberal resolution, and I want to speak to a couple of points in the resolution.

First of all, the Liberal Party says it wants to put more GO trains on existing lines. Well, that's nice, but it's a sign that Mr Sorbara doesn't really understand transit. If the Liberals had any experience with real transit issues, they would know that it's not just a matter of buying

more trains. I have news for the opposition: trains run on tracks. Sometimes the track can be as much of a problem as the trains themselves. In the GTA, several parties own the tracks at different points: GO Transit, CP and CN Rail in particular. Those tracks aren't always able to handle more traffic, especially because of grade separation issues or schedule complications. The work is expensive. To put more trains on, which we already have budgeted the money to do, we have to fix the tracks as well, and do it in a way that matches the schedules.

That's why we brought the federal government to the table last winter to negotiate a partnership—without, I might add, the help of the opposition Liberals, who for eight years now have never stood up to their federal cousins in Ottawa. And again on this one, they helped Ontario not at all. We persuaded the federal government to match strategic infrastructure fund monies to our innovative \$1-billion GTIP fund. For people at home, that's the Golden Horseshoe Transit Investment Partnerships. The Liberal Party of Ontario proved that they value political partisanship more than the public good when they pushed their federal colleagues to push the announcement of these investments out prematurely. They really did this; they tried to sabotage a major transit investment for their own political ends. But I'm pleased to say that despite these efforts, the opposition will be hearing those new trains coming down the tracks, right at them, in the near future.

Second, the Liberal Party wants new vehicles for the TTC. Our Ontario transit renewal partnership fund is already replacing and refurbishing vehicles not just in Toronto but across the GTA. I want to ask the members across the way, why is it that the Liberals only seem to believe that transit is about Toronto? What about Mississauga or Barrie or Guelph or Niagara? If they want to reduce congestion, don't we have to serve new riders as well as old?

Finally, the real gem. The Liberals, in this resolution, want to establish a seamless integrated ticket system allowing users to move across the GTA region with a single ticket. This is very funny. We've already been piloting such a system in Richmond Hill. The pilot is now over. Yesterday we announced our—

*Interjection.*

**The Acting Speaker:** The member in the backbenches of the Liberal Party will know that I didn't allow what he's now doing on the other side of the benches, and I'm no more going to allow it from him than I did them. Now stop.

Sorry for the interruption; please continue.

**Mr Maves:** Yesterday we announced our fare card plan, which will allow riders to do just what the Liberals now, all of a sudden, seem to want. It's like a light went on over there. It will be phased in over the next five years.

Yesterday, when we announced this in this House, it was interesting to note that even though they have the resolution today calling for it and will probably vote in favour of it, the members from Don Valley East and

Eglinton-Lawrence stood up and actually mocked us for the fare card plan. We had a stupid idea, they said. Today I think they're going to vote in favour of it with this member's resolution.

They said we lacked vision. Why would they say this? Apparently our crime is that we are already establishing a seamless, integrated ticket system allowing users to move across the GTA region with a single ticket just like the one Mr Sorbara calls for, just like the one we talked about yesterday that the Liberals mocked but they're going to vote in favour of today. They really should co-ordinate their resolutions and their comments a little better.

As they said in a press release yesterday, the TTC is participating as a member of the Ontario government task force on inter-regional transit fare cards. The release goes on to explain that the TTC's hope is to move into the system at the end of the life cycle of their existing fare technology. The Liberals call for this technology to be throughout the province in 18 months; the TTC says it's not possible. We have a more rational schedule and we're willing to work with the TTC on this.

Finally, Mr Sorbara and his colleagues stand there and insist that we are stealing ideas from the Liberals. As I've just said, this whole idea has been in a pilot project system for quite some time now. The Liberals want the public to believe that all of this stuff is somehow the brainchild of their caucus. Well, our Smart Growth and smart transportation policies have been in development for years, because good policy takes time. Some of the ideas are ours, but most of them are from other cities, from stakeholders, from thoughtful leaders who volunteered their time for the Smart Growth process, and quite frankly from our party's policy advisory council process, a standing process started by Mike Harris in 1990 where we have policy advisory councils that meet monthly to discuss policy in every aspect of Ontario government life.

Also, I would point out our Seizing Tomorrow's Opportunities process, where we undertook the largest political consultation in Ontario's history. Many transportation issues were raised: expansion of GO, the integrated seamless fare system. All of that has come about over the past few years. It's nothing new, but apparently, as I say, a light has gone on for the Liberals opposite.

What makes this government work is the fact that we, unlike the Liberal Party, can be relied on to actually make things happen, to actually do what we say we are going to do. Some of this work is underway as I speak. Money is flowing, new buses are being bought, and construction is underway. So we thank Mr Sorbara for his resolution and we thank him for the opportunity to talk, but he's wasting his breath and ours. He's behind the times.

If he wants to waste his breath on something, I suggest that for once the Ontario Liberal Party start to stand up to their federal Liberal cousins. Several years ago, we challenged the federal Liberals to match our \$3-billion transit infrastructure program. The federal Liberals have refused to match that \$3 billion. Ontario Liberals like-

wise have been the only political party in Canada that has refused to stand up to the federal Liberals about their underfunding of health care. At some point in time, they're going to have to stand up to their federal cousins. Health care would be a help. Transit might be another area where Mr Sorbara would decide to go to his federal cousins and stand up for the province of Ontario.

1120

**Mr James J. Bradley (St Catharines):** I would like to speak in favour of the resolution from a member who is from the GTA and has a resolution which I think, for the purposes of the GTA, has some compelling arguments and can be expanded to other parts of the province.

First of all, I want to say that I'm delighted to hear the news that finally somebody is going to tackle the exorbitant Highway 407 rates that we're seeing. It's most unfortunate that at the last election the government sold Highway 407 so they could balance the budget. Once again we hear the Dominion Bond Rating Service saying, "No matter what the provincial government is saying today, there is no way they can balance the budget without having yet another fire sale."

You took a public asset, which was Highway 407 in essence, and made it a private asset and now people are being gouged for the purpose of using it. So people who are wealthy enough to use it do so and those who are not are forced to use the other roads.

In terms of transit, I was once chair of the transit commission in St Catharines. At that time the provincial government—it was the Bill Davis government at that time, a Conservative government, and then with subsequent governments the same thing happened—paid 75% of all approved capital costs for municipal transit systems and approximately 50% of the costs of operating. Today, this government pays nothing. First of all, they got out of the business altogether until probably around 2000. They made an announcement, "We're getting out of the business of public transit."

I always felt, again as a person who is involved in public transit, it was important to have, as any jurisdiction in North America would say, a strong provincial component to it, and yet individual transit commissions have been abandoned, unfortunately. They have to purchase their own equipment. Once in a while they get some money from the government and their own operating costs. So it comes either from the fare box or the property tax, which in my view is not fair.

There's a need to expand public transit to a lot of the province. The federal government made an announcement—and my good friend from Niagara Falls might be surprised how often there is communication that takes place with the federal representatives, suggesting what would be good and demanding what would be good for the province of Ontario. I know it was disappointing to the government because they wanted to make an announcement themselves, but the federal government put their chips on the table and said, "Look, we're prepared to provide funding for such things as highways and GO Transit." I suspect that we may see an announce-

ment—I hope we do—that there will be highway improvements through St Catharines because there are egress and access roads, exits and access roads, in the city that are quite dangerous at the present time. I suspect that announcement may come very soon because we have the federal government of course saying that they're prepared to be participants in this, just as they said with GO Transit. As we've expanded around the province, the federal government has now put its chips on the table and said, "Look, we want to see it in places like Niagara." My friend from Niagara Falls and my friend from Erie-Lincoln, Mr Hudak, and probably I would think our minister from Stoney Creek, Brad Clark, would all want to see an expanded service in that area. We have not seen it yet, but with the federal government coming through with its money now it'll increase the pressure on the provincial government to move in this direction. I think it would be good.

My friend from Niagara Falls would agree with me that it's a two-way street. I think he would say it's a two-way street. Not only would there be an opportunity for people who have medical appointments or business appointments or perhaps employment in the city of Toronto to go back and forth from the Niagara region, but also he and I would like to see people coming from the Toronto area to Niagara on a more frequent basis. That would even mean, for instance, that Via Rail may want to increase the number of trains that they have coming in. We need that expanded public transit, but we need a definite commitment.

The wrong signal was sent out when the Harris government, when Premier Eves was the Treasurer, totally abandoned public transit, got out of the business completely. Well, as a result of the opposition making a good case for it, as a result of the public and the municipalities and so on, they were essentially forced back into public transit. It was very reluctant. My suspicion is that if they were to be re-elected we would see them go back to their old position.

The Liberal Party has said—and I thought this was a very good piece of the platform—that we would give to municipalities the right to two cents of the gas tax in the province of Ontario to be designated for transit purposes. That would go an awfully long way to helping municipalities meet their obligations and their desires in the field of public transit.

There are a lot of good things in this document, and a lot of good things in a lot of our documents we've put out, Growing Strong Communities and others. Yes, the government has lifted many of these. I could call for a police investigation of the theft of these ideas, but I consider it flattery when another party takes your ideas and wants to implement them.

**Mr Michael Prue (Beaches-East York):** I looked at this resolution today. I didn't get past the first line and I realized that this was entirely a political document. Quite frankly, I don't know how the honourable member expects anyone to support it, even though it does have some laudable goals, unless of course one is a member of

the Liberal Party, because it reads, "The Ontario government should adopt Dalton McGuinty's Growing Strong Communities platform." If I were as a person to vote for this, then I would be saying that I adopt the Liberal platform. Of course, it is impossible for me to do that knowing full well that their platform is far inferior to our own. I would suggest that the Tories have already adopted most of the platform. We heard squeals from you this week at the time of the throne speech that they were stealing all of your ideas. I heard from the honourable member opposite—

**Mr Sorbara:** We didn't steal any of yours, my friend.

**Mr Prue:** That's good. We don't want them to steal our ideas because our ideas are unique and progressive, which is why they will not steal them.

Having said that, that's the point at which I must start. Are there some good ideas in this? Of course there are some good ideas in this. Is it progressive? Is it long-going? I don't think that it goes far enough. Speaking of stealing ideas, it goes on in that first sentence to say "by dedicating two cents of the existing gas tax to municipalities to use for transit." That was first proposed by the NDP more than two years ago. It was the first place that it surfaced in all of Canada. It was there, it was proposed before I even came to this chamber and it is now part of the Liberal platform. It is not unusual around this House or in political parties for one party to steal another party's ideas. The only thing that I would wish was that they would give credit where credit was due.

**Mr Sorbara:** Are you saying you're a Liberal in a hurry?

**Mr Prue:** That was an old definition of a New Democrat, being a Liberal in a hurry. I would like to think it goes a little bit more than that.

*Interjection.*

**The Acting Speaker:** Order.

**Mr Prue:** I have also heard that Liberals are often Conservatives who go a little slower.

You have the whole problem here—

*Interjection.*

**Mr Prue:** Mr Speaker, I thought you were trying to maintain order. Is that still going on, or is Mr Sorbara unique from the group?

Anyway, I think the problem with this resolution goes to the Greater Toronto Transit Authority. This was proposed yesterday and I heard Mr Caplan speak against it. Mr Caplan spoke against what was being proposed by the Conservatives, but today we find that a very similar proposal is being put forward. And we, with the greatest of respect, think this is a wrong-headed way to go. By establishing an authority over the entire GTA, it will have two effects. One is that it will give additional monies, which is not necessarily a bad thing, to the 905 area in order to get people out of their cars and on to public transit. But the second effect is not a good one. The second effect, I would suggest, is to literally starve the Toronto Transit Commission. We know that the Toronto Transit Commission carries more riders, 80% of all the riders in the GTA. We know that the buses and the

travelled routes are 90% of all of those travelled in the GTA. And we know that the Toronto Transit Commission has not been properly funded since the election of the Mike Harris government. In fact, even though the members opposite will talk about giving some \$3 billion spread out over five years, and having given a little bit of money for the Sheppard subway, the people of Toronto know that is a far cry from what happened prior to 1995. Prior to 1995, the government of Ontario paid 75% of the transportation costs for capital—not for operating, but for capital. That 75% allowed for the building of subways. That 75% allowed for new buses and new technology so that there wasn't all diesel. We had natural gas and other exciting things. That 75% allowed for the community buses that used to go around our neighbourhoods. That 75% allowed for buses and streetcars to be regularly upgraded and the systems upgraded.

**1130**

All of that has passed. With respect to the Sheppard subway—which was, I think, the wrong place to build it, but at least it was a subway—we see that that is the only subway system that has been built in many, many years in Toronto. With respect, in a very mature urban environment, transit is absolutely essential.

We see this proposal as not doing enough. Whereas the member opposite said, "You know, they seem to be Toronto-centric," I would suggest the Liberals are not Toronto-centric enough.

We, in the New Democratic Party, believe that you must reward communities that have transit systems. That is why our proposal is very different from the one here. That is why I cannot support theirs, even though it is moving slightly in the right direction, because it does not go far enough.

If you will allow, this is what we think needs to be done. It's taken from Public Power, our practical solutions, page 42, if anyone is interested. In a nutshell:

"Howard Hampton and the NDP would guarantee stable year-after-year funding to build a strong public transit system and properly maintain our highways and roads. The NDP's Ontario transportation trust fund would dedicate three cents from the existing 14.7 cents a litre gas tax (\$468 million a year) to transportation, and to no other purpose. An independent board would ensure accountability. Municipalities would have the option of increasing the percentage of the fund to be used for public transit, set initially at 60% for municipal public transit and 25% for road and highway maintenance. The remaining 15%—a total of \$70 million guaranteed each year—would be dedicated to building and maintaining Go Transit. That will help people from the 905 communities around Toronto to commute to work, shop and study.

"Finally, the NDP public transportation plan would provide targeted funding to allow college and university students, senior citizens and people enrolled in a job training program to obtain public transit passes at one third the full rate."

That seems to me to be a great deal more sensible in terms of solutions. It is not Toronto-centric, because it

allows the people of Niagara Falls, Guelph, Kitchener and London, who have public transit systems, to use the money from the gas tax. It allows municipalities that do not have transit systems to use some of the money for building and road maintenance to make sure that we don't have potholes. It allows for the purchase of buses in communities that do not have a transit system so that they might have one. It also ensures that the money is dedicated to resolving the gridlock problem. We do not see that in this particular resolution.

The resolution goes on to talk about how the Liberals are going to sort of work against sprawl. This resolution is going to help the problem of sprawl. One has to remember back—it's a few years ago now, and I don't like to go back to governments that are 15 years old. But we all remember that when Mr Peterson called the election in 1990, he was brought down. He was brought down largely because the public was fed up with the close ties the Liberal Party had at that time to the developers. Names like Patti Starr, of course, come immediately to mind, but also those of Bratty, Muzzo and De Gasperis. Those names brought the Liberal Party down. They were involved in all of this sprawl. They were involved in the building of homes in the GTA. They were involved in the deals that were being made that, quite frankly, the public had no time for.

At the same time that all of these arguments—a few years went by, the NDP brought in—

**Mr John Gerretsen (Kingston and the Islands):** You've got the same sort of plan as the Liberals.

**Mr Prue:** We don't have the same plan.

**Mr Gerretsen:** Yes, you do.

**Mr Prue:** No, we have a better plan. At the same time, after the coming of the NDP government in 1990, the NDP put forward a planning act, a green planning act. That planning act was to try to stop urban sprawl. The Liberals voted against it. The Liberals vowed that if they won the next election, they would get rid of the planning act. Of course, they did not win the next election, and the Tories did it for them.

But the reality is that they wanted to go back to the days of sprawl. I would suggest that this is nothing more than a cover-up of their real intention.

What else is needed here? What is being talked about is a greater Toronto transit authority. We do not believe that transit authority would be in the best interest of the people of the GTA. We think what is far more important is to get back to a governance structure that has proven it can work. We believe the Greater Toronto Services Board of elected officials within the greater Toronto area is the way to mediate and the way to get things done. That was our proposal. It was implemented by the Conservatives and now disbanded.

With respect—and especially with respect to Hazel McCallion, whom I admire very much—the Smart Growth panels are not the way to resolve these issues. The Smart Growth panels are made up of non-elected people who do not have to go back to the public and who do not have to be accountable. We need a Greater To-

ronto Services Board of elected officials from each of the municipalities, who can sit down and negotiate, and we need a province that wants to be part of a huge development of infrastructure related to transportation to stop gridlock.

It makes absolutely no sense that in Toronto the subway stops at Finch Avenue. That subway should extend up Yonge Street. That subway should go all the way up Yonge Street, as far as it can possibly and reasonably go to pick people up. It should not stop at Finch Avenue; it should be included. I don't know how one does that when it ends up that the city of Toronto is responsible for paying for it. That's why it stopped at Finch. That's why it doesn't go beyond Finch, up to Steeles. That's why it doesn't go beyond Steeles. That's why it doesn't go to York University or beyond York University, if you're talking about the University line. It's because the city of Toronto, quite frankly, cannot pay for it. It needs to be paid for by some of the other municipalities, and the municipalities under our plan would have the money and the wherewithal to do that.

We also think that the province should get back in in a bigger way. Sure, it's laudable that some money is being given after the 75% was cut, but it is simply not enough. Our proposal would put in some \$468 million to do precisely that. What is contained in this Liberal platform document that is being put forward here today is the total of some \$312 million. Again, the part that is problematic is not that \$312 million is not enough—we don't think it is—but how that money would be split. There is nothing in this motion or in their platform, with respect, as to which municipalities would get the money. Would it be the municipalities that have transit systems already in existence that need it? Would it be municipalities that don't have any transit system per se? Who is going to get it? How are they going to get it? Is the GTTA going to give the money on a 50-50 basis, both inside and outside Toronto, based on population, as it is approximately 50-50? Is it going to be based on ridership? Is it going to be based on need? It quite simply is not here, and many of us fear that the Toronto Transit Commission would ultimately be the loser.

That is why all of the members of the Toronto Transit Commission, from its chair to the people who work for the commission—the various commissioners, those who occupy senior positions—oppose a GTTA. They oppose the fact because they believe that in the long term, the overwhelming majority of transit users in this province who live in mature environments like Toronto, like London, like Ottawa will ultimately be the losers. So, quite frankly, I have some very real difficulty supporting this today.

I'd just like to go back to where I started from: that this is clearly a political document. It is not untoward, I suppose, with an election looming in two or three weeks and everyone expecting to be out there knocking on doors, that people are trying to put their party's best foot forward, but this should not be seen as anything more than an election document, an attempt to try to put the



Liberal Party's position before the people of Ontario in this Legislature. It is not illegal and it is not immoral, and I guess people can do that if they wish, but it should be seen as nothing more than that. It is not a solution; it is an election document. The Conservatives have put forward theirs and I suppose I have put forward mine now as well.

The people ultimately will decide who speaks best for transit, who speaks best and who is committed to transit in the province. We believe that the three-cent dedicated fund, the \$468 million, the sharing on an equitable basis and the building of roads is the way to go, and we cannot support something that only goes halfway.

1140

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** It's a pleasure for me to join in the debate this morning. I have to say that I rarely agree with the NDP speakers but the member for Beaches-East York, who was a former councillor and a former mayor, when he says that he can't support this resolution, it's clear that we can't support this resolution because it doesn't do enough.

I find it strange, actually, that the Liberals would bring this forward in this manner instead of waiting for an opposition day and introducing legislation for full debate. It comes to us on a Thursday morning at private members' hour as a resolution, dashed together like all the other policies that are not well thought out and introduced by someone other than their leader—wannabe leader, but not their leader, the leader they keep under cloak. They need to do this in case they change their mind later on, the way they changed their mind on Hydro, the way they can't decide on the double-hatter issue and the way they changed their mind on the equity in education tax credit, the way the Leader of the Opposition changes his mind on teacher strikes. Yesterday he was for it; today he's against it. We await the decision of tomorrow.

We do know one thing about the Liberals and that is that they will raise taxes, increase spending beyond revenue and run deficits. How do I know that? Because of their record. Everyone in the province knows that.

So let me begin my remarks with this qualifier: we debate this Liberal policy today knowing that they will change their mind later, knowing that they will use the kind of method for creating policy that is just trying to play politics. Bringing forward sound ideas for the people of Ontario is not the Liberal way and the Liberal plan.

We have in the recent throne speech made various commitments to municipalities. The government recognizes there's a number of local challenges municipalities experience. We've committed to working with municipalities and local representatives to find proper solutions for some of the issues they bring forward.

Premier Eves and Janet Ecker in the recent budget speech increased the level of funding for municipalities. We have made long-term commitments so that the municipalities that receive funding know what it is they have to work with. By 2005-06 these new commitments will

result in an increase of 18% or \$106 million over 2002-03. Our multi-year funding approach is contingent upon three factors: economic growth, levels of federal government support and the results municipalities achieve through greater accountability to the taxpayers.

In 2001 we announced a 10-year, \$3.25-billion plan to ensure the province has a transit system that will help strengthen the economy and protect the environment. The government also committed to more than \$10 billion over 10 years for the province's highway network. The \$3.25 billion that I mentioned just a moment ago includes \$359 million in transit assistance through the transit investment plan.

Just yesterday the Eves government introduced a new way for commuters to travel across the Golden Horseshoe with a world-class integrated transit fare system. I must tell the House that my constituents in Thornhill are very happy to have the new transit plan. Everyone in York region will benefit from the convenience of this new transit card that will allow them access through nine municipalities. Acting on advice from the Central Ontario Smart Growth Panel—and I have to say, the Smart Growth panel is a body that is not motivated by any political pressure. They are people who have a vested interest in the benefits of the province and the communities. These are people who have come together to give good advice to the province, and we are taking that advice.

Through their advice, this government is investing \$40 million toward the establishment and operation of this new, integrated system. We are also investing \$33.2 million in the year 2003-04 for the new GTA bus rapid transit system to help provide a new rapid transit route so that commuters will be able to travel across the top of the GTA from Halton, through York region and on to Durham. We are investing over \$1 billion in 2003-04 to improve Ontario's highway network. Since 1995, when this government was first elected, we have invested more than \$3.6 billion in public transit and \$7.5 billion in highways.

Our municipalities are core to our province. We believe that we, as the provincial government, are working well with the municipalities in getting input from them. Throughout last year, I conducted consultations in seven cities across the province and connected with a lot of the stakeholders across the province, and they told us that we need to consult with them. That's what we're doing. We're consulting with the Association of Municipalities of Ontario. Through our memorandum of understanding, there's constant dialogue. I believe, as the provincial government, we are doing our part to help the municipalities.

**Mr George Smitherman (Toronto Centre-Rosedale):** I'm pleased to join this debate and lend support not only to my colleague from Vaughan-King-Aurora for his resolution but to the proposals of our party. You won't be surprised to find that I'm going to vote in favour of this.

It's astonishing that the newly crowned minister stands up and makes this enormously proud defence of

her government's record. I think the most telling piece in there is not that a year or so ago, as they saw the train coming to them in the tunnel, did they make this commitment for a 10-year plan for three billion bucks a year—it will be interesting to see if it's backed up by the estimates spending since it was announced—but that the minister gave us a real glimpse into what has been going on under these guys: \$10 billion for transportation, combined highways and transit, over eight years equals the lowest level of capital investment in decades.

What has the effect of that been? It has been environmental degradation in terms of communities that have no capacity to properly incorporate public transit. It has meant loss of family time as a result of the kind of gridlock which has become the norm for so many people in our province. It has meant that so many of the gains that urban areas like Toronto had been able to be so proud of because of the investments made by government after government over time, regardless of their stripe, to enhance the quality of our public transportation systems—then these guys came to office in 1995 and said, “No more will progress in an urban area be measured on the basis of the capacity of individuals to get from work to home or from home to school without starting up their own car.”

I have the honour of representing a riding that probably has one of the higher densities and the most comprehensive public transit system in Canada. So many of the subways that people benefit from run underneath my riding. I have the opportunity to campaign at subway stops and to see thousands of people walk to a subway stop and go to work and, in doing so, have a more modest footprint in terms of their impact on the environment. We're living instead in this city where you can, on so many days, suffer health hardship, effects to your health because of the air that we breathe.

**1150**

These guys opposite, as an election nears, always find a way to make a promise. But as we saw on the 407, we should be very wary of any promise that they make around election time. In the case of the 407, we saw that in fact, although Mr Sampson was pleased to send out a release, the effect was that people using the 407 have been gouged.

The last point I want to make about this is that I'm proud to be part of a political party that views the nature of its relationships with municipalities as a mature relationship, one that allows municipalities to do their job, to plan comprehensive integrated transportation systems. With much ballyhoo, they talk about their commitment to Sheppard. Sheppard is providing some limited benefit and some dividend, but it stands alone as a stub of a subway, disconnected at either end from the kinds of enhancements and expansion that would actually bring meaningful benefit, like linkages to Scarborough or westward, past Downsview and perhaps toward an airport.

But there is nothing in what this government does that says, “We will work with our municipal partners and

allow them the freedom to fulfill their responsibilities to plan for an integrated transportation system.” That's where we're different.

Two cents a litre on the gas tax dedicated to public transportation projects reaffirms this commitment and will allow cities like my city of Toronto to plan a transportation system that can incorporate even more people into our great city. That's why I'm supporting this resolution.

**Mr John O'Toole (Durham):** I know there's limited time here. I just want to put a few things on the record. First of all, this is another Liberal tax grab. Clearly, if you look at their booklet, it's quite short on numbers and long on rhetoric. They say by allocating two cents—Mr Sorbara's resolution addresses that specifically. It's a tax increase.

But if you look at this government's record on investments in transportation, Mr Klees said it all yesterday. In fact, the longer record—if you want to look back further, the purpose of establishing the Greater Toronto Services Board in 1995 was for one reason: to address the transit and integration issues. The bill Mr Klees introduced yesterday was the next step on the route to integrating transit across the GTA. It's the right thing to do. Mr Sorbara's method is: tax the people.

**Mr Joseph Cordiano (York South-Weston):** This is not only a resolution whose time has come—it certainly should be supported and looked at as a positive effort put forward by a member of this Legislature; yes, it has our leader's name attached to it—but it is an idea whose time has come, is long past due.

This is a government that clearly does not recognize how far we are being set back by their lack of good policy. Smog: gridlock causes smog. Smog is killing 1,900 people a year in this province. It's a very serious matter. In fact, the air pollution caused by the ever-increasing number of cars on our roads is a serious threat to our health and the air we breathe; it becomes dirtier. There is no question about that. The fact is, it is a health issue. It is a matter of life and death for many people. Supporting public transit is a very big priority that should be taken seriously by this government and has been for the time that it has been in office.

It is also an economic question. Gridlock is causing the economy to be set back as well. It's costing us \$2 billion per year in lost productivity in the GTA as a direct result of gridlock. Gridlock is caused by the fact that we do not have—and there's a clear connection—adequate infrastructure to keep up with the growth in population, to keep up with the growth in this economic engine that we call the GTA. I tell you, our growth as a vibrant economy in the future is going to be threatened if we do not have the kind of investments in public transit that we desperately need in the GTA. It is clear that when we talk about growth in the GTA, we cannot continue to build more highways, put more cars on the road and believe that is going to solve all our problems. Public transit is clearly the only way to go.

We need a GTA-wide authority to coordinate that, to have an integrated system, because the GTA is a massive

area. If you ask anyone, there is no way to get around the GTA easily on public transit. You can't do that. You can't go from Pickering to Mississauga. You cannot get there in a reasonable amount of time and there is no integrated fare package. So the initiative by the minister to begin that process is a good one, but you have a long way to go.

When you talk about the lack of fairness, everything this government does lacks the fairness that should be there, with a view to ensuring it is affordable. People use public transit precisely because it is affordable, so when you force them on to the 407 in the 905 because there is no alternative—in fact, I would argue that other people in the greater city of Toronto do not have an easy way to get around because they're forced to use the 401, which is highly congested. There is no alternative. We have gridlock beyond compare in North America. It's a result of the neglect of this government. Fairness does not enter into their vocabulary, not once. When talking about making sure that we have more infrastructure, they want to build more toll roads, which obviously will appeal to people who can afford to pay those tolls. But it's the ordinary, average citizen who has to get to work in the morning and who must use public transit who is being shortchanged by this government.

There is no public transit to speak of in the 905 area that is easily accessible, an interregional transit system that you can use to get around the 905. That doesn't exist in Toronto at the present time. That's what we're calling for in this resolution and that's why we should support this resolution.

**The Acting Speaker:** The time for the member's debate on this has expired. The mover of the motion, the member for Vaughan-King-Aurora, now has up to two minutes to wrap up.

**Mr. Sorbara:** If anyone wants to know what this debate is really about, I invite them to reread the comments of my colleague Mr Bradley, of my colleague Mr Smitherman and of my seatmate Mr Cordiano.

I want to turn to the point Mr Bradley made, because this is really at the heart of what has happened in Ontario over the past eight years. It was Premier Mike Harris who said, on behalf of the Conservative government, "We're no longer in the business of public transportation." Now compare that to what has happened in every other great city region in the world, whether it's Boston or Los Angeles or New York, to name the ones on the North American continent—massive investments in public transportation, new governing authorities to make sure those city regions work.

As Mr Smitherman pointed out, the commitment the new Ernie Eves government made, the \$10 billion or \$8 billion over how many years, represents the lowest level historically of capital support for transit in the recent history of this province.

The record of this government when it is finally defeated will be the deterioration of public services in every area: education, health care, the environment, and notably, support for growing communities. The people of Ontario have an opportunity to choose soon. If they

choose with us, they will see a new era in public transportation. I thank you, sir, for the opportunity to talk about it today.

**The Acting Speaker:** The time for debate has expired.

#### IMMIGRATION

**The Acting Speaker (Mr David Christopherson):** Mr Tascona has moved private member's notice of motion number 1. Is it the pleasure of the House that Mr Tascona's motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

#### GRIDLOCK

**The Acting Speaker (Mr David Christopherson):** Mr Sorbara has moved private member's notice of motion number 2. Is it the pleasure of the House that the motion carry?

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

All those opposed will please 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.*

#### IMMIGRATION

**The Acting Speaker (Mr David Christopherson):** Mr Tascona has moved private member's notice of motion number 1.

All those in favour of the motion will please rise and remain standing until your name has been recognized by the Clerk.

#### Ayes

|                    |                   |                     |
|--------------------|-------------------|---------------------|
| Arnott, Ted        | Gerretsen, John   | Mushinski, Marilyn  |
| Baird, John R.     | Gilchrist, Steve  | Newman, Dan         |
| Barrett, Toby      | Gill, Raminder    | O'Toole, John       |
| Bartolucci, Rick   | Gravelle, Michael | Parsons, Ernie      |
| Beaubien, Marcel   | Hardeman, Ernie   | Patten, Richard     |
| Bisson, Gilles     | Hastings, John    | Peters, Steve       |
| Boyer, Claudette   | Hudak, Tim        | Prue, Michael       |
| Bradley, James J.  | Johns, Helen      | Runciman, Robert W. |
| Chudleigh, Ted     | Johnson, Bert     | Ruprecht, Tony      |
| Clement, Tony      | Kells, Morley     | Sampson, Rob        |
| Coburn, Brian      | Klees, Frank      | Spina, Joseph       |
| Crozier, Bruce     | Levac, David      | Sterling, Norman W. |
| Cunningham, Dianne | Marland, Margaret | Stockwell, Chris    |
| Curling, Alvin     | Martiniuk, Gerry  | Tascona, Joseph N.  |
| DeFaria, Carl      | Maves, Bart       | Tsubouchi, David H. |
| Dombrowsky, Leona  | Mazzilli, Frank   | Turnbull, David     |
| Duncan, Dwight     | McDonald, AL      | Wettlaufer, Wayne   |
| Ecker, Janet       | McLeod, Lyn       | Wilson, Jim         |
| Elliott, Brenda    | Miller, Norm      | Witmer, Elizabeth   |
| Flaherty, Jim      | Molinari, Tina R. | Wood, Bob           |
| Galt, Doug         | Munro, Julia      | Young, David        |

**The Acting Speaker:** All those opposed will please rise and remain standing until your name is called.

**Nays**

|                      |                    |                    |
|----------------------|--------------------|--------------------|
| Agostino, Dominic    | Colle, Mike        | McMeekin, Ted      |
| Bountrogianni, Marie | Cordiano, Joseph   | Phillips, Gerry    |
| Bryant, Michael      | Di Cocco, Caroline | Smitherman, George |
| Caplan, David        | Kennedy, Gerard    | Sorbara, Greg      |

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 63; the nays are 12.

**The Acting Speaker:** I declare the motion carried. The doors will now be untiled for 30 seconds to leave or enter the chamber before the next vote.

**GRIDLOCK**

**The Acting Speaker (Mr David Christopherson):** All those in favour of Mr Sorbara's private member's notice of motion number 2 will now rise and remain standing until your name is called.

**Ayes**

|                      |                    |                    |
|----------------------|--------------------|--------------------|
| Agostino, Dominic    | Curling, Alvin     | McMeekin, Ted      |
| Bartolucci, Rick     | Di Cocco, Caroline | Parsons, Ernie     |
| Bountrogianni, Marie | Dombrowsky, Leona  | Patten, Richard    |
| Bradley, James J.    | Duncan, Dwight     | Peters, Steve      |
| Bryant, Michael      | Gerretsen, John    | Phillips, Gerry    |
| Caplan, David        | Grazelle, Michael  | Ruprecht, Tony     |
| Colle, Mike          | Kennedy, Gerard    | Smitherman, George |
| Cordiano, Joseph     | Levac, David       | Sorbara, Greg      |
| Crozier, Bruce       | McLeod, Lyn        |                    |

**The Acting Speaker:** All those opposed will remain standing until their name is called.

**Nays**

|                    |                    |                     |
|--------------------|--------------------|---------------------|
| Arnott, Ted        | Hardeman, Ernie    | Newman, Dan         |
| Baird, John R.     | Hastings, John     | O'Toole, John       |
| Barrett, Toby      | Hudak, Tim         | Prue, Michael       |
| Beaubien, Marcel   | Johns, Helen       | Runciman, Robert W. |
| Bisson, Gilles     | Johaniuk, Bert     | Sampson, Rob        |
| Chudleigh, Ted     | Kells, Morley      | Spina, Joseph       |
| Clark, Brad        | Klees, Frank       | Sterling, Norman W. |
| Coburn, Brian      | Marland, Margaret  | Stockwell, Chris    |
| Cunningham, Dianne | Martiniuk, Gerry   | Tascona, Joseph N.  |
| DeFaria, Carl      | Maves, Bart        | Tsubouchi, David H. |
| Ecker, Janet       | Mazzilli, Frank    | Turnbull, David     |
| Elliott, Brenda    | McDonald, AL       | Wettlaufer, Wayne   |
| Flaherty, Jim      | Miller, Norm       | Wilson, Jim         |
| Galt, Doug         | Molinari, Tina R.  | Witmer, Elizabeth   |
| Gilchrist, Steve   | Munro, Julia       | Wood, Bob           |
| Gill, Raminder     | Mushinski, Marilyn | Young, David        |

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 26; the nays are 48.

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

This House will now stand adjourned until 1:30 this afternoon.

*The House recessed from 1213 to 1330.*

**OPPOSITION DAY MOTIONS**

**The Speaker (Hon Gary Carr):** Members will be aware there appear on today's orders and notices paper two notices of an opposition day to be debated next week. Under standing order 42(d), the Speaker is re-

quired to select one of those notices for consideration, taking into account the order in which they were received. I would like to advise the members that the motion by Mr Bradley is the one that will be selected for debate next week.

**CONTEMPT OF PARLIAMENT**

**The Speaker (Hon Gary Carr):** On Thursday, May 1, 2003, the member for Renfrew-Nipissing-Pembroke, Mr Conway, rose on a question of privilege to indicate that the circumstances surrounding the presentation of the budget speech in a private facility in Brampton on March 27, 2003, a day on which the Legislature stood prorogued, amounted to a prima facie case of contempt of the House. According to the member, the events of that day were an offence against the authority and dignity of the House. He also indicated that the government made a clear and deliberative choice to deliver a budget outside the House, thereby offending the convention of responsible government and undermining the financial function of Parliament.

The member for Niagara Centre, Mr Kormos, also spoke to the incident. According to the member, the government breached the constitutional convention of presenting the budget in the House. He indicated that the breach was conscious and premeditated, and that the budget was presented in a controlled environment with invited guests, that budgets are confidence matters and that the Speaker has the authority to remedy the breach.

The government House leader, Mr Stockwell, responded to these arguments by indicating that the Speaker cannot deal with constitutional arguments, and that a budget process should not be characterized as a matter of contempt; if anything, it is a matter of order and as such, the process that occurred on March 27 did not offend any standing order, practice or precedent.

I've had the opportunity to review the Hansard from last Thursday, the written submissions from the member for Renfrew-Nipissing-Pembroke and the member for Niagara Centre, and the relevant standing orders, precedents, practices and authorities.

I will begin by addressing the arguments that were raised concerning the constitutionality of the budget presentation, or the question of whether a constitutional convention exists, respecting the budget process.

As members will know, Speakers have ruled on numerous occasions that it is not open to the Speaker to give a decision upon a constitutional questions, or decide a question of law.

It is settled in our precedents, and indeed in our practices and precedents of Parliaments throughout the Commonwealth, that legal and constitutional issues are best left to the courts and to litigants.

For instance, the fourth edition of Australia's House of Representatives Practice indicates the following at pages 189 and 190: "[T]he obligation to interpret the Constitution does not rest with the Chair.... [T]he only body fully entitled to do so is the High Court. Not even the House

has the power to finally interpret the terms of the Constitution.... [I]t is not the duty of the Speaker to give a decision on (to interpret) a question of law.”

Citation 168(5) of the sixth edition of *Beauchesne* states that “[t]he Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege,” as indeed has occurred here.

Therefore, the Speaker has no authority to make a determination of *prima facie* breach of privilege or contempt where such a determination is based on the constitutionality or legality of the presentation of the March 27 budget outside the House; this House is not the proper place for those questions to be resolved. However, I will consider the case that has been made by the member for Renfrew-Nipissing-Pembroke and the member for Niagara Centre to the extent that it does not put the Speaker in the position of having to decide a constitutional or legal issue.

Before doing so, I want to reflect on the argument of the government House leader, who suggests that the Speaker should address the budget issue by looking to the standing orders. He also suggested that if the standing orders do not resolve the issue, then and only then the Speaker should look to practice and precedent, and that if practice and precedent do not resolve the matter, then and only then the Speaker should look to the parliamentary authorities. In effect, the government House leader contends that the budget process of March 27 was in order and that as such it is not a matter of contempt. In view of this argument, I shall initially address whether anything about this process raises a matter of order.

By way of background, it should be noted that on March 27, just before the Minister of Finance presented the budget in Brampton, the budget and related papers were deposited with the Clerk of the House pursuant to standing order 39(a). The standing order reads as follows:

“Reports, returns and other documents required to be laid before the House by any act of the assembly or under any standing order or resolution of the House, or that any minister wishes to present to the House, may be deposited with the Clerk of the House, whether or not on a sessional day, and such report, return or other document shall be deemed for all purposes to have been presented to or laid before the House. A record of such document shall be entered in the Votes and Proceeding on the day it is filed except that where it is filed on a day that is not a sessional day, it shall be entered in the Votes and Proceedings of the next sessional day.”

Standing order 39(a) does not specifically indicate whether the budget and related papers are “documents” within the meaning of that standing order. However, it gives ministers a wide latitude to deposit with the Clerk of the House any documents they wish to present to the House—and even if the House is not meeting.

I appreciate that standing orders 57 and 58 provide for a budget process inside the House, but they do not prohibit a supplementary budget presentation outside the House. I doubt that the House contemplated the occur-

rence of a supplementary budget process outside the House when it created standing order 39(a), but I am satisfied that the House intended that this standing order should be given a broad interpretation, and so that is what I am giving it.

I’m reinforcing this view by the knowledge that on April 20, 1988 the Votes and Proceedings, which were published under the authority of Speaker Edighoffer, indicate that the budget and budget papers were deposited with the Clerk of the House pursuant to what is now standing order 39(a).

I appreciate that the procedural circumstances in 1988 were different than what they are in 2003. In 1988, the calculated reading of petitions of the House by members of one of the opposition parties prevented the Treasurer from making the traditional budget presentation and speech on the floor of the House on budget day. In addition, the House had denied the Treasurer’s request for unanimous consent to end the routine proceeding Petitions at 4 pm on budget day so that he could move the budget motion and present the budget.

In the wake of these developments, the Treasurer deposited the budget and related papers with the Clerk of the House in order to protect the confidentiality of the budget process and to release the lock-up. I refer members to page 142 of the Journals and pages 2654 and 2655 of the Hansard for April 20, 1988.

These extenuating circumstances were not present in the 2003 budget. Even if they were, I cannot see how they are relevant to determining whether or not the deposit of a particular document with the Clerk of the House pursuant to standing order 39(a) is a matter of order, the interpretation of which does not turn on the presence or absence of extenuating circumstances.

The other distinguishing feature about the 1998 budget is that the House was actually meeting. In the case before me now, the House was not meeting because the Legislature has been prorogued on March 12. I have reflected on whether the standing orders permit the budget to be deposited with Clerk of the House after the Legislature has been prorogued. I find that our practice has been that all manner of documentations have been deposited with the Clerk of the House in the intersession period, and that these documents have been recorded in the Votes and Proceedings soon after the commencement of the new session. On this point, I refer members to the Votes and Proceedings of May 1, which indicates, at pages 9 and 10, that 37 items, including the 2003 budget and related papers, were tabled in the interval between the third and fourth sessions.

If there was nothing out of order concerning the deposit of the budget and related papers on March 27, was there anything out of order in what the government did next? I am referring here to the budget-like speech by the Minister of Finance in a private facility, not inside the House or the precincts, before an invitation-only audience selected by the government. The argument was made that the government was not respecting the traditions of the House—in particular, the tradition that the budget should be presented formally in the House.

Looking to our precedents, I note that, apart from the 1988 budget incident, there have been other occasions when a budget or a budget-type speech has not been presented inside the House. On April 21, 1993, Speaker Warner made the following statement, at page 160 of the Hansard for that day, concerning the government's intention to present its social contract proposals, which some members referred to as a mini-budget, outside the House:

"I think the honourable member for Parry Sound should know my views on this subject. I hold a very strong view that the matters of substance dealing with Parliament should be announced in Parliament. I think that's a very sound principle.

"The member will also know that for better or worse there is nothing in our standing orders or procedures which compels the minister to make the statements inside the House, including budgets, and indeed there is nothing out of order about announcing a budget outside of the House, and if memory serves, that in fact has occurred in this province.

"But I would reiterate that all matters of substance of a parliamentary nature should be made here. I have no control over making that happen. I can only ask that people do that."

Immediately thereafter, the House refused a request for unanimous consent to allow the Treasurer to present his budget proposal to the House.

**1340**

On budget day in 2001, the House refused two government requests for unanimous consent to recess the House so the budget could be presented to the House. After the first request was refused, the Speaker indicated that "if there is not unanimous consent [to recess], the Minister of Finance does not need to read the speech in here." Shortly after this ruling, the budget speech was delivered in the House when the government was able to secure the adjournment of the House, which does not require unanimous consent. I refer members to pages 559 to 562 of the Hansard for May 9, 2001.

What I am essentially saying, then, is that the 2003 budget process does not raise a matter of order. The government House leader submits that if this is so, then that process is not a matter of contempt. I disagree because "order" is conceptually distinct from both "privilege" and "contempt."

To exemplify this distinction, let me refer to the January 22, 1997 ruling that was mentioned by the member for Renfrew-Nipissing-Pembroke. In that ruling, a member rose on a question of privilege to indicate that government advertising amounted to contempt of the House, and the Speaker responded by finding that a prima facie case of contempt was established. Like the case before me now, the incident occurred outside the House and the precinct. Were I to accept the government House leader's argument, it would have been open to the Speaker in 1997 to rule that there was no prima facie case of contempt—and that it was not necessary for him to consider the merits of the arguments based on contempt—because the advertising in question did not offend a House rule.

In short, then, I say that a finding that nothing is out of order about the budget process does not preclude the Speaker from assessing the merits of the arguments based on contempt. The tiered process that the government House leader referred to—that is, first the standing orders, then practice and precedent, and then the authorities—is applied to consideration of matters of order, not matters of privilege or contempt.

Before turning to those arguments, I want to explain the meaning of "contempt," and the best way for me to do that is to first explain the meaning of "privilege." Parliamentary privilege is defined at page 65 of the 22nd edition of Erskine May. Like Erskine May, standing order 21(a) indicates that there are two overarching categories of privilege. The first category consists of privileges that are enjoyed by the House collectively: the power to discipline—that is, the right to punish persons guilty of breach of privilege or contempts and the power to expel members; the right to regulate its own internal affairs; the authority to maintain the attendance and service of its members; the right to institute inquiries and to call witnesses and demand papers; the right to administer oaths to witnesses; and the right to publish papers containing defamatory materials. The second category consists of privileges that are enjoyed by individual members: freedom of speech; freedom from arrest in civil actions; exemption from jury duty; and exemption from attendance as a witness in the courts.

Having outlined the meaning of "privilege," I want to refer to a May 9, 1983, precedent in which Speaker Turner ruled on a question of privilege concerning a budget leak. The Speaker made the following ruling, which can be found at pages 38 and 39 of the Journals for that day:

"Budget secrecy is a political convention as is the practice that the Treasurer presents his budget in the House before discussing it in any other public forum. It has nothing to do with parliamentary privilege.

"As I stated in my ruling of February 1, 1983, 'although it is a courtesy to the Assembly for a minister to release information in the assembly before releasing it to the press or the public, it is not a breach of the privileges ... of the assembly if this does not happen.'"

In effect, Speaker Turner stated that the presentation of the budget was not a matter that fell under any collective or individual privilege. Given this ruling, I find that a prima facie case of privilege has not been established with respect to the presentation of the budget outside the House.

Contempt: I now turn to the issue of whether the 2003 budget process raises a matter of contempt. Let me begin this by indicating that Erskine May defines "contempt" in the following terms, at pages 108, 117, and 120 of the 22nd edition:

"Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly

or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence. It is therefore impossible to list every act which might be considered to amount to a contempt, the power to punish for such an offence being of its nature discretionary....

“Indignities offered to the House by words spoken or writings published reflecting on its character or proceedings have been punished by both the Lords and the Commons upon the principle that such acts tend to obstruct the Houses in the performance of their functions by diminishing the respect due to them.”

“Other acts besides words spoken or writings published reflecting upon either House or its proceedings which, though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts.”

That is what Erskine May says on contempt.

In the Canadian House of Commons, on October 10, 1989, Speaker Fraser explained the difference between privilege and contempt in the following terms at page 4459 of Hansard:

“[A]ll breaches of privileges are contempts of the House, but not all contempts are necessarily breaches of privilege. A contempt may be an act or an omission; it does not have to actually obstruct or impede the House or a member[;] it merely has to have the tendency to produce such results. Matters ranging from minor breaches of decorum to grave attacks against the authority of Parliament may be considered as contempts.”

Maingot’s Parliamentary Privilege in Canada indicates that contempt cannot be codified—it has no limits. It states the following at pages 226 and 227 of the 2nd edition:

“[T]he ‘privileges’ of the House cannot be exhaustively codified; there are many acts or omissions that might occur where the House would feel compelled to find that a contempt has taken place, even though such acts or omissions do not amount to an attack on or disregard for any of the enumerated rights and immunities....

“As a Speaker said, “... the dimension of contempt of Parliament is such that the House will not be constrained in finding a breach of privileges of members, or of the House. This is precisely the reason that, while our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred.”

I also want to remind members that the authority to decide whether or not there is a contempt of the House resides with the House, not with the Speaker. In this regard, Maingot states on page 221:

“While the Speaker may find that a prima facie case of privilege exists and give the matter precedence in debate, it is the House alone that decides whether a breach of privilege or a contempt has occurred, for only the House has the power to commit or punish for contempt.”

How, then, does the Speaker decide whether or not a prima facie case has been made out? Again, Maingot is helpful in this regard. It states the following at pages 221 and 227:

“A prima facie case of privilege in the parliamentary sense is one where the evidence on its face as outlined by the member is sufficiently strong for the House to be asked to debate the matter....

“If the Speaker feels any doubt on the question, he should ... leave it to the House.”

Having reflected on these authorities, I will apply them to the case before me now. It is hard to recall a time in recent memory when a matter of parliamentary process has so incensed people inside and outside this province. Many Ontarians from all walks of life have complained in an overwhelmingly negative way—to my office, to members directly, through various media, and to the government itself—that the government’s approach to communicating the 2003 budget to Ontarians has undermined parliamentary institutions and processes.

As I’ve already indicated, there have been occasions in the past when a Minister of Finance or a Treasurer has neither personally presented the budget in the House nor read the budget speech in the House. In the case at hand, however, the government indicated that the events of March 27 were motivated by a desire—in the March 27 press release issued by the Ministry of Finance—to have “a direct conversation with the people of Ontario.”

To the extent that they imply that parliamentary institutions and processes in Ontario tend to interfere with the government’s message to the public, such statements tend to reflect adversely on those institutions and processes. If the government has a problem with those institutions and processes, or if it wants to improve them, why did it not ask the House sometime during the last session to reflect on the problem and to consider appropriate changes? Traditional ways to do just that would be to introduce a bill, table a notice of motion, enter into discussions at the level of the House leaders, or ask the standing committee on the Legislative Assembly to study and report on the problem. Given the public’s reaction to the government’s decision to stage a budget presentation outside the House, I think Ontarians are rather fond of their traditional parliamentary institutions and parliamentary processes, and they want greater deference to be shown towards the traditional parliamentary forum in which public policies are proposed, debated and voted on.

When the government or any member claims that a budget presentation is needed outside the House well before it happens inside the House in order to communicate directly with the people or because of a perceived flaw in the parliamentary institution, there is a danger that the representative role of each and every member of this House is undermined, that respect for the institution is diminished, and that Parliament is rendered irrelevant. Parliamentary democracy is not vindicated by the government conducting a generally one-sided public relations event on the budget well in advance of members

having an opportunity to hold the government to account for the budget in this chamber.

I can well appreciate that parliamentary proceedings can be animated and often emotional, and they can be cumbersome. It may not be the most efficient of political systems, but it is a process that reflects the reality that members, like the people of Ontario, may not be of one mind on matters of public policy. A mature parliamentary democracy is not a docile, esoteric or one-way communications vehicle; it is a dynamic, interactive and representative institution that allows the government of the day to propose and defend its policies—financial and otherwise. It also allows the opposition to scrutinize and hold the government to account for those policies. It is an open, working and relevant system of scrutiny and accountability. If any members of this House have a problem with the concept of parliamentary democracy, then they have some serious explaining to do.

### 1350

I have a lingering unease about the road we are going down, and my sense is that the House and the general public have the same unease. Let me summarize it by posing the following questions:

First, what does the planned presentation of a budget speech outside the House suggest about the relevancy and primacy of parliament? It is one thing not to make the traditional budget speech in the House because the government is backed into such a decision by an ongoing House process, or a budget leak; it is quite another for the government to have a deliberate plan not to do so.

Second, if left unchallenged, will this incident not embolden future governments to create parallel, extra-parliamentary processes for other kinds of events that traditionally occur in the House?

Third, why is an extraordinary parliamentary process needed if there is already a process in the House? If the answer is that it enables direct communication with the public, to what extent does such an answer undermine the representative, scrutiny and accountability functions of parliament?

From where I stand, the 2003 budget process has raised too many questions for the House not to reflect on them. In order to facilitate that exercise, I am finding that a *prima facie* case of contempt has been established. I want to reiterate that while I have found sufficient evidence to make such a finding, it is now up to the House to decide what to do. As I have said, only the House, not the Speaker, can make a finding that there has been a contempt of the House.

Before turning to the member for Renfrew-Nipissing-Pembroke to move the appropriate motion, I want to thank him, the member for Niagara Centre and the government House leader for speaking to these matters last Thursday.

I now will call on the member for Renfrew-Nipissing-Pembroke.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to say to you, Mr Speaker and members of the table, that I appreciate, and I'm sure all members do, the

time and the care that you have taken to deliberate upon this matter.

I would like to move the following motion:

That this House declares that it is the undisputed right of the Legislative Assembly in Parliament assembled to be the first recipient of the budget of Ontario.

**The Speaker:** Mr Conway has moved that this House declares that it is the undisputed right of the Legislative Assembly in Parliament assembled to be the first recipient of the budget of Ontario.

I just want to take a moment to remind members of our process in the circumstances. Standing order 21(b) reads as follows: "Once the Speaker finds that a *prima facie* case of privilege exists it shall be taken into consideration immediately." Therefore, all other business of the House is set aside until the motion proposed by the member for Renfrew-Nipissing-Pembroke has been decided. I call on the member to lead off on the debate.

**Mr Conway:** I recognize that members have important business to which attention must turn. I want to say a couple of things. Let me start with this: that it is an important matter for me. I do appreciate very much what the Speaker has reflected upon in his ruling. I did take some care to draft a motion that I hope is broadly acceptable to both sides of the table. I'm not here to repeat the position that I developed a week ago today. I want to say a couple of things because I know some other members want to engage in this debate. My remarks this afternoon are directed to colleagues on both sides of the aisle as members of Parliament, as members of Parliament with clear and important responsibilities in Parliament and outside.

As I indicated last week, when I reflect upon Parliament's core duty and core responsibility, it is hard for me to imagine a more central and a more important responsibility for Parliament as an institution, and for those of us as individual members of that institution, than to hold government to account for what it does, and most especially what government does in the raising of and the spending of public money. That is why the issue before us in this matter is so important.

When I heard what was intended six or eight weeks ago, when the Minister of Finance indicated that day in early March that for the first time in my lifetime, on a premeditated basis, the budget was going to be presented not only outside of the Legislature but, according to the revised calendar, at least four or five weeks before Parliament was going to reconvene, I said to myself, "Well, if this isn't important, I don't know what is." I repeat: fundamental to our responsibilities as members of the Legislature and as members of Parliament is to hold government to account for what it does. And as the authorities to which I made reference last week—most especially Professor Ward and Dr Forsey, to name but two—make plain, it is Parliament's control over the public purse that gives Parliament its ultimate and absolute authority and control. So that's why this is important. I think it is important for this Parliament to make plain at this point in time that we view what



happened a few weeks ago with the so-called Magna budget presentation as serious and not something we want to see repeated. A fair-minded person would have to observe that there have been developments over the recent past, here and elsewhere, that have nibbled at, if not more, some of these rather significant responsibilities.

I must say, Mr Speaker, I was surprised and a bit concerned at the amount of time my friend the government House leader spent last week in citing the 1988 situation involving Mr Nixon and the presentation of the provincial budget in that year.

I want to simply read a couple of paragraphs from Mr Finkelstein's opinion letter dated March 24, 2003, on that subject. Let me just read a couple of paragraphs from Mr Finkelstein.

"The exceptional filibuster situation occurred in 1988. The Minister of Finance"—my colleague Mr Nixon—"had, in accordance with standing order 57(a) and tradition, given notice of his intention to deliver the" Ontario "budget to the House on a specific date. At the time the budget was to be presented, the minister attempted, but was unable, to secure the consent of the House to make the budget speech. Members of the press, political observers and people from the business community were already in 'lock-up.' The minister, concerned with his responsibility for maintaining budget secrecy, could not delay the presentation of the budget to the House. Accordingly, he"—Mr Nixon—"tabled the budget in the House in accordance with the standing orders. After doing so, he spoke with reporters outside, revealing the substance of the budget speech.

"Thus, in this sole instance in which the government held its main presentation of the budget outside of the House, it did so only after being refused the consent of the House and after presenting the budget documents to the assembly. Given the history and principles underlying this tradition, namely, that the government must account for its economic policies and legislation before the democratically elected assembly, this is not only a precedent which supports the existence of a convention, but is also evidence that the Minister of Finance considered himself bound to deliver his budget speech in the assembly until the assembly prevented [him] from doing so. The assembly, as an institution," concludes Mr Finkelstein, "was given the opportunity to hear and debate the budget speech, and chose, as was its democratic prerogative, to refuse that opportunity."

But it is, I think, clear from Mr Finkelstein's opinion on that matter that the 1988 situation is qualitatively different from that which we experienced in March 2003.

**1400**

Again, I want to underscore something that Mr Speaker has observed in his ruling, on his own account and in reference to many of the authorities: ultimately, these matters turn on how we view ourselves, our responsibilities and what we intend to do about them. I want to say quite honestly to my friends as much on this side of the Speaker's chair as my friends on the treasury

bench, that at the end of the day, these matters turn on the culture of this place. It is not, as some would have you believe, I say to my colleagues and my friends in other political parties, ultimately a matter about mechanical, technical construction. One can imagine writing all kinds of rules to do this and that. At the end of the day, it's how do we see ourselves and what kind of spirit, what kind of intent, what kind of purpose, do we bring to the standing orders and the conventions that everywhere infuse the operation of a Parliament in this British parliamentary system of ours?

Let me say parenthetically that I'm not some pedant who thinks you can never change. In fact, this system has seen a lot of change, even in my 28 years. We do some things today around the budget that were not imagined even 25 or 30 years ago, and I think that's probably a healthy thing. Most, if not all, of what we do differently today has been arrived at by some degree of consent. I don't want anybody in the chamber or watching this debate to imagine that Conway is simply arguing that you've got to lock it into some kind of status quo around which and about which there can be no movement or adjustment. One of the things about the British parliamentary system that I rather like is its ability to adjust. But the adjustment, as Madam Speaker Boothroyd observed in her interview with the Kingston Whig-Standard a couple of weeks ago, is ultimately going to be worked out between the parliamentary participants. Unilateral action by government on these matters is almost certainly going to produce a negative and unhappy result.

But I say again to my colleagues on both sides of the aisle, don't kid yourselves and imagine that you can set some new technical, mechanical scheme in place and that's simply going to solve a lot of problems. I'm going to be a little bit of an apostate here and observe that I hear from friends on both sides of the aisle—I heard it in the throne speech; I heard it from certain electoral manifestos—about free votes. Do I need to say to friends here today that we have very substantial power now and we've had it for a long time? The question is, what is our will to reasonably and responsibly, as members of Parliament, exercise the power we've got? And I repeat, responsibly and reasonably exercise the power we've got.

In our system, the British system, it is useful to remember that one of the most powerful and important Prime Ministers of Great Britain in the 20th century was sent packing by her own caucus. Can you imagine that? At about the same time, a Labour Prime Minister of Australia was sent packing by his own government caucus.

I should also observe that doctrines like responsible government and concepts like cabinet are nowhere written in our Constitution. They are matters of convention. The office of the Prime Minister was not recognized in the Canadian Constitution until the patriation debate and the legislation of 1982. That comes as a big surprise to people. It's just a reminder of how convention-driven is our system. I don't think that's a bad

thing. But when it comes to the exercise of power, I say to my colleagues on both sides of the aisle, it ultimately turns on attitude and culture. Don't think for a moment that just some fancy new architecture around free votes, or whatever, is going to solve the problem.

That's why I took some time in designing this motion. I have no real intent in coming here today and rubbing anybody's nose in it. I've been in government. I know how mistakes happen. I made my share. I did some really stupid things that I wish I could take back.

I am also a child of minority government. I was elected here in 1975 in a Parliament that was the first minority Parliament in over 30 years. The second one came 18 months later, in June 1977.

One of the most painful days of my life occurred here in June 1976 when, in minority Parliament, we, the Liberals, then in third place, wanted to put and did put a want of confidence motion in the Davis government. We thought we had properly read the NDP intent, and we hadn't. I'll never forget the day, a warm, warm June evening, and the Speaker called the question: "All those opposed to Dr Smith's want of confidence motion in the Davis government." Those opposed: Dr Smith, Mr Nixon, Mr Conway, Mr Breithaupt and the list went on and the laughter went on longer.

I was in a committee yesterday, the public appointments committee, and I was thinking to myself, I wonder what this would be like in a minority government? I thought to myself the other day, would a Minister of Finance and a cabinet even think about a budgetary strategy like the one we saw on March 27 in a minority Parliament? I can tell you the answer to that is pretty straightforward. What is changed in a minority Parliament, of course, is that members have a shared responsibility.

I simply want to make the point today that I think what occurred was unfortunate and serious. I think it must be commented upon to the degree that, if it is not commented upon and resisted, then what does it say to the next government? It may not in fact be the current government. It could very well be a government of another party. The evidence is clear, I say to my colleagues on this side of the aisle, that whosoever controls office will be tempted by the same pressures that have driven this government. Make no mistake about it.

Dare I confess as well that I was part of a government where, in the spring of 1990, a caucus was polled, "Do you think there should be an early as opposed to a later election?" I think it's a matter of public record what the vote was and we all know what the result was. It's very difficult and painful for me to say this publicly. I have to admit to one obvious degree—

*Interjection.*

**Mr Conway:** My friend says, "What side are you on?" Good question. I hope, in a sensible way, I'm on the side of Parliament. That's my point. Parliament has important responsibilities, and so does government. I say to the former Minister of Finance what he knows and what we all know: only ministers of the crown can stand

here and put motions that occasion the spending of money. That's there for a reason. If I stand up and put a motion that involves the expenditure of money, I'm out of order. That's there for a reason. Those are executive responsibilities of the crown in Parliament. But remember: the crown has got to come to Parliament, which controls the purse, and only with the consent of Parliament can the crown and the cabinet spend money in ways that are voted, for purposes that are voted. An officer of Parliament, the Auditor General or the provincial auditor, at the end of the day, tells Parliament whether or not the appropriations are consistent with the parliamentary votes in response to ministerial requests. That's the system.

**1410**

I repeat to my friends opposite, government has important responsibilities and government has a right to expect, in reasonable circumstances, to move its agenda along and to govern in some sensible and responsible way. Parliament, however, has very important and fundamental responsibilities, and, I repeat, at the core of that responsibility for Parliament is the right of any Parliament to hold government responsible for what it does, and nowhere is that accountability function more central and more crucial than on money matters, the purse.

It's very clear from the standing orders what is intended by this whole system, and I'm not going to repeat myself on that matter. I simply want to say, Mr Speaker, I appreciate your ruling and I do know it falls to the House, as a group of members of Parliament, now to decide this question.

I repeat: what I am asking this House to do is essentially this. Let us affirm what should be very straightforward for all of us to affirm: that, as we have always done it, let us agree in the future that this Legislative Assembly has the undisputed right, here in this Parliament assembled, to be the first recipient of the budget. I think it is quite an agreeable, quite a straightforward recognition of a core value of the fundamental responsibility in a modern parliamentary system, and I have taken some care in drafting it. I simply submit to the House that I think it is quite supportable by people on both sides of the aisle because, as I say, it recognizes a reality that I thought everybody accepted. I offer it in that spirit, and I thank you, Mr Speaker, for the time.

**The Speaker:** Further debate? The member for Niagara Centre in the rotation.

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker.

First, the New Democratic Party caucus wants to thank you, sir, for your careful consideration of this matter and your deliberations, which I am confident were not easy ones, which resulted in your ruling today.

Look, let's make this very clear. In effect, what has been found is not just a contempt for this Parliament but a contempt for the people of Ontario, a contempt for the taxpayers of this province, a contempt for every resident of this province, a contempt for every voter of this province. Regrettably, this contempt is not unpre-

cedented, in that it is perhaps, however unpleasant for Conservative members of this House, a most fitting end to their reign here at Queen's Park, because the contempt finding today, as clear as any finding could ever be—make no mistake about it—sums up eight years of Conservatives and Conservative rule at Queen's Park.

Speaker, I have an amendment to the motion moved by Mr Conway, and if I could have a page, I'll have that page deliver a copy of that amendment to the table. Thank you, Tyler. Take that to the Clerk, please.

**The Speaker:** Mr Kormos has moved an amendment which reads as follows:

“Be it further resolved that this assembly instruct the Premier to direct the Progressive Conservative Party of Ontario to reimburse the taxpayers of Ontario, by payment to the consolidated revenue fund, for all costs associated with the presentation of its bogus budget outside the Legislative Assembly of Ontario, including, though not limited to, the communication hookups and associated costs for facilitating media coverage; all propaganda associated with the lead-up to, the actual presentation of, and the follow-up to the reading of the so-called budget speech; the costs incurred by all government ministries associated with the preparation of the production of this infomercial; and any costs of the venue at Magna International.”

**Mr Kormos:** Thank you, Speaker. We support the proposition contained in—

**The Speaker:** Just a minute, please, while we confer.

I'm going to have to rule that amendment out of order, for two reasons. One, having read it closely, it is a separate proposition. Number two, the member will also know that it asks this House for a direct expenditure out of the consolidated revenue, which we're not allowed to do. So unfortunately, I'm not going to be allowed to allow the amendment. The member may continue.

**Mr Kormos:** Speaker, if you will—and I of course don't argue with the Speaker—it directs the Conservative Party to pay to the consolidated revenue fund. It doesn't direct any payments out of the consolidated revenue fund.

You see, what we believe—

**The Speaker:** Order. The Government House Leader.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** In hopes of clarification, I think it matters not, pay out or pay to; it's still a revenue issue with respect to funds, so therefore it is not in order.

*Laughter.*

**Hon Mr Stockwell:** And I appreciate I broke the member for Kingston up.

**Mr Kormos:** Look, the government could do a couple of things today to mitigate the position that it's in. It could stand up and apologize to this Parliament and to the people of Ontario.

The government could respect the Speaker's ruling and understand that this bogus budget exercise, this Bonnie and Clyde budget—Janet Ecker and Ernie Eves; while Bonnie and Clyde robbed banks, Janet and Ernie—you understand.

It's the consolidated revenue funds that have been cleaned out for the purpose of financing what was a partisan political exercise, a pre-election campaign stunt, and it's not isolated in and of itself. On a daily basis we witness millions of dollars of taxpayers' money being spent on glossy ads, be it along our highways, be it in glossy-paged magazines, be it on television, radio or in our local newspapers. Contempt is perhaps the mildest way one can characterize this government's attitude toward this Legislature and toward the people of Ontario.

So you see, we propose to you—and quite frankly, the government House Leader, the Premier or Mrs Ecker, the Minister of Finance herself, could stand up and apologize to assure us that the Conservative Party of Ontario will reimburse the taxpayers of Ontario for the cost of the not-inexpensive, by no-means-cheap public relations exercise up at Magna Corp back in March, which is of course the matter on which the Speaker very clearly found this government to be in contempt.

But you see, this contempt isn't isolated. This government's history at Queen's Park here in the province of Ontario has been a history of contempt. It was contempt that this government showed for residents of Ontario, for workers, for seniors living on retirement incomes, when it privatized and deregulated hydro, forcing hydro rates through the roof.

Oh, I understand they had Liberal collaborators in the course of that and continue to have this intimate relationship with the Liberal Party when it comes to hydro privatization and deregulation. But surely the process of privatizing and deregulating hydro is as contemptuous as anything that could be done—contempt for the people of this province, contempt for workers, contempt for seniors and contempt for students.

The government's efforts to sell off Hydro One and then somehow proclaim that it was for the public good—of course, the Liberals supported that plan too—what could be more contemptuous and contemptible?

**1420**

Last year the Conservatives were caught trying to give pro sports teams a \$10-million tax break. What contempt. Mind you, perhaps the most contemptuous thing was when Liberals and Conservatives collaborated and tried to sneak through this Legislature a 33% salary increase for MPPs, when lowest-income people, people on minimum wage, remain stuck at \$6.85 an hour and when people on ODSP benefits remain forced to live on sub-poverty levels of income. Again, what contempt for those workers, for those persons on ODSP, that the Liberals and Tories would want to sneak through a huge salary increase for themselves, leaving working people and persons on disability mired, stuck in abject poverty.

Of course, the Conservative introduction of the Taxpayer Protection Act—an oxymoron if there ever was one, a meaningless piece of legislation that they themselves violated just last year. The Conservatives demonstrated contempt once again for local democratic institutions when they overruled Ottawa city council and blocked ward boundary changes there.

The contempt this government has shown over the course of eight years for taxpayers' money when cabinet minister after cabinet minister is caught in late-night spending sprees at notorious and expensive bistros with bar tabs, hotel tabs and movie tabs, expenditures that no working person, never mind those who aren't working, would ever dare dream of, expenditures that for working women and men would require a significant lottery win—that's contempt as well.

So you see, Speaker, the contempt that you found, while itself the most legal type of contempt, which enabled you to make the finding that you did, and the clearest and most prima facie of contempts, isn't there in isolation. What concerns us is the disinterest that the Conservative members have for your ruling and in this debate. I'm looking forward to seeing Conservative members—I challenge them to stand up and speak to this motion. I suspect Conservative members have been instructed and whipped and scripted. "Get the message out," their House leader, their Premier and their whip have told them. I know what else they've been told. I can hear it now at caucus meetings, "Don't worry; Premier Eves will take you through that next election. We're going to cruise through."

This government has shown such disdain, such cruelty for so many people in our province:

—Its ongoing and persistent vilification of working women and men, of teachers, of seniors, of students.

—Tuition rates skyrocketing—150% or 160% increase in the last eight years alone, with deregulated tuitions encouraged by this government that resulted in University of Toronto Law School tuition of \$21,000 a year. That's tuition alone, and the promise of yet more to come. With this government's state of denial around the crisis of the double cohort, student after student, family after family and community after community won't find their way, notwithstanding—I've read the papers and somewhat bland assurances of certain university and college presidents—student after student, family after family and community after community won't access the community college or university that held out so much promise for those students, bright young people who have so much to offer and for whom there should be more promise but who are being denied that access to post-secondary education.

—This government's repeal of anti-scab legislation, one of the first acts it did—supported by the Liberals; I understand—this government demonstrated its contempt for working women and men and the struggles they have to engage in. Since the repeal of anti-scab legislation by this government—with the collaboration of the Liberal Party—we've witnessed more strikes, more lockouts, longer ones, and more risk to workers on their picket lines from the violence of scabs forcing their way through than we have in a long time in this province.

—This government's abandonment of workers when it comes to health and safety and the right of workers to refuse unsafe work and the right of workers to have workplace inspection by a live, real Ministry of Labour inspector.

—This government's contemptible disinterest in the revelation made by Wayne Samuelson of the Ontario Federation of Labour about a couple of weeks ago that the rather modest fines this government imposes on employers who kill or maim their workers in workplaces—\$100,000 or \$200,000 for a dead worker or a fraction of that for a maimed or crippled worker—those fines are but income tax deductions for those same companies. Do you understand what I'm saying, Speaker? A slaughtered worker's surviving workmates subsidize the payment of the rather pathetic fines that are imposed upon the employer after a conviction for causing that worker's death, because that fine is, in and of itself, tax deductible.

I would put to you that it would be a refreshing observation to be able to see government members stand up and show some contrition for the contempt this government showed, to show some regret. One should perhaps hope for no more than a mere acknowledgement that maybe it wasn't the smartest thing they'd ever done.

I'd be equally interested in having those members of cabinet—because I'm sure there are members of this government's cabinet—I watched their faces while the Speaker was reading his ruling. You could read the body language of the handful of cabinet ministers who recommended against the bogus Magna Corp budget presentation. Oh, the smugness on their faces; the little cartoon bubbles above their heads that said, "I told you so"; the little bubbles above their heads that said, "You wouldn't listen to me, would you?"

These are the same ministers who are calling upon their cabinet colleagues to call the election now so that at least there will be more than a mere handful of Tories returned—maybe they'll be able to salvage half a dozen seats—instead of waiting until the fall, which will conjure up memories perhaps of Conservative Kim Campbell's spectacular victory in her one and only election as Prime Minister of Canada.

It would be so refreshing and so noble—oh, but nobility is so absent—to see the Minister of Finance stand up and indicate that she never supported this proposition from the get-go. Indeed, if she did, she should stand up and resign, because, Speaker, you have made a ruling of contempt, a ruling which is unprecedented, because it was conduct that was unprecedented, a finding of contempt that is as clear and strong and certain as any finding could be. Surely an honourable Minister of Finance would resign in response to that—resign, or stand up and proclaim her innocence and tell us and tell the people of Ontario that she did everything she could to prevent this contempt from happening.

#### 1430

I suspect she might well be capable of doing that, because it won't be the first time that Ms Ecker was bushwhacked by cabinet colleagues. I remember the day that the budget announced the funding by way of subsidies of private school student families. Ms Ecker looked like she had just plugged herself into a 220-volt outlet. You could see the hair curling and the smoke rising. She'd been bushwhacked. I saw her muttering—

I'm not about to suggest there were obscenities as she was walking down the hallway. I tell you, I'm not good at it, but there are certain words that all of us are sufficiently familiar with that when we read their lips we know what people are saying.

I suspect Ms Ecker had it done to her again. I suspect Ms Ecker was as blindsided and bushwhacked by this wacky idea to hold a bogus budget speech that was destined to dip this government into the hottest water they've been in since their election back in 1995—not that they're not used to hot water. But I tell you, this is absolutely boiling.

**Mr Tony Ruprecht (Davenport):** Who made that decision over there? Somebody is responsible.

**Mr Kormos:** Tell us who the brain trust is, the minions, your advisers, your \$1,000-a-day consultants. I say to the government, tell us who these \$1,000-a-day consultants are who told you to hold this bogus budget out at Magna Corp, because, by God, you should get your money back. The Minister of Consumer and Commercial Relations should be called immediately. You talk about doing a number on somebody. Those consultants who told you this was a clever thing to do—let us know who they are. Let us warn the people of Ontario so that nobody ever touches them—nobody ever goes near them again with a 10-foot pole.

**Ms Shelley Martel (Nickel Belt):** Andersen.

**Mr Kormos:** Was it Andersen Consulting? I don't know. Let us know. Please, share.

At this point, it's not a matter of a couple of novenas and Hail Marys, my friends. There is a need for this government to truly come clean.

I regret that the balance of this debate over the next few days is going to demonstrate yet further contempt for this government, demonstrate further disdain by them for us and for the people of Ontario.

**Hon Mr Stockwell:** I have a great deal of respect for this institution and I have a great deal of respect for the honourable members who inhabit this institution. I have a great deal of respect for all the things that we are to do to protect the parliamentary tradition and the democratic process. I probably am one of the few—on two quick points—to have an understanding of and a respect for what the Speaker of the House must do in dealing with the operations of this place, because I actually had that job for three years. I took great pride in the fact that I felt I handled it in a very impartial, even-handed and fair way—I think always. I can't think of a single ruling or decision I made that was not based on what I felt were the rules, traditions and examples of a parliamentary process.

I believe that we have institutions—

*Interjection.*

**Hon Mr Stockwell:** I think I was, Mr Ruprecht. I appreciate the heckling, and I'm sure you're doing it to assist me; thank you.

I was, I believe, dealing with things in a fair and impartial manner. I found a prima facie case of contempt once in this House in dealing with an advertisement in the Ottawa Citizen, and much the same thing took place.

I think the paramount important thing that we must remember—having been a Speaker, knowing previous Speakers, knowing Deputy Speakers—is that we must be certain in our minds and in our beliefs of the impartiality of the Speaker. It's the place where we all have to go on occasion to know that we're going to get a fair hearing on the issues and concerns that are brought to this Legislature. Much like a judge who hears a case, you have to believe, when this judge hears that case, that there's an impartiality, a fairness, propriety, and know that there are no preconceived notions and no preconceived ideas that they bring to that decision.

I have read this very, very carefully. I want to make a couple of comments.

First, there was no contempt found with respect to there being out of order—the issue itself was orderly. The standing orders were not breached in any way, shape or form. I think they went to great lengths to say that.

As far as privilege, which is what the member stood on—

**Mr Dwight Duncan (Windsor-St Clair):** Contempt.

**Hon Mr Stockwell:** —a contempt of privilege, I say to the House leader. I know, but listen. Contempt of privilege. It's not contempt with respect to what the Speaker ruled on; it was privilege. The Speaker ruled, in fact, that there was no contempt of privilege. The Speaker ruled that there was contempt through bringing disrespect to the Legislative Assembly. I appreciate that you may find that to be splitting hairs, and it may well be. I won't argue the case. It may well be. I'm not suggesting for a moment that the member for Renfrew-Nipissing-Pembroke has not done what he was supposed to do; he did. But let's be clear. Privileges: it wasn't a contempt. Orderliness: it wasn't out of order. It was, with respect, a disrespect of Parliament.

Let me say this. We have a very difficult situation on our hands now. We have a motion that's brought, we've decisions to take, and we'll have rulings in the future to determine what now will be considered a disrespect to Parliament. May I say that if this ruling were in place when the social contract was being done outside the House, my friends in the third party would have certainly been found in contempt. I will also say, on a number of occasions, if this ruling was in place when Mr Nixon was downstairs delivering his budget in 1988, he would certainly have been found in contempt.

You may argue, and I hear the arguments—

*Interjections.*

**Hon Mr Stockwell:** I say to the members opposite, I didn't interrupt your member when he spoke. I listened very carefully both to his submission and today. I ask for the same consideration.

The argument may be that circumstances can dictate results. I take great exception to the argument. Circumstances cannot dictate results. If it is contempt, if it is out of order, if it is a breach of privilege or brings disrespect to this House, it does so on the face of what it is. If a budget speech delivered anywhere else than this place brings disrespect to this House, it does so whether it's

downstairs or in Brampton. You can't square a circle in this place by suggesting to all members that the target now will move depending on what the Speaker deems to be disrespectful when the results are absolutely, actually, exactly the same.

By way of example, if the situation were in 1988 that the Treasurer couldn't bring a budget because of a filibuster of the opposition, that happens all the time.

**Ms Marilyn Churley (Toronto-Danforth):** Not under your rules.

**Hon Mr Stockwell:** How, in fact, you get around filibusters with the opposition was through negotiations.

**Ms Churley:** You changed the rules.

**Hon Mr Stockwell:** I say to you, Ms Churley, I listened carefully to Mr Kormos, and I'm asking you to give me the same decency.

And I say to the members opposite, upon reading the ruling, we are faced with a situation that there is so much interpretation for new rulings to come from the Speaker depending on what that Speaker believes. For instance, I say to the members of this House, if you have a \$200-million hospital announcement in eastern Ontario—\$200 million is a fairly substantial sum of money—if you go to eastern Ontario to make that announcement, are you in contempt of the House because you brought disrespect to the House, because the members of the House didn't know first?

**Mr John Gerretsen (Kingston and the Islands):** That's not what he said.

**Hon Mr Stockwell:** I respectfully suggest to you that may not be what he's saying, but that will have to be ruled on because interpretation will be that's what's being said. And what is that number? I don't know. Would the social contract have fallen under that? My suggest is yes. Billions of dollars announced outside this Legislature would be deemed, in my opinion, considering this ruling, to bring disrespect to the House. Why? Because the members of this Legislature did not know first that we were spending billions of dollars in this fashion.

1440

Now, was it wrong to do what we did? Excellent debate. You say yes; we say no. You had a good debate and we had calls and conversations, and the media sat here, they wrote about it, they talked about it. It was fully debated, excellent debate.

**Interjection:** Where?

**Hon Mr Stockwell:** In the media, outside and around.

*Interjection.*

**Hon Mr Stockwell:** I appreciate, Mr Caplan, that this is a political argument. I know that. I'm doing my best because I listened carefully to your Mr Conway. I'm asking for the same.

The request was about whether that was a debate. Sure it's a debate. It could have been brought as an opposition day motion or a private member's motion. It could have been brought in any way if you wanted to have it debated in the House. But the question all parliamentarians now have to ask themselves is this: "Is it a debate or is it

contempt?" Because I suggest to you that with this ruling today, we are going to have a lot of rulings from the Speaker with respect to what's contempt and what isn't, and if you think you can rely on practice and precedent like in 1998, you can't. It's off. Practice and precedent and being in order no longer matter, because the authority rests with the Speaker, and I suppose so it should be. I would not question the Speaker's authority nor his decision-making.

I only caution all parliamentarians, all honourable members, to understand: as you go out and speak to the media, as Mr Kormos just did, in a political way, stand up and talk about a whole series of issues, understand that in the future we need 500 rulings now to deem what is contempt and what isn't. Simply put, we have to find what each Speaker considers to be disrespect and what they don't. Warner decided the social contract wasn't. Edighoffer decided Nixon didn't. Carr decided the government did.

That's the rub. That's the circle that needs to be squared. Because as far as I can tell, Edighoffer and Warner ruled one way and Carr ruled another—Speaker Carr; I'm sorry. Speaker Carr, Speaker Edighoffer and Speaker Warner.

I'm not suggesting the Speaker's wrong. He's not. He must be right. I was Speaker. I knew I was right. I'm sure Speaker Carr knows he's right as well. But before you go off, gladly extolling the virtues of this decision and chastising the government, be forewarned, because it's forearmed. If the NDP are in power next time, or the Liberals, or us again, this is a very important read for all of you, because you're going to have to decide when making announcements in this province where the threshold begins and where the threshold ends. Why?

**Interjection:** Here.

**Hon Mr Stockwell:** You say, "Here." I say you've never had—I don't mean this in a demeaning way. You've never sat here. Once you've sat here, I say to my friend Conway, it's a very different picture than when you sit there. I suggest you go out in a quiet moment with my friend Conway and have a little discussion about the differences between sitting here and sitting there.

**Mr Gerretsen:** We have.

**Hon Mr Stockwell:** Well, maybe you haven't had this discussion. I encourage my friend Conway to have that discussion with as many of you as he can. Because the world turns a little bit differently on this side than it does on that side. I'm not saying that you're not fit to sit, that you're not fit to govern. Of course you are. You're honourable members. I'm just saying the decision will be perplexing. That's what I'm saying.

There's a difficulty we have with respect to the amendment offered up by Mr Conway. The difficulty we have with the amendment of Mr Conway is this: if the amendment is adopted, as I read it, there will be no lock-ups—

*Interjections.*

**Hon Mr Stockwell:** May I have the amendment, please? Does anyone have the amendment? I can only go

by what the amendment says. I'm not suggesting for a moment that Mr Conway had any political motivation to move this amendment the way he did; I'm just telling you, literally read, this is what it means.

*Interjection.*

**Hon Mr Stockwell:** A motion. I apologize. A motion:

"That this House declares that it is the undisputed right of the Legislative Assembly and Parliament assembled to be the first recipient of the budget of Ontario."

Do you know what—and I'm not suggesting he's trying to be political at all; I'm just suggesting to you that as it's read, it has never happened that way, ever. It didn't happen that way when you were in power, my friends the socialists, and it didn't happen that way when you were power, my friends the Liberals. It didn't happen that way. It never has happened that way. There are budget lock-ups. There are all kinds of things. Many, many hundreds and hundreds, potentially thousands of people see the budget before us—thousands. So that's going to make it very difficult to adopt this motion.

**Mr David Caplan (Don Valley East):** That's disingenuous.

**Hon Mr Stockwell:** I don't mean to be disingenuous. I mean to be pragmatic. Pragmatically I suggest to you, this is a difficult motion and, as I said, the world turns differently on this side than that. This makes it difficult for us to adopt, because we've never done it that way. You wouldn't have budget lock-ups; you wouldn't have the media in budget lock-ups; you wouldn't have McGuinty and Hampton doing their budget statements before the budget is released and announced in this House. It's very difficult.

So it's going to be very difficult to accept. Now, maybe Mr Conway will amend it; I don't know. Maybe there will be other amendments offered; I don't know.

Just from a pragmatic point of view, this is difficult. Mr Kormos's I think was out of order, so rightly ruled by the Speaker, because it was, in my opinion, totally politically motivated, without any benefit to the Legislative Assembly itself, or hopefully a better operation, but I'd expect no less.

So I think you're going to have to deal with this in a very interesting way, House, parliamentarians. I think you've received a ruling today that is, by its very nature, earth-shattering, curious, perplexing—very, very difficult. It's going to make changes to how we do business in here, fundamental and structural changes that I don't think any of us can imagine. Any ruling of this magnitude by the Speaker would always do that. But I think you should understand that we are going to have to get clarification on what can and can't be done inside and outside this Legislature, what can and what cannot be done when the Legislature is not sitting—

**Mr Gerretsen:** Hear, hear.

**Hon Mr Stockwell:** Agreed—what can be spent, what can't be spent. What about an emergency, folks? What about SARS? What about this government's action on SARS? I'm asking for your attention. What about this

government's action on SARS and the detailing of expenditures by the Minister of Health during that very difficult time—emergency expenditures that weren't dealt with in any way, shape or form in the budget etc? What about those? The House wasn't in session. Does he have the authority to go out and spend tens of millions of dollars, making the announcement anywhere he wants? Well, I'm not sure, after this ruling today.

**Mr Duncan:** You're wrong.

**Hon Mr Stockwell:** Well, maybe I'm wrong, Mr Duncan. I appreciate the fact that you suggest I'm wrong. Very often you suggest I'm wrong and ultimately, do you know what? I find myself to be right. So let's just work our way through and see.

*Interjections.*

**Hon Mr Stockwell:** You may say I'm wrong. I appreciate that, and the Speaker has ruled. We'll see what the Legislature thinks and see who's right or wrong.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Stockwell:** Thank you, Mr Speaker.

So I wonder if that's allowed.

**Mr Duncan:** Yes.

**Hon Mr Stockwell:** You say yes, but you know, with great respect, it has nothing to do with what you think. It has everything to do with what he thinks.

*Interjections.*

**Hon Mr Stockwell:** You know, Mr Speaker, I appreciate the help I'm getting from the House leader—

**The Speaker:** Order. I would ask all members—please.

**Hon Mr Stockwell:** But it really doesn't matter what you think; it matters what the Speaker thinks. And if the Speaker thinks that spending a certain amount of money is out of order, a contempt, through bringing disrespect to Parliament because we weren't the first people to see this expenditure, then you're in contempt. Mr Clement could have been found in contempt; I'm certain the Treasurer under the NDP, Mr Laughren, would have been found in contempt; and I bet my bottom dollar if this ruling were around when Mr Nixon was reading his budget, Mr Nixon was in contempt.

So I look at these probably a little bit differently than some, because I can look down the road and see how this is going to affect decisions of future administrations and future announcements.

**1450**

The Speaker's ruling, right now, has left a number of unanswered questions. Whether you think it or you don't think it, and whether you think they're unanswered or you don't think they're unanswered, matters a hill of beans. It doesn't matter what Kormos, Marchese, Curling or Duncan think is in order, or myself or Hudak on this side; it matters what the Speaker thinks. I thought, as a government House leader, that if you had a practice or a precedent that dictated an approach, it was in order and not in contempt, but the fact is, it wasn't.

In closing, I will make one argument with respect to difference of process. I'll bring two examples: Mr Nixon

in 1988 and Mr Laughren in 1993. With Mr Nixon in 1988, the claim was that he had no choice. It was considered in order because he had no choice. So he wasn't in contempt. Mr Laughren, in 1993, had a choice. He chose not to do it here. It was considered in order, and there was no contempt. I operated on two fundamental approaches: when you had a choice, you weren't in contempt; when you didn't have a choice, you weren't in contempt. I presumed, then, that we wouldn't be held in contempt. My presumption was wrong.

We'll need a significant number of rulings to determine what the threshold is and how it is met. We, as parliamentarians, will have to determine that with the help of the Speaker. But let's be very careful about what has happened today. What has happened today, for future administrations, is going to be a very, very, very difficult process to unravel.

**Mr Duncan:** It is with no joy that we debate this today. I want to begin by saying to my colleague from Renfrew-Nipissing-Pembroke, whom I first had the honour and privilege of working with as a staffer as far back as 1985, that he displayed in his presentation to this House—and over the course of the last few weeks, I've had the honour to work under his tutelage—the grace, eloquence, integrity and intelligence that he's always reflected in his public and private life. This is the cap of what has been a truly remarkable career in public life in Ontario. We're grateful to you, sir, on this side of the House, certainly for the guidance you've given us.

The Speaker had a very difficult decision to make. When the government first announced it, I think, like many members of the House, I was personally just shocked. It took me several hours just to reflect on what they were doing, or trying to do, and why they were doing it. As we got further into it, the phones started ringing. Surprisingly, it was average Ontarians. I must say to the people of Ontario, as somebody who has an enormous respect for this institution and its history, I was astounded, if you will, by the outpouring from average people. I think, Mr Speaker, in your ruling you referenced the volume of calls that all of us had. I was certainly one of them.

Last year, I had the opportunity to travel to Westminster, to the new Scottish Parliament, to the new Welsh Parliament and to the Quebec National Assembly and have an in-depth look at those institutions. One of the things I came away with, surprisingly, was just how advanced our little House is, how well it works, how it has evolved its own particular culture, rules and regulations and how, in my view, they are superior to many others.

The Speaker's finding is a *prima facie* case; that is, on the face of it there is a contempt. It is up to this House to determine whether or not the contempt actually happened, as is appropriate. This House has primacy on these matters.

The government House leader argued about Mr Conway's motion. I should tell you that, in anticipation of this, we didn't just sit down and write that motion out on

a matchbox. We consulted authorities, both in writing as well as verbally. Experts from around the world offered their opinion on this budget. Indeed, a former Speaker of the British House of Commons opined that this sort of thing could never happen in the mother Parliament, Westminster, without there being a full riot.

I say to the government House leader, yes, this is a momentous ruling, and I sensed by the length of the ruling and by the detail of the ruling that a good deal of thought went into it by Mr Speaker and by those who advise him. And I say to the government House leader that we on this side often get up on contempt and more often than not find ourselves frustrated by the fact that there is no contempt found. In that sense, absolutely nothing has changed.

I say to the government House leader, I parsed the Speaker's ruling very carefully. I would say that for about 85% of the ruling he put very careful conditions around the contempt that he found so as not to leave the door wide open. He dealt with every issue the government House leader raised in his initial response to the contempt that was brought before this House by Mr Conway in what I felt was a very systematic and thorough fashion. So indeed, government members and the opposition will bring points of privilege dealing with contempt, I'm sure, and future Speakers will be called upon to rule, and I trust those Speakers to do the appropriate thing.

Will this prevent members of the treasury bench from doing announcements about hospitals or whatever somewhere else? Absolutely not. That argument is sillier than the argument the government House leader put in response to Mr Conway's initial point of privilege in this House. What this does, in my view, for the first time in a long time, is it reasserts the importance of this institution and its noble history.

We have seen a diminution—and, dare I say, my federal brethren in Ottawa are just as guilty as any government of undermining our parliamentary history and institutions. I've looked at what's happened there and what's gone on, and I say to them, "Shame on you," as well, for what's happened. That's what really took me aback by the comments of our people, the people in our ridings, the people in the media who contacted us to express their disdain for the government's so-called budget. I see this as an opportunity for the House to reassert itself, and to reassert its primacy and its rightful place in our society.

Let's review for a few minutes some of the things that have gone on in here since 1997.

The standing orders have been amended 72 times. The government House leader spoke of filibuster. Well, the Harris-Eves government has made a filibuster virtually impossible in this House. That's gone. Those days are gone. You can debate the relative merits of filibuster if you like, but it's no longer really an option.

Since 1995, this Legislature has sat an average of 78 days per year, or 21% of the time. This year, our Christmas break lasted until the end of April—138 days. In-



deed the government, in perhaps what I consider to be the most unbelievable reaction, said that they had to bring their budget forward at Magna because the House wasn't sitting, forgetting that the day before they had prorogued the House. In fact, they had the authority to sit; they simply chose not to.

1500

You could pass a bill in this place in about five sitting days—a week, according to our calculations. I remember that once 400 amendments were tabled at 2 o'clock in the afternoon, and we were expected to vote on them at 5 o'clock in the afternoon.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Government amendments.

**Mr Duncan:** Government amendments. We didn't have a chance to read them, let alone scrutinize them. In my view, that was an utter contempt; no Speaker would find that, because in fact they were in order.

Mr Speaker, the truth of the matter is that you have very limited powers; you were very careful to say that. In fact, you've only found a prima facie case. It is up to this House and indeed up to a government to show respect for this institution. Dare I say that successive governments, at the plotting of backroom strategists, have progressively undermined this institution? I think my colleague from Renfrew-Nipissing-Pembroke referred to that. Mr Speaker, I think you implied it. I think I read interviews with you where you said that.

No public hearings—let's talk about public hearings for a few minutes and what has gone on, because the government House leader is proud of his record on that account. Fewer than half the bills introduced by this government since 1999 have received public hearings—fewer than half. Granted, some of them probably didn't merit public hearings; I accept that. But you've used time allocation on budget bills; you closed debate on budget bills. That is a sad commentary on this government.

If we are going to make this institution relevant, if we are going to keep it relevant, if we are going to see voter turnout go from somewhere in the 50s back to where it was 20 or 30 years ago where up to 70% of people would actually vote, then we're going to have to keep this place relevant, and I accept responsibility for that as well. I accept that some tactics which are used on all sides of the House bring it into disrepute. Mr Speaker has had to call me to order on a number of occasions where I have been, frankly, unparliamentary, and I regret that. Because what I learned in all this—

*Interjections.*

**Mr Duncan:** They still joke over there. It's cute. You try to have a serious discussion, and they joke. It's just a big joke. Well, I would suggest that those who make a joke of it are the joke. And I would suggest that the comments we heard out in the hall about independence of the Speaker and so on ought to stop.

If you choose to vote against this motion, so be it. I can tell you, this motion was carefully vetted by a number of authorities to ensure that it would pose no risk to this House or no risk, particularly, to members on any side of the House.

One can understand the frustration that members opposite must feel. They have taken the proverbial beating publicly and over time, and now they're forced off their agenda yet again, for a period of time we can't quite determine, to have to face the music.

When the reaction started coming in, I was astounded that the government didn't correct its own decision at the time. I am told by those in a position to know that there was considerable debate within about that and that in fact they deliberately chose to continue on with their strategy.

So I see this ruling as significant, as a turning point. The budget itself—if there's a silver lining to any cloud, the people of this province finally stood up and said, "Enough." And I think in saying, "Enough," they were saying that to the opposition as well. How about better debate? How about quality debate?

I've been reading the biography of Churchill. A hundred years ago, members' speeches were published on the front pages of newspapers. Not to say that they didn't have their moments back then; the world is obviously a very different place.

This is a noble institution. All members are honourable, in my view, regardless of their political stripe. They have been sent here by their constituents. They were elected in a fair election and they have the right to put their positions, under a certain set of rules that the Speaker must interpret narrowly. This motion gives us the opportunity to build the institution, if you will, to enhance it, to turn the corner on what has probably been 15 years of diminution of its role, of its responsibilities—you know, simple things.

In the old days, if the government had a sessional day, the opposition had a question period. That changed. By the way, our rules are still fairly generous in terms of question period, in terms of the opposition's ability to question the government.

Personally, I would like to see a lot more work done in committee. There are examples in the Commonwealth, in Australia and Great Britain, where in my view committee work is much more important. Hopefully we will have the goodwill in this House to find those opportunities.

But I suggest to you that any government that would take something as fundamental as the budget and give the speech outside of the House—anywhere, whether it's at Magna or McDonalds, at a university or somewhere else—has shown a contempt, and there is a prima facie case.

Mr Conway has carefully crafted a motion that I could not begin to understand how the government could defeat. I would submit to the government, and I do so here, in public, that if changes can be brought to that to make it palatable, we certainly want to talk about that. It's a very sad day, but it's a good day because we have turned the corner.

The last thing I wanted to do—and we were careful. The government House leader got up and spoke about the Speaker's ruling and talked about privilege and contempt. You know, Mr Conway didn't just throw that little speech together. Because he is such an eloquent and good

public speaker, it may have appeared that that just sort of rolled out, but I can tell you, we chose our words very carefully. The written submissions that were submitted to Mr Speaker were not scribbled on the back of a matchbook as he was racing back from Barry's Bay. They were done in the context of discussions with noted authorities. We asked the Speaker to rule on contempt quite deliberately, because it is a broader category and because in our view the narrow definitions of privilege were too narrow to focus on. Clearly the standing orders were not the right way to go.

It was funny, when the finance minister did announce her budget speech, I had actually looked at the history of budgets and when or not they could be delivered. Do you know what prompted me to do that? This is why I say this is on a non-partisan basis. The federal government went close to two years without a budget. That really struck me, as a parliamentarian. How do you do that? How do you get away with it? I was quite surprised to learn that in fact the rules are very silent about that. We can get into the whole argument of convention and so on, but it's not the Speaker's place to rule on that. But it is something that we should reflect on as members.

Mr Conway has put a motion that in my view allows us the opportunity to reassert the primacy of this place and to do so in a fashion that will end this debate once and for all and will reflect well on all of us. I would submit that if the government members have a problem with the wording, tell us how we can fix it and show us how we can fix it.

In your throne speech there are a couple of items about the role of members. They are items, by the way, that we put forward at the committee and we're quite pleased that the government has taken them on. They're not the list of what we wanted. They're not the items we have addressed in our campaign document. I won't refer to that beyond that in this House, because I think this is too serious a debate to really start getting into some partisan gamesmanship. But I submit to you that all of us working together can really make this place function. I don't know that I want to return to the days of filibuster, but I certainly would like more opportunity for the opposition to hold the government to account, which is ultimately what our role is. It's sad that we can't do that.

#### 1510

Arbitrary time allocation motions that take away third reading debate—one of the things the government did in 1999 that I applauded at the time and I signed off on was sending bills to committee after first reading. We've seen in a couple of instances how well that can work. Unfortunately, we don't do it enough. The movement in Australia and other parts of the Commonwealth, by the way, is ideas to committee before first reading, white papers and so on, which allows a more thorough debate. From the government's perspective there's some advantage because of the old argument about trial balloons and so on without fully committing yourself. There are lots of things going on around the Commonwealth that we can adopt here that can make this place work better, not so much for us but for the people we represent.

The Speaker said very clearly in his ruling: this is a place where there should be debate, where there should be disagreement, where tempers should get flared. I often think of this as the kitchen table of the province. It's where we come together and talk about the issues of the day. We will differ, and that's quite appropriate. It's sad what's happened in this institution; it's sad what's happened to our parliamentary institutions over the last 15 years. While I'm saddened by today, I also see it as an opportunity to turn the corner and begin to redress some of what's gone on.

Mr Speaker had a difficult ruling. It is a major and significant ruling. I submit it is an appropriate ruling. It is a ruling that will not, in my view, undermine this institution's legitimacy or ability to carry on business, nor the government's. It's a very carefully crafted ruling that I suspect will be referenced by many Speakers in the future, not only here in this Legislature but likely elsewhere. In conclusion, I say to the government, I urge you to look carefully at our proposed resolution, and if you have problems, let us know and let's see if we can't find wording that will work for everybody.

**Mr Michael Prue (Beaches-East York):** On a point of order, Mr Speaker: I would like to introduce a group from Toronto East General Hospital who are here today to study our parliamentary democracy.

**The Speaker:** We welcome our friends. Further debate?

**Hon Janet Ecker (Minister of Finance):** Welcome to those who have come to hear this debate today.

I certainly appreciate the importance of what's being discussed, the debate that is occurring today. It is always a very interesting, worthwhile experience to hear and listen when the member for Etobicoke Centre and the member for Renfrew-Nipissing-Pembroke are debating issues of importance here in this chamber. I know the Speaker has given his views on the situation. That is his role. The House, of course, is now debating this issue and we will see where that debate takes us.

The government House Leader has spoken in his usual eloquent fashion about the process, about the Speaker's comments, about putting forward the government's position on this, in terms of the process. There are many valid points that he has made about the decision and about what has occurred. I don't wish to elaborate on his procedural comments, but I do wish to make a couple of points on process before getting into some other matters.

First of all, one of the things that has concerned me is that the decision by the government to present a budget speech in a place other than this location has been portrayed as somehow disrespect for the traditions of this chamber. I would respectfully disagree with that assessment. I understand there are very strong views about that, and that people's views disagree on that, and I'll say a few more points on that. One of the interesting points about the Liberals' resolution, or motion as they've put it forward, is that they talk about the budget being first presented to this chamber. With due respect, that has never actually occurred for many years. The process—

and again, it's not in the House rules—as it has existed, and certainly as it has existed with this government, is for all members of the House, staff of members of the House on many occasions, the media and representatives of stakeholders and groups who advocate on behalf of many good causes in this province to have access to the budget, all of the budget information and all of the ministry officials whose advice and expertise help a government put together that budget. They have access in the pre-budget lock-ups, before the public does.

That is an important process, because if this motion, as it is worded, were to pass, it would mean that the only time the opposition would have an opportunity to review and hear that would be the moment the finance minister opens his or her mouth. I would suggest that if I were a member of the opposition, a member of this caucus or a member of the media, I would find that extremely difficult. That would limit the ability for people to hold government accountable, because they wouldn't have the opportunity to examine the documents and the numbers, to ask the tough questions of the minister or officials. That would be an opportunity that would be lost. I respect that there are a number of points members are going to be making about delivering a speech in this chamber, but I think that other accountability that occurs around a budget is equally important.

The budget is more than just simply the speech, the words that are written. The budget is also the documents, the budget papers. There are many, and actually I never looked up how many, but we have 186 pages of additional documents that are also part of the budget. That is information that is never read in the House. That is information that is provided in the budget lock-up for all members of the House, staff, media and representatives of stakeholders. That is a very important process, and I don't think we want to lose that, because that is part of government being held accountable, of people being able to judge the decisions that they make.

What also happens around a budget is the pre-budget consultations. That process is important, too. The standing committee of the Legislature—all three parties represented on that—goes out around the province, has hearings and listens to what people have to say. For this budget, as Minister of Finance, I went around the province as well, to 17 different communities. I heard from over 1,300 individuals and sought their advice and their input in designing this budget. I think that is an equally important process in developing a good budget and a good budget process.

There will be legislation to implement this budget that will be debated in this House, as it should be, and all members of all three parties will have an opportunity to put their case, to debate, to argue and to vote as they see fit—or as their party whips have them see fit over there—on this legislation. There will be opportunities for further discussion and debate with the budget motion, the estimates process, the committees, the debates and votes on estimates and the vote on interim supply. All of those procedures are part of a budget, as they should be. All of those procedures are being observed, as they should be.

The Speaker himself noted that all of the papers and everything have been put on the record, filed, as appropriate, as helpful, to make sure that all members have the opportunity to do their job as elected representatives in this House.

So I think it is important to recognize that while there is a debate about the actual presentation of the speech—and as I said, I respect and I understand that there are strong views on that matter among many people. I myself in my constituency, as we all did, spent considerable time talking and debating and discussing it with citizens who cared enough about their democracy to call us up to express their views. I had people who called up with views on both sides: whether it was a good thing, a good idea, a new initiative, a new way to communicate to people about what was happening and what the government was doing; and those who disagreed and felt that it should be delivered in this chamber. So I respect those views.

But I think it's also important to recognize that as MPPs here we have responsibilities that go beyond this chamber. As MPPs, we are out meeting with constituents, talking with constituents, going to committee hearings, doing all of those things that are also part of the job that is represented in this chamber. That will continue to be something that occurs around this budget, as it will occur around all of the government's decisions. The members of the opposition engage in these activities as well in their role as MPPs and in their role as representing their parties' views here in this place. The tradition in this place, in this particular chamber, is one aspect, and it is an important aspect, and I understand and certainly appreciate the strong views that have been expressed on it.

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There is something else, though, that I think we all should appreciate as well, which is that as we here as MPPs in this chamber are focusing on an important process, are focusing on traditions of this particular chamber, there is another world outside this door, another world of people who go to work every day, who raise their children, work hard and put back into their community, and their lives revolve around a very different kind of process than what we have here. For them, what is also important is not simply the processes we follow here. Yes, those are important, but for them what is equally important—and based on the conversations I've had, I would say even more important in some cases—is the substance of what we do here, the decisions we make on behalf of the people we represent. I think in this discussion, looking at the substance of the budget and the substance of the government's decisions is equally important to what's at issue here and what we are considering.

That is something that, as Minister of Finance—and as I know and as my colleagues do, we take that responsibility as government very, very seriously. That was why we spent the time we did on the pre-budget consultations. It was why we went out and asked the questions, as we did on the throne speech. Because that is part of the job

we do, to seek that advice, to go out to people and say, "Here's what we believe in; here are the values that are important to us," things like balanced budgets, for example, and tax relief and helping our students to learn better in our schools, and having the courage and the commitment to restructure a health care system that was in desperate need of it. Those are some of the values and things that have driven us, and it is important for us to be out there talking about that, communicating that to the public and hearing people's views back. Because government doesn't always get it right when they make those decisions, and our government, like every government, has made those adjustments based on the input and the feedback we've received in those consultations. So the substance of what is in that budget is also exceedingly important, for the folks who are listening today or who are reading or following this debate in the future.

For us, the tax relief that is in this budget is extremely important. For hard-working families, having to pay less money to the government is a very important initiative, a very important support for them. So a budget that relieves another 45,000 modest-income Ontarians from paying any Ontario income tax is an important matter of substance for those 45,000 individuals. The tax relief for seniors that will give our seniors on average \$475 in tax relief—

**Mr Dominic Agostino (Hamilton East):** How much does Frank Stronach get?

**Hon Mrs Ecker:** —for the 945,000 seniors who are going to benefit from that—

**The Deputy Speaker:** We'll have order in here. I'll warn the member from Hamilton East once more.

**Hon Mrs Ecker:** For the 945,000 seniors who are going to benefit from that, that's an important substance to them as well, and we can't lose sight of that in the discussions we have today.

The steps we're taking to help our seniors in health care, for example: the Minister of Health has been out making announcements, putting initiatives in place that are going to help our seniors. More procedures for cataract surgery, for example, were part of the budget announcement as well. A strategy to help our seniors deal with osteoporosis—and I know many of us have members of our families who are facing such challenges as they get older. So that's an important part of substance that was in this budget as well.

We're talking about the relief and help for our small business community, who help generate the jobs that provide the growth and the prosperity that allow us to enjoy the democratic traditions, the democratic society that we have here. That's part of it as well. As we can see around the world, democracies flourish with prosperity, with jobs, with growth. That is also equally our responsibility as government to do what we can do to make that happen, to encourage that, to support that. That was also part of what was in this budget.

Helping our young people to improve, to learn better, was also a very important initiative in this budget. New investments in our schools to help our students learn

better, to support good teachers doing excellent teaching as they wish to do when they go into teachers' college to dedicate their life to teaching, helping our young people access post-secondary institutions: colleges, universities, apprenticeship training, all of those are important initiatives as well. Again, the budget spoke to that, and spoke to the concern that parents have had about whether their son or daughter would have a place in a college or a university. We know how important that education is to the future success of an individual. The statistics are very clear. The budget spoke to that with new investments to deal with what's called the double cohort situation to make sure that there are spaces there; 135,000 new spaces are going to be in place because of the investments that have been in this budget. I think that's an important aspect of what was in this budget as well. Tax relief, new investments for health, new investments for schools, new investments for infrastructure to make sure that our water systems, our sewer systems, our roads, our bridges, our transit systems are also meeting the needs of the communities: that was also very much part the budget initiatives that we talked about.

I think one of the other things that it's important to recognize was timing of the budget. There was an important commitment made by the Premier—a commitment that was important to our funding partners, to those that run our hospitals, that run our schools, that have said to many governments that finding out halfway through their school year or their fiscal year, or whatever their financial year is, what the revenues are, what the grants are that the government is giving them is exceedingly difficult. It's very hard for them to plan ahead, to be accountable, to do the quality job that so many of our doctors, our nurses, our teachers, our professors, our administrators want to do on behalf of the respective publics they serve and represent. One of the things they had asked for was to have earlier announcements, to have a budget that gave them that information earlier in the year, which this budget did. We met the Premier's commitment to have that budget out earlier. It has never happened in Ontario for many years that we have had that information out as early as we were able to do it and not only before the end of the fiscal year, which was an important improvement in timing, but also multi-year commitments for our funding partners so that they know, not just this year but next year and the year after that what the funding commitments are, so they can plan better, they can serve and support our students better, they can treat our patients better, they can deal with the responsibilities that they hold. That was another important point.

What is also important about the substance of the budget that has been presented, that the documents have been filed, that the legislation will help implement if passed by this House, was the fact that it carries forward with another important commitment that we have made since 1995, and that was the commitment to stop the deficit financing we had seen done by other governments that had left us, in 1995 when we were elected, with an

almost \$11-billion deficit to deal with, where the government of the day was spending \$1 million more an hour than it was taking in, every day of the week, every week of the year, adding more and more debt to our children and to our grandchildren.

One of the important commitments, perhaps one of the most important commitments in our economic plan, was to stop that, was to bring down that deficit and start paying down debt. In the substance of this budget, that is indeed what we did, by tabling our fifth consecutive balanced budget—something that we've not seen occur in Ontario since 1908—to finish meeting our commitment for debt repayment in this mandate for \$5 billion, which this budget dealt with; keeping tax relief going; keeping jobs in the economy going; keeping investments for our schools, for our hospitals, for infrastructure that supports our strong and safe communities.

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So all of that substance that was in this document, all of those details that are in this document, are very much a part of the budget and the budget process, even though they are not read word for word in this chamber, ever.

It's important that government be held accountable. The member for Windsor-St Clair was talking about the importance of government being accountable here in this process and in this chamber, and we indeed are. For example, in my travels when I have met with American politicians and representatives, they are amazed at the question period process we have here in Ontario, where any member of the opposition can stand up and ask the Premier a question on any issue and that here we do that for an hour. This is the longest question period in Canada. In Britain, which some call the mother of all Parliaments, the Prime Minister shows up once a week for about 15 minutes, as I recall. Here we have question period every day the House sits for an hour, where we have the opportunity to question all of the representatives. We have that opportunity here. That's an important part of accountability, of the parliamentary democracy that we have here in Ontario, and it is very strong and thriving.

Believe me, in terms of the people who talk to us, who are in our constituency office, who walk up to us on the street, who have views, who take the time to call, as they did over this particular issue—and I have thanked all of them; even those that I may well have disagreed with, I thanked them for the fact that they have cared enough for their democracy, they have cared enough for their communities to express their view, to participate, to take part.

So I would submit that democracy, parliamentary democracy, representative government here in Ontario is very important and it is also very strong and flourishing here at Queen's Park.

But I think all of us must remember that that process, as important as it is, must never cause us to lose sight of the substance of the decisions we make, the content of the debate that we have here, because at the end of the day, for Ontario's families, for individuals who are out

there, that makes so much difference to the quality of their life.

**The Deputy Speaker (Mr Bert Johnson):** I just wanted to remind some members that the House rules do not allow talking back and forth. They do allow, if you want to talk to somebody, to get up out of your seat, walk across, sit down beside them and do it in an orderly fashion. That's once.

**Mr Michael Bryant (St Paul's):** We can't talk across to each other but we can debate when it is our time to speak, and I just want to say a couple of things in response to what has been said by the Minister of Finance and the government House leader.

For me, the chief problem with this prima facie contemptuous budget of 2003 is that all those things the finance minister was putting forth were tainted because it wasn't an official budget; it was something else.

I say to the government House leader as well that he suggested that somehow Speaker Carr's decision taints all that happens in the province of Ontario and everything that the government does. That's certainly not the way I read the decision of the Speaker. In particular, I should say to the Minister of Finance and the government House leader, the whole point is it's a budget; it's different. Yes, we may not like the fact that ministerial statements sometimes don't happen; they happen out there in a press conference. And yes, Speaker Carr has said in various venues that he's not a fan of that. He has certainly never ruled them out of order. We've attempted to have them ruled out of order, but they haven't been ruled out of order. The whole point is that it's the budget, and the budget is different. The budget is different for historical reasons, and they have been covered eloquently and excellently by the member for Renfrew-Nipissing-Pembroke, by our Speaker and also by the official opposition House leader.

I also say to the government House leader, a former Speaker, that I heard what he said with respect to allegations, I think, of impartiality with respect to Speaker Carr, and the suggestion of prejudgment. I have two things to say on that. Firstly, nowhere, never, did Speaker Carr in any of his public statements or his private statements ever speak to the issue of this prima facie contempt motion. He may have done his job, in my view, as a servant of Parliament to defend our parliamentary democracy and our traditions, and yes, he was critical of the executive council of the government of the day, but he never spoke to the contempt motion. In that sense there is no prejudgment whatsoever.

Secondly, we know a particular Speaker, and if you want to put it another way, a particular judge, although as I'll say in a moment the Speaker's role is extremely different from that of an arbiter or a judge—we know there are judges on the Supreme Court of Canada who have given speeches and judgments and we know where they fall on particular issues. Does that mean that they are somehow partial, that they are not rendering justice, that we know what their position has been in the past? Of course not.

I believe Speaker Carr was doing his job, in this House and outside this House. Outside this House he was acting as the defender of Parliament. He is accountable to this House. MPPs put him in that chair and ultimately he is accountable to MPPs. Speaker Carr is there to facilitate the business of the House. He's not there to act as a judge. He is there, yes, to be non-partisan. We know he was elected on the ticket of Mike Harris and he sits in the Progressive Conservative caucus, but he doesn't go out there and engage in partisan activities outside or inside this House. We know that and he fills that role. I think he spectacularly filled his role as the facilitator of business in this House and the defender of Parliament. Would he have preferred to have done it from his chair as Speaker of the House, through the House proceedings? Of course he would have, I'm sure. But we didn't have that opportunity and that was the whole point, that this was taking place outside the House. As such, I think the comments from the government House leader suggest a fundamental misunderstanding of the role of the Speaker of Parliament. I am surprised that he, of all people, would make that mistake.

As to the motion itself, and the extraordinary case that was made last week, the ruling that has been made and the speeches that have been made thus far, I say to Mr Conway's point and the Minister of Finance's point—I think the member for Renfrew-Nipissing-Pembroke addressed her comments directly—it seemed that the gist of the argument for the Minister of Finance is that we ought not to be locked in the past. I agree and Mr Conway agrees. We are not here to say that we should just continue to do things because it's the way it has always been done. Chesterton says that one of our ancestors' offspring, tradition, is “the democracy of the dead.”

People of goodwill around here, once we get elected and we get into our roles—and I say this as a rookie MPP. I know I do things differently now than I did a few years ago and things that appalled me three years ago apparently don't appal me any more. We get into our roles and we get caught up in the tradition, and we suddenly do things because it's the way they're always been done. Let's call it democratic hazing of each other in this House. We're not here to argue in this motion, in my respectful opinion, that we should just defend tradition, that we should do this simply because it has always been done, that we should do this because of the hallowed chamber and the engravings on the wall. We should do it because it is the way in which our democracy ought to function.

How have our budgets functioned in the past? Specifically, there has always been a convention and, I believe, a rule, depending on how you want to argue the rule, but certainly it has been the tradition of this House, that budgets are presented in the House. On the occasions in which a minister has had to make a response to a budgetary statement that has been leaked in some fashion, either the finance minister or another cabinet minister has explicitly mentioned that these rules are meant to ensure (a) that people not be able to profit from, in effect, insider information and (b) they continuously

say that the first public utterance of a budget must be in Parliament.

**1540**

Finance minister Michael Wilson said in Hansard on April 27, 1989, “There are two essential considerations underlying budget secrecy: the need to ensure that a person does not profit or otherwise gain advantage from advance knowledge of the budget, and the principle that the government's financial policy should be disclosed to the House of Commons before it is made known to others.” It was almost quoted verbatim by BC finance minister Elizabeth Cull in 1995.

Why? Why is that? Why is it presented here first? One of the reasons is privilege. Parliamentary privilege protects the delivery of this statement and gives it a level of officialdom, it gives it a level of decorum and gives it a finality, such that we're not guessing what the budget's going to say. We're not reading a speech that is given to a particular association or in a particular venue. It's an official statement of the government's finances.

Everybody says that nobody listens to politicians, and Parliament is irrelevant and so forth. But people listen across the world. Investors make decisions based on financial statements made by a government, not an unofficial statement, not somebody yukking it up on a radio show, not someone engaging in a partisan speech, as we all do in different venues. But what's the official statement? We know that if we make it in this House, it's different than making it on a radio show because we can change laws here. It's one thing to yuk it up on a radio show, but it's another thing to introduce a bill to change something in this Legislature. The reason that people obey laws is because they think that they are official. If we in this House dilute the authority of Parliament, we dilute the authority of the government. When I listened to the Minister of Finance speak and I heard her say what she said in this House, and I contrasted that with the budget speech that was given at Magna, one of them had an air of authority; it's delivered by the chancellor on the front bench in this House. The other one was tainted.

Clearly, that budget speech was impugned at Magna. We know that. This experience, I believe, proves the rule, proves the problem with providing a budget outside of the House. Is a press conference more or less official than a ministerial statement? We are going to debate that to no end. I understand that. It's really going to be up to the executive council of the day as to whether or not a statement is made in here or outside of here. There are political considerations. I acknowledged to the Minister of Finance this week that his ministerial statement, I realize, could have been made outside the House, which would have given us no opportunity to respond in any official capacity.

If people don't think that what the government of Ontario does is official, we've got problems. We've got problems. The government of the day—they're the folks that collect the taxes and spend the people's money. The government are the folks the set the laws and the rules by which people conduct themselves in society. If the gov-

ernment cannot speak officially, if instead we're not looking to the chancellor here, but rather once we're in a boardroom, is the official statement of the finances for the province of Ontario going to be from the chancellor? Or might we take it from a so-called expert? This is the difference. Everybody pans the so-called experts when we disagree with the experts, but the experts get to be case commentators when it comes to judicial decisions, which set the law, and decisions of Parliament. If we take something out of Parliament, then how authoritative is it? It's a problem. It's a sliding scale when it deals with issues like ministerial statements, for example. But it's a pretty serious problem when it deals with the finances of this province, and it becomes even more serious when we do consider the history of responsible government.

A lot of people fought for responsible government. The Canadas have been ruled by governors in England. George Brown fought to get responsible government in Canada so ultimately governors would have to answer to Legislatures, and now the cabinet answers to Legislatures. But here comes the problem, and this speaks to Conway's point. If we have a quasi-presidential system thrust into a parliamentary system, do we not lose our democracy? Do we not end up with what has been called a friendly dictatorship or an honourable tyranny? Those are colourful statements, but the point is, all power seems to rest in the First Minister's office and to some extent in cabinet. It begs the question asked by the member for Renfrew-Nipissing-Pembroke: what's the role of MPPs today? It has changed over the years, obviously. It's an accident of history that the provinces have ended up with the most important responsibilities in Canada—legislatively, that is: health care, education, the environment, electricity. These are the things that are relevant to people's day-to-day lives far, far more than the responsibilities carried by the federal Parliament, notwithstanding the important responsibilities that are there in foreign affairs and so on.

In fact, the day-to-day job of MPPs doesn't necessarily reflect that, the way we conduct ourselves. We often consider ourselves very much local politicians, and proud of it. "All politics is local," we say, and we say it over and over again. We often, MPPs—all of us do, or are expected to by many of our constituents—fulfill some roles that might be, strictly speaking, the job of municipal councillors, and maybe it's because many of the people who sit in this House come from local government that in fact that tradition continues.

We have important legislative responsibilities here and incredibly important subject matters that we must cover. Are we doing that? Look, we're not. We know we're not, not when we have all decision-making power vested in the First Minister, provincially and federally, with no opportunity in a majority government for non-cabinet members to hold the government to account. So when Mr Conway said that he was a child of minority governments, I thought that this is a family to which I'd like to be adopted, because this is a system which is far worse than a congressional system—and the suggestion was

that one of the evils in this was a congressional system. It's a congressional system without any checks and balances. We don't have any other executive or Parliament checking the power that sits in that seat over there, the First Minister's seat—we don't.

In turn, what are MPPs doing? What has happened to our committee system? I've had many conversations with the member for Niagara Centre on this subject. I asked him, "When exactly did the committee system start falling apart?" It doesn't work any more. We know that. The public accounts committee does actually do some excellent work. I'm not saying that never is work done, but the committees hardly ever sit, and when they do, by and large they turn into the same kind of partisan debates that tend to dominate what happens in this House here too.

There is enormous talent over there in the government benches outside of the cabinet which is not being tapped into. I'd like to think that there also are some opportunities for MPPs to serve, to truly serve, in their legislative capacity—people who sit outside of the cabinet on the opposition benches as well. But the ability for members to engage in that kind of work? No. More often than not, regrettably, tragically, opposition is reduced to the role simply of criticizing the government—rat-packing, some might say—and rarely do we have an opportunity to in fact engage in our roles as MPPs in a fashion which we feel we are fulfilling this legislative duty and addressing these incredibly important subject matters.

Why are we here and where are we going? Well, in 2003 I say to you that the jobs in which we are fulfilling as members of provincial Parliament ought to reflect the incredibly important subject matters and the very large constituencies that we represent, but they do not. It requires reform, and it's reform that can only start in this House.

#### 1550

What the government called innovation with their particular budget we in the official opposition called an abomination, and we are debating whether or not it is a *prima facie* contempt. But if in fact that was going to be the dramatic change to our supply process, the dramatic change to our system of responsible government, the dramatic change to our parliamentary system and the authority which it carries and the dramatic change to the parliamentary privileges that come with budget statements in this House, if this government was to do that, then it had to do it under the rules we had set and not outside of the House, not exercising these presidential powers, as has been said, particularly when there's no opportunity for a check, a balance, another House, another person who can say, "No, you can't do that." They just went and did it. So now, after the fact, we find ourselves debating this.

The contempt, as has been said, is to those privileges. The contempt is to the authority of the statement of the government of the day with respect to the finances of the province. The contempt, I say to you, is to the office itself and the function of MPPs. I believe there is much more that we can do and much more that we want to offer the people of Ontario in fulfilling our roles.

The all-or-nothing roll of the dice that comes with this honourable tyranny, that comes with majority parliamentary governments, without any checks and balances, has got to change. We all know more and more people are less and less interested in what goes on here. It is just so trite to say. You pick up a textbook or a commentary from 30 years ago and they're saying the same thing as we're saying right now.

But it gets worse. Are younger people really interested in getting involved in this business? No. They think they can somehow effect change through Web sites. I'll tell you what, you can't pass a law through a Web site. You can't change our system through a Web site. You can't effect the kind of change that Parliaments can effect through a Web site, through colourful commentary. You can't do it. It's here.

If we're going to delegate powers outside of this House in the fashion that I think the Minister of Finance was suggesting and if we're going to put power back in the hands of working people—I thought we were here to represent those people; that was our job. In any event, if that's what she's proposing, well, that's interesting. Let's see what those proposed changes are. But you can't do it outside of the law, outside of our traditions, outside of our conventions. You can't just, willy-nilly, choose to do so. "Why? We're the cabinet. We can do whatever we want." This was the insult to everybody. We feel that all the time. I know that members who have served in opposition who are now on the government benches have tasted that sting. That's one thing, but this was different. This was the budget. You don't mess around with a budget like this government messed around with this budget in 2003.

**Ms Churley:** I can't say that it's a real pleasure to be here speaking to this ruling by the Speaker today—contempt of the Legislature—because it's not a happy day for democracy in this province when we have such a ruling and we're spending time debating the issue here today.

I want to say to the government House leader, the government finance minister, any other ministers who speak or any backbenchers who stand and try to duck and weave and split hairs over whether the Speaker actually ruled that the government showed contempt or showed that there was a parliamentary privilege abused, let me say directly to the government members, you may choose to dismiss and vote against the Speaker's ruling, today or next week when the vote happens, but what is perhaps more important—and I would suggest you listen, because you're going to be called in an election soon—is that you have already been tried and convicted by the people of this province on the evidence that has been out there when it was first announced. By the overwhelming evidence, you have been tried and convicted by the most important court in this province: the people.

They know that you showed contempt for this Legislature, contempt for their elected representatives and, in turn, complete contempt for them, for the people of this province. They made their voices heard loud and clear. I believe that the government and the people—the

minions, I believe is how my House leader referred to them. I want to be a bit more respectful. The campaign—what should I call them?

**Mr Kormos:** High-priced consultants.

**Ms Churley:** High-priced consultants; that's better—who came up with this hare-brained idea to keep the government out of the House, to announce this budget so that—guess what?—the opposition will not be able to get on their feet and respond here, as we always do right away, to the media. I'm sure they came up with this idea and said, "Look, you can go out and sell it as though we're going to be more democratic. We're going to do something unusual. We are going to take the budget directly to the people of this province." Guess what? It didn't fly. There was an instant negative, hostile reaction to what the government announced it was going to do. But did they listen? No. They tried to justify it. In fact, in the early days, if I recall—somewhere I have the quote. I probably can't find it in this pile of news reports on this idea. But I'll paraphrase.

The Minister of Finance went out of her way in the early days—unlike now—trying to justify it, as though it's normal and that other governments had sort of done it before, by saying, "Look, when it happened in the past, it was different. Another government had to deliver the budget outside the Legislature because of a filibuster. They had no choice," and "The other budget wasn't really a budget," which is true. It's true it wasn't really a budget; it was a financial statement. But, "Hey, we're going to really do something different. We are going to deliver a real budget outside of the Legislature." The finance minister made a point of bragging about the fact that they were setting a precedent by delivering a real budget for the first time outside of this Legislature.

Now, over time, and certainly today what we're hearing is, "No, it's really all the same. It's the same as other governments have done in the past. It's no big deal. We still had a lock-up. We still tabled it here in the Legislature."

My House leader, Mr Peter Kormos, has kindly sifted through all of these media releases I have and has pointed out—I'm going to give you the direct quote from the Minister of Finance. It says:

"Members of the Eves cabinet were flaunting their break with tradition. The March 12 press release from the Minister of Finance stated that, 'The Eves government will change the way budgets are presented in Ontario,'" emphasis added here. "Janet Ecker, the Minister of Finance, underscored the point when she acknowledged that, while past finance ministers have gone outside the chamber to present budgets due to a parliamentary filibuster or leak, 'What is ... important is that this, the actual initial communication of this to the public will occur outside the Legislature. That has occurred in some circumstances before, not in this kind of circumstance...' ... Ernie Eves and his cabinet colleagues thus concede that no precedent exists anywhere in Ontario's history for a government choosing—not forced by circumstances or a financial statement, but choosing—"to introduce its budget outside" the Legislature.



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I want to say to this government that I'm offended by that. I do want to say that the government, again I will say, was taken by surprise by the reaction of the media. Look at all of the media reports, page after page. I believe every single media outlet in this province opposed what the government had to say—the Post, I believe, the Sun, the TV studios, the Star. Newspapers that are usually with this government tried to warn the government. The Globe, on its editorial page, day after day had an editorial saying—I believe they ended it with something like, “Stop this madness.” I'm paraphrasing here. Day after day, the government was warned that they were heading in the wrong direction and that indeed this was contempt for the Parliament, the Legislature and the people of this province.

In fact, the NDP House leader pointed out in this Legislature, when he rose on behalf of the New Democratic caucus, that not only were parliamentary practices, which are designed to protect the rights of all members of this assembly—and the actions of this government in presenting the budget outside of this House threatens the very foundation of this parliamentary democracy; I know my House leader pointed that out.

What I would say is that it's not perfect. God knows we have seen this government alarmingly undermine democracy in this province in the way it was outlined by my House leader earlier. But this time you went too far, because not only did the public see the contempt you were showing and that you were undermining the very foundations of parliamentary democracy in this province, but you held this place up for ridicule. The media were laughing at us. They were saying things like, “Why a TV studio? Why not deliver the Ontario budget from Cancun, where it's warm? Or maybe one of Saddam Hussein's palaces, where there is also disregard for the concepts of democracy? ... Let's just crown Eves ‘King Ernie the First’—and burn the Magna Carta while we're at it.” That's just one quote.

*Interjection.*

**Ms Churley:** Yes, I'm angry about this; I'm still angry about this. I'm not going to get up and give a nice, polite little speech about how we all have to do a little better in terms of the decorum around this place—perhaps that's true. I would like to see it improved. But what we're talking about here is fundamental, and the people of this province saw it. They saw that something was wrong here.

I received letters from my constituents and from across the province. I'm going to read you one as an example. This is just an example of many.

“Premier Eves,

“Please reconsider your decision to present the budget outside of Queen's Park in a television studio. The people of Ontario very carefully chose our MPPs in the last election to represent our interests at Queen's Park. I expect the business of government to be presented to my elected representative, Marilyn Churley, and I expect you to answer her questions on my behalf. That is the way a representative democracy works. Your hand-selected

studio audience is not representative of the people of this province and I object to your attempt to silence the majority of the population. Government is not reality TV, Premier Eves, and I suggest you reconsider lest we vote you off the island.”

Well, I think that's going to happen anyway.

Then, of course, there was this astounding and interesting article in the National Post on March 17 by Michael Bliss, a staunch—

**Mr Kormos:** Professor Bliss.

**Ms Churley:** Yes, Professor Bliss, the well-respected historian, a long-time Progressive Conservative. I'm going to read you some excerpts from this article by Professor Bliss. He starts with:

“Has Ontario's Progressive Conservative government become completely clueless? I may be an unrepresentative sample of one, but it's been a long time since I've voted anything but PC in Ontario, and yet I don't think I'm going to vote that way in the coming provincial election. The Ernie Eves government seems to me to have morphed into a gaggle of unprincipled bumlbers, who have become effectively indistinguishable from the provincial Liberals. Is there any compelling reason to give them a vote?”

After outlining some of the things that he is unimpressed with, actions by this government, he goes on to say, “The last straw, though, and to me the profoundly important one, is the contempt”—contempt—“for our political heritage and our elected institutions that the Eves government is demonstrating in proposing to deliver an Ontario budget”—

**Hon Mr Stockwell:** Who said this?

**Ms Churley:** This is Michael Bliss—“on March 27 in a television studio”—the House leader dismisses Michael Bliss now; he throws up his hands—“rather than in the presence of the Legislature at Queen's Park. It's hard to find words to express one's dismay at the nearly mindless disregard for the Legislature and for democratic processes underlying such a cheap public relations stunt. There is also at play a contempt for the people of Ontario—an assumption that they're mindless, manipulable couch potatoes—on the part of the PC strategists”—

*Interjections.*

**The Deputy Speaker:** Order. If you want to have a conversation—I'll say it just once more—get up out of your seat, walk across, and talk. But I'll not have any talking back and forth this afternoon.

**Ms Churley:** “There is also at play a contempt for the people of Ontario—an assumption that they're mindless, manipulable couch potatoes—on the part of the PC strategists who foisted this idea on the government.

“This is like the contempt of Parliament and of Canadians that Louis St Laurent and C.D. Howe and company showed in the pipeline debate of 1956, an attitude for which their government paid an enormous price. Citizens are not fools. They do care deeply about their democratic institutions.”

Mr Speaker, I think Professor Bliss was speaking for most Ontarians when he wrote this article. We have seen,

over the last eight years, since Mike Harris won government in 1995, the slow, steady trickle of the loss of democracy in this province. It has been outlined by others earlier today, the House leader from the Liberal Party and the House leader from the NDP, some of those very specific actions taken by this government that have undermined democracy. People out there from all political stripes are aware of it.

One of the things that strikes me, out of the long list of things that have happened to destroy our democracy in this province by this slow trickle, was the government not listening to the majority of Torontonians when they decided to create the megacity.

**Mr Kormos:** I remember that.

**Ms Churley:** Remember that.

**Mr Kormos:** I remember that well.

**Ms Churley:** Remember then the filibuster. I sat at that table.

**Mr Kormos:** New Democrats again.

**Ms Churley:** New Democrats did that. We were able, within the existing rules, to create a situation where for nine days—nine days steady—I slept here in my office. I was on duty 24 hours a day, sitting at that table.

Why did opposition parties bring in filibusters when we still could? It was when the government was acting in an undemocratic fashion, to hear more from the people and to give the people more of an opportunity to convince their government that they should listen to them, because the majority of Torontonians, a huge majority—I remember in East York it was well over 85%, but within the city of Toronto overall, well over 70%; I forget the actual number—said, “No, we don’t want a megacity. This would not be good for us.” But the government didn’t listen.

Filibusters did not happen very often in this place, and when they did happen, I can assure you they happened for a darned good reason, as in the megacity that was forced on us here. What did the government do? They decided, “Well, no, we’re not going to have any more of those, so we’re going to change the rules to prevent that from happening.” In fact, in every instance where the opposition, both parties, found ways to try to stop draconian legislation that was undemocratic in this province, the government simply changed the rules. We now sit day and night. We have two days in one considered two sessional days. You can do two bills as long as you don’t do the same one. You can’t have question period in the evening, but it’s considered a sessional day. Committees hardly ever hold public hearings on the most important issues facing this province. I could go on and on.

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The people of this province have been feeling the loss of their say in this province for some time, and that is why the New Democratic Party in the upcoming election is saying to people, “Your vote is your say.” Our election campaign is all about public power, in fact.

**Mr Kormos:** It’s publicpower.ca

**Ms Churley:** It’s publicpower.ca, if you want to check it out. It’s very relevant to this debate, isn’t it? Because it’s about public power.

**Mr Kormos:** Bang on.

**Ms Churley:** It’s bang on. What is public power about but for people to have their say? And in terms of this situation, where the government determined that they were going to deliver something as important as a budget outside of the Legislature, the people spoke, and they spoke again and again and again. The media spoke. And this government arrogantly decided to go ahead.

They had made their plans and couldn’t back down. I can imagine the discussion behind the scenes. “Oh my God, this is getting out of hand. Oh, but if we back down that’ll look like Ernie Eves has caved once again and flip-flopped. We can’t do that either.” But then, what really surprised me, because they couldn’t find a TV station—remember that, after all the controversy over this?—to actually air it for them. We were wondering, where are they going to announce the budget? I couldn’t believe it. Somebody came up to me and said, “Did you hear? They’re going to deliver the budget at Magna.” I said, “What? You’re kidding?” “Yeah. It’s going to be invited guests only.” I thought it was a joke. I really did. I thought someone was kidding me. Then it turned out to be true. So they bused the media up there. I don’t know if anybody here watched it on television. I watched part of it here on TV and one of the funniest moments for me, the most surreal, was Tony Clement, the Minister of Health—the ministers were all there, all decked out and looking good—

**Mr Kormos:** That’s when he was schilling those Ginsu knives, or was it the Chia Pets?

**Ms Churley:** No, no, they were sitting in their seats, and on TV they would show on the screen—you know those little infomercials? So they’re all sitting there and the minister’s delivering her speech, and then there’d be a little infomercial and you’d look up on this big screen—and this was shown on TV—and there on this big screen, bigger than life, a TV screen within a TV screen, we see Tony Clement, the Minister of Health, doing an infomercial on health.

**Mr Kormos:** Or was it an actor pretending to be Tony Clement?

**Ms Churley:** That’s what I thought it might have been: an actor pretending to be him. But in fact the cameras then flashed to the minister sitting in his seat at Magna. So he was watching himself in the infomercial in the same room, and for a second, when everybody else was clapping, he looked like he didn’t know what to do. It was a very funny moment. “Should I clap for myself or not?” That’s how ridiculous this whole thing was.

As I said at the beginning of my speech, this government will probably vote against the Speaker, although he was right, but the people out there have already voted. They’ve convicted this government of contempt for them and this Legislature.

**The Deputy Speaker:** Further debate? The Chair recognizes—

**Mr Kormos:** Go get 'em, Attorney General.

**The Deputy Speaker:** I can't recognize you if you're not in your chair.

**Mr Kormos:** I don't want to be recognized.

**The Deputy Speaker:** The Chair recognizes the Minister of Municipal Affairs and Housing.

**Hon David Young (Minister of Municipal Affairs and Housing):** Thank you, Mr Speaker—

*Interjection.*

**The Deputy Speaker:** Excuse me. When you stand up and talk, then I think that you want the floor. I don't want to argue. I'm just saying that is usually the custom that is done in this House.

The Chair recognizes the Minister of Municipal Affairs and Housing.

**Hon Mr Young:** I'm certainly quite prepared to enter this debate, this discussion. I'm pleased to offer some comments about what is clearly a debate that has caused many to become quite passionate. I do want to at the outset, with your permission, sir, talk about what it is that we are discussing today and talk about what it is we're not discussing today.

I think it's important to remember that the Speaker of this Legislative Assembly made a number of different findings this afternoon. First, and very significantly, he found that there was no case established of privilege being offended in this Legislative Assembly. He found rather clearly that no one's privilege was offended.

Secondly, he found that any discussion of constitutional law was best left for the courts and thus we should not be, and I can assure you that I will not be, discussing the suggestions, allegations, assertions made by the opposition relating to privilege or some constitutional offence that might have occurred. He offered no opinion that would suggest this government did anything wrong in regard to either.

As we talk about what he did and didn't do, let's also remember that he very clearly did not find this government in contempt. What he said was that based upon the arguments that were made to him last week, there was a prima facie case, and he allowed Mr Conway to present a motion to the House for discussion, for debate and ultimately to be voted on.

That's what we're doing. There has been no finding that there was any constitutional convention or law that was broken or offended. There has been no finding that there was any privilege of any member of this Assembly that has been offended, and there has been no finding that any member of this Legislature or the government was in contempt. What we're here to do is to talk about whether or not the latter indeed occurred, whether there was contempt.

In the discussion, a number of members have referred to the opinion that was rendered by Mr Finkelstein. Mr Finkelstein is a very well respected, renowned lawyer, who is paid by the hour as are most lawyers, as was I at one time, and Mr Finkelstein offered an opinion to a client. His opinion is one legal opinion that has been rendered with reference to the matters we're discussing

today, but as we debate this issue, and ultimately as the 103 members of this esteemed body make their decision, one should recall that it is only one opinion from a single lawyer. There were other opinions. I've read four to date, all authored by well-respected, esteemed counsel, individuals who have established a reputation, quite frankly, that I doubt any member of this Legislative Assembly would even begin to attack or criticize or comment upon except in the most flattering way. There were at least four lawyers who prepared lengthy opinions that said the actions of the government were not contemptuous, did not offend any convention or the constitution in any way, shape or form.

Now I grant you that simply because a lawyer renders an opinion that says X or Y doesn't make it so. In fact, our courts are filled with cases where there are conflicting opinions. Really, what is of import is what the 103 members of this Legislative Assembly ultimately decide when this debate ends and when we have the opportunity to vote. That's what matters, and I only reference the legal opinion of Mr Finkelstein to put it too in perspective, to say that it is but one further opinion from someone who was paid to render an opinion. It should be viewed as such.

What we should do, with respect, Mr Speaker, is look at what actually occurred. We should look at the facts surrounding the budget of 2003. We should look at what occurred in this assembly over the last couple of weeks in relation to the budget, and we should look at what was done when the budget was first put to the public in March of this year.

I submit to you that the government was not attempting to abridge, to limit, to restrict in any way, shape or form discussion about the budgetary proposals. In fact, nothing could be further from the truth. What they were trying to do was expand the process, not to diminish it in any way.

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So, Mr Speaker, what occurred was an opportunity for a number of different individuals and groups to make submissions to the Minister of Finance about what should have been in the budget. Ultimately, the budget papers were tabled with this assembly, with the clerks, just as they have been done, quite frankly, in Commonwealth countries for hundreds of years. They were tabled, Mr Speaker, on the same day that they would have been, regardless of whether or not a slightly different procedure had been followed. I point out to you, sir, that the recognized budget lock-up procedure was followed. I will have further comments about that lock-up procedure and its history in a few moments.

This government has undertaken to table the budget motion in due course and to introduce budget bills. There will be question periods, and the contents of the question periods will undoubtedly deal with the subject matter of the budget. Questions will be asked. The finance minister will be here, the Premier will be here to answer those questions, as has always been the case.

There will be debates upon the budget bills that are ultimately introduced and, most importantly, there will be

votes. As with any law, as has always been the case, there will be three votes on each budget bill that is presented. Unless and until a majority of members of this Legislative Assembly vote in favour, the contents of those bills will not be the law of this province.

Sir, I say to you that I believe it is a great privilege to serve in the Legislative Assembly of Ontario. I mean that sincerely. I believe that, quite frankly, every one of us, all 103 members of this Legislative Assembly, feels the same way. I believe that the vast majority of us—maybe not each member but certainly almost every member of this assembly—is here for the right reasons, regardless of whether they're New Democrats or Liberals or Conservatives. They're here because they want to leave this province a better place than they found it. I believe that, sir. We have different approaches as to how we are going to accomplish that or hope to accomplish that, but what motivates us to be here is a respect for our constituents and a respect for this assembly and for this process.

But Mr Speaker, I'd ask you to take note of this, if you take note of any part of my submissions today: Legislatures are not monuments. Sir, they're not museums of archaic practices. They must remain living bodies relevant to everyday people. I understand that. I think most members of this Legislative Assembly understand that.

I think to completely understand the discussion we're having today and where the budget of this calendar year fits in, one must look at history. One must look at the fact that there was a time when the Premier or Prime Minister in a Legislature did not attend to answer questions, ever, on a regular basis, and that evolved over time.

There are many viewers who are watching us at home, across this great province, because the conventions surrounding this assembly changed, because we allowed one, two, three, four, five cameras to be put into this Legislative Assembly, even though that had never been done before, even though many argued that that was contemptuous to this institution. But what happened was that there was an understanding that it was time to move on, that we could do a better job by changing somewhat, not by abandoning, but by expanding the practices and the procedures of this Legislative Assembly.

Mr Speaker, I'd also ask you to consider, when you ultimately consider the comments overall, and I'd say to the members present who will ultimately vote on this motion, I'd ask you to all consider that there are numerous examples that one might argue departed from past precedents and practices.

I'm not going to spend a lot of time talking about what occurred in 1988. Certainly that has been the subject of comments from many members today and indeed last week, and I believe that you, Speaker, actually referenced it on a number of occasions in your decision today. But I do want to at least touch upon the fact that in 1988, in this province, a budget was read from outside of this assembly and that was not ruled to be a contemptuous act. In 1989, the then federal Minister of Finance had to announce his budget outside of Parliament.

More recently, and one might argue more disturbingly, from the end of 2002 until the release of his budget in

February 2003, the federal Minister of Finance, John Manley, had announced so many of his budget proposals outside of Parliament that the actual speech that was given in the federal Parliament was greeted with almost no surprise.

Indeed, we must acknowledge, accept and embrace the fact that change is part of our Westminster-style parliamentary tradition. Countries across the Commonwealth have been adapting, particularly when it comes to the way in which the budget is introduced and debated.

I would ask you, sir, as I would ask the other members of this great body, to look at what has gone on in England over the last number of years. The United Kingdom has made many changes in the way that the budget is discussed, debated and introduced. I'd ask you also to look at what has occurred in New Zealand and in Australia, where very different formats are now utilized in relation to the budget. I would say to the members opposite that they will see those that jurisdictions are evolving, just as this jurisdiction is evolving, and there is no reason to label the activities that occurred in this province as being contemptuous.

I was very interested in the member opposite from Windsor-St Clair, Mr Duncan, talking rather candidly at one point in his submissions today about his federal brethren. I hope I am quoting him correctly when he suggested that they too were guilty in his eyes of moving from what had been the tradition of first introducing budget initiatives only in the chamber. I say to you, Mr Speaker, that in fact if you examine what has occurred in the federal Parliament, particularly in the last number of years with Mr Chrétien, Mr Manley, and Mr Martin, what we have seen is the phrase "trial balloon" popularized and defined as part of our society. Indeed, in Ottawa budget time has become a cynical season of focus groups, media speculation and changing positions.

That's not the approach that we took. Minister of Finance Ecker and the Premier took a very different approach. Their intent, and in fact the reality, is that they presented their budget, the people's budget, to the people. It's a budget that takes this province forward. It's a budget that will support growth and job creation, and it's a budget that cares for some of the most vulnerable people in our society. It can do that because we now have economic growth and increased financial resources. All of the good intentions in the world that the NDP and the Liberals have, and I referenced earlier their reason for being here, all of those good intentions amount to absolutely nothing if you don't have the financial wherewithal to actually help those that you should be helping.

This government has helped to rebuild this province, and this budget, the budget that I look forward to debating—not the procedure, not the format, not the style, not the political mudslinging, but the contents of the budget—will continue to support growth and will continue to support job creation and will allow us with those additional resources, with that additional economic growth, to support some of the most vulnerable people in

our province. That's what government is supposed to be doing.

1630

Let's take a look at that budget, one I hope we will very soon have an opportunity to debate the merits of. It was the fifth consecutive budget that was balanced in this province. That hasn't happened in Ontario since 1908. It was a budget that contained tax relief for seniors in a form never before provided. It contained relief for some of the most vulnerable citizens in our society. It contained continued tax cuts for individuals and for small businesses. It contained what was indeed, and continues to be in my respectful opinion, a recipe for increased growth in this province, the same sort of growth that in the past has helped men and women, and small, medium and large businesses create 1.1 million net new jobs since 1995.

The budget tabled by the Ernie Eves government also included approximately \$2 billion of increased funding for health care. It is essential that we do that. It is essential that we keep spending more money on health care because that is the number one priority of Ontarians and that is the number one priority of Canadians. It's particularly difficult, particularly challenging for provincial governments across this country, whether it be a Liberal government in the Maritimes, a New Democratic government in Manitoba or Saskatchewan, a Liberal government in BC or this Conservative government. It is particularly challenging to satisfy the health care needs of Canadians by reason of the fact that the federal Liberal Party has abandoned Canadians for all intents and purposes.

The federal government used to pay 50 cents of every health care dollar. Most years now they are down to somewhere between 13 cents and 14 cents. This year, with much hoopla, they've managed to get up to almost 17 cents and that number is shrinking. The remainder, the difference between what was the federal share of 50% and what is their share of somewhere in the teens, has to be made up by provincial governments. Each and every provincial government is doing their best to do that.

I say to you that I would prefer today to be debating those issues and only those issues. I would prefer to be talking about a budget that responds to the concerns I hear at doorsteps across Willowdale each and every week when I canvass across the riding. I know they want tax relief. I know they want better health care. I know they want more in education. They know this government is doing its utmost to provide that to them.

I say to you that the budget that was brought forward by Minister Ecker and by Premier Eves does all of that and, as I indicated earlier, also supports our senior citizens with a very significant and substantial tax cut on their residential property taxes. As many of my constituents know, if this budget passes, seniors across Willowdale, seniors across Ontario, will no longer have to pay the education portion of their property tax, which they paid in most instances for decades. For individuals on a fixed income, and that is true of most of the seniors

in my riding, this is a tremendous relief. They want it passed. They want to get on with it. They want to know where the Liberals stand on it. They want to know where the New Democrats stand on it. They know the Conservatives support tax relief for them.

But until this procedural debate that has been initiated by the opposition party is completed, we won't have an opportunity to debate these issues and to help those individuals who need help, who want help and who this government has undertaken to help.

**Ms Caroline Di Cocco (Sarnia-Lambton):** By the way, if the government was really interested in passing legislation, we had four and half months that we haven't been sitting, but that's just an aside.

It's a privilege to stand in my place today to support the motion from the member for Renfrew-Nipissing-Pembroke. I don't have the 28 years of experience that the honourable member has, and I've certainly listened to eloquent speakers on all sides of the House, but at the same time I think this is a substantive issue. It's something that goes to the heart of who we are and why we're here as members of this Legislature.

I have a great deal of respect for this institution and I would hope our actions would also be reflective of that respect that we have for this institution. It's the place where each and every one of us as members of the Legislature has been elected by the people. We are the people's representatives. We bring to the Legislature and to the government the concerns of our constituents. Each and every one of us does that. That's why we're here.

When I hear over and over again that the budget speech at Magna was a way to hear the concerns of the people, what are we here for, then? Why do I, as a member who's been elected in a constituency of 100,000 people, come to this place if my public voice is not considered a reflection of the people I represent? We all, each and every one of us, have earned that privilege through a democratic election process as members of provincial Parliament.

There's a basic principle for me that underlines our parliamentary democracy, and it goes back hundreds of years. It's not about archaic protocol, if you want to call it that. For me, it's very simple: the spending of the people's money must be presented to the representatives of the people. That's been understood for hundreds and hundreds of years, and that's the basic foundation of our democracy. That's what I understand it to be.

The other fact that's important to me is that each and every one of us takes our seat with the weight of that responsibility to our constituents. I am deeply offended as a member of this Legislature when I hear the Minister of Finance and I hear the justification for holding the budget speech outside this House, saying that it is going to be closer to the people, that more people will hear it, that it will be more democratic. I ask, how has it been the case that more people can hear it—I believe the word was that more people will be able to listen to it. Is there an assumption in this House, by the cabinet and ministers and the Premier in this place, that here in the Legislature

we don't speak directly to the people? I believe we have what we call a parliamentary channel here. We stand up in our place. Everything I say is written in Hansard. The budget speech and all of the little vignettes that went along with it, do we have that in Hansard? I believe we don't have that record. We don't have an official record of that.

I've had the privilege of being a part of this place, and I've earned it by being elected in my riding. I came here with an understanding of who I am as a member of this Legislature. I've had the privilege as well to be on the standing committee on the Legislative Assembly. The reason that I have done this and that I enjoy this committee—we had the chance to go, and the member from Windsor-St Clair mentioned that we went, to Westminster. We went to and were able to look at the devolved Parliaments in Scotland and Wales. We went to Ottawa. We went also to the assembly in Quebec. Why? So we could better understand the various themes, if you want to call it that, to our parliamentary system, the variations on a theme.

**1640**

Parliamentary democracy is about a distinction, a distinction about partisanship and what the role of Parliament is, which is higher than that. Each and every person in this place has the privilege to speak for their constituents. The member, Mr Conway, mentioned this notion of free votes. Each one of us can speak our mind in this place. Unfortunately, what I've seen too often since I've been here is almost, if you want to call it that, a cult-like approach in that everyone has to vote the same way because otherwise there's going to be strong party discipline. I hear the same words. I hear the same message. Messaging is very important. Where are the independent thinkers in this House? I cannot believe every single member on the Conservative side can have that much contempt for this place that they would actually hold and agree with what happened. I can't believe we don't have at least 20 members on the other side who disagree with how this budget was presented.

One of the things about our democracy is that we must have the courage to defend it and not all be part of this wave of, "We all have to think alike. We have to all speak the same language." We're here representing what I call the various—a House of Commons. Why? We bring to the table various perspectives and various ideas. I end up getting quite emotional about this because it's so important to me.

I have listened to the excuses. I've listened to the Minister of Finance. Most of her speech and presentation had to do with talking about the content of the budget, and not about the issue, because I don't think she can justify it. We will wait and see when the vote takes place how many members will have the courage to really vote what they believe, and not what's being told by the front benches or what's being told around the Premier's office. This is fundamental to who we are in this place.

I want to talk to the issue that I've been told, and I listened to the Minister of Municipal Affairs say, "We

have these opinions, but these opinions don't count for anything."

I want to quote from some experts. There's a distinguished long-time Speaker of the British House of Commons. He said about the fact the budget was read outside of Parliament, "It is the questioning of the statement that is so central to our democracy. The elected representatives of the people get the right to question."

I read Professor Bliss's comments. He said this manoeuvre is "contempt for our political heritage and our elected institutions," and is "nearly mindless disregard for the Legislature." He goes on to say that it is "a contempt for the people of Ontario." It is a contempt because I could not come to this place and sit in my rightful place that I have earned as a democratically elected representative and listen to the budget.

I got an invitation, by the way, like many other members did, two days before the budget, to attend with the other elected representatives, and I found that terribly offensive. I actually wrote to the minister and explained to her why I would not be able to attend the budget presentation. I sent my regrets. What I said to her was that I, as an MPP, was astounded that she did not view the Legislature as a place that represents the interests of the people of Ontario. Considering the fact that all 103 MPPs, all democratically elected representatives from all parties, come together here to debate and hold the government to account, come here to make laws and scrutinize the executive council on their decision-making, what exactly do they believe the role of the Legislature is?

A cabinet minister came into my office—and because I have some respect, I won't mention his name right now. He came into my riding to give out \$7,000 to the YMCA. What they do, of course, is use their ministerial position as a way to prop up the candidates in the riding, which, by the way, I believe is offensive because the candidates have not yet earned the position of MPP, yet they treat them as if they are the MPP, disregarding the duly elected representative in the area, which is not only discourteous, but I think it's unethical. That's my view on that. But I did attend the function and I talked to the minister for a while. I said, "Well, we'll see you on the 30th when the throne speech is on," and he said, "Oh, I just can't stand going to that place. It's so irrelevant. We should just shut it down and keep it down the whole year." I looked at him and I said, "You must be kidding." I was totally astounded that for some reason there are Conservative members who actually believe that. They believe this place is irrelevant.

**Interjection:** Oh, come on.

**Ms Di Cocco:** That's exactly what I was told.

That goes to the heart of why I'm standing here, suggesting that I believe most of the honourable members on the Conservative side do not agree with that comment. I would like to think that, but we'll see that when the vote takes place. Because if they vote against the motion, it will truly show that they believe this place is irrelevant and they want to reduce this place—

*Interjection.*

**Ms Di Cocco:** Absolutely. The environment minister there says that this is ridiculous, I think.

*Interjection.*

**Ms Di Cocco:** Well, something to that effect. I'm paraphrasing.

**Hon Mr Stockwell:** I said you're wonderful.

**Ms Di Cocco:** Oh, I see.

As I continue the last section of my comments here, I believe the whole argument that the budget speech was done as a way to expand the democratic process—that's what I believe I heard. I can't believe that it actually happened. I can't believe that I'm listening to ministers of the crown in this place justifying the fact that the budget speech was held outside the Legislature.

When we talk about consultation, I heard various ministers talk about the consultation. We had a community health centre project that was denied about two months ago—and we talk about health care; 11,000 signatures—and there was support from Conservatives, Liberals, New Democrats, all levels of government. But that consultation obviously went out the window because we received a denial for that.

1650

We have been restructuring a hospital for eight years. We followed all the rules. We have a tremendous doctor shortage in our area. This amalgamated hospital now is an inadequate facility. We're losing experienced health care professionals there because the conditions in which they work are so archaic, and yet the ministers don't listen. They don't listen because it isn't the message they want. They don't want to hear that we need a new hospital and that we've got a huge problem with regard to access to medical care, and yet it's irrelevant to them because it isn't coming—or obviously they have different priorities, priorities that are based only on what they want to hear, not on the reality that exists out there for everyone.

The whole notion that a parliamentary government in a parliamentary institution such as Ontario—a civilized and, I would like to think, forward-thinking institution—would hold a budget speech as a photo op, as an infomercial, is the most offensive act that anyone who is here to represent the people's interests would take. I say that the people of Ontario will ask the question, why? Why was there such contempt and disdain for a place where we elected you to go to work on our behalf? Why would anyone make that decision? The excuses or the justifications that I've heard hold no water. The whole notion that this is about progress, that it's a better way to do things—you must think that the public is absolutely brain-dead. You must have a sense, or you're so disconnected and you're so out of touch with ordinary people that you believed that you could get away with it without anybody noticing.

"Oh, this isn't important to the people of Ontario. This isn't important to anyone." That was the justification I believe I heard from the Premier.

I believe that there will be a big price to pay. There will be a huge price because the public cares about our

institutions, and I believe the public cares about us enhancing our democratic process, not tearing it down, not eroding it. Do you know what power does sometimes—and I believe it does? It blinds. It totally blinds and we forget, or I should say the people who are blinded by power forget, why they're there. And the partisanship becomes so narrow-minded that they forget that here in Parliament we have an opportunity to think for ourselves, to protect what we believe is important and not to follow like sheep because someone has this novel idea to take the budget to Magna and have the infomercial.

I think it's a disgrace that it happened. Don't tell me that you care about democracy and you respect this place when your actions are totally opposite to those words. Enhancing democracy is about protecting and making sure that we understand why we have those conventions and those traditions and not disregarding them mindlessly, as you have done with the budget presentation at Magna.

**Mr Bob Wood (London West):** Members of the House are well aware of my commitment over the last eight years to the democratization of the functioning of this House. My interest in that issue has not been because of a fascination with process, but because of my conviction that as we involve more MPPs in the process, we will involve more Ontarians in the process, and as we get more input, we'll have a better debate about the merits or lack of merits about a particular proposal, and the decisions made in the House will indeed be better decisions.

I'd like to briefly outline for the House the various proposals that I have put before this Legislature to try and make this institution function more democratically. The reason I do this is that I'd like to share with the House the principles which underlie the proposals I've made, because these principles are going to be those on which I base what I'm going to do about this motion and some suggestions I'm going to make as to what might be done about the ruling that the Speaker has given earlier today.

The proposal I'd like to refer to first is my Democracy in Ontario Day bill. That proposes to designate September 17 in each year as Democracy in Ontario Day. September 17, 1792, was the first day an elected Legislature ever met to conduct the business of this province. Prior to that, both the British and the French had always governed Ontario without any elected representatives. That was a truly fateful day in the history of this province. Ever since, the elected representatives of the people have met regularly to do the people's business. This bill is, of course, symbolic, but I think that as we look at making this institution function more democratically, we cannot ignore symbolism. Symbolism is important. Body language, to use the more current phrase, is important. I think that as we look at how we should do business, we should consider symbolism. The flags in this place do mean something. The mace, the symbol of the authority of the House and the people, does mean something. So as

we consider, as we should do, the questions raised by the ruling of the Speaker earlier today, I don't think we should ignore the symbolism of what we do, because it does convey to the people what we consider important, what we consider to be significant in doing their business.

Members will also be aware of some of the changes in the standing orders of this House that I have proposed. One of them, which is on the order paper again now and I believe has endorsement from the Premier to do it in some form, would remove the absolute right of veto that the cabinet has over final approval of legislation in this House. Obviously, if we are going to do something like that, there have to be safeguards, and I think the proposal builds some safeguards in. Maybe there are better safeguards that members will propose before we see the proposal put into its final form and actually enacted. The proposal was endorsed as well by the standing committee on the Legislative Assembly when it did its report some months ago.

It is, I think, important that the members of this Legislature, without the approval of the executive council, can in fact legislate if a sufficient number want to do so. That's not to say there shouldn't be safeguards. I certainly agree there should be, and they are incorporated, but I think the principle of the elected representatives as a whole having the right to do that is very, very important.

We also have before us in the legislative committee's report a proposal to double the time for second readings of private members' public business. That, I would respectfully suggest to you, is also quite important. The more opportunity there is for ideas to come forward from all 103 MPPs, which really means from all 12 million Ontarians, the more opportunity we'll have to recognize good ideas, get debate going and get action taken on behalf of the people.

**1700**

It's no secret that I hope, as we move down this path of greater democratization, we can look for some more formal mechanisms than we have now to allocate more time for third readings of private members' public business.

I was very proud as a member of this House to note that in the last session of this Legislature some 20% of the public bills were sponsored by private members and not by the government. That certainly is a vast improvement over what we saw a generation ago. Not only is it an improvement in the sense that we have more involvement, it's an improvement in the quality of laws that we're passing. What we have to do now in that regard is look for ways of formalizing this.

I'd also note that as we involve the MPPs more, I think we'll find the cabinet itself more interested in staying ahead of the curve. They may feel more interested in coming forward with good legislation when they realize someone else may if they don't. More people being involved will also motivate more the people who are involved.

Members are also aware of my proposal that this Legislature confirm judges and justices of the peace

before they can take office. It's rather interesting that our current law says they cannot be removed from office without the Legislature concurring, yet they are the only appointments now, basically, other than short-term appointments, for which there is no legislative review.

You will be well aware that our government agencies committee reviews all the longer-term appointments that are made, with the exception of the judges and the justices of the peace, yet these appointments are permanent appointments, they perform a very important function, as we all know, and at the moment it's sort of a backroom-type operation. That's not to criticize the work of the Judicial Appointments Advisory Committee, which does public criteria, and I know they work very hard. But the fact of the matter is that it should be up to the elected representatives of the people as a whole to set the criteria for appointment and to hold the government accountable in every case for the meeting of those criteria.

I might say, and I don't want to get too far into detail on this point today, I think there are ways and means, as we work together, of making a process like this work quite efficiently. The suggestion that it's going to delay the functioning of the House and it's going to get us involved in a lot of debate that doesn't mean anything is quite wrong. If we prepare the rules properly and have a sincere commitment on the part of all to making the rules work well, I think they will work well.

I would like, at the risk of congratulating myself and a few of my colleagues, to suggest to you that we can look at the model of the government agencies committee. I've been on that for six of the last eight years, and I think it functions quite well. We get to the point, we ask the questions we want to ask and we then deal with the merits of the appointment. It is a real process, it establishes criteria and it gives all caucuses the opportunity for input. What has really happened at that committee, I suggest to you, is that the committee informally has set criteria for appointment. When they do that, the appointments that are submitted to the committee are going to meet those criteria by and large. People can understand who the MPPs are. They understand that they're elected. They understand how to get accountability from the MPPs. When we take something out of this forum and put it into some other kind of mechanism, we do get into quite significant problems. People don't understand who's doing it, they do not understand how to make them accountable and it just doesn't work as well. I know that that particular proposal is controversial. I think it's a good one. I think it will work. I think our experience on the government agencies committee shows it will work. I am hopeful that I'll be able to convince the majority of members of the House, under the new rules which are going to give private members' public business more opportunities for debate and for passage, that it is indeed a good law. I hope to see that bill in due course becoming the law of this province.

There's another bill that I have before this House which involves giving the Legislature itself the same



right to call inquiries as the cabinet now has. Probably, if we were to ask the general public, "Is that the case now?" they would say, "Yes, it is. After all, you're the people who are elected; surely you have the same right to call inquiries by majority vote as the cabinet does now." The actual fact of the matter is: we do not. That is not to say that there shouldn't be some controls on that as well. You can have a situation where a process doesn't work well because it hasn't been well thought out.

I'm not saying, by the way, lest I be misinterpreted, that any of these proposals don't require further work. I believe in the process; that's why I put them forward. A number of my bills and other bills I've put forward I've changed as I received input from other members and members of the general public, but I do think that if we can get the facts before the elected representatives of the people and we can give them, in an effective way, participation in the process, we are going to see results that will be materially better than the results we have now. That, in essence, is the legislation I have proposed. Those are the principles on which I based these proposals. Those are the principles on which I'm going to make suggestions as to how the House might respond to the ruling made by the Speaker earlier today.

We do tend to hear the comment, "Well, the public doesn't really care too much about process." That's certainly true of the details. They don't see it as something they need to do, to get involved in the details of how we run the House, but I do think they understand where we engage in democratic process and where we engage in processes that are not as democratic as they could be. At least in London West, I am quite confident that they understand the importance of good, solid, democratic process. So I think when one is tempted to despair and say, "No one cares about these issues," one may be misreading the views of the general public. The public actually is quite astute, in my experience. I think they really do get it and they understand that these debates about democracy are not just hot air. I think they understand the importance of the issues that we're discussing today.

As many members will know, I have publicly acknowledged the credibility and legitimacy of the concerns that have been expressed over the process used to present the budget. I think Mr Speaker Carr was quite right in offering public comment on those concerns some time ago.

The issue, of course, before us now is: what is the right thing to do to respond to the finding that Mr Speaker Carr has made earlier today? I think, as we contemplate the answer to that, it is important to look at it in the context of greater democratization and greater input generally. I think it's a mistake to regard this issue as being a one-off: "Well, there's a ruling. We have to respond to it and we have to get on with it." I think it's much better to look at it as an ongoing process. Are we moving to more democratization? Are we not changing? Are we moving to less? I will not repeat for the House, because the House is already well aware of it, my view on the direction in which we should be moving and why.

#### 1710

I think in looking at how we should respond, we have to consider that it is important, now that the problem has been formally identified by the processes of this House, to consider ways in which we can get public input. I'm going to declare a personal view only, and it's this: I would hope we might consider sending the ruling and the issues that arise from that ruling to a committee of this Legislature, because I think it's important that we get comment, pro and con, ideas of all kinds, from the general public before we formulate any formal response to the ruling that has been made earlier today. Once we get that input, it's important that a group of MPPs designated by this House—in other words, a committee—work on these, sort them out, and decide which ones seem to be worthy of further pursuit and which ones maybe are not going to advance the cause any.

Once that work is done, I would be hopeful that that would come back to the House and be reflected in actions taken by the House. Some of them might be changes to the standing orders. Some of them might be statutory changes. Some of them might be declarations of the House as to what the House believes proper practice and procedure is.

So I think the motion made by the member from Renfrew today is premature. I don't think that today is the right day or this week is the right time or this month is the right time to deal with this. I think as my friend from Renfrew reflects on this, he may begin to see the importance of following some of the democratic principles at least underlying my view on this in formulating the response of the House. I don't doubt that he gave careful consideration to the motion he put forward, and I don't doubt his experience is most valuable in assisting us in determining what should be done, but I would suggest that to the extent that the democratic principles and practices I've talked about earlier are valid, in responding to this, it is important that we follow those practices and honour those principles. So I would like to suggest to you, Mr Speaker, that supporting this motion is in fact premature. That's not to say that at the end of good democratic process we might not well find such a motion by the House to be in order, but I do suggest to you that it's important that we get input from everybody, analyze it, have it discussed here in a public fashion and then take action.

I see this issue as some portion of a much larger issue of good democratic process which I think will lead to good government and better government. But I would suggest to the House that to respond too quickly to the ruling today might well be something where one year or five years down the line, we may say, "I don't think they took enough time to get input. I think there are things they could have done and didn't do." We may say, "That was not the best response. Had they taken more time, they would have had a better response."

I would invite the House to consider my suggestions. Maybe there's a better way of doing it, although I would stand very firmly on the proposition that we have to get

input from all Ontarians who want to offer input. We have to have that analyzed by at least a group of elected MPPs, and then we have to look at what are the effective ways of achieving further democratization.

The government said they were trying to involve more people, and to the extent they tried to do that, this was certainly a good initiative. Did they do it well? I think that's something that we should get input from everyone on, deal with that input and take whatever action is needed.

I would invite the members of the House to consider this as one part of a bigger issue and to follow good democratic principles in coming up with solutions so that five years from now, when people look back on what we did today, they are going to say, "They responded in a careful, measured way, getting input from all, analyzing it properly and coming up with good solutions." Democracy and transparency do work and we have an opportunity to make them work better in this place if we seize it.

**Mr Gerard Kennedy (Parkdale-High Park):** I want to paraphrase one of the previous speakers this afternoon. It is a pleasure to rise in this debate. I have been waiting for this debate since the day I heard about the effrontery of taking the budget out of this place. It goes to some very fundamental questions that have been posited here by the member from Renfrew and by others before me, but that bear reminding for each one of us because they go to the heart of why we have this privilege, of why I get to stand up in this place at all. Why is this room at all special? Why do the people who come here have any rights on behalf of the rest of the people of Ontario? Why do we have people who arrive in pointed hats and a Speaker sitting in a chair? Because there is something in this room that is bigger than our individual concerns, the political parties that employ us, the petty agendas we sometimes can fall prey to. That's this place.

There is a mace on the table, as I tell the Grade 5s, because they always ask when they come to visit, "What's the mace doing there?" They surmise that someone's going to get hit over the head with it. The mace is a symbol of the power of everybody else. We're not here because we're powerful people. We're here as representatives of other people. We need to be usefully constrained. We need to have the impact of this particular place upon our personal agendas. And we, each of us, understood that in the humility of being elected. We understood it when we swore allegiance to a sovereign, to the Queen, and we understood that was symbolic too, that we swore allegiance to the people of this country, to the people of this province, to an institution that is not dry as toast, that is not to be swung around like some obstacle in an obstacle course, but instead is the fundamental place where we indicate respect for the people of this province.

Around the question of debate there can be no greater issue of respect. Government has suffered mightily over the last number of the years. The government party has trafficked endlessly on that fact and on the fundamentals

of the feeling people have that the money they give up and surrender on their paycheques, when they buy gasoline, when they purchase other things, goes someplace that isn't accountable. They don't connect it to the needs they have in their lives. The budget exactly and precisely is supposed to be us asking permission, asking the 105,000 people who sent me here, even the ones who didn't vote for me, the ones I work for, "Is it all right to take money out of your pockets, to put it to work in the public interest? Is that okay?"

The minute we take that lightly, this idea that government somehow just has to finesse it, just has to win the overnight poll, just has to have the public relations team, when it's not about something substantive, then we have disrespected that fundamental act on the part of government and we are on a slippery slope further away from any agreement, any kind of understanding on the part of the public that that act, and it is an act, of taking their dollars and putting it to work has some real meaning back in their lives and is based on respect for them.

I have been waiting for this debate. I have been looking forward to this possibility that we would be able to remedy, in some way, the affront that we sent to the people of Ontario. I offer to all the members opposite the open possibility that that wasn't intended. It is, however, what was effected.

I ask the members opposite, first of all, to stand in their place. This is not a debate not to be heard on. We are all in some reasonable period of time—I understand from the speech from the member of Renfrew-Nipissing-Pembroke that some 96 of the 103 will be auditioning again for these jobs. I think people have every right, not just based on this episode, to ask, "Why do you want to come here if you're not going to show that respect?"

**1720**

I believe very strongly that what the member has put forward, the motion that he has supported in his name, is the minimum that we should be extending. This is something we can do. It is something that we need to be doing, not because it is the beginning and the end of the debate, but because it is the kind of step that we are required to make.

There are certain decisions that we are asked to do as parliamentarians that have very little to do with our personal preferences; they have to do with our jobs. These jobs, if we're going to bring respect back to them, if we're not just going to bemoan how people look down on politicians, had better ask us to act outside of ourselves from time to time, and this place, this institution, needs our work and our attention right now.

To me, it's related to an attitude, an attitude that is not restricted to one side of the House. But I do want to address some of the arguments put forward. I would like to believe that maybe that's the initial reaction we're going to get from some of the members on the government side. I heard some temperate comments from the member from London, who just spoke, but there were other comments made.

We heard the House leader essentially talk about the Speaker's ruling as some kind of distortion. To resort to

that argument is not just denial; this was an act of commission, as I heard the Speaker say. He made a distinction. I think it's very, very important for us to debate and understand and appreciate that distinction. The government went out of its way, not by circumstance, not by exigency, but by commission.

We did not sit for 138 days. We didn't sit for an extra several weeks, by the decision of this government. They made that choice. They didn't put themselves in any way in proximity to respect for the people, as represented by Parliament. They decided to come up with a new avenue, a different way of doing it.

I listened very carefully to the member from Pickering-Ajax, the Minister of Finance, put forward that this was an honest effort to engage the public. Because she puts that in good faith, I have to ask the question, how is that a good-faith effort when it's only the people that you invite, when you only listen to the people you want to hear? When you say that's the nature of what you would turn our representative democracy into, you would reach only the people that you invite to be there, only the ones who happen to be willing to turn on your particular event.

That does go to the basics of why we are here. We are here because people out there, people who are watching us right now—there is an audience for what we do here. I suspect that audience, quite frankly, even at this time of the day, is bigger than the audience that tuned into the event at Magna. In fact, they deserve to hear from us about how we would respond and how we would remedy this, because there is an alternative. It is not about playing games.

When I heard the Minister of Finance say, "We were really trying to bring it to the people," there are so many things about this particular gesture that are anti the people. First of all, it is not fulfilling the number one obligation we have, which is to try to objectify some of what we do. There is partisan advantage to be taken and to be put forward and so forth about a variety of things, but if people are to have faith in government at all, whatever type we choose, there has to be some objective information available.

And I don't misconstrue—the budget isn't that. The budget isn't objective. It's a political document that finds its way into the House on behalf of the party that's in power. However, by reading that document in this House and subjecting it to the processes of this House, it becomes an objective document that the people of this province can rely upon.

I want to refer here very specifically to the role of the estimates committee. The member opposite from Kitchener has sat on that committee and has employed himself on that committee, I think in good faith, to examine the spending of ministries in this government. Where does that process start? That process starts with the tabling of a budget in this House that by our orders sets the clock running so that ministries then have to give the real facts and figures of what they're prepared to do with the people's money and subject themselves to the scrutiny of

people like the member from Kitchener, looking at, on behalf of the people, what's being done with their money.

What happened this year? This document dressed up like other years, looking a lot like what happened in other years, avoided that scrutiny or we would be in estimates committee today. The member opposite knows this is true. We would have seen a booklet like this, the detailed spending, aligning this political document with the actual money we're asking people to shell out of their pockets, and then we would get document after document, the detailed estimates of ministries, being tabled on a timetable set by this House to protect the public interest.

That doesn't take place currently. This budget not being tabled in its current fashion, we are weeks away from being able to exercise this. The public's right to be defended in their surrender of revenue and so on—as the member from Renfrew-Nipissing says so elegantly, "supplies"—to render those supplies has been harmed here. Has it been deliberately harmed? I leave that for others to say. Is this just some trick picked up from the Republican workshops that too many of the people employed by the party in power go to down south? I don't know. It's a good possibility. It's a decent possibility, but what it does is it gets in the way of showing respect for people and the money they give to this government in a most fundamental way.

I chair the estimates committee. I do that in a non-partisan fashion. I don't add commentary; I just make sure people around the table get a chance to ask these questions. They are thwarted and don't get a chance to ask those questions. The members opposite know that means that perhaps never will this budget be subject—if they take us to an election, that means that never will the propositions put forward as if they were the act of the government as a whole, not just one political party—are true or not true.

I will tell you that something said in that document and repeated in the throne speech will be proven not to be completely accurate. An example would be the funding of education. The government infers that it has followed the Rozanski report that it commissioned last fall. It was at least significantly enough impacted by people's concerns about education, it had to appoint somebody else to look at the job it was doing, to look at what exactly was happening to the students in Ontario schools in terms of this government. That review was done and it said that students in this province were being shortchanged significantly, and an immediate fix of that was required or the financial health of school boards was in immediate jeopardy and a number of things would have to happen.

In the language of the budget, in the language of the throne speech that followed, but not tied to the detailed estimates, scrutiny, the government would have us believe that's all taken care of, when in fact less than 31% of what was needed by our schools is being provided by this government. There are people out there today who probably think some of their money is going to finally fixing the problem. That impression has been cultivated by ads taken out on TV and by a budget that wasn't done

in this House. Was it deliberate? Was it on purpose that the government, not having a good answer, wanted to take some advantage, wanted to control the environment so it could somehow sell its poor answer? I think in this case, whether there is a 28-day writ period or hours of estimates committee, we will get the truth on the table, but it will be made harder by this act of avoidance of the rights of Parliament and of the respect due to the people in this province.

I note as well that the member for Willowdale talked about being anxious to debate, and yet we sat 138 days waiting for a debate from the member for Willowdale and others. I again hope that some of the responses we've heard so far this afternoon from the government are initial reactions—maybe shock. Maybe they would rather not come to terms with this, but I think we have a larger need in this House and a larger need for this debate. We have an opportunity to do the harder work.

It would be easy to work around this House, the people with the different-looking uniforms, the panels, the archaic-looking nature of this, and to go to things that people are familiar with, like TV studios and giving quick 30-second-only answers. We, as a group, have probably been guilty of allowing this House to slip into the irrelevance where even the Republican-trained consultants for the government would consider taking the budget outside of this House.

**1730**

But the harder work that needs to be done is to make this place work, to make it not only the last place, in terms of respect, where respect is retained for people and their ability to be levied taxes, but where they start to see that this House generates solutions that matter in their lives.

As I speak, there are numerous cameras pointed at me. This is, in effect, a TV studio. I would say that there are many people out there watching the workings of this House. A government, or members, prepared to work harder at making this House relevant and respected would use and take advantage of that, publish listings of what's happening in this House and set up discussions and debate that would really matter in this chamber. That's what we get paid to do. We don't get paid just to put up with the machinations of individual parties that want to gain power, because the whole point of gaining power is to effectively make Parliament work.

I would say to you that in the reaction that happened to this event—and I do think the Speaker was well in order in referencing the public here, because that's what gives us relevance. It is not just our precedents and the storied, hundreds of years of history of English parliamentary tradition; it is about the people who live in my riding of Parkdale-High Park and in every riding in this province. There are people in this province who are too tired, too hungry, too sick and too busy to notice what happens in this place. But if you sat down—and maybe we will soon—and talked to many of them, they assume that we look after their business. They assume, even as critical as they can be of some of our behaviours, that we

look after them, that somehow here in Canada a civil society persists, despite the differences across the aisle.

I put to you that this act with this particular budget, this act of disrespect, counters that. It fails that expectation. It goes against the grain of every person's reasonable expectation of what we do. Every member of this House needs to respond accordingly and fulsomely the best they can about how we're going to do something about that, how we're going to bring back to them some idea that we aren't here just feathering our nests, pandering to our egos and making ourselves feel better by walking around and having people call us MPPs. If we mean something, we will stand in our place. Our place is here in this House. Our place is here on behalf of approximately 105,000 others. We are not better than them. We don't get to be arbitrary on their behalf. We get to work for them. We don't work, and this place doesn't work, unless we put the budget, the asking of money, and frankly a lot more of the fundamental issues, on the floor of this House and unless we roll up our sleeves and make either committees or some new ways of making that happen.

We have, in our program, hopefully matched by ideas from other parties, the idea of citizen juries that could work alongside parliamentary committees so that we get some objective opinion from time to time. There may be demographics or experience that we need to draw on. But we need to engage people in this. Working around them with an infomercial is the height of disrespect. It may seem clever; it may seem like the right thing to do. The next step, I suppose, will be that each one of us will cut music videos, so we'll just overwhelm people with a barrage of images. It won't be a music video on my part, but it may be on some others.

But where do we end up? I think what we have here, the reason we stand in a place that has lasted this long, that has weathered crises on behalf of the people of this province, sister to another Parliament in Ottawa that has weathered crises on behalf of the people of this country, is because it can be made to work. The essence of it is the goodwill of each of us.

I want to just address that very briefly: each of us. We do have a fundamental problem here: we're not all equal in this House. There are people, in fact, outside of this House who have more influence, as many have said in different ways and in different times, some fairly recently, than the elected members here. We have proposed to change that, to only chain the members to the program that they go out and explain to their voters at the time of the election and to free them to make other kinds of votes. I think if people would be honest—and this is the day to be honest about what we do—some of that committee work that's being done at public expense is not generating its yield. People are not getting their money's worth. I've seen government members make good and pointed comments, and then somehow they don't make it to the afternoon session.

I think that's wrong. I think we all own a piece of that problem: everything we do to diminish the standing of

members in this House. I don't live in any kind of Pollyanna world, where I would say, "Everybody in this House will make decisions all the time." But there is a huge difference, and it exists in other Parliaments in other parts of the world.

In fact, in the mother Parliament in Britain, people stand on their feet more often, say what they think and do what they know is right. That needs to come into this House. We should use this as the opportunity to introduce it to the Parliament of Ontario: the standing of members in their place.

I got involved because I saw decisions being made that I thought were out of touch with the people of this province, and I thought maybe I could bring a perspective. I didn't think I would become a parliamentarian, but I did. I'm here, and today, debating this resolution, hearing from Mr Conway, I'm a little prouder to be that.

**Mr Rosario Marchese (Trinity-Spadina):** I'm happy to speak to this motion. Also—I'm not sure I'm happy to say this—there are times when I feel sorry for this government, sorry for some of the members and some of the things they do. Sometimes I think there's something wrong with me that I should feel sorry about them, but there are times that I feel that way.

I actually believe that you didn't mean to subvert the conventions of this place. I actually believe that. I actually believe you never thought, good heavens, there would be such an attack on the government for subverting the conventions, attacking the normal way we do things. In fact, I actually believe that the whiz kids, the brain trust, the highly paid young people, those who are paid much more, almost twice as much as we, those are the people who went to Ernie Eves and a couple of other ministers and then to the caucus and said, "We've got a bright idea. We take the budget out and say we're going to democratize this place and we're going to give you direct democracy and this is how we're going to do it. We're going to take the budget out of the Legislature, give it to the people, and they're going to love it."

Here's what I think. I suspect Ernie Eves said, "Hmm, I don't know about that. It's a tough one. It could go either way. But it sounds like a good idea. I don't know. Let's consult a couple of ministers." I suspect a couple of ministers were part of that and they thought about it and they said, "Hmm, it's a novel idea," because this is the government of novel ideas.

**Ms Churley:** Wait a minute.

**Mr Marchese:** But this is what I think goes on. So I suspect a couple of other ministers thought about this and said, "Yes, this is good. But we should consult the rest of caucus, because you never know, right? This is a break from the rules. Can we sell it?"

*Interjections.*

**The Deputy Speaker:** Order. I will not have this talking. Maybe you've come in since I made this clear before. In case you have, I'll repeat it once more: I'll not have it.

The Chair recognizes the member for Trinity-Spadina.

**Mr Marchese:** I'm not sure what the ruling was about, Speaker.

**Ms Churley:** It's about us.

**Mr Marchese:** I was just on the floor here, speaking.

**The Deputy Speaker:** I'll not warn the member for Toronto-Danforth again.

**Mr Marchese:** Thank you very much, Speaker, for intervening from time to time.

Anyway, as I was saying, the cabinet ministers probably said, "Let's take it to the caucus just to find out what they think, because this is breaking from convention, and it would be nice to have caucus on board as we take the budget out to the people with our direct democracy approach." I suspect caucus, with some division, said, "Yeah, this is great. Let's go."

1740

They never dreamt that there would be an uproar with the public, let alone the media. I suspect some of them thought, ministers and caucus members, that they might have to take a hit from one or two media people, a couple of people out there who might think this is not good because a budget should be in the Legislature. But I suspect most of you thought the majority of the people and the media would simply let this go, and in fact that they would love it: "Not that they would hate what we are doing or attack us for taking this out, but in fact love it." I suspect most of you thought the media were going to praise you for doing what you were doing. I actually believe that, and I believe most of you believed that too.

How deeply wrong most of you were when you realized, "My God, this is getting out of hand." Day after day, you were taking a beating from the media; day after day, editorials attacking you for what you did; day after day, people writing to various newspapers with their opinions about how wrong you were for doing that, and you thought, "Holy God, how did this get out of hand? How do we pay people \$120,000, \$130,000, \$140,000, \$150,000 to come up with these ideas?" You're making \$80,000, \$82,000, \$85,000, \$90,000 if you're a PA or a minister, and you ask how come you're not brighter than the whiz kids, who are paid so much more than you? I hope some of you bright caucus members, after these whiz kids came up with this idea, decided you had better cut their pay, because someone has to pay when they make a mistake. I know you're not going to take a pay cut. Why should you? You didn't decide on this; the whiz kids decided on that.

**Mr Mike Colle (Eglinton-Lawrence):** Make them pay.

**Mr Marchese:** I hope you make someone pay for that blunder, because it was a blunder.

What's worse, however, is that when I think I should feel sorry for you, instead of diminishing your arrogance or taking a more subdued approach to the issue, you become even more arrogant. In the face of the attacks from the media, all of you confront the media, including the aggressive campaign against the Speaker for the rumblings and the suggestions he was making. How dare the Speaker make a suggestion that what you were doing was wrong? The Speaker was doing his job. The Speaker was saying, "What's the point of having an assembly, a

Parliament, where things normally get debated, but they're taken out of here?" The Speaker was taking the position that there's something wrong with that.

Instead of you being subdued by it, being guided by that opinion and saying, "Maybe we made a mistake"—some of you probably did. I think Bob Wood may have; I forget now. There may have been one or two who said, "This is a tad wrong." But not one minister, not the deputy House leader, not Eves, not one of them that I remember anyway, suggested, "Yes, maybe the Speaker is right, maybe we made a mistake," and maybe suggested, "We'll never do it again." No. With the usual arrogance typical of this government, they attacked the Speaker—and viciously. I thought that was wrong of you. That's why when I feel sorry for you, I then correct myself mighty quick, because I don't see you learning from your mistakes. I certainly didn't see it in the follow-up to those discussions after March. I didn't see it from any of the ministers. As a result, I lose the pity that otherwise I might have for you.

I supported the opinions of the Speaker when he spoke against what was happening. You should have stopped, as both the media and the public were attacking you, day in and day out. But you guys don't learn, so you deserve the odium of this assembly, at least on this side, and the odium of the rest of the public. There's another word. Which one would you use? You deserve it, is my point of view.

The motion here suggests, when you introduce a budget, that it be presented here in this Legislature; that we be the first recipients is the way the motion is worded.

The House leader for the government says, "There's a problem with that because if we were to accept this motion, that would mean the lock-up that normally precedes the presentation of the budget in this place wouldn't happen." My sense is that, again by tradition, that is part of the motion and while not explicit it is indeed implicit. So I can't imagine that the Speaker or the opposition parties or the government would then say, "Ah, the motion doesn't say that. Therefore, in the future, if we were to adopt this, we wouldn't have a lock-up." I just don't see that. It's almost silly.

While the deputy leader for the Conservative Party raised good questions about the implications of a ruling, in the future, about what this government can and cannot do, while he raises good questions about future rulings of the Speaker on other matters, I'm not sure it relates necessarily to the issue of where budgets should be. I think this discussion is directly related to the fact that this budget should have been presented and debated in this House, giving us, the opposition members, the opportunity to debate with you in agreement or disagreement with what you have to present. We, after all, whether the government likes it or not, represent hundreds of thousands of people across this province.

That's democracy as we understand it, and that's what newspapers and other people were saying. This motion connects directly to the issue of budgets, and I suspect primarily throne speeches as well. It could stretch in the

future in other areas no doubt. Rulings could be made that connect to different issues in different ways, but I don't see that. But yes, the questions Mr Stockwell raises are good for thought, but quite frankly I don't think one way or the other even if we added a different wording to this that the government would support it. The government cannot be seen to be supporting an opposition motion that then leads the government to in fact agree with the ruling of the Speaker that it is a matter of *prima facie* contempt.

While it is true there's nothing they can do to change what the Speaker did, said, and now has done, there is *prima facie* contempt—

**Mr Kormos:** End of story.

**Mr Marchese:** —and it's finished, quite right.

This government says there are implications. I am not sure whether there are any other legal or political implications if this motion is to be defeated or to be passed. I have no doubt it will be defeated because the government will defeat it. The government will not want to admit they made a mistake, and that's part of the arrogance of this government. That is a serious problem majority governments face all of the time. It doesn't matter what political party is in power. If they have a majority, they tend to be arrogant because absolute power, as it is in a majority government, corrupts us all.

That's why New Democrats, by the way, talking about the suggestion of Mr Wood from London West about how we democratize this place, support the proportional representation system that almost virtually guarantees that we not have majority governments, not at least all of the time. A proportional representation system would guarantee a certain number of seats—it could be 20, it could be 25, it could be 30—that we would have on the basis of the popular vote the parties get. That means that generally speaking, opposition parties, whoever they may be, would be entitled to more seats than they actually get under the model of the British system of first past the post.

**1750**

If we want to talk about how we democratize, there's a lot more than the suggestions probably made by Mr Wood, the member from London West. I suggest to him that he look at the suggestion New Democrats make on proportional representation. I'm not sure whether he supports it or not, but if he wants to talk about how you make this place a little more democratic, a lot less arrogant, particularly from the benches of the government, that's one suggestion that he could take.

*Interjection.*

**Mr Marchese:** Sorry, Duncan?

**Mr Duncan:** How about proportional allocation of debate in the House?

**Mr Marchese:** You'd like that, eh? If Liberals find themselves in this place, I'm sure he wouldn't share that opinion.

So we are saying that this government made a mistake, that the whiz kids behind the scenes made profound mistakes for the money they're getting, that this govern-

ment did not in the beginning believe they were subverting a democratic, parliamentary process. What they did was highly political. Their budget presentation at Magna Corp was a political act. It wasn't a parliamentary issue, an act to subvert this place; it was an act to politically advance their interests. That's what that was about. They don't want to say it, but, good citizens watching this program, that's what that budget was all about. It was about bringing it to the public in a novel way. It was about saying to the people, "Now you can have your say. We're taking it away from the opposition parties and giving it to you. That's real democracy." That's the way they wanted to sell it to you. They take this budget to Magna International—remember, Mr Stronach is one of their buddies. He earns about \$50 million a year; a big contributor to the Conservative party. That's not why they went there necessarily. I wouldn't have taken this budget there. I thought it was a dumb thing to take it there of all places; please. But they thought by taking it to the people, they would love us.

All I want to say to you is, admit you were wrong. Admit that the politics of what you did were profoundly wrong. If you do that from time to time, opposition parties might say, "We understand why you did it. You made a mistake. You admit it. You acknowledge it. We move on." But when you don't acknowledge your mistakes, it makes it harder for us. It makes it so hard for us when we see a picture—I think it was Tony Clement—it was a nice, little one, wasn't it, in the budget at Magna International where they had these pictures? Nice. You looked good, I thought. Ecker and—I forget whether Minister Flaherty was in that picture. There were some nice photo ops. It was an election-readiness kind of photo—

*Interjection.*

**Mr Marchese:** You weren't there, Jim?

**Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation):** That was my brother.

**Mr Marchese:** That was your brother. He's joining in the debate with a little bit of humour. That's nice. But I saw a couple of you, anyway. It was just about election readiness.

By the way, I actually believed you guys wanted to call the election at that time. Yes, Jimmy, I actually believed you guys were ready for the election. But when you fouled up, unbeknownst to you—and for two and a half weeks you were beaten up the media and all the public in your ridings, outside of your ridings—you said, "Damn, we can't call this election now."

Then you had to say, "This is not about an election, for God's sake. No, this is about presenting some ideas to the public. We want them to have a say. Good God, it's not about elections." What's not about elections? It was amusing to hear you guys. It was amusing to hear the way you tried to explain that whole fiasco to the public, because you couldn't fool anybody. It was an election budget. So for two weeks, you got beaten up; you said, "No, we can't have the election."

Then you had SARS coming along and you stayed quiet for that, remember? That was great leadership.

Tony, great leadership for you guys. February—you guys knew. Not a word from you or the Premier. In March, with you guys in the depth of SARS, not a word from you; not a word from Premier Eves. That was real leadership. Then, come Easter you and the Premier, you're off to save the world. At the end of the SARS process Tony goes off. He says, "We're going to beat this thing." That was very cute, I thought. Anyway, talk about leadership: the fiasco of the budget, then SARS, then he says, "Damn, we can't call this election now. We've got to wait. Now what do we do?"

Now you're looking for the right time. Of course, this ruling didn't help. You've got a couple more days of this. "What are we going to do? When are we going to call the election? Should we call it maybe Monday, Tuesday, Wednesday"—whatever day the election lands, because it has to land on a Thursday. "Should we wait? We're going to get beaten up. Is this good? Is this bad?" You guys don't know. You don't have a clue.

**Mr Kormos:** But who will be the next leader of the Conservative Party?

**Mr Marchese:** Who will be the next leader of the Conservative Party?

**Mr Kormos:** There's going to be a leadership convention after—

**Mr Marchese:** Because Ernie won't stick around. Well, Tony's in line. Jim is here; he's in line. They're going to have a couple of candidates running.

**Mr Kormos:** Do they want Ernie to win?

**Mr Marchese:** Well, I don't know who they want to win. I don't know whether it's Tony or Jim. I don't know who the public wants. Who knows what the Tories want? What I do know is that the Tories—Peter, I've learned a lesson out of this—whatever ruling comes out of this, whether they're voting for or against, they're never going to do this again. I'm serious. After the beating they took, the Tories will never do this again. I'll wager 10 bucks with you, Peter. They'll never do this again.

**Hon Tina R. Molinari (Associate Minister of Municipal Affairs and Housing):** In the short time that I have in my debate today, I will focus on a couple of issues. My colleagues have already eloquently spoken on the issue of the ruling today. My colleagues on the government side have certainly made a lot of the comments that I would make.

But I want to talk about what I feel is my position as an MPP representing my constituents in the House. What's important to the Thornhill riding and constituents in my riding are their wants, their dreams, the things they feel are important to their families. That's why they elected me to be here: to be involved in this debate, to vote on the issues that come forth and to express their views on their behalf. I take pride in representing the riding of Thornhill here in this House.

One of the things I've heard a lot of the MPPs in this House talk about is the importance not only of what we do here in the Legislature but also the importance of what we do outside the Legislature: things we do in committees, things we do in consulting with all of the constituents and also the things we do in the constituency

office, which is also very important. I heard that from a lot of my colleagues here, even across the House. They talk about the things that are important to them and the work they do.

In the short time I have, I want to highlight a particular situation that came to my attention just this week. A mother, Aurelia Bertocchi, called me and said that her son, Massimo, who is in track and field in his high school, was to compete on Monday for the York region championship. Because of the SARS issue, the coach for this team did not attend a specific meeting. According to the constitution and regulations, this teacher was supposed to have attended this meeting. Because this coach didn't attend, the whole team was disqualified from competing. Here's a situation where a coach, a representative of a team, did not fulfill a certain responsibility, albeit with due reason. This person was afraid to go into this facility because of the SARS scares. But what happened was that a whole group of students was not allowed to compete. She called me in a frantic rage, saying, "How could this happen?" Her son, Massimo, who has ranked sixth nationally in the high jump in the junior division, was not going to have the opportunity to compete. We worked with the mother, with the school

board, with the Minister of Education, and I'm pleased to say that the ruling was overturned and Massimo and 24 other students from St Joan of Arc will now be competing on Monday in the track and field championship.

This is an example of what we do as representatives of our community and of the important things we also do outside the House, not only in the Legislature.

I also want to highlight some of the important things that came out of the budget, things that are important to my community: investments in education, investments in health care. It's important to note that all of the investments which are in the budget are going to be implemented. We will be involved in debating the budget in the Legislature. All of these issues are important, not only to the constituents of Thornhill but to the constituents in all of the municipalities in Ontario. I also had the opportunity to consult with a number of mayors and counsellors, and their opinions are going to be well represented here in this Legislature. Thank you.

**The Deputy Speaker:** It being six of the clock, this House stands adjourned until Monday at 1:30.

*The House adjourned at 1800.*



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| Constituency<br>Circonscription                           | Member/Party<br>Député(e) / Parti   | Constituency<br>Circonscription                    | Member/Party<br>Député(e) / Parti   |
|---|---|--|---|
| Algoma-Manitoulin   | Brown, Michael A. (L)   | Haldimand-Norfolk-Brant                            | Barrett, Toby (PC)  |
| Ancaster-Dundas-<br>Flamborough-Aldershot                 | McMeekin, Ted (L)   | Haliburton-Victoria-Brock<br>Halton                | Hodgson, Chris (PC)<br>Chudleigh, Ted (PC)  |
| Barrie-Simcoe-Bradford                                    | Tascona, Joseph N. (PC)   | Hamilton East / -Est                               | Agostino, Dominic (L)   |
| Beaches-East York   | Prue, Michael (ND)  | Hamilton Mountain                                  | Bountrogianni, Marie (L)  |
| Bramalea-Gore-Malton-<br>Springdale                       | Gill, Raminder (PC)   | Hamilton West / -Ouest                             | Christopherson, David (ND)  |
| Brampton Centre / -Centre                                 | Spina, Joseph (PC)  | Hastings-Frontenac-<br>Lennox and Addington        | Dombrowsky, Leona (L)   |
| Brampton West-Mississauga /<br>Brampton-Ouest-Mississauga | <b>Clement, Hon / L'hon Tony</b> (PC)<br>Minister of Health and Long-Term<br>Care / ministre de la Santé et des<br>Soins de longue durée  | Huron-Bruce  | <b>Johns, Hon / L'hon Helen</b> (PC)<br>Minister of Agriculture and Food /<br>ministre de l'Agriculture et de<br>l'Alimentation   |
| Brant   | Levac, Dave (L)   | Kenora-Rainy River                                 | Hampton, Howard (ND) Leader of the<br>New Democratic Party / chef du Nouveau<br>Parti démocratique  |
| Bruce-Grey-Owen Sound                                     | Murdoch, Bill (PC)  | Kingston and the Islands /<br>Kingston et les îles | Gerretsen, John (L)   |
| Burlington  | Jackson, Cameron (PC)   | Kitchener Centre / -Centre                         | Wettlaufer, Wayne (PC)  |
| Cambridge   | Martiniuk, Gerry (PC)   | Kitchener-Waterloo                                 | <b>Witmer, Hon / L'hon Elizabeth</b> (PC)<br>Deputy Premier, Minister of Education /<br>vice-première ministre, ministre de<br>l'Éducation  |
| Chatham-Kent Essex  | Hoy, Pat (L)  | Lambton-Kent-Middlesex                             | Beaubien, Marcel (PC)   |
| Davenport   | Ruprecht, Tony (L)  | Lanark-Carleton                                    | <b>Sterling, Hon / L'hon Norman W.</b> (PC)<br>Attorney General, minister responsible<br>for native affairs / procureur général,<br>ministre délégué aux Affaires<br>autochtones  |
| Don Valley East / -Est                                    | Caplan, David (L)   | Leeds-Grenville                                    | <b>Runciman, Hon / L'hon Robert W.</b><br>(PC) Minister of Public Safety and<br>Security / ministre de la Sécurité et de la<br>Sécurité publique  |
| Don Valley West / -Ouest                                  | <b>Turnbull, Hon / L'hon David</b> (PC)<br>Associate Minister of Enterprise,<br>Opportunity and Innovation / ministre<br>associé de l'Entreprise, des Débouchés<br>et de l'Innovation   | London North Centre /<br>London-Centre-Nord        | <b>Cunningham, Hon / L'hon Dianne</b> (PC)<br>Minister of Training, Colleges and<br>Universities, minister responsible for<br>women's issues / ministre de la<br>Formation et des Collèges et Universités,<br>ministre déléguée à la Condition féminine |
| Dufferin-Peel-<br>Wellington-Grey                         | <b>Eves, Hon / L'hon Ernie</b> (PC) Premier<br>and President of the Executive Council,<br>Minister of Intergovernmental Affairs /<br>premier ministre et président du<br>Conseil exécutif, ministre des Affaires<br>intergouvernementales | London West / -Ouest                               | Wood, Bob (PC)  |
| Durham  | O'Toole, John R. (PC)   | London-Fanshawe                                    | Mazzilli, Frank (PC)  |
| Eglinton-Lawrence   | Colle, Mike (L)   | Markham  | <b>Tsubouchi, Hon / L'hon David H.</b> (PC)<br>Chair of the Management Board of<br>Cabinet, Minister of Culture / président<br>du Conseil de gestion du gouvernement,<br>ministre de la Culture   |
| Elgin-Middlesex-London                                    | Peters, Steve (L)   | Mississauga Centre / -Centre                       | Sampson, Rob (PC)   |
| Erie-Lincoln  | <b>Hudak, Hon / L'hon Tim</b> (PC)<br>Minister of Consumer and Business<br>Services / ministre des Services aux<br>consommateurs et aux entreprises   |  |   |
| Essex   | Crozier, Bruce (L)  |  |   |
| Etobicoke Centre / -Centre                                | <b>Stockwell, Hon / L'hon Chris</b> (PC)<br>Minister of the Environment,<br>government House leader / ministre de<br>l'Environnement, leader<br>parlementaire du gouvernement   |  |   |
| Etobicoke North / -Nord                                   | Hastings, John (PC)   |  |   |
| Etobicoke-Lakeshore                                       | Kells, Morley (PC)  |  |   |
| Glengarry-Prescott-Russell                                | Lalonde, Jean-Marc (L)  |  |   |
| Guelph-Wellington   | <b>Elliott, Hon / L'hon Brenda</b> (PC)<br>Minister of Community, Family and<br>Children's Services / ministre des<br>Services à la collectivité, à la famille<br>et à l'enfance  |  |   |

| Constituency<br>Circonscription          | Member/Party<br>Député(e) / Parti   | Constituency<br>Circonscription                   | Member/Party<br>Député(e) / Parti  |
|--|---|---|--|
| Mississauga East / -Est                  | <b>DeFaria, Hon / L'hon Carl</b> (PC)<br>Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées  | Scarborough Centre / -Centre                      | Mushinski, Marilyn (PC)  |
| Mississauga South / -Sud                 | Marland, Margaret (PC)  | Scarborough East / -Est                           | Gilchrist, Steve (PC)  |
| Nepean-Carleton                          | <b>Baird, Hon / L'hon John R.</b> (PC)<br>Minister of Energy, Minister responsible for francophone affairs, deputy House leader / ministre de l'Énergie, ministre délégué aux Affaires francophones, leader parlementaire adjoint | Scarborough Southwest / -Sud-Ouest                | <b>Newman, Hon / L'hon Dan</b> (PC)<br>Associate Minister of Health and Long-Term Care / ministre associé de la Santé et des Soins de longue durée           |
| Niagara Centre / -Centre                 | Kormos, Peter (ND)  | Scarborough-Agincourt                             | Phillips, Gerry (L)  |
| Niagara Falls                            | Maves, Bart (PC)  | Scarborough-Rouge River                           | Curling, Alvin (L)   |
| Nickel Belt                              | Martel, Shelley (ND)  | Simcoe North / -Nord                              | Dunlop, Garfield (PC)  |
| Nipissing                                | McDonald, AL (PC)   | Simcoe-Grey                                       | <b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines                              |
| Northumberland                           | <b>Galt, Hon / L'hon Doug</b> (PC)<br>Minister without Portfolio, chief government whip / ministre sans portefeuille, whip en chef du gouvernement  | St Catharines                                     | Bradley, James J. (L)  |
| Oak Ridges                               | <b>Klees, Hon / L'hon Frank</b> (PC)<br>Minister of Transportation / ministre des Transports  | St Paul's   | Bryant, Michael (L)  |
| Oakville                                 | <b>Carr, Hon / L'hon Gary</b> (PC)<br>Speaker / Président   | Stoney Creek                                      | <b>Clark, Hon / L'hon Brad</b> (PC)<br>Minister of Labour / ministre du Travail  |
| Oshawa                                   | <b>Ouellette, Hon / L'hon Jerry J.</b> (PC)<br>Minister of Natural Resources / ministre des Richesses naturelles  | Stormont-Dundas-Charlottenburgh                   | Clearly, John C. (L)   |
| Ottawa Centre / -Centre                  | Patten, Richard (L)   | Sudbury   | Bartolucci, Rick (L)   |
| Ottawa-Orléans                           | <b>Coburn, Hon / L'hon Brian</b> (PC)<br>Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs   | Thornhill   | <b>Molinari, Hon / L'hon Tina R.</b> (PC)<br>Associate Minister of Municipal Affairs and Housing / ministre associée des Affaires municipales et du Logement |
| Ottawa South / -Sud                      | McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition  | Thunder Bay-Atikokan                              | McLeod, Lyn (L)  |
| Ottawa West-Nepean / Ottawa-Ouest-Nepean | Guzzo, Garry J. (PC)  | Thunder Bay-Superior North / -Nord                | Gravelle, Michael (L)  |
| Ottawa-Vanier                            | Boyer, Claudette (Ind)  | Timiskaming-Cochrane                              | Ramsay, David (L)  |
| Oxford                                   | <b>Hardeman, Hon / L'hon Ernie</b> (PC)<br>Associate Minister of Municipal Affairs and Housing / ministre associé des Affaires municipales et du Logement   | Timmins-James Bay / Timmins-Baie James            | Bisson, Gilles (ND)  |
| Parkdale-High Park                       | Kennedy, Gerard (L)   | Timmins-Baie James                                | Smitherman, George (L)   |
| Parry Sound-Muskoka                      | Miller, Norm (PC)   | Toronto Centre-Rosedale / Toronto-Centre-Rosedale | Churley, Marilyn (ND)  |
| Perth-Middlesex                          | Johnson, Bert (PC)  | Toronto-Centre-Rosedale                           | Marchese, Rosario (ND)   |
| Peterborough                             | Stewart, R. Gary (PC)   | Toronto-Danforth                                  | Sorbara, Greg (L)  |
| Pickering-Ajax-Uxbridge                  | <b>Ecker, Hon / L'hon Janet</b> (PC)<br>Minister of Finance / ministre des Finances   | Trinity-Spadina                                   | Arnott, Ted (PC)   |
| Prince Edward-Hastings                   | Parsons, Ernie (L)  | Vaughan-King-Aurora                               | <b>Flaherty, Hon / L'hon Jim</b> (PC)<br>Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation     |
| Renfrew-Nipissing-Pembroke               | Conway, Sean G. (L)   | Waterloo-Wellington                               | <b>Young, Hon / L'hon David</b> (PC)<br>Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement                         |
| Sarnia-Lambton                           | Di Cocco, Caroline (L)  | Whitby-Ajax                                       | Pupatello, Sandra (L)  |
| Sault Ste Marie                          | Martin, Tony (ND)   | Willowdale  | Duncan, Dwight (L)   |
|  |   | Windsor West / -Ouest                             | Kwinter, Monte (L)   |
|  |   | Windsor-St Clair                                  | Munro, Julia (PC)  |
|  |   | York Centre / -Centre                             | Cordiano, Joseph (L)   |
|  |   | York North / -Nord                                | Sergio, Mario (L)  |
|  |   | York South-Weston / York-Sud-Weston               |  |
|  |   | York West / -Ouest                                |  |
|  |   | Mississauga West / -Ouest                         | Vacant   |

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

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

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Margaret Marland, Bart Maves,  
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Règlements et projets de loi d'intérêt privé**

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Raminder Gill, Pat Hoy, Morley Kells, Rosario Marchese, Ted  
McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Trevor Day

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