



**Legislative Assembly
of Ontario**

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de l'Ontario**

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 15 May 2003

Jeudi 15 mai 2003

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 15 May 2003

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 15 mai 2003

The House met at 1000.

Prayers.

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

ADOPTION DISCLOSURE STATUTE LAW
AMENDMENT ACT, 2003

LOI DE 2003 MODIFIANT DES LOIS
EN CE QUI CONCERNE LA DIVULGATION
DE RENSEIGNEMENTS SUR LES
ADOPTIONS

Ms Churley moved second reading of the following bill:

Bill 16, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of adoption disclosure / Projet de loi 16, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

The Deputy Speaker (Mr Bert Johnson): According to order 96, the member has 10 minutes to make her presentation.

Ms Marilyn Churley (Toronto-Danforth): Good morning to everybody who has joined me for this occasion. This bill is not new to anybody in this chamber. This is the fourth time we've debated such legislation since 1999. I don't know if I've made a record yet, Mr Speaker, of the same bill being presented so many times in this Legislature without its being passed.

Each bill received overwhelming support. In 2000, Bill 77 was sent to committee and was reported back to the House for third reading and a final vote, and that never happened because the government blocked it from happening even though at the end of the last session there were several private members' bills from all three parties—I think we only got one, if any, but both Liberals and Tories. Many, many bills were passed.

This bill was not allowed to go through by the government because there are a few members, and I say only a few members, in the chamber who do not support going forward with adoption disclosure reform. This is a government that's in the process of bringing forward changes to the Legislative Assembly Act so that private members have more of a say in this place, and in fact is proposing that if a private bill gets I think up to 75% of

support from all members of the House, then the bill should be granted third reading. I can guarantee you that I have that 75% or more support in this chamber, and yet the government refuses to let it go forward for third reading.

That does not bode well in terms of Margaret Marland and other members—Michael Prue was on that committee; I had been on it for a while—trying to change things so that there is actually more democracy in this place when there is overwhelming support for a private member's bill.

I did want to point out that some of the people who have been working hard on adoption disclosure reform are here with us today. I think others are joining us. We have Tina Kelly, who is from my riding and she's a birth mother; her friend Gladys Pulp. Holly Kramer is going to be coming—she's with Parent Finders—and her partner, Brian MacDonald, who have long been active on this issue. As you know, it was Holly Kramer, the president of Parent Finders, who helped me find my son several years ago because I was not able to do it through the existing legislation. Nancy McGee, a birth mother, is here; Wendy Rowney, an adoptee, is here from the Coalition for Open Adoption Records; Graig Scott is here; Jeffery Telford, who is an adoptee, and his wife, Mari Justo; and Shifra Saltzman from the Canadian Council of Natural Mothers. Also sitting in the gallery is my legislative assistant, Christine Kemp, who has been enormously helpful to me over the past few years as we try to get this very important legislation passed.

Since we last discussed this bill in this Legislature, Alberta has now brought in legislation similar to mine. It's not exactly the same—none of the legislation is exactly the same—but they're all going in the same direction, and that is, opening up records to adult adoptees and their birth parents. Newfoundland just proclaimed their adoption disclosure reform; they just proclaimed the bill. We're getting further and further behind. Ontario used to be a trend-setter in social policy and now we're falling further and further behind other provinces. We have British Columbia, Newfoundland and Alberta just bringing in new legislation.

I'm going to remind you of some other jurisdictions across the world—we are not re-inventing the wheel here. Tony Martin is here. He worked hard on this issue as well and introduced a bill. I want people to listen carefully to this: in England, Scotland, Wales, Northern Ireland, Israel, Argentina, Mexico, several US states, Denmark, Holland, Norway, Sweden, Finland, Austria, Germany, France, New Zealand, Australia, British Col-

umbia, Newfoundland, the Northwest Territories and Nunavut, adoptees can approach their respective birth registries and obtain identifying birth information. We are still lagging behind here.

I want to remind the members who are present once again what this bill is all about. I've had suggestions put to me. In fact, I was invited to a meeting yesterday with Mr Wettlaufer and I believe he got the Minister of Community and Social Services to come along. I appreciate what he's trying to do; he's trying to find some middle ground here to get the bill passed. But unfortunately what became very clear early on in the meeting was that there was a lack of understanding about what this bill is all about, which is somewhat astounding after all the years this has been before us.

It was put to me that if I would agree to an amendment to not allow retroactivity, then there could be support for the bill. What I pointed out, and I'll point out again, is that that is what this bill is all about. That is the bill. You can't amend it, because the bill is there to provide relief to all those birth parents and adoptees, who are now adults, who were adopted at a time of absolute shame and secrecy around the adoption process. Birth mothers were told, I was told, "Don't worry. You'll have your baby and you will go away and forget all about it." That doesn't happen. I presume most of you have children, some grandchildren, like myself. My daughter has a little boy and I was there to witness the birth of that baby. I'm a proud grandma. I have two stepgrandchildren as well whom I absolutely adore. But those of you who have had children, those of you who are lucky enough to be in the birth room and see your child delivered into this world, will agree with me that there is no experience like it in this world. The magic of bringing a child into the world is something that cannot be described.

For me, carrying my child for nine months as a teenager, in secrecy, giving that child up for adoption, and every day of my life not forgetting him, and finally finding him, is indescribable. I talk to so many birth mothers and so many adoptees who are living their lives trying to put the two back together again. That's what this is all about, being able to heal the wounds and correct a terrible wrong that was done to people at a time—it was happening across the world—when pregnancy out of wedlock was a shameful thing, in some cases worse than death.

1010

I want to point out to people that if you misunderstand and if we change this bill so it's not retroactive, it won't do what it's supposed to be doing. The reality today is that most adoptions are open. It is the past we're trying to fix here.

There are two things that are cited to me now as reasons why the government cannot move forward. One of them is absolutely shocking. After September 11, when the government brought in new regulations around being able to obtain a birth certificate, adoptees who were looking and searching received a letter from the now minister—it was cited in the committee hearings we

held—that because of what happened on September 11 and new security laws, it would interfere with the security around birth certificates. In the US, where this happened, none of the states that have open adoption records are citing that as a reason not to give adult adoptees and their birth parents their birth information from years ago. So why would we be doing it here? It's absurd and an insult to that community to say that if they are given their original birth information, it might breach security. That's shocking. Let's dismiss that one. I think we would all agree that is utterly absurd.

Second, some government members now cite—I know that Mr Eves, the Premier, who I think quite sincerely is sympathetic to this bill and wanted to help facilitate it, heard at the 11th hour, when we were trying to pass it in the last session, that the privacy commissioner had some concerns. This was not news. It was I who went to her, even though she said categorically that she does not have jurisdiction in this area, that it doesn't fall within her framework. But she did give me an opinion. It's an opinion that's been cited in other jurisdictions I mentioned. That's their job, to talk about some of the privacy issues. Two things that she said are very important: that it was outside of her purview, but since I asked she gave me the information; more importantly she said that, nevertheless, she was sympathetic to the need for adoption disclosure reform to those who need it, and that at the end of the day, this is something the government—I am paraphrasing—must decide in terms of social policy, that sometimes governments have to decide on these things based on what's best for all the people.

I would ask people not to cite those reasons today for not supporting this bill.

Mr Wayne Wettlaufer (Kitchener Centre): I really appreciate the seriousness of this matter in so far as the member from Toronto-Danforth is concerned. I am very sympathetic to what she is trying to do here. I sat in committee approximately 18 months ago when this came before committee, along with the member from Prince Edward-Hastings, who sat in on the committee. I know that he shares this sympathy.

I want to say that in my interpretation of the letter the member from Toronto-Danforth received from the Information and Privacy Commissioner of Ontario, she says that while she is sympathetic to the position, nevertheless she said—I am going to provide a direct quote here; I am not going to put an interpretation on the privacy commissioner's words, that "the ideal from a privacy perspective would be an 'opt in' approach, whereby the presumption is that individuals do not wish to be contacted unless they expressly state they desire such contact."

She also states that the previous Bill 77—this one of course is the same as the previous Bill 77—resembled the adoption disclosure process adopted in British Columbia and Newfoundland, whose "jurisdictions impose higher penalties for violating no-contact notices." She also states that Bill 77—it's now the same bill—affords an individual the "right to withdraw a contact veto, with no right to reinstate it."

Now, just a minute. In a free country, just because an individual withdraws a contact veto, should that person not have the right to reinstate it, if he or she so wishes, at some point in the future, whether it be a short time in the future or a long time in the future? She said, "In my view, the possibility of restoring a contact veto ... should also be considered. These are some privacy protective measures within the context of the current Bill 77 that we would recommend."

Again I say to you that this bill we're discussing or that the privacy commissioner is discussing is the same as Bill 77. She said that "my primary concern is the retroactive nature of the bill. I would recommend that you consider limiting the retroactivity of Bill 77 so that the legitimate privacy expectations of birth parents and adoptive adults are respected. As we discussed, some birth parents may have placed their children for adoption with the assurance that their identity would not be disclosed without their consent."

These are very serious concerns on the part of the privacy commissioner. My recollection is that in committee we asked some of the adopted adults if they did not understand that certain adoptive parents had concerns for privacy. While they accepted that, they nevertheless felt their own adopted concerns pre-empted those of the adoptive parents. I have, again, some sympathy for their position, their anxiousness in wanting to search out their parents, to search out any information from their parents that might affect their health, that they would like their health records. I agree. I think they should have their health records. But somehow I feel that retroactivity of privacy elimination is wrong. Thirty, 40, 50 years ago people were under different conceptions than they are today. I think we need to respect the concerns of those individuals who were under those conceptions at that time.

1020

The member for Toronto-Danforth mentioned that in our meeting yesterday she raised the fact that the Northwest Territories legislation was similar, that the British Columbia legislation was similar and that the Newfoundland legislation was similar. Understand, I say to you, Ms Churley, that Newfoundland's and British Columbia's are somewhat different in that they impose a very strict penalty for violation of a contact veto. Additionally, as I mentioned to you yesterday, I recall growing up and when I wanted something from my parents, I'd say, "Well, John has it," or, "Bill has it", or, "Bobby has it." They'd say, "If they go and jump off a cliff, are you going to follow them?" Two wrongs don't make a right. I know you heard that too, Speaker. I can see it by the smile on your face. It's a situation that I know you feel in your heart of hearts that you're doing the right thing. I don't believe you are. Because of that, I can't support the bill.

I mentioned to you that I would like to come forward with a bill personally that you could agree to, that would be a go-forward bill, that would change those portions of the present act that you find offensive, and go forward

from today or a year from today, so this won't happen in the future.

Ms Churley: It doesn't happen now.

Mr Wettlaufer: Well, if it doesn't happen now, then why are you bringing this bill forward?

My point is, I would like to move forward from today. That is the whole concern that I have: the retroactivity of the lack of privacy. We as a government cannot say to those people who put their children up for adoption in previous years, "No matter what you sign, no matter what understanding you had before, we don't respect it any more." I think we need to say to those people: "In future, this is going to be the law. We go forward"—not the reversal of their anticipation of what the law would give them 20, 30 or 40 years ago.

Mr Ernie Parsons (Prince Edward-Hastings): In my time here, this has really been the most difficult emotional issue that I've dealt with. I have trouble with the retroactive aspect, but I also quite understand that if it is not retroactive there is no point to the bill. Quite frankly, there is more good in the bill than there is bad.

But I have some concerns. As an adoptive parent—my sisters are adopted, our children are adopted, I've been a CAS board member for over 25 years, a foster friend for 16 years—I have some sense of the actual faces and people involved in the system.

In the children's aid society that I presently serve on, 25 years ago every mother who was giving up a child was read a statement indicating, among other things, that her name would never be disclosed. I think, quite frankly, if those people were asked now, most of them would opt to say, "You can waive it. I'm interested in the contact; I'm interested in being available." I suspect the large majority would be. But I have been contacted over the years by some who continue to perceive that it would present great, grave difficulties to them. They have never shared this with their family or with anyone else. So for them it's very important that their name not be given out because they were assured of that.

I might even add as an adoptive parent, when we adopted, we were assured that our name and our child's name would never be given to the birth mother. We were assured that. But there's no reference to an adoptive parent in here.

I'm not even sure of the legality of the name being given out without the person's consent. Surely we can't call any government office and ask anything.

Yet the bill has a lot of good in it, as I say. I do wonder whether there is a possibility for a year's period of time, through advertisements, allowing parents who believe that there was a commitment made to them, to opt out of this, and if they do not opt out, then they're in—whether there is a mechanism to protect those parents who very much do want that contact.

I know as a foster parent that not all people who are birth parents are good parents. There needs to be some caution about the contact. I'm talking about a small minority. But we have people in this world who do some horrible things to the children. Not all of them are given

up as babies; some are taken away from their birth parents for very strong reasons. So I have caution about making that contact. But I do question whether under the current legislation—I think it's good legislation—an individual's name can be freely given out.

I do wonder a little bit about the age of 19. I think of children that we've worked with. There are some individuals who are 19 years old physically but they're 14 years old mentally, or eight years old mentally, or developmentally handicapped. This bill doesn't address that.

The no-contact would probably work the majority of the time. But, as foster parents, on occasion we have had to have restraining orders issued against birth parents who come to our house and threaten us and the children. I know, through experience, that a piece of paper means exactly nothing if the individual is going to come. In some instances, there's a very real issue of safety involved in it.

In a sense, what we are creating in this is shared adoption. This is a relatively recent development, where an adoptive couple also stay in contact and work with the birth parent. But the adoptive parents enter into that arrangement willingly, the birth parent enters into it willingly, and the child, in most cases—probably all cases—benefits from this relationship. But this retroactively creates shared adoption that the adoptive parents have had no say in whatsoever. They are being legislated into something that they probably would have chosen not to be part of.

I'm an adoptive parent. Sometimes people use the expression "the real parents," and I can't tell you how much that hurts when someone says that. When I get up at 3 o'clock and walk the floor with the child, change the diapers, feed them and hopefully provide nurturing and encouragement, and they turn 19, don't tell me I'm not the real father and my wife's not the real mother. I have a struggle that we're going to be potentially entered into an arrangement that we chose not to. In fact, I see within this province couples who have said to me they've chosen to adopt foreign adoptions because it removes them from this pattern. Yet we have children in Ontario waiting for adoption—thousands and thousands of children.

If ever there was an issue I'm torn on, it's this one.

Mr Tony Martin (Sault Ste Marie): Indeed I feel privileged to speak here today, however disappointed that, in fact, I have to. You have to understand, folks, that this piece of public business, this development of public policy, where some very fragile and at-risk people are concerned, started back in about 1975, and maybe even earlier than that. Of course, for all time people have been searching to find their families, roots, history and heritage, who it is that they are so that they can build a life on that and make decisions about that. Around 1975, this whole exercise began in earnest.

I remember my own part in it, in about 1994-95, when we actually had a bill before the House that had gone through very elaborate public consultations through committee. We had it before the Legislature. The last night

that we sat before we, as government, went before the people before Christmas—it was about a quarter to 12. I remember I put the bill on the table. I remember the passionate plea by Charles Beer—

Interjection.

Mr Martin: That's right. We rose just before Christmas, and we didn't go to the electorate until June. But that's not the issue here.

The issue here is that this bill was before the House on that evening at about quarter to 12. Charles Beer got up in the Legislature, on the Liberal side, and pleaded passionately, with everybody gathered—and the place was full—that if we could only move it to a vote, it would probably pass that evening, 127 to three. I would guess that there were probably about three members in the place—two of them Conservatives, and I believe there was one person in the Liberal caucus who had some concern with it, and was willing, I think, to even take a walk on it. But there would have been maybe two or three people, out of 127 duly elected members to this Legislature who would have voted in favour of that bill.

We would have been, at that time in 1994-95, leading the pack in the country in terms of legislation; we were on the cutting edge. Here we are, eight or nine years later, and we've fallen behind just a myriad of jurisdictions, both in Canada, the United States and around the world in terms of our legislation. I'm disappointed, deeply, that we're still considering this piece of public business that is, for me, very clearly a question of justice and human rights, rights that we who are not part of the adoptive community take for granted: you know, go get your birth certificate and talk to your family about some of the history there that will help you come to terms with a health issue or a decision you want to make about what you want to be etc. But people caught up in the adoptive community process, particularly adoptees themselves, find themselves shut off and cut off from that opportunity. I believe it's very clearly and simply an issue of human rights being denied.

1030

The two issues of concern with this bill raised by the members who have spoken so far I think are easily dealt with. As to the issue of privacy, this government found, in at least two other instances over the last couple of years where they've passed legislation, that even though there were issues of privacy, they didn't supersede what they felt in their heart was the need for government to move forward on certain fronts, and certainly this is another one. There are some questions about privacy, but I think other jurisdictions have dealt with them, and I believe the bill that our colleague Marilyn Churley is putting forward here today goes a long way to satisfying and dealing with those. We dealt with it eight or nine years ago and we were satisfied then. I remember sitting around the table with every member of that adoptive community—the adoptees themselves, the birth parents, adoptive parents—with some of them taking a deep breath, yes, in some instances, but agreeing that this needed to happen, that this piece of public policy needed

to change and this piece of public business needed to be done and we needed to be moving forward.

The other issue is the issue of retroactivity. If it wasn't so serious and such a blatant misunderstanding of what it is we're doing here, it would almost be funny. I mean, retroactivity? For God's sake, goodness gracious, this is what this is all about. I remember some of those people coming before the committee who were looking for their mother or father, or a mother or father looking for their child, and knowing they weren't going to be able to do that; or in some instances, they had found their child or their parents, but they had passed away so they weren't able to develop that relationship or get to know them. How many people, in the eight or nine years since, have lost all opportunity because the person they're looking for has indeed passed away since then? How long are we going to prolong this thing? How long are we going to keep this going so that continues to happen?

After great and respectful discussion back and forth and dialogue between everybody involved, we came up with what we thought would be a very good response to some of the concern about people who were afraid of being found, and that was the contact veto. That will work a lot better than what's out there now, where you have people finding each other through the use of private investigators and other organizations and no contact veto at all. The contact veto is actually an improvement on the reality at the moment and should give comfort to folks who have concern about being contacted when they don't want to be that there is this veto in place. It does work, because it has worked in other jurisdictions.

I would urge all members of this Legislature, after this long period of time—1975, 1994 and now 2003—to get with it, get with what's happening around the world. This is a human rights issue. Support the bill of our colleague from Toronto-Danforth here this morning.

Hon Brad Clark (Minister of Labour): There probably is no greater or more difficult issue that this House has ever faced. In terms of disparate viewpoints, they're very clear. I understand the intentions and I respect her desire to see the law changed. But there are other people out there who have rights and concerns also. They operated under a certain assumption many years ago that adoption records, birth records, would be sealed and wouldn't be opened unless both parties agreed to it. I have a letter from an Ontarian. I'm going to read it.

"My name is Margaret. I'm a senior citizen in my 70s. I have an objection to Bill 77"—now Bill 16. "I do not want adoption files open to the public or disclosed in any way except for a very serious medical condition which must be verified by a doctor.

"When I was 19 years old back in the 1940s, I was brutally raped and left beside the road. I was an innocent, even at 19 back then. I was so afraid and scared and had no one to talk to"—about the situation I was in. "There were no places to go"—back then. "I had to keep everything to myself. When I was almost five months pregnant, I finally found out I was going to have a baby. I wanted to die. I knew nothing about sex or getting pregnant. I was a virgin when this happened.

"Later ... I was pregnant when I passed out on the street and a police officer called an ambulance and took me to a hospital"—and a doctor told me what was about to happen.

"I had a baby"—it was a boy—"who I never saw, never held and did not want to. I do not know who he is" because of the situation.

"Before I left the home, the government workers and social worker told me ... that I had gone through this terrible ordeal." I was guaranteed that "the records would be sealed" and no one would ever know. "I truly believed them and even though I felt ashamed, dirty and used, I knew I must start"—my life—"over." I am married now and have a wonderful family. I've been married for 50 years, but one thing I did not ever "tell my husband was what happened to me when I was 19." Then she proceeds to explain why she wouldn't want the information ever released.

As legislators, we draft laws based on discussion and social policy. Historically in Canada, we draft laws with a view to protecting minorities. We draft laws based on democratic principles, but you always draft laws to protect individual rights. I understand what the member is trying to do. I suggested to Minister Elliott that she meet with the member and discuss the issues of retroactivity.

I have real concerns about any Parliament where we would change laws that would put the law in place retroactively to the past. Historically, Parliaments don't do that. Laws go forward; laws evolve. They go forward; they don't go back. For any person in this place to pass a law that would, in essence, remove the seal that was placed on a record by the government, a contract, an agreement that the records and information would never be released to the public; to remove that through a negative option where, if you don't take action, your information can be released to the public, is wrong.

I don't support the bill. If they want to go forward and not deal with it retroactively and evolve the law forward, wonderful. If they want to deal specifically with recommendations from the privacy commissioner that would provide the same rights to those people, wonderful. The privacy commissioner stated, "It is unclear whether the amendments will apply retroactively. Many birth parents may have given up their children for adoption with the assurance that their identity would not be disclosed without their consent. Many adopted adults and adoptive parents may also share this understanding. To change the law now, with retroactive effect, would be a departure from that expectation of confidentiality." That's what the privacy commissioner says.

The member would state that the privacy commissioner has no power or authority over this act, and it's true. But the law, the Freedom of Information and Protection of Privacy Act itself mandates the privacy commissioner to provide advice and counsel to the government and members of the Legislative Assembly. We rely on her counsel. We rely on her advice. We can't simply dismiss her advice when we don't like her advice.

It's quite clear to me that the commissioner has a problem with this. I don't know what's going to happen here today. To the people who are supporting Ms Churley's bill, I can't predict what's going to happen today. This is private members' business. I can tell you how I'm going to vote simply because they would not deal with the issue of retroactivity. I will continue to oppose it until they deal with that matter.

I have to state that it is choice for members of the NDP caucus to take objection to the fact that a member in this place can object to something and somehow obstruct the bill from going forward. The NDP caucus over the years, in my experience of the last four years, has written the book on how to obstruct bills in the House from going forward. It is choice for them now to stand here and say, "How dare anyone take their democratic right as an elected member of this Legislature and use it in this House." I don't expect they'll understand my position, but I'm not changing it.

1040

Mr John Gerretsen (Kingston and the Islands): Let me first of all say that this is a very difficult issue, and it affects people in a very personal way. I know that many disclosures in adoptive situations can be very stressful, and in many cases they can be very happy events as well. I can tell you that within my own family that's certainly what happened in a situation something similar to this not too long ago. It was a very positive thing that happened for everyone.

It's kind of interesting hearing the concerns of the privacy commissioner. It's interesting because it's exactly as the minister says: the privacy commissioner gives advice to this body, and then we act on that one way or another. I can think of many situations when the privacy commissioner has given advice to this government and they acted regardless: POSO, Bill 26—and I really don't want to get involved in that debate. I don't even want to debate the issue here so much as the matter as it relates to private members' business.

We're getting close to an election, and all parties are basically saying there should be more power given to private members. My issue here today is that this member has brought this bill forward on four different occasions. On at least two or three of those occasions, it was given second reading, it went to committee, received unanimous or near-unanimous endorsement from the committee, and only one other thing has to happen before it becomes law, and that is for it to be called in this House and given third reading and then be given royal assent by the Lieutenant Governor, which is, in most cases, a *fait accompli* at that stage.

What I cannot understand is, why don't we let the majority of the House decide whether or not this bill is a good bill or a bad bill? It has been given second reading on at least two or three occasions; it has gone to committee. With my own bill, the audit bill, by the way, exactly the same thing happened: it was also endorsed by this House unanimously, it was also endorsed at committee unanimously. It happened exactly the same way. It

hasn't been given third reading because the government refuses to call it, which basically puts a lie to the whole notion that private members have rights to see their ideas, which the vast majority if not the unanimity of this House supports—and for some reason it isn't being brought forward.

I understand your concerns, and they may very well be legitimate, but there comes a time when we as legislators have to take a position on it. For someone, or a group of individuals on the government side who are a vast minority, to determine that we are not going to bring this forward and let the will of the people as exhibited through all of us here somehow deal with this issue is anti-democratic. I don't care whether I sit on that side of the House or on this side of the House, I would feel exactly the same way. Your concerns are legitimate, and there may very well be some good reasons to vote against this bill, but let us at least give 103 of us in this House—this is a private member's bill. No major government initiative or funding is involved. This is not a matter of confidence in the government; this is a matter of a private member's bill that has been given second reading in this House, that has been endorsed by committee after public hearings and after amendments to that particular bill etc. So why don't we just pass it and then call it for third reading? Isn't that what we as private, individual members want to happen? Isn't that what our party platforms basically say we all want to do? The problem, when it comes right down to it, is that the power structure in this organization, namely the government House leader or whoever calls the shots on that side, doesn't allow it happen. And this isn't the only bill that's happening to.

I'm not for a moment disputing the seriousness of this bill. I fully support the bill. I truly, fully support the bill because I think it will have a positive influence on public policy in this province. But I also recognize the fact that there may very well be individuals who, for very good reasons, want to vote against it. Let's give the members in this House the opportunity to do that.

The Deputy Speaker: Further debate? The Chair recognizes the member for Frontenac-Lennox-Addington and—there's one more, but I've forgotten it.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Hastings.

The Deputy Speaker: I shouldn't forget Hastings.

Mrs Dombrowsky: Thank you very much, Speaker. I know it's a riding with a long name and one that's hard to remember: Hastings-Frontenac-Lennox and Addington, a beautiful, beautiful part of Ontario.

I stand this morning in the Legislature to speak in support of Bill 16. I spoke to Bill 77, its predecessor. This bill has been amended from Bill 77, I think amended in a very positive way. I don't have a lot of time this morning, but there are a few points I want to make around my support.

I did attend the committee hearings for Bill 77. There were 33 written and oral presentations to the committee, and all were in favour of the bill. I will always remember

some of the very poignant presentations made at those hearings.

The bill has been amended in a positive way, I believe, in what the member has added with respect to the no-contact part of the bill. What has been added is that if people break that no-contact order, there is a penalty of up to \$10,000 in a fine, if someone were to disregard the wishes of either the adopted child or the birth parent. I think that is a significant consideration. I believe the honourable member listened to some of the concerns in the debate that took place around Bill 77, very valid concerns brought forward on this issue, and has amended her bill in this way to provide not only a provision within the bill but also a penalty. That isn't the case in all other jurisdictions where similar legislation is in place, but the member has recognized, by points that were made in this Legislature and ones that have been received, that this is perhaps something that should be enacted.

I think it's also important to note that the Ontario Association of Children's Aid Societies and the Adoption Council of Ontario support this bill. These are people who are in the business of dealing with family situations where children are surrendered, for whatever reason, to new families.

I also want to address some of the points that have been made that there may be people in the province who have some problem with the bill. My colleague Mr Gerretsen has indicated that while the vast majority of people who would be connected to this sort of issue would be in favour of it, there may be those who would not be. I would like to quote from the presentation that Dr Grand made to the committee, because I think his points are very valid. "Good policy should not be based upon opinion or casual observation. Nor should policy be determined by single-case examples. It is impossible to write a law that will cover every instance. If we were to be held to this standard, we would not allow anyone to drive a car for fear of a single accident."

We should not engage in business for fear of a fraudulent transaction. I'm sure you see the ludicrousness of taking the extreme position. Law must be written in a manner that attempts to do the most good in the circumstances, while at the same time attempting to limit the possible harm. Will there be a case where this law may not have a positive outcome? Perhaps so, but I am convinced from the submissions I've heard, from the dozens, probably hundreds, of contacts I've received from people across the province in support of this bill, that by supporting this bill and making it the law in the province the good of the majority will be served. For that reason, I will be supporting this bill.

1050

The Deputy Speaker: Further debate?

Ms Churley: I just want to clarify once again what this bill does, because there are still some really clear misunderstandings about what it does. First of all, birth mothers did not sign a contract about never being able to hear from or see their children again. Of course, the baby had no rights to say anything whatsoever. We're talking

about them, as adults, being able to have the same rights as other adults in this province.

I want to say very clearly to the minister who read a letter from a woman who was concerned about this legislation that, first of all, there are misunderstandings. He thinks we're talking about information being released to the public here. Let's clarify that. The way it would work is you could put in a contact veto. In fact right now, if this woman's son wanted to find her through other means and found her, he could show up at her door now and knock on it. There's nothing stopping that. I could have done that when I found my son through Holly Kramer. I didn't do it. Neither did he. We went through a process of getting to know each other through various means. She does not have that opportunity now. Under this bill, she would. She would have more protection under this bill than she does at this moment. She could send in a contact veto.

Part of the bill, as is being done now in Newfoundland and Alberta and other jurisdictions, is not bringing the act into force until after a year of its proclamation so that the education can be done and the information given to all parties who might be involved.

So for people to stand up and say we're actually taking away people's privacy, it's not released to the public; it's only released to those birth parents and adult adoptees, and only if they have not filed a contact veto. So you must understand that within the existing law, as we find each other, though it doesn't happen, there's nothing to stop us from making that phone call or knocking on that door. This is a controversial issue within the adoption community. Some believe that what's happening now is against their human rights. I support that contention and say there shouldn't even be a contact veto. There are jurisdictions that brought in legislation years ago that are now re-examining the need to have it in there at all. There aren't any abuses.

I also want to point out that adoption disclosure—I mentioned it before but it's important to say again—was exempted from the Freedom of Information and Protection of Privacy Act in 1987, and the privacy commissioner pointed that out when I asked what her views were, as other privacy commissioners gave similar views and Legislatures decided to act in the best public interest. I find it pretty rich to have members from the government side talking about having to obey the word of the privacy commissioner when I have before me and remember the Ontario provincial savings account issue. I think contempt was cited over the way the government went out and invaded the privacy of people who had investments and accounts in that bank. There's also the issue—there are several, but I'll cite a couple—of the commissioner coming out publicly, being very disappointed that the government hadn't acted on its promise to bring in privacy legislation to protect people from abuses within the health care system. That hasn't been done. I could go on and on. Those are not exempted from the privacy commissioner. These are things that the government should be doing.

So let's just be clear on that. I asked because I wanted to know. I read other privacy commissioners' reports from other jurisdictions and those were the kinds of thing that were cited there, but legislators went ahead anyway in the best interests of the public.

Let's remember here that information is not released to the public, there are contact vetoes and no contract was made with us, the birth mothers, when we gave up our children. Most women were never promised confidentiality and never wanted it; we spend our entire lives, in fact, trying to find our children. But those who do can put in a contact veto, which they cannot do now.

I want to talk about a couple of other things that are pretty critical to the discussion we're having today, and that is health care issues. The government, the Minister of Health, announced on January 6 a \$1.2-million investment in genetic testing for ovarian and breast cancer. Many thousands of women in Ontario will receive no benefit from this well-intentioned screening process, and that's because they're adoptees. I know a woman, Kariann Ford, who came before the committee and talked about her terrible disease, which she's passed on to her children, and it's a very, very terrible disease. She could have made decisions about not having children and she could have taken care of herself years ago had she known that this genetic disease was in her family.

I have a letter here—I'm trying to find it—from a woman who talks about her situation. Here it is. She says, "I found my birth family almost three years ago now, but unfortunately, my birth mother had passed away in 1972 from ovarian cancer. Because of this information, I went to my doctor, and the end result is that I had my ovaries removed because of precancerous tumours on each ovary. I was told if I hadn't discovered this then, within two years I would have had untreatable cancer of the ovaries. I had been searching for almost 30 years, have always had problems with ovarian cysts, but not one doctor ever suggested removing my ovaries or doing any further tests. I guess I owe my life to luck. My timing was perfect. Please, somehow, get the records open. It is vital to our health and lives."

We have full support from the chief of genetics, Dr Philip Wyatt, from a hospital here in Ontario, who talks about the number—thousands now—of genetic diseases we're aware of that are passed down biologically. So we're literally talking about saving lives here. I believe this is a human right. If there's a program in place to save lives, then it should be there for everybody.

The other fact I want to point out is that a major study was done on Canadians' view of opening up adoption records to the parties involved—the adult adoptee and the birth parent—and 75% of Canadians support doing so now. Again, the minister said I have no right, just because I or the NDP support a piece of legislation, to try to push it forward here. We're simply asking for a vote. That's what democracy is all about. He can vote against it, if he so chooses. But let the majority in this Legislature decide.

The Deputy Speaker: The mover of the motion has two minutes to reply.

Ms Churley: I have another letter from a woman who is the president of an organization that works with children with fetal alcohol syndrome. She talks about these families who have adopted children who have this disease, and they feel it is important for these children to have access to their records. They want to work with me to get this through. These parents adopt children who sometimes have this and, again, it's too late by the time they find out to do some early treatment.

What this bill is all about—and I say it again. As has been pointed out, the Ontario Association of Children's Aid Societies overwhelmingly support this bill. They came and spoke to the committee. It says they "support the underlying philosophy behind Bill 77 and we are of the view that the time is right to bring about greater openness in the adoption disclosure process. It would indeed be unfortunate for this bill to fail to be enacted, after all of the adoption disclosure bills that have come before the Legislature in recent years." Why have they taken that position? Because they see the harm done, the overwhelming harm done to people, both the adult adoptees and the birth parents, and recognize that what we did many years ago was wrong-headed. England, the British Parliament, changed their laws in the 1970s, and I've read all of the other jurisdictions that have done so. I'm asking the members again today to not put, perhaps, personal concerns or fears into this, which is not being stated here. But I have to tell you that I'm concerned that some people seem to have some personal concerns and fears around retroactivity. We are legislators. Let's put that aside and vote on this bill today.

1100

ORGAN OR TISSUE DONATION
STATUTE LAW AMENDMENT ACT, 2003
LOI DE 2003 MODIFIANT
DES LOIS EN CE QUI A TRAIT
AU DON D'ORGANES OU DE TISSU

Mr Gilchrist moved second reading of the following bill:

Bill 17, An Act to amend various acts with respect to organ or tissue donation on death / Projet de loi 17, Loi modifiant diverses lois en ce qui a trait au don d'organes ou de tissu au moment du décès.

The Deputy Speaker (Mr Bert Johnson): You have 10 minutes to make your presentation.

Mr Steve Gilchrist (Scarborough East): It's indeed a privilege to stand here this morning and talk about a bill that deals with a subject not unlike the one Ms Churley has just dealt with. Let me say what an honour it is for me to champion a change in an important piece of legislation, a change that I think all members in this House will agree is in no way partisan. This isn't health spending or public-private partnerships or Hydro we're talking about here; we're talking about literally giving people a chance to improve the quality of their lives, in fact giving them a second chance at life itself.

Rarely have I had an opportunity to stand in this House and talk about a piece of legislation that has touched me and my family as personally as the concept of organ donation has. With me, in the gallery here today, is my sister Patti Gilchrist. My sister had a heart transplant just over a year ago. I want to tell you that I cannot say enough, I cannot give enough thanks to the team at Toronto hospital under Dr Vivek Rao and my sister's cardiologist Dr Peter McLaughlin and Dr Heather Ross and the literally dozens of other doctors, technicians, paramedics and police who were involved in the most extraordinary, the most coordinated, the most incredible operation that I can ever imagine.

We are talking about a situation where unfortunately somewhere in the province of Ontario, as a result of a car crash, a young man lost his life. But he had had the vision, he had had the courage, he had had the compassion to sign an organ donation card. In doing so, he started a process, a chain reaction after he was pronounced dead. The coordination that followed was breathtaking: a helicopter dispatched to get the heart, the police dispatched to ensure that the phone call to my sister went through, then an offer to drive her all the way from Cobourg down to the hospital in downtown Toronto. Meanwhile, by the time she got to the hospital, over a dozen doctors and senior nurses were already arrayed, starting to prepare for the tests that would determine whether my sister was going to be an eligible recipient. The tests then followed. Within four hours of her arriving at the hospital, the entire team was assembled. My sister had what little chance she would ever have to psyche herself up for what has to be considered just about the most traumatic operation you could ever imagine. Meanwhile the good folks at the Toronto hospital had all of their ducks in a row. In an extraordinary demonstration of medical competence and high technology, three hours later she emerged from an operating room and six weeks after that she emerged from the rehabilitation hospital, and aside from routine checkups she has never been back.

On behalf of all of the organ recipients out there, thank you for coming in today and demonstrating exactly what this bill is all about. Thanks to the foresight of that individual who allowed his heart to be transplanted, my sister is alive, and quite frankly she is healthier today than any time in the last 10 or 12 years. She could not walk up three stairs without being completely winded the day before that operation, and now she is as healthy as if she were much younger than she is today. I cannot say enough thanks.

That is, in part, what inspired me to look at the ways that we could go even further in terms of improving access to organ donation. There is no doubt that every year there are literally hundreds of compassionate Ontarians who have identified their willingness to be part of this whole process. The province in turn set up an agency to oversee organ donations in this province called the Trillium Gift of Life Network. It has been amply funded; again, dollars aren't the issue before us here today.

They've done an extraordinary job of raising awareness of the importance of organ donation.

I see one of my colleagues has distributed one of the brochures that the Trillium Gift of Life Network circulates. In addition, I brought along the pin that was produced for the National Organ and Tissue Donation Awareness Week back on April 21-28. Through various means, in coordination with hospitals all across Ontario, the Trillium Gift of Life Network has done an excellent job, given the restraints that the current legislation puts on them.

There are two areas that I thought needed to be addressed; two areas where it was clear that—perhaps with the best of intentions at the time, the bill was first drafted under the heading of “Let's Walk Before We Run”—there were decisions made that have reduced access to organs, which Bill 17 hopes to address.

The first area is that the process for informing the world around you, particularly the medical specialists who will be the most relevant people dealing with this subject, is to fill out an application form that comes when you receive your driver's licence. This form is then followed up with a piece of paper, and you can carry around in your wallet an organ donation card.

The problem that has emerged is that if you didn't notice the form or if you forgot about it after receiving it or if you don't happen to have this piece of paper with you at the time a tragedy occurs, there is no way for that medical specialist to know that you have generously offered your organs for possible donation.

The bill that is before us here today proposes to change that process, so that when someone fills out the application form for their renewed or new driver's licence and when they fill out an application form for their health card, they will be required to answer the question. This isn't negative-option billing; there is absolutely no pressure, no expectation, but there is no avoiding simply saying yes or no. If you say yes, instead of a separate piece of paper, it will be embossed right on the health card and/or the driver's licence—far less likely not to be on your person in this day and age.

1110

There's one other area that I thought needed improvement. Having made that very generous offer—the gentleman whose heart ultimately was transplanted into my sister—the ironic situation is that anyone else in his surviving family would have had the ability at the hospital to contradict, to countermand, that decision. I'm troubled by that, and I hope the members of all parties are similarly troubled, because surely there is no decision more personal and more worthy of respect by others than the decision to offer up a part of yourself so that others can have a second chance at life.

This bill would replace the current protocol by saying, “Whatever your final decision has been—if you have said ‘yes’ when you last filled out either your health card or the driver's licence, and if you have not changed your mind since then and asked for it to be updated—that will be considered the final and binding consent for dona-

tion.” Surely we must offer people at least that comfort, to know that if you’ve made that generous offer in your mind and, in fact, on that form, there is no chance that someone else will subvert your interests; no chance that someone will stand in the way of you making that extraordinarily generous gift. That’s what this bill does. I commend all the members to its merits.

I thank you on behalf of my sister and the 1,600 people who are waiting for transplants in Ontario today, in some cases on a waiting list that would stretch six years, in the case of kidney donations. I commend this bill to you, and I look forward to your support when it’s put for a vote later this morning.

Mr Steve Peters (Elgin-Middlesex-London): I commend the honourable member for bringing this bill forward today because it is something that we do need to think about as a society. As it stands right now in the province of Ontario, as of March 24, there were 1,781 people awaiting some sort of organ transplant. In London alone, on the waiting list at the London Health Sciences Centre there were over 303 individuals. Unfortunately, though, 23 people will die each year in the London area while waiting for an organ donation.

I think what we need to recognize is that, as an individual who makes that choice to donate his or her organs, that one individual can help nine other lives. I think that’s something we need to be extremely conscious of. I think, as well, we need to recognize that not only is it going to potentially help nine other individuals, but it can offer some comfort to a grieving family, knowing that those organs are going to help somebody else live a fulfilling life.

Do we need to do more, as the members said and brought forward with this bill today? Yes, we do. If you have a health card today, the new health card, it says on the back that you’re a donor. But if you’re somebody like myself who has the old health card, there’s no indication whether I would approve to be a donor or not. There’s nothing on the driver’s licence at all that indicates that you wish to be a donor. I would hope that, as this legislation moves forward, where it says on the back of the new health cards that you’re a donor, we could put something in place to have that same indication given on the back of a driver’s licence.

Of course, we can all fill out the forms, and it’s important that we do that. But I think we need to recognize, as well, as the member has pointed out, that we need to ensure that our families are aware of our intentions. With the new cards, not only would you be filling out your own donor card; there’s a recognition and a card that would be filled out by your family member to make sure that they understand your wishes.

We need to do everything that we can. I’m pleased to hear that the province has created a transplantation advisory committee. This is a new committee, and it’s a committee that, I think, can play an important role in the future. We saw what happened in London with a number of programs that were being scoped out. We saw, fortunately, a change of position as far as the cardiac pro-

gram is concerned. But I know that there are efforts underway in London right now to establish a kidney-pancreas program. There’s only one program in the province right now, and it’s at Toronto General Hospital. I know that the advisory committee is looking at the London program because the London program—and SARS, I think, can point out to us that we need to recognize that we can’t centralize all our services in one place. SARS has taught us a lot. We need to make sure that if there were some sort of emergency in Toronto, other facilities across this province would have the ability to provide a transplantation.

So I commend individuals like Cheryl Sardo, in my riding, who has been a big advocate for the kidney-pancreas transplantation program, and Jane Tucker, who has been a strong advocate for the maintenance of the cardiac program in London. Dr Bill Wall has worked very hard over the years to build a world-class program in London. These are programs that we need to ensure we do everything we can to support. The bill is very important, because we do need to do what we can to help those individuals out.

Another thing that we can do—and perhaps it is something that could be attached to this bill, maybe at committee—is find ways to improve it within the education system. Dr Wall has developed a program for grade 11 students, but there are only 17 school boards in the province that have adopted this. Let’s look at expanding that to every school board. Let’s look at work being done to try to develop something for the grade 5 curriculum. Let’s see that implemented, because those young individuals are going to take that information and encourage their parents to become organ donors.

I commend the member, and it’s wonderful to see your sister here today, because she’s a true example of why we should be supporting organ donations in this province.

Mr Rosario Marchese (Trinity-Spadina): It’s true that, as the member from Scarborough East said, this is not a partisan issue. It is only every now and then that we can in this House deal with some issues where ideology is not a factor. It is truly a good time to be able to discuss that, and it’s a good time for citizens watching, and the few that are in this assembly, to be able to say, “Goodness, they can co-operate from time to time.”

It’s true: from time to time we can and do co-operate, because the issues are more philosophical and human rather than ideologically driven by a particular party policy and/or platform. In this regard, the member from Scarborough East is very correct.

I would argue that adoption disclosure reform is very similar to the very issue we’re dealing with here, and that is why it is good to be able to discuss these bills in this forum, where members can vote without having to be pushed by the political party ideology to say “nay” or “yea” to them. That’s why I suspect the majority, if not all of the members present today, will support the bill put forth by the member from Scarborough East, as I hope the members will do similar to Bill 77 on adoption disclosure reform. Because we believe, on balance—“on

balance” meaning balancing rights, as I was speaking to the adoption disclosure reform—on balancing those rights, it ought to be the right of those children who have a wish to know who their parents are to be able to have easy access to it. Where parents wish not to be contacted, there is that veto in place. Balancing those rights, we ought to be making it easier.

In this particular case, dealing with the issue of Bill 17, I can't imagine what suffering people go through, waiting for organs that could be gotten if we made it easier, as the member from Scarborough East is trying to do with his bill. The current bill put forth today does make it easier for those who want to donate their organs to do so. At the moment, it's hit and miss. Ministry of Transportation forms are, I suspect, sometimes given out, sometimes not. There is no obligation, necessarily, there is no system in place, that would permit each and every one who goes for a driver's licence renewal to be told, “Fill out the form; sign it here; do it now.” That's what this bill does, either through MTO and/or through the health card so that each time you go for a renewal you would, by matter of fact, fill out those forms, ensuring that you would have the ultimate say, as an individual, about what happens to your organs.

1120

At the moment, if there are two cards that are signed, the individual signing those cards—because there's ambiguity about your intentions, your family decides for you. In most cases I suspect families would rather not have the body touched in any way whatsoever. That ought not to be the case. The ultimate right of giving away an organ that belongs to you ought to be yours, and not the right of the family to decide what to do with it. But at the moment, where there is ambiguity, confusion, two cards signed, it's the family that decides. I know it's complicated for families to be able to decide what to do with the organs, I'm convinced it's complicated, but I suspect that ultimately families would rather see the body intact and sent away untouched to wherever we go after this land.

Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation): Whitby.

Mr Marchese: I suspect that if people had a choice they may not want to go to Whitby, but I could be wrong. I'm a Toronto boy. I'd kind of like to think everyone would like to be in Toronto, but I could be wrong too; I don't know. But I suspect that we go somewhere else.

I am very supportive of this bill. I know efforts have been made by the ministry and others involved to do as much education as possible to make people sensitive about those who suffer and about the fact that some of us die not because we want to but because things happen beyond our control, and if something should happen to us, that we should be conscious of our interest or desire to help others, given that some of our organs might be good enough to be used in some way or other for someone else, and give someone else who's alive but not well the opportunity to be alive and well. Educational efforts are there. I suspect we could be doing more by way of

how we educate the general public about their ability to be able to give an organ should they, by mishap, die.

While there are efforts, this is a good attempt, in my view, to be able to improve on what we've got, because the list of people waiting is very long. I'm not sure whether the previous member mentioned this, but patients awaiting transplants, by organ: heart, 43; kidney, 1,334; liver, 325; lung, 30; heart and lung, 2; kidney/pancreas, 39; pancreas, 5—a lot of people suffering, a lot of people waiting for organs so that they can have a chance to live in good health.

The consent that is given on a card makes it binding. The latest consent that one signs is the one that applies, thus eliminating the ambiguity that exists at the present moment. I support this and am convinced the rest of our caucus will be very supportive of this. I'm convinced the Liberals will and that your members will, and I suspect that your bill will pass, Steve. I'm not quite sure whether other changes are needed and that your government needs to reintroduce a different kind of bill. But should they decide, I suspect if that were to be the case, you would find support from the opposition, including your own members.

I congratulate the member for Scarborough East for bringing this bill forward. I'll be supporting it along with the other members of the New Democrats.

Hon Mr Flaherty: It's a privilege to speak to this matter following my colleague the honourable member for Trinity-Spadina. He mentioned that he wasn't too sure about the afterlife. I mentioned Whitby, of course. It's well-known in Whitby—I should invite the member for Trinity-Spadina to venture out of the 416 and visit the great town of Whitby. He'll discover, as we say in Whitby, that later on, in the afterlife, you can always tell which people in heaven are from Whitby because they're the ones who want to go home. He'll think about that.

I congratulate my colleague the member for Scarborough East for bringing this bill forward, and of course I intend to support it. I listened carefully to his quite moving description of what organ transplant has meant for his family and his sister. This is an issue, and I suppose a unique issue, in that all of us living in Ontario have this opportunity. All 12 million of us as individuals, regardless of where we live in the province, regardless of what our family situations are, what our occupations happen to be, what our educations are, what strains or difficulties we have in our life, have this unique opportunity as individual human beings to make a decision that can make the difference between life and death for one of our fellow citizens in Ontario. It is in that sense an affirmation of our lives together as a human family in Ontario and in Canada. As I say, it is a unique opportunity, in that sense, for us to act as individuals being mindful of the common good for other individuals and families in Ontario.

In my ministerial job, as Minister of Enterprise, Opportunity and Innovation, I have responsibility for science, technology and research in Ontario. I've been pleasantly encouraged in the past year to see, across

Ontario, the tremendous advances we have made in the life sciences, in the health sciences, in biotechnology, not simply to keep our bright folks in universities and in our teaching hospitals busy, and in farming and all the other creative aspects of scientific life in Ontario today, but because of the difference it makes for human beings in Ontario. We are going to have, and we do have, superb medical care, but the advances that are being made for the benefit of individuals and families in Ontario are nothing short of staggering. One part of that is transplantation.

Through research and development, through the massive investments of the government of Ontario over the past eight years and the Ontario Research and Development Challenge Fund and the Ontario Innovation Trust—just this week in Toronto we had the unveiling of the plans for MARS, medical and related sciences, which has a location in Toronto but also brings together our brilliant life science teachers and researchers from the University of Ottawa to the University of Windsor, right down the 401 corridor, this cluster of innovation, this cluster of research expertise in Ontario. All of this means, as we go forward, that people and families in Ontario will have even more opportunities to use transplants and other medical innovations and technologies. It means that this initiative by my colleague the member for Scarborough East is all the more important because of the new opportunities that will be presented monthly and yearly as we go forward.

The key people here are organ donors, of course, and also the families of donors. The families are often faced with making the quick moves happen that need to happen upon the loss of a loved one. The positive aspect is important. In tragic times, it is an opportunity for families to have some good come out of what are often very unfortunate circumstances in the loss of a loved one.

The brochure that is put out by the Trillium group, the Trillium Gift of Life Network organ and tissue donation—I encourage people to have a look at the brochure—talks about two requirements: completing a donor card and talking to your family about your decision to give the gift of life. Those are two essential elements, of course, not only completing the donor card when one applies for a licence—the donor card is on the form—but also speaking to your family, because it's self-evident that the family will need to act quickly and participate fully and know in advance—it would be helpful—in order to have an effective organ transfer and make that vital life-saving difference for another human being. It is about human dignity, it is about this unique opportunity that we have as people living together in Ontario society to reach out to someone we won't know, but someone whose life can be saved because of the foresight of another individual and his or her family, remembering our human dignity and that we are all God's children together here.

I would encourage everyone in Ontario to consider organ transplants, to fill out the card and to speak to your loved ones, to your family about it, so that when

inevitably we all pass away, some particular good can come of that, at that time, in this vital way. I use the word "vital" in its true meaning: in life and death. This is about vitality; this is about preserving life. I recommend it as the way to go. I support my colleague from Scarborough East and I applaud him for bringing forward this important initiative in the Legislative Assembly of Ontario.

1130

Mr Gerard Kennedy (Parkdale-High Park): I'm proud to rise, for the people of Parkdale-High Park and, I think, the people of Ontario. I'm also glad to have an opportunity to be in agreement with the member for Scarborough East. I'm somewhat experienced in the possibility there will be few occasions when that will happen. That's not any judgment on the member. It's simply that I've had debate with him on probably a few hundred occasions. But I want to focus on the important issue at hand and congratulate the member opposite. I want to congratulate the courage of his sister to come forward in this fashion.

This is the most human of possible issues because it involves not just, as we're often presented with in this House, the situations of people in need of the understanding of the rest of us, but it really goes to the core of how we look at ourselves as human beings. It's tough for us to conceive that we may have body parts that would be available to others. That psychological part means there is a never a wrong time to be discussing this, putting it out in the open, trying to get past people's natural tendency to put this to the back of their minds, to put off the voluntary engagement of this because it makes us all confront our mortality.

I absolutely agree that this be brought forward. I agree not just with what's in the bill, which gives some general direction to the director, but with the way it was articulated by the member. The bill says certain things should happen in a general sense. The member says very specifically that he would like to see each person renewing their driver's licence or their OHIP to be asked, yes or no, which would be a substantial improvement if somehow that could be administratively arranged. I understand we have the capacity currently with our health cards to do that as people go into offices. It's a little trickier with the way we do driver's licences. It would be interesting to see how we would administratively achieve that. That quantitative approach is still needed. I understand there are 1.8 million people who have responded so far in renewing their health card under the voluntary system, so we can only anticipate that would be greater.

What is the potential to do more? The qualitative is certainly another aspect. We have to keep in mind that there have been trends. Organ donations are actually down in this province, and our waiting lists have grown. We're not saying that as a way of pointing fingers. It's simply to say there are fewer accident victims, fewer people who fit the profile of where they can make donations. The strategy also has to be qualitative.

I want to support this bill, but I also want to make people aware that we need to be very focused in this area on the idea that of the 1,600 people on waiting lists, 1,300 of them are not so much life and death; they're kidney transplant people who could benefit right now, who could get off dialysis and improve their quality of life to an extraordinary extent, rather than be tied to that machine. Also, as it happens to turn out, it would save the health system money. They have high survival rates and not high maintenance rates compared to what happens today.

But to do that we have to use the opportunity of this bill to talk about a few of the other things we need to have happen. For example, we need to have the simple capacity to retrieve organs in this province. That's not available at all the hospitals that it should be. The agreement with the hospitals to cover those costs when they're busy, especially the trauma centres: they are now having that attended to elsewhere. That's a very difficult thing. It shouldn't be based on costs or problems. We know the health system is not a blank cheque, but this is a very specific area to be stick-handled and worked through. I would commend that to the member's caucus and cabinet, to move on that.

My comments here are really reinforced by George Marcello, a person who needs to be heard on this subject. He has an organization called Step by Step. He was an organ transplant recipient. He has literally walked across the country and across this province on two occasions, over many months, for four years, to raise awareness of this. He would like us to consider even further issues in terms of, yes, the qualitative capacity, to make sure that there are the centres that can make things happen, that we have the teams in place. There is a proposal in front of the government right now that community hospitals have those teams in place. They don't at the present time. So we need to respond positively to that. He, though, also wants to address the idea of leadership, that we need to be acknowledging this on an ongoing basis. It was a few throne speeches ago that he was acknowledged. He has had some trouble getting heard by the government in the time in between.

I think there is a need for this to happen on an ongoing, everyday, every-throne-speech basis, until we have some of the participation rates, for example, of living donors, who can help with kidneys and livers. We are not anywhere near some of the other provinces in terms of what's happened there.

I commend the member for the debate. I will support the bill and I hope other members of the House will do likewise.

Mr Wayne Wettlaufer (Kitchener Centre): In 1995 I had a constituent who was a friend call me in my office here at Queen's Park. He called, and he was crying. Imagine the impact of having a man who was nearly 60 years old crying because he had been told by his doctor a couple of weeks earlier that he would die if he didn't receive the necessary organ transplant. Unfortunately for him and for his family, the organ was not forthcoming

and he did die. I'm not going to mention his name or his family's name at this time or even the type of organ transplant, because I decided just this morning to speak in support of this bill. I have not had an opportunity to discuss with them and I have some concerns about privacy on that.

He knew of an organ that was available in the United States and it could not be transported here quickly enough—the time allotment and keeping it refrigerated—for it to be transplanted in order for him to live. The organ, because of the time lapse involved, had to be available within Ontario.

I want to commend the member Mr Gilchrist for bringing this bill forward, because it addresses a situation like that, something that would be similar in years to come. I think we have all had people near us, members of family or friends or constituents, who have called us or spoken to us from time to time and explained that they have had an organ transplant and have explained how it has changed their lives.

I want to show the comparison. I golf with a fellow at my club who had a kidney transplant two years ago, I believe it was. This individual was having trouble even walking, even getting around because of the pain, the inconvenience, the incontinence. He had a transplant and he explained how he felt like a totally different person. Again, because I just decided to speak on this bill this morning, I won't mention his name either.

It's really important that we all understand the change in a person's life as a result of having an organ transplant. Anything we as parliamentarians can do to enable those individuals to have a transplant is important. So again, Mr Gilchrist, I commend you for bringing this forward.

1140

I remember the euphoria when we, as much younger people, read in the newspapers that Dr Christiaan Barnard had performed the first heart transplant. Then of course we read after that of other organ transplants. Each one of us, I'm sure, thought, what if that would be necessary for us at some point later in our life?" Each one of us is looking for that fountain of youth. Each one of us is looking for immortality, much like the explorers did. Ponce de Léon, around 1500-and-change when he discovered Florida, was looking for the fountain of youth. We all want that. It's human nature.

None of us is going to find immortality. None of us is going to find the fountain of youth. Let's be realistic. But what we do want is to live a few more years in enjoyment. We want to live a few more years in better health. That's exactly what this bill is addressing.

The member from Parkdale-High Park said that administratively he's curious as to how we might be able to do it. I share that concern with that member, but I would say that if anybody knows anything about administration, governments do. We have a lot of it.

I just want to reread briefly what the bill says:

“Organ or tissue donation form

“Despite the regulations, every health card that the general manager issues or renews for an insured person of at least 16 years of age after this section comes into force shall be accompanied by a written form that allows the person to sign a consent that allows the person’s organs or tissue specified in the consent to be used after the person’s death for transplant purposes.”

Then of course it goes on to suggest the amendment to the Highway Traffic Act, and it states:

“Every driver’s licence that the minister issues to a person or renews after this subsection comes into force shall be accompanied by a written form that allows the person to sign a consent that allows the person’s organs or tissue specified in the consent to be used after the person’s death for transplant purposes.”

The explanatory note states that, “Under the Trillium Gift of Life Network Act, if a person gives more than one valid such consent, the latest valid consent that the person has given prevails over all other consents that the person has given.”

This is not unlike a will. I think this is an absolutely fabulous piece of legislation. The only thing I could ever say is, why did it take so long for us to bring this forward? I say to the member from Scarborough East: congratulations. I will be most happy to support this.

Mr James J. Bradley (St Catharines): I want to indicate from the beginning that I will be supporting this bill that is before the House today. I think there’s a great need out there. There isn’t anybody in this House and very few people in this province who wouldn’t agree there’s a great need out there for organs to be transplanted when the circumstances are appropriate.

All of us know individuals whose lives have been saved or prolonged considerably by a transplant being able to take place. It’s a traumatic event for both families. It’s a traumatic event for the person who’s going to receive the organ. It is a very difficult decision sometimes when that decision has to be made by a family instead of an individual. All of us who have that opportunity to make that decision should make that decision clear. The member’s proposed bill today makes that an easier process and establishes the fact, as the member for Kitchener has indicated, that this is similar to a will in that it does say that the last pronouncement of the individual is the one that counts.

I share the concern of the member for Parkdale-High Park, who indicates, and I think all members would agree, that there’s a need for more trauma centres or more areas where we can have transplants take place, because we could have all kinds of organs available, hundreds upon hundreds of organs available; if we don’t have the wherewithal to have those transplants take place, then it is not as helpful as we would like.

This certainly deals with a very significant portion of that: making it easy for people wishing to do so to make known their desire, their willingness to have a transplant upon their passing. Other decisions are made—and you often hear people say, within a family, that their tragedy that they experienced themselves was mitigated some-

what—not entirely, of course—by the fact that organs from a family member were transplanted to another person so that that person’s quality of life could be enhanced, that person’s life could be saved. That’s a very generous gift that is made, and a gift that all of us have an opportunity to make by making our views known.

The member has picked two components that I think are important in letting everybody know that the organ is available. Time is always of the essence in these circumstances; we recognize that. So having that information readily available—and again, the decision, being made by an adult, should be compelling and should be the final decision that is made. Sometimes people do change their minds throughout a lifetime. Initially, they may not wish to have an organ transplant; that may be somewhere in the records. But subsequent to that they have either convinced themselves or been convinced of the virtue of permitting their organs to be used for transplant purposes, and they make that known. I go back to the fact that the last will of the person is the most important will that we should take into consideration.

Mr Gilchrist mentions his sister; it’s a very personal case. Many people in this province know friends, perhaps relatives, who have benefited immensely by the fact that someone else was prepared to give up an organ upon their death.

Even for people who are alive—I think of kidney transplants, for instance; I admire individuals who are a definite match and are often from the family who are willing to give a kidney for someone else. I recognize that we’re not talking about that necessarily in this bill, but I’ll tell you, that is a very significant sacrifice, a very kind and generous gesture on that person’s part.

One of our former colleagues in here, Don Cousens, received a transplant in that particular manner, and there was a lot of publicity about it. Don was a favourite of many of us in this House, and we were pleased to see that he benefited from this.

I think this bill is the kind of bill that will have a consensus support in this House and I intend to support it.

Ms Marilyn Churley (Toronto-Danforth): I am happy to stand up in firm support of this bill before us today. I’m very happy to have an opportunity to agree with my colleague Steve Gilchrist across the floor, because we don’t often agree on many issues. It is a pleasure today to be able to support this resolution.

I’ve met Patti, your sister, Mr Gilchrist, and I must say she’s better looking than you.

Mr Gilchrist: That’s not a high standard.

Ms Churley: Steve’s not insulted. I think Patti was quite pleased by the remark.

I talked to Patti and I certainly want to welcome her and say on behalf of my colleagues that we’re all supporting this bill. We’re very happy to know that your transplant was a success—I know I should be speaking through the Speaker, but directly to you, Patti—and that you’re doing so well. I hope that you continue to do well; I’m sure that you will.

I'm glad you're here because it's a good opportunity for all of us to see the face of—it's always good to see the face of—the piece of legislation we're talking about, because very frequently in this place we stand up and talk about issues and we deal with so much legislation and so many issues that I think quite often we forget about the people who are affected by the legislation we're passing or not passing.

I certainly am aware of this issue and have been for some time. I know that our colleague Frances Lankin did some work on this bill, and I believe again there was all-party support for the work she did. I know that this bill before us today, or resolution—is it a bill or a resolution? It's a bill, which is even better than a resolution, of course—goes even further. I think it's really critical.

1150

I know that I signed something, but I can't remember what I signed, whether it was a health card—I think it was when I got my last my health card. It's something that in our daily lives, while we're healthy and members of our family are healthy, we don't think about. None of us wants to think about dying. So it's something we might tend to put off or, if we've done it years ago, we might do it again some other year and perhaps write something differently, but only we know that. I've never talked to my family members about it, for instance. I've never taken the time. I've signed a card at some point, but I've never taken the time to say, "Should I reach an untimely end, this is what I want." It's important that we do that, so that if there is any dispute, you've made it very clear to your family members what your wishes are.

The legislation before us today is very important in carrying this forward. As you know, I'm all for bringing in any new legislation that will help prevent untimely deaths, when we now have the medical expertise and ability to actually save lives, like Patti Gilchrist's. Years ago we didn't have those opportunities. But there are so many people today living long, fulfilled lives because of the heart or other transplants they were able to receive.

In my view, there is no greater gift that any of us can give in this lifetime than to give our organs, if we die prematurely, to people who do not have to die prematurely should they be able to receive what is quite rightly called the gift of life.

I mention specifically that I'm all for any legislation that will help save lives. I'm going to briefly tie this to my bill, which was on earlier this morning, the adoption disclosure bill, and urge members to not only vote for this bill from Mr Gilchrist but also to support my bill. I hope I was clear in outlining some of the problems and misconceptions that people have about the bill and some of their concerns and fears. But one of the things I didn't dwell on long enough, I believe—and I want to talk about it in this context again—is that adoption disclosure reform will save lives as well.

For instance, the government recently announced—your government, Mr Gilchrist, and we all support this, of course—pre-screening for women who have a family history of ovarian and breast cancer, because we now

know that if it's caught early enough, people can be saved. But if it's not caught early enough, then quite frequently people die unnecessarily, because they did not have the genetic information from their biological families. One of the problems under the existing law, just so you know, is that you first have to be diagnosed with the health problem and then you can apply for special disclosure on your biological family's health issues. But by then it's usually too late.

I read a letter into the record from a woman whose life was saved, luckily, because she found out that her birth mother had died from ovarian cancer. In fact, her doctor told her that had she not found out that information when she did and had her ovaries removed, in two years she would have had untreatable ovarian cancer and would have died.

That's just one example of many, many thousands of people across this province—I think over 300,000 people are adoptees out there, who could have genetic illnesses being passed on to them and their children.

Kariann Ford is another woman who came and spoke before the committee about a terrible liver disease she had inherited. She didn't know. She'd been ill for years. She had three children, and they all now have this disease. She's very upset and angry that she wasn't given that information so she could have made choices about having children. She said quite clearly that she doesn't know what she would have done, but she didn't have the choice.

These are but two examples of adoptees who are not given that vital information that in many cases would actually save lives.

Coming back to the bill before us now, I do see that parallel. I have to say very clearly to all the members, there is a connection. I'm very pleased to have this opportunity to speak in support of this bill. I know that all members will support the bill. It's one of the more important non-partisan issues that has come before this House in a while now. I'm not going to go into what we're debating. In the meantime it's really refreshing to be able to stand here this morning and have a discussion and a debate about bills that actually will save lives if acted on.

The Deputy Speaker: The member moving the motion has two minutes to reply.

Mr Gilchrist: Let me start off by thanking my colleagues from all three parties for their extraordinarily generous comments and the true compassion they've shown: the members for Elgin-Middlesex-London, Trinity-Spadina, Whitby-Ajax, Parkdale-High Park, Kitchener Centre and Toronto-Danforth. The comments that many of the members made did in fact highlight that oft in this place we do spar, and spar mightily, on issues that we each consider of substance but are, in large measure driven by partisan political motives. I want to thank all the members for making it very clear today that they share my perspective that this is an issue that transcends politics. This is about improving the quality of life.

I take the member for Elgin-Middlesex-London's suggestion about improving education. In fact, I would love to see a copy of that protocol that Dr Wall, I believe he said, had worked up. I think that's something that could be seen as another extension on the methodology that the Trillium Gift of Life Network uses to raise awareness of this important issue, to ensure that people do sign the organ donor card. As flawed as the process may be today, at least do that; at least talk to your family. Make it clear to them where you stand on the issue of organ donation, not just about reinforcing the decision you've made, presumably a positive one, but encouraging them to think along similar lines.

I want to commend all the members for the merits of this bill on behalf of the 1,781 people on the waiting lists right now, and as the member for Elgin-Middlesex-London has very correctly pointed out, many of those people won't make it to the date where a transplant is available. Twenty-three people in the London area, more than that province-wide, die while on the waiting list.

I want to thank my sister, Patti, for coming in today and being the face of transplant recipients and I thank you, Mr Speaker, for the opportunity to speak to the bill.

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

ADOPTION DISCLOSURE STATUTE LAW
AMENDMENT ACT, 2003
LOI DE 2003 MODIFIANT DES LOIS
EN CE QUI CONCERNE LA DIVULGATION
DE RENSEIGNEMENTS SUR LES
ADOPTIONS

The Deputy Speaker (Mr Bert Johnson): We will deal first with ballot item 5, standing in the name of Ms Churley.

Ms Churley has moved second reading of Bill 16. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Before we proceed with that, we will handle the next item of business.

ORGAN OR TISSUE DONATION
STATUTE LAW AMENDMENT ACT, 2003
LOI DE 2003 MODIFIANT
DES LOIS EN CE QUI A TRAIT
AU DON D'ORGANES OU DE TISSU

The Deputy Speaker (Mr Bert Johnson): We will now deal with ballot item 6, standing in the name of Mr Gilchrist.

Mr Gilchrist has moved second reading of Bill 17. Is it the pleasure of the House that the motion carry? It is carried.

The Chair recognizes the member for Scarborough East.

Mr Steve Gilchrist (Scarborough East): Thank you very much. I know this is somewhat extraordinary, but in deference to the comments particularly made by the member for Elgin-Middlesex-London that this is an issue where every day of delay possibly compromises the life of someone in Ontario, I would ask the members for consideration to put the question on third reading of this bill.

The Deputy Speaker: It is within the authority of the body of members here assembled that you could ask for unanimous consent to bypass committee, but it is not within our purview to pass third reading of it. Ordinarily it would be referred to the committee of the whole House, it could be referred to a committee, or you could ask for unanimous consent of the House to have the committee bypassed and have it moved directly to third reading, but we can't pass third reading.

Mr Gilchrist: I would take the latter route and ask the House for unanimous consent to order it for third reading.

The Deputy Speaker: Is there unanimous consent? Agreed? It is agreed.

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

The division bells rang from 1201 to 1206.

ADOPTION DISCLOSURE STATUTE LAW
AMENDMENT ACT, 2003
LOI DE 2003 MODIFIANT DES LOIS
EN CE QUI CONCERNE LA DIVULGATION
DE RENSEIGNEMENTS SUR LES
ADOPTIONS

The Deputy Speaker (Mr Bert Johnson): All those in favour will please rise and remain standing until they are named by the Clerk.

Ayes

Arnott, Ted	Gerretsen, John	Martin, Tony
Baird, John R.	Gilchrist, Steve	McLeod, Lyn
Beaubien, Marcel	Gravelle, Michael	Miller, Norm
Bisson, Gilles	Guzzo, Garry	Munro, Julia
Bountrogianni, Marie	Hastings, John	Mushinski, Marilyn
Boyer, Claudette	Hoy, Pat	Patten, Richard
Caplan, David	Kennedy, Gerard	Peters, Steve
Churley, Marilyn	Klees, Frank	Phillips, Gerry
Conway, Sean G.	Kormos, Peter	Ramsay, David
Crozier, Bruce	Kwinter, Monte	Ruprecht, Tony
DeFaria, Carl	Lalonde, Jean-Marc	Sergio, Mario
Di Cocco, Caroline	Marchese, Rosario	Witmer, Elizabeth
Dombrowsky, Leona	Marland, Margaret	Wood, Bob
Duncan, Dwight	Martel, Shelley	

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

Nays

Bradley, James	Gill, Raminder	Ouellette, Jerry J.
Clark, Brad	Hardeman, Ernie	Parsons, Ernie
Coburn, Brian	Hudak, Tim	Stockwell, Chris
Elliott, Brenda	Martiniuk, Gerry	Wettlaufer, Wayne
Galt, Doug	McDonald, AL	

Clerk of the House (Mr Claude L. DesRosiers): The eyes are 41; the nays are 14.

The Deputy Speaker: I declare the motion carried.

Pursuant to standing order 96(j), the bill stands referred to the committee of the whole House—unless I recognize the member for Toronto-Danforth.

Ms Churley: In the spirit of the mood in this House today, I would like to ask for unanimous consent, since this bill or similar bills have already gone through two lengthy committee hearings, to proceed directly to third reading.

The Deputy Speaker: I wanted to be sure that we understood the same request, and it is actually a request that it bypass committee and be ordered for third reading. That is as far as this body of people today is—

Ms Churley: I understand that.

The Deputy Speaker: That is your wish, for unanimous consent for that?

Ms Churley: Yes.

The Deputy Speaker: Ms Churley has asked for unanimous consent. Is it agreed? It is not agreed. Pursuant to standing order 96(j), the bill stands referred to the committee of the whole House.

Ms Churley: On a point of order, Mr Speaker: I would like the bill sent to the justice committee, then.

The Deputy Speaker: Ms Churley has requested that the bill be referred to the justice committee. Is it agreed? It is agreed.

The business of this House being finished, we stand adjourned until 1:30 of the clock this afternoon.

The House recessed from 1210 to 1330.

VISITORS

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: There is young man who is a page here from my riding, Vladimir Sikman, who immigrated to Canada three years ago from the former Bosnia. His family joins us today in the members' gallery: his mother, his sister, his uncle and a friend of the family. That's Alex Stupar, Biljana Marinkovic, Loiljana Sikman and Snezana Sikman. I want to welcome them to the Legislature and congratulate Vladimir on his remarkable achievements.

Mr Michael Bryant (St Paul's): On a point of order, Mr Speaker: I'd like to welcome some special guests in the gallery here, a delegation championing the ITER Canada project: Clarington Mayor John Mutton, Clarendon CAO Frank Wu and a great champion for ITER, Garry Minnie.

Mr John O'Toole (Durham): On a point of order, Mr Speaker: I'd like to welcome to the Legislative Assembly one of my constituents, a promising young student, Tausha Michaud, who will be going to the University of Ottawa next year, and my executive assistant, Sheryl Greenham.

CONTEMPT OF PARLIAMENT

Resuming the debate adjourned on May 14, 2003, on the amendment to the amendment to the motion by Mr Conway arising from the Speaker's ruling of May 8, 2003.

The Speaker (Hon Gary Carr): I believe the chief government whip had the floor.

Hon Doug Galt (Minister without Portfolio): For those in the galleries who weren't introduced, I would also thank them for joining us this afternoon. It's good to have several people in the gallery.

As I wound up last evening, I still had a few points I wanted to comment on. One is on tradition, some of the traditions of this House, some that have been changed and some that haven't, and also a bit on leadership, if I have a few minutes left from tradition.

I think of some of the wonderful traditions we have here. Yes, we did try to make a little variation. We live in a changing world. I look at the official opposition and their platform talking about a permanent election date. That's breaking from the tradition of the past, where the Prime Minister and/or the Premier have the opportunity to drop the writ and call a specific election date. I can follow some of the thinking. It has some pros and cons, but it's certainly breaking from tradition. It's a concern they've been expressing, and that's basically why we're debating here.

I think back to a break from tradition for night sittings, back to August 21, 1997. The opposition vigorously opposed it at that time, but it gave us an opportunity to get more debate in—

Mr John Gerretsen (Kingston and the Islands): You were in opposition then.

Hon Mr Galt:—and the opportunity for the member for Kingston and the Islands to speak more in this Legislature and I'm sure he appreciated that opportunity.

I understand, going back several years, that the standing committees of this Legislature went on the road, went outside of these hallowed halls, and again there was great controversy. Now the lobby is that they want to spend more time out on the road rather than less, so here's another break.

One I find rather interesting, a tradition of our British system, going back to England, is that the Prime Minister did not come into Parliament for question period. It is only in recent years, I understand, that he comes in for a 10-minute period. Now there's a tradition that I'm sure if we implemented here and were consistent with the British House, you'd be very upset if our Premier was only here for 10 minutes on the occasional day.

Mr Gerretsen: I thought we already had.

Hon Mr Galt: He's here a lot of the time. We have tremendous leadership in our Premier, Ernie Eves, as we did with Premier Harris.

We have enabled municipalities to have mail-in ballots, which seems to be working very well for municipalities—a break from tradition.

As I look to the third party, It's my understanding they're pushing for representation by population. I think

you only have to look to countries like Italy where there have been some 40 governments in about 40 years, give or take a bit—very unstable government as a result of breaking from that kind of tradition.

I think you have to look at the different issues with tradition and evaluate them. In this case, we're certainly living in a changed world, an electronic world. We're getting instant feedback in so many different areas. Here was an opportunity for not only the Premier but the Minister of Finance to get instant feedback from people across Ontario. Those who were invited were the ones who had enough interest to come and present, either to the minister or to the finance committee. It wasn't just that we dreamed up who would get invited; it was those people who had the intestinal fortitude to take time to put together a presentation and come forward. So this was improved communication and good communication. Mr Eisenhower once said that politics should be the part-time profession of every good citizen. Certainly, if you have good communications, that's exactly what would happen.

In the last minute and a half, I just want to compliment the tremendous leadership that our party and this government has had over the last eight years with Premier Harris, and the tremendous change for the good that has occurred in this province. Now, with Premier Eves at the helm, things are going extremely well for this province.

We have developed, as a party and as a government, a reputation for doing what we said we were going to do, regardless of what the opposition has to say. As we roll out a platform—whenever the Premier decides that that should be rolled out—I can tell you that what's in that platform will be carried out by our party, if we're fortunate enough to be the government in Ontario. That's a tremendous reputation, which no party in Canada or the US has had in the past, a reputation of doing what you said you were going to do.

In the last few minutes: my compliments on the leadership shown during the SARS outbreak here in Canada. I'm told there are only 10 people left in the hospital. It's almost totally over in the province of Ontario, thanks to the quick response of both Premier Eves and Minister Clement, and the hard work of Dr James Young and Dr Colin D'Cunha. With their extremely good guidance and direction in bringing in the medical emergency regulation, the first since 1867—as a result of that and of those four people in particular, SARS is now under control and we look forward to a very healthy Toronto and province of Ontario.

Mr Bruce Crozier (Essex): We're at the beginning of a new day, a new leg of the debate we have before us. I want to remind those who may be watching, and maybe one or two of those around the precinct who have forgotten over the last few days, that we are debating a motion by my colleague Mr Conway. It says, "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," and this has had two amendments put to it.

I want to give a personal perspective today. A lot has been said about tradition. A lot has been said about what is in the standing orders and what is not in the standing orders. But I want to approach this from a personal perspective.

To put this in context, so that you'll understand why I'm going to support this motion and the amendments that have been put to it, I have to go back to the spring of 1993, some 10 years ago. That was when my predecessor, Remo Mancini, after some 18 years serving in this Legislature, decided it was time to move on and re-signed. It came to me then, having been a long-time supporter of Remo and the Liberal Party in Ontario, both provincially and federally, that I had the opportunity to seek the nomination. At the time, I was the mayor in Leamington, a job that I was very humbled to have and enjoyed very much. But it was an opportunity to seek the nomination to run provincially, which I did.

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In August of that year we had the nomination. I was very proud, after a tough battle for the nomination, to be accepted as the candidate. It was in the fall of 1993—on October 25, I think it was—when the federal election had just concluded, that the by-election for the then riding of Essex South was called. On December 2, 1993, I was elected to this Legislature.

I visited it, frankly, only one time before that, so I hadn't had the opportunity to be around the Legislature very much and get the sense of what this place really means. I encourage every citizen of the province of Ontario, if you have the opportunity—notwithstanding the kind of things that we're debating right now—that you come to this Legislature, sit in the galleries and get a sense of what this place is all about.

On December 2, 1993, I was very proud to have been elected to this Legislature. After the appropriate procedures were gone through, where my name was gazetted, I was welcomed to be sworn in on December 12, 1993. I'll never forget that.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): I applauded.

Mr Crozier: That's right; the Minister of Environment did applaud that day—very kindly so. They told me you get applauded twice in this place: once when you arrive and once when you leave. So we'll applaud you guys.

December 12, 1993, I came in here to take my oath of office. Deborah Deller, from the Clerk's desk—after I had taken the oath from Monsieur DesRosiers, I was brought up into the chamber to give me some idea of what was going to unfold that day. It was late in the morning, and Ms Deller and I came in here—I don't know whether she remembers it, but I will never forget it.

Hon Mr Stockwell: It was a snowy day.

Mr Crozier: No, it was a nice, clear, crisp, bright, beautiful day.

We came in, and I was told what the procedure would be and how I would be asked by the Speaker to take my seat.

I want to note one thing: that at least in nine years I've moved down three rows, so it's coming. I expect next time to be sitting over there in the front row.

I asked Ms Deller if she would just leave me alone in this chamber for a few minutes, because I never, ever, in my life—and I'm speaking to some of the young people who are in the chamber today and who may be watching—expected that I would have the opportunity to serve in this place.

There were approximately 11 million people in this province—

Hon Mr Stockwell: Twelve.

Mr Crozier: At that time there were 11.

At that time I was one of 130 representatives—now 103—and I thought, how special it is to be chosen out of some 10 million or 11 million people, to now be one of 103 who sit in this place. I thought to myself then, as I think many of the members here do, that if I ever, ever arrived at the point where I was no longer humbled by this opportunity that I have, if I no longer felt that I could serve the people of Ontario, then it would be time to leave this place. It's the fact that we have—individually, even in the opposition; but I think the burden is heavier when it's on government and on the ministers—the responsibility to represent the people of the province of Ontario as best we can. We are their spokespersons.

That brings me to where this motion has brought us, and where the recent actions of this government have brought us. Back on March 12, I think it was, the Premier, for whatever reason, decided to prorogue the session, did so—I suspect that it was done with some forethought—and that we would return to this place on April 30 for the throne speech.

It's been suggested that the Premier was in a dilemma then because he had promised that the budget would be presented before the end of the fiscal year. That's why I say that when the session was prorogued, I suspect they gave some thought to the Premier's promise that the budget would be presented before April 30. We've been told in here that it presented a dilemma to the Premier. If that's the way it is, it was a dilemma of his own making. Therefore, there is no way, in my view, that you can use the excuse that he had no alternative but to present the budget outside this Legislature just to save face.

They certainly should have thought about it, and I think did think about it, before they ever prorogued. That is part of this feeling I have that this government does have contempt for this Legislature, because they knew full well what they were doing. And if they didn't, if the Premier was put in this position by some fate or accident, they certainly should have known what they were doing. I think, seeing all the circumstances lined up, that this government knew full well what they were doing and their intention was to simply go around the people of Ontario. They were probably ready to call an election at that time.

Then what happened? The Magna budget was met with an outcry not only from us, the members of this Legislature, but from the people of Ontario. It was the

day the budget was presented that I looked back to the series of events from early spring 1993 that brought me here, and never have I felt so irrelevant in this place. I honestly thought up to that time, on those long days when we were debating issues here, that we knew we were going to lose the vote, because the government has the numbers, but I still thought it was worthwhile. I thought it meant something. But that day when this government took the Magna budget outside of this place, I'd never felt so irrelevant. I wasn't given the opportunity to speak on behalf of my constituents. It doesn't matter to me what political stripe they are; I still earned and have been voted to represent all of those people, and on that day I couldn't because this government wouldn't let me. That's why I feel their actions were contemptuous.

For them to again give the excuse that they had no alternative—there was an alternative. First of all, they didn't need to prorogue the session. We could have come back on March 17 and the budget could have been presented in its normal fashion. If they wanted to have a throne speech, then fine: prorogue the session, bring it back before the end of April and have your throne speech and your budget. They had the control, folks. Speaker, you know and all of us in here know that they had the levers. They knew exactly what they were doing. They knew exactly that they were taking the right away from me and other members of this Legislature to listen and to speak on behalf of my constituents.

It seems to me that it's a trait of this government to always want to blame something else. We can go back to Walkerton. Practically the first words out of Premier Harris's mouth were to blame someone else. Well, we found out later, through an inquiry, that they weren't the only ones to blame. There was enough blame to go around. But rather than fix it, rather than get at the problem, the first thing this Premier said was, "I'm going to blame someone else." That's what he did. And the blame goes on. When it came to the budget, this Premier said, "I had no choice. It was somebody else's fault. I had to do it differently."

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It's getting even worse. Yesterday there was a minister, who is here today, who said—well, no, excuse me, I'll go to the quote from Premier Eves. Premier Eves says, "Public servants, acting on their best judgment, put forward orders in council to cover any eventuality, to make sure the government is not stuck." Public servants didn't sign that order in council. Ministers signed the order in council; ministers had the last decision. I don't even know what the bureaucracy may have suggested to them, but it doesn't matter; it's irrelevant. It's what the ministers decided to do; it's what the Premier decided to do.

Not only does this continuous finger-pointing go on, but a minister of the crown was quoted yesterday as saying, "It was a long winter, it hasn't been that great a spring," which I certainly agree with, "the Iraq war was unsettling for the people, the SARS crisis has been hard on people," which I agree with, and then he suggested

that a tragedy in Toronto in the last couple of days had something to do with the position this government is in.

Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation): I didn't say that. You should be ashamed of yourself.

Mr Crozier: I'm not ashamed, Minister. I'll quote what it says here in the paper. You said, "We had a tragedy yesterday in Toronto"—and I wasn't going to go into this detail—"with the young girl being murdered. These are difficult times. I think there's a sense of malaise and concern. Things haven't been what they usually are in the springtime." Now, is there anything I said that wasn't correct?

The point is that everything this government does or anything that goes wrong, it's always somebody else's fault, and it's time—

Hon Mr Flaherty: Misquoting people—you should be ashamed of yourself.

Mr Crozier: This government should be ashamed of itself, Minister. That's what I'm trying to point out. This all could have been avoided had you not tried to blame someone else and said, "I had absolutely no choice."

Hon Mr Stockwell: That's so awful.

Mr Crozier: Well, when you speak in this place, the only thing you can do is tell things how you see them. I've watched lots of times when I didn't agree with what you were saying; that's fine. In fact, the minister who is saying things right now was talking about the order in council being posted. He says, "It's posted. They're always posted. It's right over there." Two people were over there and they couldn't find it. Your own staff couldn't find it. Ministry staff couldn't even find it. So here we are—

Hon Mr Stockwell: Go to the Web site. It was there.

Mr Crozier: I don't always agree with what you say, and I quite frankly don't care if you don't agree with what I say.

But notwithstanding all this, there was that day, March 27, when I felt pretty irrelevant. I came to this place perhaps a little bit naive. I will leave this place some day—and I hope it's a day of my own choosing—when I am not so naive.

Mr Wayne Wettlaufer (Kitchener Centre): I hope it's soon.

Mr Crozier: Well, I'm not surprised at that. That's why I added "at a day of my own choosing." I hope that attitude changes. I hope I've had the opportunity to make a difference in this province. I hope I've had the opportunity to make a difference, not because I had to fight for it but because it was a right of being a member of this Legislature.

So, Speaker, I needn't go on much more. I've given you the reasons why I think this government should be found in contempt.

I'll end with somebody else's words. This is a quote. These are the words of Mac Davis. Some of us who are a little older might appreciate this. I'm going to end today with a comment to the government in the words of Mac Davis in his song *It's Hard to be Humble*:

"Oh Lord, it's hard to be humble

"When you're perfect in every way."

I just wish you didn't feel that way.

Hon Robert W. Runciman (Minister of Public Safety and Security): I appreciate the opportunity to participate in this debate.

Hon John R. Baird (Minister of Energy, Minister responsible for francophone affairs): No Mad Dog?

Hon Mr Runciman: No, I'm going to be quite reserved.

Over the past seven or eight years, as a minister of the crown, you don't get those opportunities that those of us who spent 10 years in opposition had. We certainly were on our feet virtually every day when we had a small caucus, as the Speaker will recall. Many of us had to carry three or four critic portfolios, so there was no shortage of speaking opportunities.

This is a difficult one to speak to in many respects. Mr Speaker, I respect you, I respect the office you hold and I respect this place. I've been a member here for over 22 years, and it's with great regret that I have to stand on my feet and say that I disagree with the conclusion you reached with respect to the actions of the government related to the budget. I think the Liberal motion that budgets should be delivered in this House—and I think, in some respects, we can agree with that. But the reality is that there are certain circumstances—and the Liberal government found themselves in such a circumstance a few years ago. They determined they were in such a circumstance that they felt compelled to deliver a budget outside of this House. At the time, I don't believe we, as a party, criticized that decision. We understood that there were extenuating circumstances which put the government in a position where if they wanted to come forward with a budget at that point in time, this was the only option, in their view, and we weren't critical.

I think there were extenuating circumstances in this situation. As I said, I think that under normal circumstances most of us would like to see the House presented with a budget. In this instance, the House wasn't sitting, and the Premier had made a commitment to the people of Ontario that he was going to change the way budgets were handled in this province, in terms of making sure that before the end of the fiscal year the budget was presented to the people of Ontario. He and the government felt very strongly—and I think that's a trademark of both the Harris and Eves governments—that when we make a promise, we make the maximum effort to keep that promise, and I think our record stands up to scrutiny in that regard.

So, Mr Speaker, I believe that there were extenuating circumstances. As I said, I very much respect and appreciate your views, but again, I respectfully disagree.

I want to talk about a few things, and I guess we have the latitude to do that in this debate. Over the past six months or so, I suppose the Liberal Party has been trying to portray itself as something different in many respects, in terms of balanced budgets, justice issues, law-and-order issues. I'm not sure how the public feels about this,

but I would take this opportunity to remind them about some of the things that happened in the past when we did have a Liberal government in Ontario and about how they treated these issues during their five years in government.

1400

Even most recently we had a justice critic for the Liberal Party engage in a breach of security in one of our correctional institutions. The member protested—it was quite ironic—after I mentioned this in a response to one of his questions that he had engaged and participated knowingly in a breach of security, and he jumped up and said, “The member opposite isn’t following the rules of the House.” How ironic could that be? The member engages in a serious breach of security in one of our correctional institutions and he complains about me supposedly breaking some rule of this House.

It makes you wonder about their real commitment to law and order and justice issues in this province, and I think it raises serious questions about leadership in that party.

I saw a letter to the editor written to one of the member opposite’s local newspapers, very supportive of him taking a Toronto Star reporter into a correctional facility under false pretences. I guess you can try to paint it that way, but this is a member who undoubtedly aspires to being a justice minister in a future government, if they’re that fortunate. Can you imagine someone who wants to be a justice minister knowingly involving himself and his party in a breach of security in this province? What does that say about their conduct when and if they hold office?

That member should have been removed by his leader for that activity. He was not. That’s not only a reflection on the individual member but on the leadership of that party and should send out a very clear signal to the people of this province that they are not fit to govern the province of Ontario.

I want to talk a bit about this issue in terms of corrections. We know, and we’ll be the first to acknowledge, we have challenges in our correctional system, especially with the remand population. Our remand population has grown in the last five years by over 30%. There’s a variety of reasons for this.

Mr Gerretsen: More judges.

Hon Mr Runciman: The member for Kingston has always aspired to being a judge. We’ll see what we can do for him in the next government.

There’s a whole range of reasons for this.

Mr James J. Bradley (St Catharines): Bob, we’ll make you head of the LCBO.

Hon Mr Runciman: I’ll hold you to that.

I want to say that this government, unlike its predecessor governments of the NDP and Liberals, has moved to address these very serious problems. These didn’t happen overnight. These didn’t just pop up in 1995, that we had overcrowding, that we had a very old, antiquated correctional system in this province going back into the early 1800s, costing us as taxpayers significant monies—\$260, \$280 a day—to keep someone

incarcerated in one of our provincial facilities. The Provincial Auditor pointed this out to the Liberal government. He pointed it out to the NDP government. I ask you, what government took action? It was a Conservative government. The Conservative government has spent close to half a billion dollars renovating and restoring the correctional system in Ontario. There’s still more to do.

That member and his party get up and criticize us for the correctional system in Ontario, but take a look at their platform for the upcoming provincial election—not one reference, not one commitment, not one dollar sign attached to any future investments in the correctional system of Ontario. Again, that should raise serious questions in the minds of any elector in this province: how serious are they about these issues? Are they merely trying to score political points at the expense of all of us as politicians in terms of our credibility? I think that’s the case.

When we’re talking about this, we should again go back to the five years of Liberal rule in this province. What was their legacy? I was around during those days. I can recall two Solicitors General being forced to resign, one for going into a police station at 2 o’clock or 3 o’clock in the morning and harassing the duty sergeant. There’s the chief cop of the province of Ontario going into a police station at 3 o’clock in the morning, berating the night duty sergeant because they had arrested a personal acquaintance of that Solicitor General. What does that say about a Liberal Party in power?

Another Solicitor General took a case of beer on an OPP boat—again a clear violation of provincial law. Again, what kind of respect does a Liberal have for the laws of this province? Not very much, that’s clear, given their past history. That’s a legacy.

They can’t escape the aura—is that the right word? “Stench” might be.

Hon Mr Stockwell: The smell.

Hon Mr Runciman: The stench, the smell of their cousins just down the road in Ottawa. They want to ignore it, but on so many issues we’ve heard their Liberal leader, Mr Dalton McGuinty, standing up and endorsing the positions of the federal Liberal government on justice matters.

The Young Offenders Act: he has always been a very strong supporter of the Young Offenders Act.

Mr Dwight Duncan (Windsor-St Clair): There’s no more Young Offenders Act.

Hon Mr Runciman: OK. In the past, he was supportive of the old Young Offenders Act.

Mr Duncan: What were the changes?

Hon Mr Runciman: Well, we’re not happy with the changes either.

Let’s talk about the federal long gun registry. Even the member from Windsor has jumped up and supported it. You know, \$1 billion has been spent on this boondoggle, this bottomless pit. The national taxpayers’ federation says by 2012 we will have spent approximately \$2 billion of taxpayers’ hard-earned monies on something that serves no useful purpose in terms of improving public

safety in this great country of ours. That is supported by the provincial Liberal Party.

Interjection.

Hon Mr Runciman: Supported by the Liberal leader; supported by the House leader.

People in Ontario, especially people in rural and small-town Ontario, who care about this intrusion in the lives of honest, law-abiding Ontarians should remember where the Liberal Party of Ontario stands on this issue. We're going to remind them. Don't forget about that.

Club Fed, another one: we know about the federal government having golf courses and riding stables. We can go back to when the Liberals ran the corrections system in Ontario: video games, pool tables. They joined the NDP in endorsing rock-climbing classes. What was to happen after that? Pole vaulting.

Mr Bradley: What happened to Camp Run-Amok?

Hon Mr Runciman: Again, the member from St Catharines just reminds me: this government brought in Ontario's first strict-discipline facility for young offenders, a boot camp. The Liberals opposed it, fought vigorously against it. It has turned out to be an enormous success in terms of dropping recidivism rates for young offenders, yet the Liberals don't like it: "It's being tough on young offenders. We can't do that. We're Liberals." Come on.

Ontarians know where the Liberals stand on law-and-order issues. They're not going to be able to paint themselves in a different suit here, and we're going to continually remind the voters of this province, the taxpayers of this province, just what Liberals' views are, their real views on law-and-order issues.

Faint hope: another issue I want to talk about is the parole board, the National Parole Board. This is a very significant problem, because you support it. You support it, and you supported a parole system in Ontario that was fraught with weaknesses. I can't lay this on your doorstep, but of course we did have a serious incident as a result of the failures of the parole board system in Ontario.

Mr Speaker, as you know, being part of our party, we had a very different approach to the parole system of the province of Ontario. When we took office in 1995, one of the first things the Conservative government of Ontario did was to completely revamp the Ontario Board of Parole. We replaced its membership. It was plugged with prisoners' rights advocates. We put in people who cared about law and order and who made victims' rights and community safety their first priority.

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Speaking of victims, this is the government that formed and created an Office for Victims of Crime in the province. We've had two victims' bills of rights brought into this House. Those of us who were here will remember who voted against it. Who voted against the Victims' Bill of Rights? The Liberal Party of Ontario. This is a shameful record. You should all stand up and apologize in unison.

I want to talk about some of the things the Conservative government has done. Aside from wiping out the

Liberal-NDP legacy on the parole board, there's a whole range of areas where we have moved very positively to improve community safety in Ontario. One of the most topical at the moment, of course, is the sex offender registry. We're faced with this horrific murder in Toronto this week, and the police in Toronto are utilizing the registry. Personally, as part of this government, I am very proud. I give credit to Mr Turnbull, who was the Solicitor General at the time the legislation was passed. I'm very proud that we are the only jurisdiction in this country to have a sex offender registry. It is proving to be an asset to police services across the province, but it would be even more of an asset if the federal government would get on board and implement a national sex offender registry. That's long, long overdue.

A couple of other things we've done: we brought in the violent crime linkage analysis system, now in operation and proving very effective to track serial predators across this province. It's working very well.

The major case management system, which has been used for homicides and major crimes, is being used by the police services and was utilized, I should point out, during the SARS emergency. During the SARS emergency, they were able to utilize the major case management system in this province to very great and positive effect.

Hon Mr Stockwell: The illegal immigration SWAT team.

Hon Mr Runciman: Yes, I will get to that.

The Centre of Forensic Sciences: with this latest murder, we had scientists in working 24 hours a day, and they are prepared to do that in very serious emergencies to try to establish DNA evidence in situations like this. We have invested over \$20 million in upgrades to the Centre of Forensic Sciences and hired, I think, 72 scientists and technologists to work in the Centre of Forensic Sciences. That's a very significant investment in improving that centre, which is now one of the finest in North America, if not in the world.

The 2,000 police officers: I think we've all heard of the community policing program we brought in in 1998 or 1999. We've now hired 998 police officers in communities across this province. The last allotment was 24 officers assigned to medium- and small-sized police services to provide all those services with an intelligence officer in the wake of September 11, 2001. Even our small services now have the capability to have an intelligence officer as part of their staff. Of course, we've now made the commitment to add an additional 2,000 officers to the front lines across Ontario.

One of the things I'm most proud of is the Joe MacDonald scholarship fund. When I was in opposition, I got to know the Joe MacDonald family very well. This was a significant issue, a major failure of the Ontario Board of Parole, where Constable Joe MacDonald was executed—and I think that's the only word to use—in Sudbury by a parolee from the Ontario system. That led to a range of initiatives.

One of the first things I did as Solicitor General in 1995 was allow police to use hollow-point ammunition. I

think there's a pretty strong argument to be made that if Joe MacDonald and other police officers had been allowed to have that kind of ammunition at the time, he may not have been murdered. He shot one of the perpetrators, but the ammunition used at that time went right through the perpetrator and he was able to keep coming forward and participate in the murder of Constable MacDonald.

Again, we made significant changes in the parole board, I think as a direct consequence of Constable MacDonald's murder.

The thing that I'm most proud of, the initiative I'm most proud of, is the establishment of the fund to look after the education needs of the families of fallen officers. To my knowledge, it's the only such fund in Canada. The Treasurer at the time, Mr Eves, put in \$5 million of seed money to establish the fund. I think there are over 20 families now who have accessed the fund. It's paying the tuition for those children of fallen—not just police officers, but firefighters as well. This year, we made a decision to, as well, make a contribution to the cost of living of these students who are either returning to school, which may be the case with spouses, or for children who are finding it difficult, even though the tuition fund is available, to attend a post-secondary institution. We are also moving to assist in that regard.

Our House leader raised the issue of security. This is a new responsibility in a significant way of this ministry, Public Safety and Security. I was here a few years ago—it was the Solicitor General and Correctional Services. We've recombined those two ministries, but we've also added on the new responsibility of security, primarily border security. Certainly, one of the issues that we have with the federal government is their, in our view, insufficient response to the September 11, 2001, terrorist attacks in the United States. There is a whole range of areas where we can point that out. The North American security perimeter is one that we're very keen on.

I've already exhausted my time. I haven't done this for so long, and I'm enjoying it.

Mr Gerretsen: I know that the member, my neighbour from Brockville, envisions himself as the fighter of crime and the protector of public security. But perhaps he could explain to the people of Ontario why, in his budget this year, there has been a reduction of \$181 million. That's right out of the budget document. Maybe he can also explain to the people of Ontario, as the auditor pointed out in his last report, why there are over 10,000 arrest warrants not executed in this province. They're for things large and small. The point still is—and you may recall that he got quite exercised about it—as to why those 10,000 warrants aren't being executed.

To talk about it is one thing, but to do something about it and have the resources to actually do something about it is something quite different.

I don't want to talk about that. I want to talk about the substance of the motion.

But before doing that, I would just like to congratulate all of those health care workers who have been involved

in fighting SARS. I was very happy to hear today in the media that the World Health Organization has lifted the warning on Toronto and Ontario. I think this is good news for all of us. I think this is good news for the city of Toronto, the province of Ontario and our country. I think all of the health care workers who have been involved in fighting this fight on the front line, many of them 24 hours a day, seven days a week, should be congratulated, each and every one of them. I know we will overcome this as well.

What I cannot understand—and I've been in this House for about eight years now, like many other members here—is why, first of all, we've been debating this motion for the last week now. It was exactly a week ago, and right about this time, when you came out with your ruling, Mr Speaker. I would just like to go back to what your ruling actually says.

You stated three principles in your ruling that I certainly agree with, and I would hope that the entire House agrees with as well. You stated, on page 234 of the Hansard of May 8, "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;"—as what happened in the earlier instances that have been referred to by the government—"it is quite another for the government to have a deliberate plan not to do so."

1420

I found it interesting that the member from Leeds-Grenville talked about extenuating circumstances as to why the budget could not have been presented in the House. It's very simple. The budget couldn't be presented in the House because you, the government, prorogued the House. You didn't want us to come back on March 17 to talk about the issues that are out there, to deal with the budget you promised to deliver by the end of March. There weren't some sort of extenuating circumstances such as a major calamity out there that prevented us from meeting; it was you who decided you didn't want us to meet.

The reason, you may recall, Speaker, that was given at the time was that they wanted to take the budget to the people of Ontario. The parliamentary channel is available throughout this entire province. If you are anywhere in this province where there is a cable system in effect, and I've been all over the province, like many of you, in the small communities way up north, way down south, way down east—and quite often it's picked up by satellite within the community—the parliamentary channel is available. Besides, it's always carried on CBC, CTV, Global and various other stations as well.

Actually, when the so-called budget was presented at the Magna training centre, I believe there was only one channel that carried it. So for the life of me, I cannot understand what you mean when you say you wanted to bring the budget to the people of Ontario.

The people of Ontario are represented right here by the 103 of us who are elected, each one of us in our own riding. That whole argument that somehow by bringing it into a hall with 400 or 500 invited people and with very selective media coverage, you're bringing it to the people of Ontario, is just a great fallacy.

The other thing that should be remembered is that usually on budget day the opposition doesn't get to ask any questions about it; that normally doesn't happen until four or five days later. Budgets are always presented on a Thursday, and the first question period doesn't take place until the following Monday. Usually the play on that given day is either to the government in explaining its budget or to the various interest groups that may have some comments on it, and of course that still happened this time around.

There is one reason and one reason only, as far as I'm concerned, why the budget wasn't presented here: you did not want the House to sit—as a matter of fact, we didn't come back until some five or six weeks after that, April 30—and you didn't want to be subjected to the daily question period that may arise starting four or five days after the budget is actually presented. That is the only reason.

The second reason you gave, Speaker, in your ruling, was that, "... 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?" That may very well be so, Speaker.

As far as I'm concerned, there are two very significant events that happen here each year, or every year and a half. The first is the throne speech. That's when the pageantry takes place. That's when the government basically lays out its vision of the kind of policies, the kind of laws it wants to see enacted over the next term of that particular Parliament. The second important day is budget day. A budget at any level of government, whether we're talking about here, whether we're talking about local government, about school boards, about the federal government, sets out the spending priorities of that government. It sets out where the government of that jurisdiction is going to spend its money. That's all contained in this document. As far as I'm concerned, everything that comes after that comes right out of that budget.

The argument was made by the government House leader, and I think it was exactly a week ago today when he said something to the effect of, "If a budget has to be presented here, and if your ruling is to be followed, then in effect there could never be an announcement such as a new hospital or whatever made outside of this House." What absolute nonsense.

A budget deals with over \$70 billion worth of expenditures. Many of these expenditures deal with salaries, with the ongoing programs that a ministry or government is involved in, but it also deals with a lot of the proposed capital expenditures that the government proposes for the next year. So any hospital announcement or school

announcement or any other major announcement is not in any way precluded by the budget. As a matter of fact, it is included in the budget; maybe not the actual place where the money is going to be expended, but this is the document, once approved in the House, that gives the government the authority to make those kinds of announcements. So to suggest that any major announcement like that is to be made in the House—even though I personally believe that the more major an announcement is, the more right it is to make it in this House, it doesn't preclude a government at all from making a hospital kind of announcement or any other kind of major project announcement outside of this House.

The other argument we heard from the Minister of Finance, I believe, also a week ago today or this past Monday, was to the effect of, "Well, you know, a budget is never presented for the first time in the House." Her argument is that since the media, opposition members and government members and their staff are involved in a lock-up, where they're given explanations as to what is in a budget, therefore the budget is presented there for the first time and not in the House. What utter nonsense.

You and I know that anybody who goes into a lock-up is basically there until the moment the budget is to be read in this House, until 4 o'clock on that particular day. They can only leave those lock-up rooms under the most unusual circumstances, in which case every bit of information they receive about the budget is to be left behind. As a matter of fact, when you go into a lock-up room, you are not to take in cell phones or any other devices at all.

So to somehow suggest that the lock-ups which have traditionally occurred here so that members, their staff, the media and the various organizations can be more knowledgeable about the budget rather than saying something immediately, on the spur of the moment, after a budget is first read here—it is purely in order to help that member, that organization or that media person to understand the budget. It is not in any way, shape or form to be taken outside of the lock-up room, so that certainly is in no way a presentation of the budget.

We didn't get to the actual motion that Mr Conway moved. The way I understand the rules, after a prima facie finding of contempt—and all that means is that you feel there may have been some contempt there and now it's up to the House to deal with that matter—our standing orders say, "All right, we now go to the member who has raised that issue and he makes a motion."

He could have at that point in time come up with all sorts of partisan motions in which the government was to be condemned for having dealt with the budget the way it did. There could have been all sorts of other stuff brought into it. What is the motion that he actually came up with? It is my submission that he came up with probably the most non-partisan statement I have heard in this House over the last eight years. His motion simply reads: "It's the undisputed right of the Legislative Assembly, in Parliament assembled, to be the first recipient of the budget of Ontario." He doesn't slam the government. He

doesn't say anything that would make any government member feel that somehow—he doesn't even blame the government. He merely states that from now on, so that there's no mistake about it, any budget document that is presented should be presented here first.

I thought that when he presented it last Friday, it was a fait accompli. The Premier had already stated outside of the House on at least one occasion, if not more, that probably they were never going to do that kind of budget presentation again. So I can only assume from this that he agreed it was going to be done here. That's exactly what this motion says. It doesn't say anything more than that. It doesn't condemn the government. It just states that from now on, so there's no mistake about it, budgets will be presented here first. How could anybody in their right mind be against that? I, for the life of me, cannot understand it.

Is the suggestion now by government members, "Hey, wait a minute. We're going to do something else again. We're going to try it in the SkyDome next year or we're going to do it by television hookup"?

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Hon Frank Klees (Minister of Transportation): Great idea.

Mr Gerretsen: Somebody says, "Great idea." Well, fine. Now I get it.

I'm simply making the point that the motion that is before the House cannot be regarded by anyone, inside or outside this House, as a partisan motion. It is simple, straightforward and direct: budgets are first to be presented in the House, because the budget, after all, is the document that talks about the spending priorities of the government for that year.

What complicates the matter is the matter that was referred to yesterday and that's special warrants. I know that special warrants are necessary from time to time, and they have been used from time to time. Some of the government members gave these figures: a special warrant was used by a Conservative government on April 1, 1986, for \$7 billion, by a Liberal government in 1986-87 for \$6 billion and again by a Liberal government in 1987-88 for \$7 billion. I realize that with an election coming up and not knowing exactly what's going to happen or when the House is coming back, it's necessary to pay our bills, to make sure the hospitals are properly funded, that doctors get their money, that all the services out there—the teachers are paid, the school boards can function, etc; I totally understand it.

It's not the fact that a special warrant was issued in this case that's at issue. What's at issue here is the amount of the special warrant. We're not talking about a measure of \$6 billion or \$7 billion—I realize that with inflation you can up that by maybe \$3 billion or \$4 billion or \$5 billion. We're talking here about a special warrant for over \$36 billion, more than half of what the government intends to expend in the entire fiscal year—the total expenditure for this year, according to your budget document, is \$68 billion.

Some people might say, "Well, that's all right. What's the problem with that?" The problem with that, as was so eloquently pointed out by Mr Conway in this House on a couple of occasions now, is that the government is, in effect, a creature of this Assembly. The government is formed from the largest party that is here. The leader of that party, who becomes Premier, selects the 20 to 25 members of his or her cabinet, and they are the government. But they are accountable to this Legislative Assembly. To basically say to the people's representatives, which each and every one of us are, "We don't care. We are going to spend more than 55% to 60% of the total budget by way of a special warrant," I truly believe, is an abuse of process. I don't believe that special warrants were ever intended to sustain a government for up to six or seven months.

I won't even get into the fact that the special warrants are for different amounts for different ministries, and it just happens that there's a much higher percentage for some ministries that lend themselves to making beautiful election announcements. I won't get into that; let the media get into that. The point is simply this: from the documentation itself, when that special warrant was issued they expected they weren't going to be back here until at least October of this year, which is about six months into this fiscal year. Not to allow a Parliament, a Legislative Assembly, to hold a government accountable for that long a period of time makes us irrelevant and is an abuse of process. That is really what this debate over the last week has been all about.

I know some people are saying, "You shouldn't be talking about that." We've even heard some government members say we should be talking about more relevant legislation. All I say is, why the heck weren't we here six weeks before? We could have spoken about that from March 17 onward. I haven't seen the government side miss a turn at all. They're taking their opportunity to speak—usually nothing to do with this motion at all but talking about everything but, and I know the latitude of this House sort of allows that nowadays. I know, of course, the reason they don't want to talk about the motion is because they know they're wrong. I am absolutely convinced that the average member sitting on the other side knows they're wrong and that there's absolutely nothing wrong with the motion that's before us. That motion simply is that the budget be presented here first.

In the last minute and a half that I have left, I wasn't here during the Peterson years, but I think we do need to correct one thing: what happened to the public debt of this province during, let's say, the last 50 years. When Bill Davis left in 1985, the public debt of this province was about \$50 billion. When David Peterson left in 1990, he had added about \$9 billion to \$10 billion to the debt, to be followed by the NDP, which had added another \$40 billion to \$45 billion. Now they've added another \$20 billion.

So, the public debt of this province has been mainly as a result of Conservative governments—

Hon Mr Stockwell: Oh, oh.

Mr Gerretsen: Absolutely. You can ooh and ah all you want. I would suggest, sir, that you take a look at the various budget documents over the years and you will see that.

All I'm asking the members on the other side is to examine their conscience and take a look at the motion—the very simplicity of the motion—which merely states that the budget of the province of Ontario will be presented here first annually. How can you possibly be against it? The people of Ontario will ultimately be the judge of that.

Ms Marilyn Churley (Toronto-Danforth): It's my second opportunity to speak on the motion put forward by Mr Conway and the amendments made by Mr Kormos and Mr Bisson in the NDP caucus.

I want to remind people that what we're talking about here is the motion put forward, which simply states that the budget should be given in this Legislature. That's what the Tory members across the way are being asked to support. Even their Premier has said—

Interjection.

Ms Churley: Yes, it is. Chris, we've already had this argument, and I was right. It's very clear. The Speaker's ruling stands no matter which way we vote. That was his ruling.

Interjection.

Ms Churley: I'm not going to keep up this dialogue with the government House leader, because I know it's out of order. But what I want to say, in terms of my view of contempt toward this place, toward the people of Ontario and toward these members, was shown once again this morning in private members' business, when we had two bills before us to do with protecting human health and saving lives. One bill was Mr Gilchrist's, which we all supported, on organ donation. It's a very good bill. We supported second reading and even supported third reading without it going to committee, because we felt it was so important.

I too had a private member's bill this morning, for the fourth time—a bill that has been out to committee once since 1999 and once when we were in government, and indeed it's a life-saving bill. We now know that adoptees are not provided with health information. Many are dying and becoming ill because they do not have that information. I did get second reading and when I asked, as Mr Gilchrist did, for the same courtesy—and this is for a bill that has gone through this House on many occasions and has gone through committee, that is a life-saving bill—the government would not allow that bill to get third reading. I consider that contempt for democracy, contempt for the members in this House and contempt for, I believe, the 75% or more of the members in this House who support the bill and the 75% of Canadians who support moving forward on this bill. I believe that number will go up once they understand that it actually could save lives.

I also want to point out something else that has come to my attention since this morning. I received—there are lots of brown envelopes flying around these days—a very

interesting presentation-to-cabinet document dated March 12, 2003, from the Ministry of Agriculture and Food. You may wonder what would be the significance of a cabinet document. This is not a draft cabinet document; it is a cabinet document that is dated March 12 and has already been considered by cabinet. The interesting thing about this leaked cabinet document is that it is on the Nutrient Management Act and source protection.

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Hon Mr Stockwell: Who gave it to you?

Ms Churley: No, you didn't give me this. You've never given me a cabinet document.

The interesting thing about this document—I'm talking about contempt—is that this was dealt with on March 12, 2003, just nine days before the government announced it would be delaying the implementation of the regulations of the Nutrient Management Act. The document, however, clearly shows that the government never even had as an option implementing the nutrient management regulations early. It's clear from this document that the Conservatives wanted to wait at least 13 years to implement one of the Walkerton inquiry's key recommendations.

I want to remind you that we are now on the third anniversary of the tragedy in Walkerton, and we get a leaked cabinet document that shows the government was ready to put and is putting our drinking water at risk just to win votes in rural Ontario. This leaked document shows that Premier Ernie Eves may delay implementing the Nutrient Management Act until 2016, eight years later than the Conservatives previously promised. The act would set rules to protect drinking water from manure, as you are aware. The confidential cabinet document says that nutrient management is a key component of both Ontario's clean water strategy and the water protection approach envisioned by Justice O'Connor, but the document, this secret cabinet document, lays out plans to delay the act's key environmental objectives, because nutrient management is a very high profile and contentious issue in rural Ontario.

The NDP pointed out all along that the Nutrient Management Act didn't do what it was supposed to do and that there were major flaws with it, but at least it was something, at least it was a start toward protecting water sources from manure. One of our major criticisms of the bill was that the guts of the bill were in the regulations and we were concerned that there were no timelines. We feared that, as a result, the actual implementation of these timelines would never see the light of day.

What this document shows—talk about contempt—is that we were right all along. The cabinet document proves that the government has no intention of protecting drinking water. It makes it clear that this government is more concerned about being popular and getting re-elected than about doing the right thing. It shows the government was considering two options for implementation of the Nutrient Management Act: delaying until 2008, or delaying until 2016. On March 21n the government announced it was delaying the implementation for 97% of farms in Ontario until 2008 at the earliest.

It's bad enough that this government chose to delay the implementation until 2008. We were very worried at the time about what "at the earliest" meant. We weren't sure. The government never clarified. Now we know from this cabinet document exactly what they meant by "at the earliest." The cabinet document clearly shows they have no intention of implementing those regulations until 2016. That's 16 years after the tragedy in Walkerton and still there is no regulation of nutrients and not enough protection for our water.

This document is very interesting. It goes on to outline the problems this strategy might encounter, because they know there could be public relations problems in delaying until 2016, so what they said was 2008 or a later date. What is in this document is this: "General public may criticize OMAF's new on-farm inspection role as not consistent with the O'Connor report," and, "General public may accuse government of postponing a contentious issue until after a possible spring election."

That's what's in this document as a communications problem.

What have they done? The government is clearly more worried about how it might look to delay than what might happen if they delay. The major concern as outlined in this cabinet document is that it would be risky to say, "We're going to delay until 2016," so they say "2008 or at the earliest date."

We said that we couldn't trust this government to implement the regulations, and we were right all along. This document shows it. They have also brought forward a report on source protection, but there is no act and there is no draft. I will say to you, given what we are reading in this cabinet document, we will never see the light of day on the Nutrient Management Act.

Water in Ontario in general—because this is the anniversary of that situation, that terrible tragedy in Walkerton. Funding for water infrastructure is thus: in the 2001-02 budget, the government set aside \$200 million in municipal infrastructure projects, in OSTAR—

Hon Mr Stockwell: Hear, hear.

Ms Churley: —ah, but just wait—and the Millennium Partnerships initiatives. That money was set aside, but the numbers aren't broken down. Ministry officials confirm that over half of that money was intended for municipal water projects. You have to remember that this government got rid of the dedicated fund that the NDP had set aside for funding water infrastructure. So this money was to be shared for all kinds of other projects. But get this—are you ready for this?—only \$29 million of the \$200 million was actually spent. So I wouldn't cheer over there. The money was set aside but it wasn't spent. That left over \$100 million in budgeted money for municipal water projects unspent for that year, and this is after Walkerton and all of the promises that the government would come through and help municipalities fix up their water and sewer infrastructure.

We don't know what happened to the money. I've asked what happened to the money and neither the minister nor anybody else will tell me. But given this gov-

ernment's history, I'll tell you what I think. I can only assume that they reannounced this money as part of their 2002-03 budget commitments.

Let's review what those were. In the 2002-03 budget, the government promised to spend \$174 million on water projects in Ontario, again under the same two initiatives, the OSTAR and Millennium Partnerships initiative.

Of course, everybody knows how desperate municipalities are for infrastructure money to upgrade their water systems. So we have to assume that all of that money got spent, right? Well, you are wrong again if you thought that. The recent Magna budget shows that they only spent a third of that amount. Over \$110 million is still sitting in the bank, while pipes crumble and municipalities beg for help with municipal water projects. Over the past two years this government has failed to invest in the crumbling infrastructure in this province. They failed to spend over \$200 million in the last two years alone.

Now I'm going to tell you what the result of the failure to spend that money is. Our water system is in trouble. In September of last year, over 40% of our municipal water systems were out of compliance, and that's down from over 60% a year before.

Hon Mr Stockwell: That's good, then.

Ms Churley: Oh yeah, the Minister of the Environment says it's good; it's only 40% out of compliance now. It was 60%; now it's down to 40%. After what happened in Walkerton, the minister seems to be satisfied with that. Sixty municipal drinking water systems in the province are out of compliance and have had to receive extensions on meeting the requirements because they can't access enough money to make the necessary repairs. So there you have 60 systems that desperately need to be fixed, and what does the government do? Instead of giving them the money they needed to upgrade their systems so that we wouldn't have another Walkerton, they gave them an extension on meeting the requirements of the new regulations.

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At any other time in Ontario there are dozens of municipal and local drinking water systems that have current boil-water notices. Right now, as we speak, we have boil-water orders clear across the province, and all that money has gone unspent. What happened to that money? Why isn't it being spent, given to the municipalities to upgrade their sewer and water infrastructure?

What have we got here? The government has delayed the implementation of the nutrient management regulations. They've left the door wide open for the potential contamination of water. A recently leaked government document, the one I referred to earlier, shows that the implementation of these rules will be delayed until 2016. Given this government's utter inability to make tough decisions and to protect our drinking water, we don't believe the government will implement the source protection framework either.

That's why, as an aside, I introduced my own source protection act to follow up on the Safe Drinking Water

Act that I introduced some time ago. I will be reintroducing that source protection act and hope we can debate it before the election is called.

I want to be very clear about this: we are not blaming the farmers for what happened in Walkerton. It's this government. They don't blame the farmers, but I'll tell you this: they sit there and laugh—

Hon Mr Stockwell: Oh, come on now.

Ms Churley: The Minister of the Environment is laughing cheerily along as we talk about the third anniversary of the tragedy in Walkerton—

Hon Mr Stockwell: I'm laughing at you, Marilyn.

Ms Churley: —and the fact that they haven't spent the money, that they have—

Hon Mr Stockwell: I'm laughing at you.

Ms Churley: —to spend on infrastructure, sewer and water—the minister is laughing at me. Let's get that on the record. The Minister of the Environment is laughing at me, the NDP critic for the environment, the critic, may I add, who was cited when Mr Harris was being questioned at the Walkerton inquiry. I sat there when the lawyer said to Mr Harris, "You know, Premier, there were four or five direct warnings given to you that your privatization of the labs and cuts could lead to tragedies." He cited two questions I had asked in this Legislature, one to the Premier and one to the then minister, Mr Sterling, very direct warnings about the privatization of the labs. So that was something—

Interjection.

Ms Churley: The minister is getting quite defensive here, isn't he? The minister can laugh all he wants at me. That's his prerogative. If they had listened to me and others when they were warned earlier, perhaps Walkerton would not have happened.

Hon Mr Stockwell: Oh, like grandfathering the Koebels?

Ms Churley: I was saying if the government continues to try to blame everybody else for what happened in Walkerton instead of themselves, I do want to say that we have to support our farmers in their valuable role as stewards of the environment. That means establishing clear rules and providing resources to them to meet those rules.

One of the other things I point out that is mentioned here in this leaked cabinet document is concern about farmers needing resources to implement these regulations. The government passed the flawed Nutrient Management Act and said they'd do that. But they now have bungled the regulations, made them so onerous on farmers that the farmers quite rightly rebelled. So what does the government do? Because there is an election coming—and talk about contempt again.

Hon Mr Stockwell: Too onerous on farmers?

Ms Churley: Clearly, you should read your own cabinet documents.

What they do is go behind closed doors and come up with a strategy, because there's an election coming, to appease rural Ontario, where they want to get re-elected, and not give to the public their true intentions of their

action on nutrient management. It's very clear in this document that they were concerned about public reaction if they let it be known they were going to delay the implementation of this until 2016.

That, to me, is another form of contempt for the House, for the legislators, for the people of Ontario, for the farmers, for the environmentalists, all of those people, the public who drink the drinking water in rural Ontario, all of the public, by going behind closed doors and coming up with a document that justifies why these regulations have to be put off until 2016, and announcing to the public that they will be delayed until 2008 or a later date. Why didn't they just come out and tell people what their true intentions were? I find it absolutely astonishing that the government—and I'll say this on the third anniversary of the tragedy in Walkerton—went through a cabinet discussion and expressed concerns about public reaction and rural Ontario reaction and decided not to be forthright with the public about their intentions of delaying these regulations. That's exactly what we have here now.

Over the last couple of days, we have heard of other situations where the government tried to hide decisions from the public that once again were connected to an election. That's the matter of the order in council on the money that was put aside. We well know that when people went to see that particular document, where it should have been in sequence with all the other orders in council, it was no longer there, it was missing. Why was it missing? Because the government did this thinking there was going to be an election, but then they bungled the announcement of the budget so badly that they had to call off their plans to call an election. So they tried to hide the fact that they actually had a document, an order in council, that set aside \$36 billion. That's what we're talking about here today: a government that is getting desperate, getting ready for an election, with one thing after another going wrong, doing things behind closed doors and trying to hide it from this House and the public. That's wrong. I urge the government to support the motion that's before us. Let's do that and get on with the regular business of this Legislature.

Hon Ernie Hardeman (Associate Minister of Municipal Affairs and Housing): It is a privilege and a pleasure—maybe the pleasure is not quite that great. I think it's rather an unfortunate matter that's being discussed as it relates to the issue before us today. I want to say that nothing could be further from the truth than to suggest that I would somehow be contemptuous or feel contempt for this great institution here. As I start my remarks, I want to assure you, especially you, Speaker, that I have absolutely no contempt, nor is there any suggestion that I would question the ruling that you made a number of days ago concerning this matter. I want to talk about that a little bit.

I remember quite a number of years ago, well before I was elected to this Legislature, I had the opportunity to be here for a meeting one evening. You will know that as you come into this great building, we have security at

every door that checks to make sure that you have the authority and the right to be here, particularly in the evening hours, and then you go about your business. Once you are in the building, you have the opportunity to go freely, because you've been approved to be here. That evening I was here quite a number of years ago, after the meeting I had the opportunity to sneak in and sit in the chair that you are sitting in, Speaker. I can remember sitting in that chair and suggesting to the individual who was with me that someday I would be able to tell my children and grandchildren that at one point in time I sat in the Speaker's chair of the Legislative Assembly of Ontario. At that point, of course, I had absolutely no idea that someday I would have that great opportunity to be a member in this Legislative Assembly and be able to stand here and speak to you. That was one of the things I remember. I think it's very noteworthy that one could even aspire to ever being in that chair. I want to commend you for that, congratulate you and to say that I have nothing but the utmost respect for you and that position.

When I was elected, it was really humbling, coming into this Legislature the first time, to think that I had been picked by the people I represent in the great county of Oxford to represent their interests here in the Legislative Assembly of Ontario—and again, nothing but the highest regard for the honour of being able to be here and respect for all those other members who are here representing their constituents.

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One of the things I noticed when I arrived at Queen's Park, having spent quite a number of years as a municipal councillor in the great county of Oxford, was that the decorum and the process here in the Legislative Assembly was just slightly different than it was on municipal council. On a municipal council, it was always understood that everyone had an opportunity to speak, and you only spoke when you had that opportunity. If one was to speak twice without it being your opportunity to speak, it was not unreasonable for the head of the council—in this case, the Speaker of the Legislature—to ask you to refrain from doing that or leave the room. There was no such thing as an accepted level of heckling on a municipal council. I found it rather strange as I arrived here that in this place it seemed that was an acceptable approach to how business was conducted.

I remember that partway through the first term here at Queen's Park, so I would say it would have been somewhere around 1996 or 1997, there was an election for Speaker of the Legislative Assembly, and I know I was contacted by a number of the candidates who were running for that position. I did have that discussion with a number of the candidates: why it would be an acceptable thing to have people speaking and interrupting others while they had the opportunity to be recognized. It was suggested that the general practice in the Legislature had to allow for a certain amount of that because it was traditional and was the way this assembly had always run. At that point, I didn't necessarily agree with that. But again, it was accepted that that was the way it was supposed to be done.

I want to say that as you spend time here, it seems that because it is the natural practice, we all become part of that practice. If the Speaker had to speak to me now, I dare say it may not be the first time I was out of order; it may not be the first time he would have had to have done that. Because as you get here, there are times you tend to speak out when you shouldn't.

So I want to say, again, that's an acceptable level of activity, or it seems to be an acceptable level of activity. But at the same time, I do not see and would not expect that to be accepted beyond what happens because I would not want in any way to have my actions to be considered contempt.

I just want to speak very briefly to your ruling, Mr Speaker, as it relates to the events. First of all, the question, as I understood it—and again, I'm not trying to make your ruling—was whether, in fact, everything that had been done with the budget process was in order or was not in order and whether it was a breach of privilege in this Legislature. It seems quite evident from the reading of your decision that you quite clearly ruled that the approach which was taken by the government in delivering its budget was not out of order and was not a breach of parliamentary privilege for the members individually or for the Legislative Assembly collectively. Your ruling was in the negative; those two items had not happened. Where your ruling varies from that was that the issue of privilege was not necessarily always consistent with the issue of contempt; that in fact you could have contempt of the Legislature without breaching the Legislative Assembly's privilege or without breaching the individual members' privilege. Again, I understand that process.

You ruled, then, of course, at the end of your ruling—and I have it here. It talks about how the issue of contempt is really based on what society would consider contemptuous and how indeed the responsibility of the Speaker is to rule on whether there's a *prima facie* case for that and whether we should have the discussion in the Legislature and bring forward the opinion of the members of the Legislature as to whether they saw it that way, that your ruling is strictly based on there being enough grounds to have the debate.

The issue I want to get to: having been here for some time now, I know it's not appropriate for me to ask you to answer a question. I just put this out as my understanding of it.

It says here, "...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 guess that's where I have difficulty as to what we're discussing here. The appropriate motion would seem to me to apply to the issue at hand. It would seem to me that the motion we are debating here now, which is, "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”—my problem with that is if that’s the motion to deal with your ruling on contempt, I would wonder. I’m sure the member from Renfrew-Nipissing-Pembroke has thought this all out, and maybe rather than asking the Speaker, asking the member across the way would be productive.

My question would be that if there was no malice aforesought, if the budget was presented outside the Legislature for the reasons the government has put forward, that it was in the government’s opinion a new way of presenting the budget to the people of Ontario, it is not out of order, a breach of privilege. As some have suggested, it’s not a good idea, but the fact it’s not a good idea is something that comes out after you have done it and seen that it’s not, in the general view of the population, the appropriate way for that budget to be presented.

If that was the case—I just say this hypothetically—then would this motion deal with the question the Speaker has put forward in his ruling? At that point, I would say that maybe, from here on in, the Legislative Assembly should be receiving the budget first. That’s a reasonable assumption if, hypothetically, those other issues were there. But that’s not what the Speaker asked us to have the debate about. The Speaker asked us to debate whether the action was a contempt of the Legislature, not where the Legislature is going from here on in.

I have a problem in suggesting that if you wanted to go forward with a new direction, as you suggested in your ruling, Mr Speaker, if the government wanted to take something in a new direction or wanted to codify something different, in fact they could do that. My suggestion is that maybe the motion we have before us is codifying a process that hasn’t been codified before, but it has nothing to do with the past action we’re being asked to debate. I don’t know how you can get a vote to say, “It was appropriate. It was not contemptuous.” In fact at that point, as you ruled, Mr Speaker, you suggested your prima facie case was based on that after the fact it became clear that everyone, or a lot of people, were opposed to that approach, and that could make it contemptuous. That’s why you decided to have a debate. I don’t know how you can put those two together.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): You’re not a Jesuit, are you, Ernie?

Hon Mr Hardeman: No.

I don’t know how you could put the two together and come up with an answer to both in the same motion. I suppose, long after the fact, because we have debated this resolution for some time—

Mr Conway: And it is the resolution.

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Hon Mr Hardeman: I was really wondering—I guess my position would be that I don’t know how I—I don’t, but if I was supporting that resolution, I don’t know how I could, in good conscience, being convinced that we did not act in contempt, vote for that resolution and not vote on the other resolution in the positive. I believe that the motion to deal with the issue the Speaker put is not being

dealt with in the motion that the member opposite has put on the floor. I just don’t believe that you can do both at the same time. The suggestion of the member across the way may be a very good suggestion, but it does not deal with the issue we were asked by the Speaker to debate here.

Mr Conway: We are here to debate my motion.

Hon Mr Hardeman: The member opposite suggests, and I appreciate his learned abilities, that we are debating his motion. I guess I’m having a little trouble understanding how this motion was ruled in order when the Speaker asked for a motion to deal with his ruling, because I don’t believe this motion deals with the ruling at all. That’s my problem.

The reason I bring that up is I think it’s also going to be my problem as to how I can vote on this issue because I don’t believe you can do both at the same time. So I think that’s going to be a real problem.

Also, having dealt with that, I think it’s important to recognize that as we have spent a considerable length of time debating this issue—I shouldn’t say “this issue.” I guess I should say “these issues” because I believe there is more than one that we’ve been debating. In fact, as I’ve listened to the presentation, we’ve been talking about a lot of things other than the issue that the Speaker asked us to debate.

But I think the people of Ontario, and I know the people of Oxford, would have been better served to be talking about the things that would have been before us had this not been the issue of debate for the past week, such as the budget and what was included in the budget and the throne speech as to where the government envisions we should be going in the future. I just want to speak quickly about that.

I want to talk a little bit, first of all, about the comments from the previous speaker from the New Democrats. She was suggesting that there was some discrepancy with the figures on what was being spent on the OSTAR program, which is the assistance program for rural and small-town Ontario to help upgrade their water systems to meet the Ontario drinking water objectives. I just want to assure you that in fact all the money allocated for that is being spent on those water systems in the province. No municipality that has applied for funding to upgrade and meet the Ontario drinking water standards has not received approval for that application. I want to say that the only reason the money hasn’t all flowed out yet is that many of these small communities needed to do engineering work and design work prior to being ready to actually implement the changes needed in their water system. That’s why it is taking longer to actually do the payout for these applications than what had been originally hoped. But I can assure the member opposite that all of that money in the OSTAR program will be flowed to the municipalities to help them in upgrading their water systems.

I also want to say some of the things that I think are important in the throne speech and in the budget, as to where the province is going and what we think is very

important for the people of this province. I think it's important to recognize what is, I suppose, one of the major differences in where our government believes we should be going and how the opposition believes they would achieve the goals for the people of the province.

The number one issue, of course, is we believe that tax cuts create jobs and will create increased revenues, more people working, more people paying taxes and more revenues to provide the strong social services that people need, such as quality health care where and when our folks need it, quality education for our children and a cleaner and better environment—as clean and as good an environment as we can possibly get.

The opposition believes that you can do all those things, but there's no method of generating more revenue. Obviously, if you don't have the revenue, then you can't do all the things that people need. That's why we think it's so important.

There are some other things that I think are very important in the throne speech that I just wanted to highlight. We will introduce legislation to allow seniors to work beyond the age of 65.

Some people have suggested, "People don't want to work beyond 65. Obviously we're all waiting until we're 65 and then we can retire." Some members across the way are suggesting they might want to retire long before they're 65. I would like to suggest that if that's what they wish to do, they have every right, and should have every right, to do that, particularly if they have, like the member across the way, the resources to do that. Not many people I know can do that, but some can, and we appreciate that they can.

What I think is really important, and I know a lot of my people feel that way, is when they get to be 65, they don't believe it's appropriate that they have to quit working because they're 65. I think that's really what the legislation will be looking to do: to allow people, if they so wish, to carry on working, that they are not deprived of that right because they've gotten to be 65.

We also want to provide children with further assistance, particularly children with disabilities who reside at home. We want to increase support for the disabled community, the disability support program.

Yesterday in this Legislative Assembly we had Community Living Day. All those people, again, are on disability pension and they have been waiting a long time for an increase in that pension. We're looking forward to helping them out.

We also want to make sure that we have plans in place for increasing energy generation. We want to make sure the energy that is needed in this province is available at a price that people can afford.

We want to deal with the challenges in rural Ontario. Many things are different in rural Ontario from urban Ontario. I think it's very important that we put programming in place to make sure the services and the things that are available in urban Ontario are also available to our rural residents.

Just because I live in rural Ontario, that does not mean I don't need education for my children at the same level

and of the same quality as people who live in urban Ontario. Just because I live in rural Ontario, that does not mean I will not require the same health care as those in urban Ontario.

With that, I thank you very much for your time. We appreciate this opportunity to speak to the issue.

Mr Mike Colle (Eglinton-Lawrence): We've heard a lot of valid debate here on both sides of the House in terms of the impact of having this so-called budget given outside the House at the auto parts factory of Magna, what it really means to the Legislature and what it really means to the people of Ontario.

The way I look at it is that the people of Ontario, by electing us and by paying taxes to keep us here and to run the various ministries, have a lot of their money and their privileges at stake when they give us the authority to make these decisions on how to spend their money. That's what I think the root of the whole debate is: how do we spend their money; how do we regard their privileges and rights as citizens; do we ignore them; do we bypass them; do we do things in secret; do we do things in an open fashion?

So at the heart of this debate here, which I think is critically important for all Ontarians, is that this was a breach of faith with the people of Ontario. By in essence not putting forth their spending plan, which is what a budget is, for the year in a proper place, through a proper format, where it can be made public and held to account in an open fashion, this government made a decision to take the normal rules and break them. What they did was they brought this procedure behind closed doors into a manufactured—no pun intended—and artificial setting in an auto parts plant in Brampton at Magna. What they basically did was say that they weren't going to abide by the rules of the Legislature and the rules that the people of Ontario have been accustomed to seeing from this Parliament and the federal Parliament and Parliaments before them. So it's their money, it's their vote, it's their accountability that has been jeopardized by what this government has done.

1520

To compound what they did, they went ahead despite warnings and still had the budget outside the House. Then we found out this week that the day before the Magna auto parts budget was delivered in secret, this government wrote themselves a blank cheque for \$36 billion of the people's money, with no accountability, with no scrutiny whatsoever. Can you imagine, \$36 billion? This was part of the escapade known as the Magna auto parts budget. It's like going to your local bank, having two of your best friends co-sign a line of credit and getting the money out of the bank. That's what this government did. Premier Eves went to the treasury of the province of Ontario, had two of his colleagues, ministers Runciman and Ecker, co-sign a draft for \$36 billion into a basic slush fund that they could spend at will for the next six months, with no checks and balances. So not only would we in this House would have no ability to question or scrutinize it, but the people who have given

this money in good faith and will give this money in good faith in taxes had no way of knowing if this money was being spent right, if these expenditure plans were done according to the rules, according to any kind of guidelines.

So this was a premeditated attempt to bypass the people of Ontario, to circumvent the rules, and circumvent them like no other Canadian Parliament has ever done. And it wasn't by accident; it was by design, as we saw by the order in council, the special warrant for \$36 billion, the blank cheque given to Premier Eves to do with what he wanted.

I know members across the way have criticized the Speaker for his ruling, which was basically pretty simple. He said he's found enough evidence that rules were broken and, in breaking these rules, you brought a potential case of contempt for the Legislature and the people of Ontario on to yourselves. It's not what the Speaker has done; it's what you did to yourselves.

It's not just the Speaker or the members of the opposition who have condemned this breaking of the rules, who have condemned the auto parts budget. If you look at almost every newspaper representing communities big and small across Ontario, almost every one said the rules were broken and that what you did at the Magna auto parts plant was contemptuous and wrong.

I'll just read some of these for the record. The Bracebridge Examiner said Eves is "snubbing" the Legislature, and called his plan "a farce," and then went on to call his TV commercials "sleazy." The Brantford Expositor called Eves "desperate" and said, "he has sunk to a new low." The Burlington Post and Oakville Beaver agreed with Gary Carr, the Speaker, and noted that the Eves government has not sat a single day this year, whereas the federal Liberals have sat for 28 days. The Canadian Jewish News is disappointed in Eves and called his defence "a shallow trough" which reflects his "poor grasp" of his role as Premier.

The Chatham Daily News called the auto parts budget a "slick strategy." Chatham This Week compared Eves to Stockwell Day, calling his budget plans "stupid" and predicting Eves is walking "into political oblivion."

The Cornwall Standard Freeholder said Eves's plan "reeks of arrogance and contempt" and called the move "bizarre" and a "charade." In a follow-up editorial, the Standard Freeholder urged citizens to rise up in defence of democracy and wondered who will be paying for hall rentals for the Eves budget TV show.

The Guelph Mercury called the Eves's plan "wacky" and "hazardous." The Hamilton Spectator called Eves's strategy "offensive" and said it showed the "arrogance" of the Harris-Eves Tories. It said Eves must be "getting lousy advice" to act in this "heavy-handed way." It said the Tories appear "to be drifting" and "lacking any consistent theme other than retaining power." The Kingston Whig Standard called Eves "his royal slyness" and said Eves's plan is "an affront to democracy. It is nefarious. It is wrong."

Independent observer after independent observer across this province has gone further than what the Speaker said: this plan was nefarious; it was a backroom, secret way of circumventing the rules so they could spend taxpayers' money without any kind of scrutiny. They didn't want people in Ontario to know what they were doing with their money. They hid it from them, because they had a plan that had nothing to do with accountability. It was more a plan about how to use this \$36 billion as a slush fund they could manipulate to get re-elected at all cost. That's why it's been called nefarious, and nefarious I think it is. Not only is it contempt of this Legislature, as I've said; it's contempt for the people of Ontario who have put their trust in the Legislature through their votes, and it's their money that is being dealt with in this way.

The Lindsay Daily Post called Eves's plan an "abuse of power" that is "unforgivable." The London Free Press weighed in and said Eves was "degrading" the institution of Parliament. The Muskoka Advance said that if Eves doesn't want to be at Queen's Park, he should simply quit.

This House had not sat since December 12 last year. There were months and months to bring the budget into this House, but you know they didn't want to have the scrutiny and questions asked. They didn't want the people of Ontario to know how they were spending their money. They wanted to make it as difficult as possible to see. It wasn't just \$1 million or \$100 million or \$1,000 million; it was \$36 billion of secret spending, the way they wanted to spend it without anybody asking questions. That is where it's so contemptuous of the people of Ontario.

The people of Ontario should rise up every time they see a Conservative come to their door asking for a vote and say, "How dare you come and ask for a vote when you didn't ask me for a vote when you wanted to spend my money behind closed doors through that auto parts budget and through that secret warrant of \$36 billion you didn't want anybody to see?" That's the question that should be asked.

How can you trust a government that refused to come before people on the most core part of government: expenditure of funds that is done in an open, transparent, accountable fashion, as has been done for hundreds of years? They broke the rules. The Speaker, to his credit, had the backbone to stand up to the rule-breakers. Now the rule-breakers are trying to say they're not going to vote for the motion before us.

The motion before us by the member from Pembroke is such a plain and simple motion, which says that if you're going to have a budget, an expenditure plan, you bring it first to the Legislature. That's all it says. How they can do all these gymnastics about trying to avoid that simple process—people in the Mother of Parliaments in England must be laughing at us that we're even debating this. In Westminster, you can just imagine what they're saying: "You're debating whether or not to even bring the budget before the Legislature first? Is this

what's happened in Canada?" It's just a fundamental, basic, simple request that the motion asks for. Bring it in the open first. Bring it to account. Obviously the members across who broke the rules appear very adamant not to bring the budgets here first, because they found a better way, they think, by going outside of the scrutiny of the public of Ontario.

1530

We know how difficult it is to get information from this government. A lot of people assume that information on expenditures is easy to get. It took us four years to get the details, and not all of the details, of the 407 contract. Here's a \$3-billion contract which gave a private consortium a public highway—for four years we couldn't get a copy of the contract—four years we couldn't get it.

Down at the city of Toronto, just down the street they've had a public inquiry because of a computer leasing contract called MFP. The contract ballooned from \$43 million to \$80 million, and they have a public inquiry to see how that happened.

For the last three years, we have asked this government to show us the same contracts with the same company, MFP. This government signed over \$500 million worth of contracts with that same leasing company. We can't get a hold of those contracts so that the people of Ontario can see whether they got value for their money in those contracts. We can't get that information.

I'm sure people in local municipalities and in businesses across Ontario think that's insane. They say, "You must be able to get that in the Legislature." They probably do not understand that it is almost impossible to get contracts or even expenditure orders. This \$36 billion, we could not get. In fact, the Premier himself blamed it on the bureaucrats and said, "They made me do it." He doesn't even have the backbone to say, "I made a mistake and maybe we shouldn't have done it." Or "It was Ms Ecker's fault," or whoever it was. To blame the people that are working here as civil servants for the \$36-billion bank draft—at least the member from Etobicoke Centre said that this is the type of procedure that sometimes happens. We could debate that. At least the member from Etobicoke Centre didn't blame some person who can't defend themselves.

I think it's appalling that the Premier of this province would blame a \$36-billion draft at the treasury of Ontario on people who work here; that somehow, he would want us to believe, they had the power to force this government to secretly spend \$36 billion. That's what the Premier is trying to lead us to believe. We know that is nothing but chicken feathers. It is something that doesn't make any sense, because an expenditure of \$36 billion is not something concocted by bureaucrats; it's something that was concocted by the geniuses who concocted the auto parts budget up there at Magna and concocted this whole strategy of a \$36-billion slush fund. They dreamed up this cute scheme of taking \$36 billion out of the treasury.

Money is so easy to get for this government, yet if you ask young families who have children with autism, who

try to get a little bit of money so they can have the IBI treatment for their autistic kids, they don't get a cent when the child turns six years of age.

I've got a school in a high-need area in my riding that wants \$15,000 for a summer program—\$15,000, not \$36 billion. They can't get it.

Look at hospitals crying for the hiring of more nurses. There's a hiring freeze on right now. Do you think Mrs Ecker or Minister Runciman could write a little draft to hire more nurses at the hospitals, maybe a little special warrant to get books in the schools or to fix some of the problems we have in our schools in this province and this city? Do you think they could write a little special warrant, maybe just \$1 million? We could ask Mrs Ecker and Mr Runciman for that \$1-million warrant to fix some toilets in our schools—no. But for an election slush fund, easily done.

Can you imagine? It only takes two people in this province to sign a bank draft for \$36 billion. Can you imagine if you had a company or a charitable association in Ontario where you could get two people to walk in and take out that kind of money? Never mind \$36 billion, can you imagine if they could walk away with \$36 million? There would be checks and balances there to stop that kind of chicanery from happening.

In Ontario, what's been proven is that this government has taken away the checks and balances, broken the rules and basically said, "We don't care whether the people ever see how we spend the dollars. We're going to do it in secret. We don't care that for a hundred years or 800 years or 1,000 years they've had a place for accountability called the Legislature; we're going to go outside the accountability. We're going to do it behind closed doors. We're going to circumvent and break the rules."

That's what they've decided to do. That's why the people of Ontario are enraged at what they've done. Thankfully, they've said it was wrong. It's a sort of sad indictment: in the history of democracy in England they remember Magna Carta in 1215, a great step toward democracy where they held the King to account. Here in Ontario, sad to say, we're going to be remembered for the Magna auto parts budget. Magna Carta in England, Magna auto parts budget. We're going to go down in history. We're going to go down in infamy; Mr Eves will, anyway.

Hon Mr Klees: I'm pleased to participate in this debate. I have mixed feelings as well, as we continue deliberations on what, on the surface, is actually a very straightforward motion by the honourable member Mr Conway that the budget should first be presented here. Quite frankly, I don't think there are too many people who could find fault with that particular motion. But I think we have to go somewhat deeper than the actual crafting of this motion to get to the heart of why we are in this debate.

I want to refer to what initially prompted this debate, and I refer to Hansard and the words of the Speaker, who rose in this place and referred to what Mr Conway was suggesting originally had taken place: "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.” That was the original issue at stake here.

1540

To now go on and carefully consider what the Speaker then did in taking a position on this or making his ruling on this—I think it’s important for people to keep this in perspective. The Speaker, to his credit, took a great deal of time to review the various arguments that were then made before this House by Mr Conway, by the member from the NDP and by our good House leader, who on that day, I recall, put a very succinct argument forward that the Speaker should consider as he made his ruling.

Our House leader asked the Speaker—and I must say, I think what we have to keep in mind as well is that our House leader, who sat in the Speaker’s chair for four years, is not someone who is unfamiliar with the rules of this place and certainly is not unfamiliar with how a Speaker should consider the issues before making a ruling. So it was from the position not only of House leader but I think also with those years of experience that Mr Stockwell then gave the Speaker what I believe was some very wise advice. He asked the Speaker to consider essentially three issues as he considered his deliberation.

The first was the issue of constitutionality around this, because that in fact had been raised by members opposite.

He asked the Speaker to consider the issue of the orders of this House. The member from Eglinton-Lawrence waxed eloquent about how the rules had been broken in this place. He went on from there and suggested that the Speaker had in fact ruled that the rules of this place had been broken—far from the truth; simply not the case at all. The fact of the matter is that when our House leader advised the Speaker that he must of course consider the orders under which we conduct business here, I think he did so because the people not only in the House here who are concerned that we do things according to the orders that we have, but also, and rightfully so, people who are observing us conduct ourselves in this place want to know that we’re doing things according to the rules of procedure.

I believe the third or the fourth issue the Speaker was asked to consider, namely that of precedent—that too was extremely important for the Speaker to take into consideration.

I found it very interesting as the Speaker gave his ruling. The Speaker made it very clear that, first of all on the issue of constitutionality, he, as Speaker, cannot rule on that. It’s not within his jurisdiction to do so. If in fact there was to be a ruling on the constitutionality, that would have to be left to the courts to decide. So on that case, the Speaker admitted very clearly he is not even in a position to make a ruling.

On to the next issue of the orders of this place, the rules under which we conduct ourselves and carry on

business: the Speaker went on again to indicate very clearly, after he had considered the rules, the standing orders of this Legislature, after expounding on the details of that, “What I am essentially saying, then, is that the 2003 budget process does not raise a matter of order.” So there was no breaking of the rules of this place according to the Speaker.

Mr Conway: That’s your interpretation.

Hon Mr Klees: That member opposite says, “That’s your interpretation.” I’m quoting from Hansard, and if that was not the word of the Speaker, then I think the Speaker has a responsibility to correct Hansard. But that is clearly what the Speaker indicated. For members opposite to suggest otherwise in this debate is, may I use the term, not being straightforward with the public who are listening to these debates with a great deal of interest.

The Speaker went on ultimately to suggest that—well, he made a ruling. I find this most interesting, and I’m quoting again from Hansard, “From where I stand, the 2003 budget process has raised too many questions for the House not to reflect on them.” That’s fair enough. It was the first time that something had been done that had never been done in that way before, although there were other budgets that were read outside the House and the Speaker referred to that, and agreed that in fact this was not the first time a budget speech had been read outside of this House, but the circumstances were unique. So, rightfully so, it raised questions, there was public debate and we should be discussing that. I think it’s healthy. There’s nothing wrong with that. But while we debate it, let’s have the integrity at least to debate the facts and the issues as they really are, otherwise we in this House by our very debate would lead people astray in terms of what actually did take place and what the Speaker indicated.

The Speaker said, “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”—and this is most interesting, folks; listen up—“only the House, not the Speaker, can make a finding that there has been a contempt of the House.” At the end of the day, while the suggestion is being made by members opposite that the Speaker has found that there was contempt of the House, that is not the case. The Speaker himself admits that he cannot find the House in contempt, so he defers to the Legislature. We’re here debating that issue. For members opposite to suggest that people sitting on the government side of the House don’t have the right to disagree or vote their conscience on a matter that is before the House I suggest is being very inconsistent with the very arguments they’re making that there should be freedom in this place, and freedom to speak their minds.

I have to admit—I think I’ve said this on a number of occasions in this House before—that I’m not impressed with this place on many occasions. I’m disappointed, as someone who came to this place in 1995 looking forward to participating in vigorous and meaningful debate on

issues of importance to my constituents and to people in this province, that all too often there is anything but not only reasonableness in this place, but very seldom do we actually have debate on issues that affect the policies that are tabled before the Legislature. I can't tell you the number of times members opposite rise in their place and talk at length about why they don't feel they have enough opportunity to deliberate on the issues. They'll take 20 minutes of their debating time to talk about why they don't have enough time to talk about the issues and never get to the point of the issue. I'm suggesting to you that we all have a responsibility here to ensure that in this place we in fact do what we have been sent here to do by our constituents, and that is to deal in a reasonable way with the public policy issues that are at hand.

1550

I found something very interesting that the Speaker said in his ruling: "Many Ontarians from all walks of life have complained in an overwhelmingly negative way—to my office,"—he's referring to the budget process—"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."

He goes on to say, "I think Ontarians are rather fond of their traditional parliamentary institutions and parliamentary processes, and they want greater deference to be shown toward the traditional parliamentary forum in which ... policies are proposed, debated and voted on."

I suggest to you that I have had more calls to my office from people complaining about the decorum in this place during general debate and far more calls relating to the general decorum in this place than ever I received regarding the budget issue. So, to the Speaker's point, and I've suggested this to the Speaker before, it is the Speaker's role to keep order in this place. There's only one person who has the authority to keep this place in order and to keep the decorum at a level that it should be, and that is the Speaker.

I would suggest to you—I would challenge the Speaker—that if we really want to protect the integrity of this institution, then it's up to the Speaker to show that leadership, and it's up to the Speaker to ensure that when members are debating the points of policy at least we can understand and hear what's being debated. I can't tell you the number of times that I have stood and either tried to give a statement in the House or present a statement on a piece of legislation and not been able to hear myself, let alone anyone else—who obviously don't care about what's being said or they would listen up and then they'd actually have a basis on which to challenge the legislation that's being proposed.

We now have had some four years under the leadership of the Speaker of this House, and I have to say I'm disappointed that we have not seen any improvement in how business is conducted here. I take in all seriousness the Speaker's opinion, and he has a right to his opinion about what is right and what is wrong in this place, and to some degree we're chastised, because if it had in fact

been applauded by all people in this province, it would have been a winner. The fact that it has raised the kind of controversy that it has obviously means there are too many people—for my liking—who didn't like what happened. So I take the Speaker and his chastisement for what it is, and together we'll move on, and we'll ensure that in future we do things in a way that hopefully will not only respect this place but at the same time be reaching out to the people in this province to ensure that they are involved in that process.

My challenge to the Speaker today is to take very careful assessment of how you conduct your responsibilities in this House, and if it means that certain members are asked to leave because they're not prepared to acknowledge and respect the role of the Speaker and the conduct of this House, then so be it.

I think this is, and has raised, a very important issue for us all in this House. No one respects the traditions of Parliament more than I. No one respects the awesome responsibility we have as members of the Legislature more than I. I have to say that to be engaged in this debate is sobering for me. It is a debate I would have preferred we not have. But circumstances are what they are, and here we are. If there is something positive that comes out of this debate, perhaps it is that it has given all of us an opportunity to pause and ask ourselves, what is it about how we conduct ourselves in this place from day to day that not only respects the rules of this place but the traditions and the awesome responsibilities we have as lawmakers in Ontario, and that we do so out of respect, not only for the people who have sent us here, but for ourselves and for the institution.

Speaker, I close my remarks with an appeal to you as Speaker to take on your responsibility to ensure that that respect is held high from this point forward.

Mr Dave Levac (Brant): I want to start by indicating my complete and utter confidence in the Speaker's ruling and the understanding that this ruling we are talking about—we're now debating the subsequent motion put forward by the honourable member Sean Conway, a 28-year veteran of this place. I know that he gains the respect of most members in this House on both sides, in terms of what he has brought to this place and to the province of Ontario.

I want to outline some things: to tell people a little bit about what I personally experienced when I first got here; to talk about what I believe my constituency and most of the people I've met in Ontario have talked to me about when they've found out that I am an MPP; to make some generic comments about what this House is all about; and to talk specifically about why I believe the Speaker's ruling was appropriate and why our response to it is as appropriate as the ruling itself.

Let me back up to the first part. When the Speaker made his ruling, there were some comments that had come out previous to that, when the speech first came out at Magna. They asked about the response, and then there was a furor across the province from scholars and the media, the people who watch this place, and in some

cases a lot of citizens of Ontario, indicating that not only did they believe there was an extreme uniqueness about presenting a budget outside this place, but wasn't it ironic that they had to prorogue the House first so they could say the House wasn't sitting?

In essence, they said, "If you had waited, you would have presented that budget in the House." We were supposed to come back on March 17, and you would indeed have presented that budget in this place. But before that budget was given, we had prorogation of the House, which pushed it back beyond the date.

Then they started to say, "Our excuse for doing that was because the House wasn't sitting, so we needed to do it somewhere." They also said, in terms of a line that was given, "Listen, it doesn't matter where; it's the content of the budget speech." That's what has been said and what is said to this moment.

What I find fascinating about that is that most of the people who are making that comment now have noticed a change in that direction. The Speaker's ruling came under fire because the Speaker had made comments about what was going on when the House wasn't sitting. In fact, I've spoken to sources who have made it quite clear to me that the Speaker's words that were used, as a result of the flames coming from the nostrils of some of our members on the other side that the Speaker was no longer impartial, were that he said the Premier wasn't fit to govern. Quite frankly, that was not said. My checking of the record indicated, as to whether or not the Speaker said that, that he did not say that. It was used as a vehicle to attack the Speaker and say that he shouldn't be saying things like that, that he's not allowed to say that.

1600

The innuendo that was created as a result made it so; because we said it enough, that's exactly what he said. I would challenge any member to go straight to the Speaker and ask that Speaker what exactly he said in order for them to remove the flame from their nostrils and maybe withdraw some of the attacks that were made on the Speaker during that time period.

That would be interesting to find out, because if there were any disappointment from the Speaker, if there were disappointment about this whole issue from the Speaker, I imagine it would be having words put into his mouth that were not said. I know that Speaker to be an honourable and fair-minded man who spent a tremendous amount of time on his ruling.

I would also reflect on the work of the Clerk, the office, the staff and the people who provide information and guidance to the Speaker, which is done, by the way. They went over and over the material to ensure that something as serious as this was done with proper homework, with as much information as possible, so that when the ruling was laid down, and as the member who was just speaking indicated, the words were chosen carefully.

When that's done, I don't have a complaint. I can live with what that reality is. Then we move on, which is why Sean Conway made that motion, to say, "You know

what? We got the message. The Speaker has made a ruling. He's given us the opportunity to make that change." The motion was put forward and now we debate whether or not we believe the budget should be put in this place from now on and debated in this place. I think that's a simple step, an opportunity for us to simply reaffirm this is the place for that. Quite frankly, it is the right thing to do.

I want to go back to what I said earlier about my own personal observations. When I approached the front doors to this place, I stopped for a moment, and when the doors were flung open, I actually got a little teary-eyed, because of the awesome responsibility I've been charged with. That responsibility is felt by every member in this place. That's not an assumption. Of the people I've met in this place, all 103, there isn't one who has not come here with that in their hearts. There isn't one person in this place who has not brought themselves here for the purpose of serving the people of Ontario. I would never doubt that. I don't question it. If anyone says it, I spend a lot of time trying to lift this place up, because that's what we should be doing, to regain the confidence that I believe has been lost to a certain degree.

When I walked into this place, I thought of this: there are over 11 million people in this province now, and there are 103 in this place. We in this place are 103 of 11 million people. We have decided that this is the place for us to start making some decisions about people's lives: their well-being, safety, security, health and education. What can we do to help in terms of municipalities, in terms of communities? One hundred and three out of 11 million: that is an awesome responsibility and an awesome honour. For those who have gone in the past, I know some of them, when I've spoken to previous members, recollect the same thing. They believed it was an extremely important thing for them and an awesome responsibility. Therefore, I bring with me when I walk into this place a tremendous respect.

I spent some time reading the book, the standing orders, because I believed it was our responsibility to understand what was supposed to happen. That's why I say to you that I believe the Speaker understood that awesome responsibility. In particular, and I would go up the ladder of importance, when we get to the Speaker's chair, that's the bastion of neutrality, of judgment and of making this a place for all elected members. Now what's happened during that time period, I'm sad to say, is that in some cases some people were sent out to make statements such as, "Oh, it's simply sour grapes." I heard that. "It's sour grapes that he didn't become a cabinet minister." "He's got an axe to grind because his brother didn't become the nominee in his riding." "He's simply disgruntled, and he's getting his last kick because he's not running again." When I heard those things, I wasn't offended by the people who said them; I was apologetic to the Speaker. I went to the Speaker and said, "I'm sorry that you had to put up with that. I truly am sorry that you had to put up with that." It's not very smart of me to make those kinds of statements and use them as a vehicle to try to make the Speaker's ruling any less important.

Now that I've explained to you what my responsibility is—I think that this place, the democratic place that we're talking about, is so important to us. One of the members opposite talked to us and gave a little lesson about—

Hon Mr Stockwell: Read that thing.

Mr Levac: Read this? OK. No, that's not important right now. You're sending me something—I want to indicate that I've been sent a news clipping of some of the words the Speaker apparently said, when I said earlier that he didn't say what he was accused of saying. It's interesting that the member wants to give me a news clipping and doesn't want to talk to the Speaker. Did you ask the Speaker? I guess you don't want to answer. You didn't ask the Speaker what he said. So ask the Speaker. Quite frankly, it's ironic that the member, with as much experience as he has, comes in and tries to throw me off topic. I'm glad he brought me back to it. My challenge is still the same: go to the Speaker and get what he said, not what was written in the press. Go to the Speaker and ask the Speaker what was said, because at that point, I'm telling you right now, you will begin to understand that the Speaker's credibility was questioned simply because of a thing that somebody else said that he said, and not him.

I was talking earlier about the member opposite on this side giving us a little lesson about Greek democracy. To her, I said that about three quarters of what she had to say was very important, and I appreciated the fact that she did some homework on that area and took some courses. Because the member decides at all times to say that the members of the opposition don't know what they're talking about, and they never do, and also said that it's time for them to learn something, and that this place is only as good as they make it, unfortunately that last part threw it right off and almost destroyed the credibility of what she had to tell us about her understanding of Greek democracy.

I wanted to come back to that because I think something else gets missed an awful lot in this place. I refer to it quite a bit. One of those I've referred to often in this place—and check my Hansard, please—is our First Nations people, who have taught us a tremendous amount about how to treat each other and our environment. One of the issues I bring up on a regular basis is the seven-generations belief that our Six Nations people bring us; that is, whatever you do today needs to fit for seven generations in front, so that what you do about our environment today needs to be thought of in terms of what it will be like seven generations from now. They believe that in terms of their environment, education, child rearing and everything else: you try to move it forward seven generations.

The other thing they taught us—an idea that we actually stole—in terms of our modern parliamentary democracy is just that: the dividing of Houses. Several hundred years ago they had already done that. They had already got to: how do we bring our debate to the table, and do so in a way that respects each of the areas they

represent, in one area called the Six Nations? They were able to pull this whole thing together. There was a Speaker, there were Houses and different clans that got together and were able to bring their differences and put them aside and give each person assignments of how to make their society even better. I would suggest to you that there's another avenue that we could be taking a look at: the lessons that we can learn from our Six Nations people.

Finally, I want to start talking about the new revelations that have taken place since this debate began. I want to say one thing very clearly from the outset: this is a fundamental discussion that we're having. This debate is necessary. This debate should go on as long as it needs to in order to ensure that each one of our members is provided the opportunity to ensure that the people they represent understand where they stand on democracy. If they believe, if they truly believe that it doesn't matter where that throne speech was held, or for that matter where the budget speech or any other activities are held, then I would suggest to you there is an appropriate way to do that so that the evolution and the fluidity of our democracy can continue to happen.

But it shouldn't be done by stealth, it shouldn't be done by trickery and it shouldn't be done by political expediency. It should be brought to this place and brought to the people to say, "Here's what we're thinking of doing. Let's look at this opportunity to say, 'Is this the way we want our democracy to evolve?' We have an idea. We think we might be able to provide the throne speech somewhere else. Here's what we're proposing." Ask the people, "Let's go ahead and do it." Maybe the people would say, "You know what? Not a bad idea. Go ahead." But retro thinking?

1610

I would suggest to you very respectfully that the Speaker had it right, that Sean Conway had it right and that numerous speakers in this place had it right. They were saying the people do respect this place, because out of the 11 million people who live in this province, the 103 of us were sent here to do that work. The Speaker made it clear: there already was opportunity to do what you wanted to do, in this place, and to show respect it should have been done that way.

The Speaker said there was a *prima facie* case. Sean Conway said, "It was contemptuous. We want a ruling." We got the ruling and he said, "Now what do I do?" He could have taken another path. My colleague beside me knows where he could have gone. He could have made a motion that said, "Because these guys are bad guys and because they pulled a fast one and this and that"—he could have gone on with a motion that was extremely partisan, and that happens in this place from time to time and I'm not impressed, but he didn't.

The motion was very simple in nature. The Speaker said it was wrong and most of the people in the province said it was wrong, so the motion says, "From now on, what we want you to do is to do the budget speech here." Is that so much to ask? That's not a lot to ask. That's a

simple thing that the people of Ontario deserve. At least do it here. Then if you want to have a travelling road show and take it on the road, go ahead, because you will have provided the representatives of this place an opportunity to debate it, to discuss it, to try to point out where the flaws are, to try to explain how we might have done it differently. But it didn't happen that way. That's what I believe is happening in terms of the people's response to this. I believe there's an expectation that there should be enough debate on this issue.

Finally, the new revelation that took place is something I want to touch on. This new revelation is this \$36 billion, over 50% of the entire budget for the year, this special warrant. I'm not going to take the tack that some people have accused others of doing. I'm not going to accuse the government of anything that I believe wasn't a normal, standard procedure in the past, because special warrants are a standard procedure from time to time, appropriately placed for the government's transition at a time when they're not sitting to pay for the expenses it takes to run this province.

What's extraordinary about this is the timing. The extraordinary thing about this is the amount. The extraordinary thing about this is that these papers couldn't be found in a place where they should have been found.

The other thing I would comment on very quickly and very simply is that \$36 billion worth of spending was on a single piece of paper. That \$36 billion, one half of the entire expenditure for a year for this province, was on one single piece of paper. I can guess—and I would do this as a guess—that not an awful lot of information was set out on what that expenditure of \$36 billion was. If I had received and been able to secure a package of maybe 25 pages or 20 pages of information such as what I'm holding now, which is a budget discussion about how much money and how the money is going to be spent, I would probably have eliminated that concern.

But I will tell you that I am concerned about the process in this place. I want to read one thing before my time is up. As I said, I continue to look to the standing orders, which is our responsibility and the way we work. The member opposite talked about the decorum, and I've got to agree with him 100%. I think he knows I believe firmly in that, and I know there are other people in this place who believe we really need to step it up a notch. Here is what it says, and he may get a chuckle out of reading this, because I think he knows the rules. It's section 20. It says, "(a) Members shall remain in their places and refrain from interrupting the Speaker when he or she has risen to speak, make a ruling, or put a question to the House." That means absolute silence.

The second one is the real kicker: "(b) When a member is speaking, no other member shall interrupt such member, except on a question of order." Do you know what that really says? That really says: nothing, not a word, no heckling. I will say at one time or another all of us have done it, but there are quite a few members on both sides who have always remained silent during somebody speaking.

I would suggest that I agree with the member opposite in terms of the decorum. I am taking that message back to my constituency. In my maiden speech, I made the commitment that I would try to raise the decorum of this place as high as possible. You know what? In terms of this debate, I think it's time. This is an opportunity for all of us to go back and hear clearly what the people of Ontario are saying and to bring the message back to the Legislature that we are going to rise above it and do a better job for our constituency. Thank you very much for this opportunity.

Mr Gilles Bisson (Timmins-James Bay): I am happy yet again to make a few comments on the record—and, more importantly, to the Conservative government now that they're here and they're listening, I'm sure—as to what I think are the problems they've got themselves into and how I think they can extricate themselves from the position they've put themselves in. I also want to talk a little bit about the Adams mine later. I think those two things are somewhat related because it shows an overall attitude that the government has when it comes to how it deals with legislative processes and what their responsibilities are as a government when it comes to how they make government operate.

First of all, what really bewilders me as I listened to the debate over the past few days is that the government just doesn't get it. They could have pulled themselves out of this problem a long time ago. They could have said, "Listen, we made a mistake. It's clear that the people of Ontario didn't want to have their budget read off-site, out of the Legislature, at a car plant in Brampton, and we admit we made a mistake." That would have been the right thing for them to have said a long time ago, they could have done that on Thursday of last week when Speaker Carr initially gave his ruling or they could choose to do it today.

I found it quite upsetting to see that the government has not wanted to accept any responsibility for their actions. The public, I think at one point, judges us based not only on what we say we are going to do but how we govern and how we choose to exercise our authority when we are government. If there's a backlash against this government at this point—and I don't believe government members for one second when they say they are getting tons of phone calls from the constituents in their riding saying, "Oh, it's all the opposition's fault," and they've done nothing wrong. I don't buy it. The public is a lot more shrewd than that. This whole thing doesn't meet the smell test. All they know from a visceral level is that you guys done wrong and you should basically move on by saying you've done wrong and get back to whatever it is that you guys want to do by way of a legislative agenda.

It has been very disappointing, because the reaction of the government so far has been quite dismal. The first reaction was to blame the Speaker. It's his fault. Somehow our Speaker, whom I think we all have respect for—at least we should have—it's his fault for having put the government in this mess in the first place. I look at John

O'Toole. I look at the Toronto Star and the comments that were made—I forget what the date was—just this week, where Mr O'Toole was saying it was all Gary Carr's fault and then getting mad at the opposition and flipping the finger at Mr Kormos here in our caucus and saying somehow the trouble they found themselves in was all his fault. I say, hang on a second, it is not the Speaker's fault. The Speaker is here to carry out a job. In this case, both my House leader and Mr Conway have asked the Speaker to rule as to whether the government made an error and was in contempt of the House when it presented the budget outside the House, and the Speaker has come back and said yes.

1620

You have to deal with that and you don't want to deal with it. I'm saying to you that you're judged by your ability to admit you're wrong and to move on. I think the public is saying on this one, "We don't understand all the details and we don't pretend to understand the constitutions and rules and conventions of the House. All we know is it was wrong. Why doesn't the government admit it was wrong and move on?"

Instead, a number of speakers have got up in this House and blamed the Speaker. I think that is really unfortunate. I've been on both sides of judgments by this Speaker and I've been in judgments where it hasn't worked to my advantage. I didn't get up and blame the Speaker. I said, "He disagrees. Move on." You don't drag it on for weeks on end. You have to accept that he's the arbiter of this House. We gave him our confidence when he was elected as Speaker to carry that out. I think it's rather unfortunate for you to go after the Speaker. I've been listening to Tory backbenchers in the halls around here in some conversations I've had with them and with Tory staffers where I'll see him as an ex-Tory who's got a vendetta against the Tory government. I'm saying, "Whoa. This is really getting bizarre."

I don't want to purport that all the Tories feel this way, because I think there are a couple of rational Tories over there who understand what the issue is. Clearly, when you look at what Mr O'Toole did in the House not too long ago, there are number of Tories who feel very strongly against Mr Carr, and I think that's wrong.

The second thing has been that to the degree the leader of your party, Mr Eves, has been unwilling to accept any responsibility, you have to ask yourself the question—I said this at the beginning of the debate—where was Ernie Eves's judgment when the whiz kids walked into his office and said, "We're going to do a budget off-site." You can blame it on whoever you want, but in our system of government, as in all others, the leader—in this case the Premier of Ontario—is responsible for accepting the final decision. It was his responsibility. If it was bad advice, too bad. It was the Premier who said, "Let's go and do it."

I say to myself that it shows Ernie Eves exercised bad judgment in that decision. At the very least, he could have said he was sorry. But what really got to me was what we saw this morning and yesterday when the

special warrant issue was raised that indicated the government issued a warrant to get the power to spend half of the budget of next year as a way of being able to get the House to not return. In other words, they had no intention of having the House come back when they decided to do the budget outside the House. They gave themselves the authority to keep on paying the bills of Ontario for six months so they wouldn't have to call the House back, and would be able to call an election and not come back until next fall should they win a majority or a minority government.

Mr Eves's response was, "Oh, it's the bureaucrats' fault. They were just a little bit too conservative in their estimates of how long we needed to go. They wanted more time. It's all their fault."

I remember Harry S. Truman. He had a very important saying when he was President of the United States. He said, "The buck stops here." At the end of the day, I have to ask myself a very simple question. If Ernie Eves decides to blame the bureaucrats, it tells me one of two things: either he had no idea the bureaucrats were going to do it, at which point we're in trouble because it tells me our Premier is not on top of very fundamental, basic issues that his government has to deal with, or he knew and accepted it, at which point we've still got a problem. No matter how you cut it, either he didn't know and he should have known—what is Ernie doing at the switch; has he fallen asleep?—or he did know and allowed it to go forward, at which point we still have a problem because it means the Premier said one thing to the public and was doing something quite opposite when it came to his actions.

It's a real problem. I said at the beginning that this is a pervasive view within the government as we've seen them over the last eight years. What we see by way of this motion, and what we see by way of the reaction of the government, is that when you're found in contempt of the House, you don't want to admit you have a problem and you keep pushing on. It's a little bit like how you've dealt with everything up to now.

For example, we've been dealing with the Adams mine issue in this province for a number of years. When we were in government and when my good colleague Marilyn Churley was in government with me, we passed legislation that prevented the Adams mine from being started up in Kirkland Lake. We believed then, as we do now, that if you promote getting rid of garbage off-site it promotes an out-of-sight, out-of-mind reaction on the part of large municipalities like Toronto, and they will never deal with their garbage issue. We introduced legislation that said—

Ms Churley: It would contaminate the water, more importantly.

Mr Bisson: Yes. We can get into the environmental issue, but the political issue is that we wanted to make sure that cities like Toronto dealt with their issues by being able to reduce the amount of waste that they're putting into landfill sites. Promoting a big mine that was going to become a garbage dump and pollute everything

around it would be a way of shoving it out of sight, out of mind, and we would be no further ahead in the long run.

One of the first things this government did when it was elected in 1995 was to scrap the NDP legislation that would have prevented that mine from being built in Kirkland Lake. We know that from the beginning of 1995 this government has been a proponent of starting up the Adams mine. In fact we have the Minister of the Environment, the now House Leader, on record saying, "I'm quite open to the project and I think it should go forward." It's public knowledge.

Ms Churley: But Mike Harris was the key. Mike Harris was driving it.

Mr Bisson: That's exactly the thing. We have the Minister of the Environment, who we know is very much in favour of this project going forward, and we've got the former Premier, Mr Mike Harris, who has been the driving force, I would argue, who has been a strong proponent of being able to start up the Adams mine, along with a number of backbench Tories and now cabinet ministers within the Conservative government. You say to yourself, what contempt does the government have toward the people of northern Ontario when it comes to this project? They changed the law in order to circumvent the environmental assessment process so they can fast-track this project.

Hon Mr Stockwell: Fast-track?

Mr Bisson: Very much fast-track, to be able to skip outside, so that you didn't have to have a full environmental assessment done on the project, and you've got a government that we know has been a strong proponent of starting up that mine.

There are a number of people in the north, as there are down here in Toronto, who are really worried about what this government is trying to do in regard to the Adams mine. Ben Lefebvre, the candidate in Timiskaming-Cochrane, and myself went to the Ministry of Natural Resources offices in Kirkland Lake about a month ago because we were told by sources that the government was trying to facilitate, by way of MNR, the quick passage of a sale of land that is a buffer to the Adams mine to a Mr Cortellucci, who is now one of the major owners of the mine and a good friend of the Premier. We know he's good friends with the Premier. We know he's a large contributor to the Conservative Party.

Ms Churley: Almost a million dollars. Bigger than any bank.

Mr Bisson: Almost a million dollars to the Conservative Party, and all of a sudden we find out, by way of information that was given to me about a month and a half ago, that MNR was trying to facilitate quick passage of the sale of—

Hon Mr Stockwell: Why don't you ask a question?

Mr Bisson: We'll ask the question in this House if we ever get back to question period. That's another point.

I was told the government was trying to facilitate the quick passage of the sale of land that buffers the Adams mine. I say to myself, I know there's something going on here: I know Mike Harris is a big proponent of the

project, we know that Mr Cortellucci obviously has a big financial stake in the project and we know he gave almost a million to the Conservative Party and is trying to get this whole process fast-tracked by way of the sale of the land.

I've gone in and asked the ministry to give me some information on that particular sale, and their response was, "You have to FOI that. Give us \$5,000 and you can get all the information." We're going ahead with that to a degree and we're going to find out where that brings us.

Now it has come to our attention that a private investigator has been watching the characters of Mr Harris and Mr Cortellucci in order to see what these people do, if they know each other and if they're somehow connected in any way. It has come to our attention today, as it has to others, that there is a videotape that we have at NDP caucus services—if anybody wants it they're able to come and get it—that shows a couple of things. It shows that at the same timeline on a particular day, May 14, which happened to be yesterday, at 11:59 in the morning, we had a Mr Harris, who decided to go have lunch, I guess it was, at the Porta Bella restaurant, which is known to be owned by Mr Cortellucci. Mr Cortellucci is seen on the tape going inside the restaurant at the same time, and, we believe, Mr McGuinty, but Mr McGuinty—we need to take a look at the tape a little more closely.

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All I'm saying is this—I'm not accusing anybody of anything. Anybody can go for lunch. But you have to ask yourself the question: Why are Mr Harris, why are Mr Cortellucci and possibly Mr McGuinty, meeting yesterday at 12 o'clock in the afternoon in the building owned by Mr Cortellucci when we know it is the new headquarters of the Adams mine rail-haul project? They just happened to all drop into there at the same time? "Oh, I think I'll go for lunch today. Let me walk across the city of Toronto. Oh, Mike, what are you doing here?" "I don't know, Gord. What are you doing here?" "Oh, what are you doing here, Mr Cortellucci? I never thought you'd be here." It's kind of a coincidence.

I'm just saying—

Interjection.

Mr Bisson: Listen—hear what I've got to say. I'm just saying to myself, I don't know at the end of the day if anything happened there. I wasn't at the meeting. I don't know what they ordered for lunch. I don't know if they had a cup of coffee. I don't know if they ordered a bottle of wine. I don't know what they talked about, and I can't purport to know what they talked about. But I've got to ask myself a question. There's something a little bit strange. Why are three people who are—two for sure; the other we have to confirm, but at least Mr Cortellucci and Mr Harris meeting in Mr Cortellucci's building that is known to be the headquarters for the Adams rail-haul project, and possibly Mr McGuinty, if we're able to confirm that? Why are they coming together?

I'm saying to myself, there are a couple of questions that have to be asked and there are a couple of answers

that are needed. Number one is, what were they doing there together? I think the media has to ask those people that question and say, "Did you guys just happen to bump in together for lunch, where you decided that you were going to go out and have a coffee and a glass of wine and didn't know where to go that day and you just popped into the building and happened to see the other proponents there?"

Ms Churley: They think we hired a private detective.

Mr Bisson: They can think what they want. All I'm saying is that at the end of the day it's a little bit strange. Normally, when people call me for a meeting we get together, we meet somewhere, we sit down and we have a discussion. I just think it's interesting that those three people are coming together at a time when there are a couple of really important things happening. We know, and I know by what I've been told by sources, that there are a lot of nervous people within the bureaucracy about how this particular land sale deal is going. We know that—

Ms Churley: It's a fire sale.

Mr Bisson: It's a fire sale, which we can get into later. But there are a number of people in the bureaucracy who are saying, "We're not quite comfortable about how the sale of the buffer land around the Adams mine is going." They're not saying to me, "For sure there's been a law that's been broken," but they're feeling very much the pressure in order to get this thing dealt with. The sale of land is, what, \$22 an acre? I think that's what the final figure was. It's 10,000 acres of land being sold at about \$22 an acre. I think the total sale value is about \$45,000, which is way under value. So we know at this time there is a process in order to expedite the sale of this land to Mr Cortellucci and other interested parties who are trying to get this garbage dump started. All I know is at the end of the day we got the former Premier of Ontario, Mike Harris, who we know is a proponent of the project, who I've got to believe is probably still—

Ms Churley: We want to know whether he's an investor or not.

Mr Bisson: Yes, I was coming to that.

We're asking ourselves the question: Why is Mike Harris meeting with Mr Cortellucci and possibly Mr McGuinty, if that can be seen clearly on the tape, basically getting together at what is the headquarters of the rail-haul project? We know that Mr Harris still has contact with the government. Are they talking about how to deal with the MNR sale of land? I don't know. Maybe; maybe not. But I think some questions have to be asked.

A couple of questions I have: Is Mr Harris now an investor in that project? I'd like to know. Is he? Is that why they were meeting? Is he trying to help out in the sale of the land, or the expedition of the sale of the land at MNR? At the end of the day, I don't know. They might have just been having coffee. They might have all—

Hon Mr Baird: On a point of order, Mr Speaker: The member opposite has, for more than 10 minutes, not addressed the debate that's under discussion. I think his

remarks are regrettable, unfortunate and beneath the dignity of this place, and he should be brought to order to speak to the question before us.

The Deputy Speaker (Mr Bert Johnson): This is a point of order. The speaker will address the issue of the amendment to the amendment to the motion, I'm sure.

Mr Bisson: Certainly, Mr Speaker, it tells me two things in regard to the contempt motion. One is, the government doesn't like us talking about what I'm talking about in regard to the Porta Bella meeting yesterday. That's one of the things. Clearly, members of the government who have been speaking—

Hon Mr Baird: On a point of order, Mr Speaker: In all seriousness, this is a legitimate point of order. I brought it to your attention and you called the member to order and he's persisting in doing exactly what you brought him to order for. He should speak to the issue before the House.

The Deputy Speaker: This is a fairly broad issue. I'm willing to give some latitude, but I'm listening to be sure the member will.

Mr Bisson: This is very much directly related to this contempt process. This government is prepared to use whatever rules and whatever power they have in order to be able to get their way, including trying to shut up a member in the House from speaking on what is a very public issue that is related to the issue of contempt. I argued at the beginning that this government over a period of eight years has used the full rule of the law and the power that they have to be able to affect—

Ms Churley: Because of this picture.

Mr Bisson: —exactly—to be able to affect the outcome of what they want.

Hon Mr Baird: On a point of order, Mr Speaker: This member is literally breaking the rules. She's holding up a photograph, with a Toronto Star reporter in the gallery. She's deliberately breaking the rules. She should be thrown out of this place for showing contempt for this place. Deliberately breaking the rules. She knows it and she should be ashamed of herself. Disgraceful.

The Deputy Speaker: That is a point of order. I would ask the member to bring herself to order, please.

Interjections.

The Deputy Speaker: Order. The member for Haliburton-Victoria-Brock, bring himself to order.

Further debate?

Mr Bisson: On a point of order, Mr Speaker: I would just ask unanimous consent to give me a minute to finish what I had to say, considering I lost all of my time to these points of order.

The Deputy Speaker: That is not a point of order.

Mr Bisson: On a point of order, Mr Speaker: Am I to understand that a point of order is no longer a point of order?

The Deputy Speaker: That is not a point of order.

Mr Ted Chudleigh (Halton): Speaking to a motion of contempt in this House is an interesting process. Many members have been here for many years and have never had the opportunity to address such a motion.

Democracy, as we all know, is a very fragile form of government. It is very open, and because it has that openness, perhaps of its being so fragile, many areas of the world don't have democracy. It's a scary thing. So having the ability to bring a motion of contempt to the House is probably a good thing, and it's a very serious question.

I have a couple of problems surrounding this particular motion. In 1988, as has been discussed here before, the budget was presented outside of this place, and again in 1993 by the NDP government. Major pieces of budget legislation, such as the social contract, which the NDP brought in in 1993, I believe, were presented outside this House. Somehow, in this particular case, what is good for the goose is not good for the gander.

1640

Contempt, in many people's minds, has reference to disrespect that's brought upon this House, and that makes this a very serious business indeed. This motion was brought forward by the official opposition, and it was not too many years ago that one of their members actually urinated inside this chamber. If you talk about disrespect for this chamber, I would say that would be the height of disrespect for the way we conduct ourselves and spend Ontario taxpayers' hard-earned dollars. That would be another area in which some members of this House show a tremendous disrespect.

For instance, the leader of the opposition flies first class to Ottawa while his limo driver drives down the 401 to meet him. That is disrespect for Ontario taxpayers' money, and this man wants to run the government. Contempt for taxpayers' dollars is what we see across the floor.

Interjection.

Mr Chudleigh: The member suggests this is a frivolous matter. A first-class ticket to Ottawa, which runs well over \$1,000, as opposed to an economy-class ticket, which I believe is in the \$600 range, and aside from that, his government-supplied limousine drives down the highway to the same destination: is that not huge disrespect for taxpayers' hard-earned dollars? I've been in this place for eight years, but I still remember what it's like to have a 9-to-5 job and how hard you have to work to make a buck to feed your family. Your leader has forgotten that.

Interjection.

Mr Chudleigh: Your mirth tells me that you've forgotten it too, and you've been here far less time than I have. How soon they forget. Typically Liberal: "What is good for us is not good for the rest of the country." You are the ones who have no respect for this place. You are the ones who stand in contempt of this House.

We shouldn't be debating this at all. We should have moved on. We have before us a budget, a very important budget. It's a great budget that has been presented to the people of Ontario and that has been presented in this House. It sits on the order paper awaiting debate. It's a budget that will eliminate surtax for people who are making less than \$75,000 a year. People are working

hard. Taking surtax off their commitment to the province of Ontario would assist those people. But we're not debating that today.

That budget also introduces measures that would benefit seniors, families with disabilities and the people who give them care day in and day out. That's what that budget would do, but we're not debating that budget. That budget would also support seniors and caregivers by providing a property tax rebate for their 2004 educational taxes, directly to seniors who own or rent. That rebate would average \$475 per household.

The budget that was introduced was on the same principles we as a party had in 1995: consultation and tax cuts. This type of budget has created over 1.1 million new jobs in Ontario.

Applause.

Mr Chudleigh: Thank you. I needed the break.

The interesting thing about 1.1 million new jobs is that it also creates 1.1 million new taxpayers. That tax revenue that has come into the government of Ontario equates to 16 billion new dollars, \$10 billion of which has gone into health care, to fund health care at levels far beyond what has ever been contemplated in this province before.

Interjection.

Mr Chudleigh: Oh, the Liberals are going to cut taxes.

Interjection.

Mr Chudleigh: They're going to cut expenditures. They're going to destroy what we have had in Ontario, because they're going to raise taxes. It'll be a long day before you ever see another tax cut in this province with a Liberal at the head of this government.

The budget that was introduced also is the fifth balanced budget in a row. Five balanced budgets in a row; it hasn't happened since 1908. In 1908, it happened. That was the fifth balanced budget in a row, in 1908, when the budget of Ontario was \$8.5 million.

The budget will also introduce a \$1-billion fund to help fight breast cancer and prostate cancer; but we're not debating that. Over a 10-year period, that money will go a long way. Many people in this field of study suggest that within the next 10 years breast cancer and prostate cancer will be cured or controlled, and we can hasten that. We can hasten that cure or control of those two most deadly cancers by talking about this budget, by passing this budget and getting that money into the system to make that happen and to make it happen quickly.

This budget was developed through pre-budget consultations with hospitals, school boards and colleges and universities. All of these places, all of these transfer partners of ours, confirmed that we need multi-year-based funding in order to help them plan better. In response, the 2003 budget—which we are not debating today—begins the process of announcing multi-year-based funding and targets these sectors, as promised in the 2002 budget.

When you think about it, if you're managing a hospital, a school board, a college or a university, and you

don't find out what your yearly allocation is going to be until you're two or three months into your fiscal year, what kind of planning process can you look forward to in the future? I would say none. But that's the way these organizations have been funded for many years.

When our Premier was the Minister of Finance in this place, he constantly talked about moving the budget forward to a point where it would give our transfer partners an opportunity to plan in the future—first, to introduce the budget prior to the start of the fiscal year; and second, to introduce multi-year funding so they would have some clue as to where they could go in the future and how they could orchestrate those funds to get more, to do better for less—and this budget, when it's debated in this place and when it is passed in this place, will do exactly that.

Since 1995, Ontario has created 1.1 million new net jobs. Have I mentioned that before? I want you folks to understand that there have been 1.1 million new jobs. Job growth continues to be very robust, and tax cuts have been part and parcel of the success of that rapid job growth. A key component of our plan to encourage more economic growth in the future is lower taxes, and so this budget will continue to lower taxes for individual Ontario taxpayers, to lower taxes for small businesses, to lower taxes in every facet of Ontario's economy. That will keep our economy strong, it will keep our job growth coming, and it will continue to put Ontario at the forefront of the communities and jurisdictions in North America and indeed the world.

1650

Through successive budgets, our government has put in place a sustained, multi-year tax reduction plan to return Ontario to growth and prosperity. This plan is working. It's working because our economy is outperforming our neighbours': our North American neighbours and our worldwide neighbours. It is continuing to lead the world in growth. We are leading the G7 in growth. We're looking forward to continuing that into the future.

This year's budget—the one we're not debating—the budget that will continue to build on the 1.1 million new jobs, the budget that will be the fifth consecutive balanced budget, on its way to the sixth and seventh—

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: It's my understanding that cellphones and BlackBerries aren't allowed in the chamber. Please correct me if I'm wrong. I think that's a breach of the decorum. I'm just asking for your ruling.

The Deputy Speaker: That is a point of order. If it's an electronic device, the Sergeant at Arms will keep it. Personally, I would rather there be a large anvil in the basement and a sledgehammer, and that that was the way they—that is not it. Please. The Chair recognizes the member for Halton.

Mr Chudleigh: We're debating the motion on contempt. It's too bad, because we should be talking about the budget, a budget that is going to bring economic prosperity to Ontario. This budget, the one we have introduced in this House, is going to be—

Mr Caplan: When was it introduced?

Mr Chudleigh: About a week ago. The Minister of Finance stood up. She read the introduction to it. The papers have been filed with the Clerk. It's going to be debated as soon as this debate is finished.

Mr Caplan: When?

Mr Chudleigh: When? Good idea. We'll go back to question period, if you like. It's your motion. You can bring it to a vote, I would say, as you see fit. That's where we could go.

But that budget, when it is introduced, will complete a further 20% reduction in the tax rate for Ontarians. In our first term of office, from 1995 to 1999, we reduced the tax rate in Ontario by over 30%. In our second term of office, as promised during the campaign—in 1999 we promised to reduce taxes by 20%, and, as is our habit, being Conservatives, we kept our promise: we have reduced taxes by an additional 20%, that being completed by January 1, 2004. So Ontarians are now paying a little over half the tax rate that they were paying when we were first elected in 1995.

Corporate tax rates have also been reduced. And tax rates on small businesses, businesses with fewer than 100 employees, were 8% when we were elected, and by January 2004 they will be reduced to 4%, half the rate they were when we were first elected. You know, those small businesses in Ontario are the backbone of Ontario's industry. Fully 82% of the employment in this province falls into small business employment. A government that looks after small business will do well in looking after the province of Ontario.

Not only are we looking after taxpayers and not only are we looking after small businesses, but we're looking after those people who need our help. We've introduced measures that will benefit families with seniors and people with disabilities. They're getting some recognition of the work they do looking after their seniors at home. The time they spend being caregivers is being recognized in this budget. We're also recognizing that seniors want to stay in their homes, and we're helping them do that. We are rebating to them the educational portion of their property taxes. That will amount to about \$475 per senior. Whether they live in their own home or whether they're a tenant, that will be directly rebated to them.

Ms Mushinski: And the Liberals will vote against it.

Mr Chudleigh: And the Liberals will probably vote against it. It's sad.

Caregivers and the disabled will receive an increase in their annual tax credits of approximately \$300 if we ever get to debate this budget, a very important budget for the people of Ontario.

Since 1995, we've pursued a plan that will place Ontario on a path of growth and prosperity. As I mentioned, that path to prosperity has created the fastest job growth rate in Ontario's history. Did I mention that the private sector has increased the number of new jobs in Ontario since 1995 by 1.1 million? I may have mentioned that before. More than 80% of those jobs are full-time.

As we continue to invest in the future of this province, the jobs we will create will become better jobs. When we

were first elected in 1995, people wanted jobs. As we proceed through a more robust economy, as we have more jobs in our communities, people don't just want a job, they want a better job. The policies we're putting in place will create those better jobs. Employment growth over the next few years will continue to increase, productivity will continue to increase, but most importantly, it is estimated that take-home pay will increase by 3.5% this year and 4.5% next year with the solid Conservative principles put in place by this budget and this government.

Mr Joseph Cordiano (York South-Weston): I am very delighted to be a part of this debate. I think it's one of the most significant debates we've had in this House for as long as I can remember. I can tell you that I've been here, well, too long for me to go back that far, but let me simply say that this is unquestionably unprecedented in terms of the time I have been a member of this House.

We are debating a finding of a prima facie case of contempt by the Speaker and a motion that was put forward by my esteemed colleague Mr Conway. I'm going to read his motion; I think it's important to remember what we're debating: "That this House declares that it is the undoubted right of the Legislative Assembly, in Parliament assembled, to be the first recipient of the budget of Ontario."

Before I get into the root of what the Speaker has decided, I want to comment on some of the remarks made by previous speakers on the government side. I think it's important to recognize that speaker after speaker on the government side has questioned the validity of this debate, questioned the very reason why members on this side of the House want to continue to debate this motion, to debate whether in fact there is a prima facie case. The mere fact that this debate is taking place is what they're questioning.

1700

I find it absolutely ridiculous that members on that side of the House would even question such a finding. The evidence is clear. The fact is that all members of the House should be extremely concerned about their rights and privileges and about the right of Parliament, first and foremost, to hear a budget document in this Parliament assembled. Parliament is supreme and ought to be that way.

In fact, the backbenchers on the government side ought to be champions of that cause. The reason the government finds itself in difficulty today, I'm beginning to understand, is precisely because the government backbenchers have had little to say about the way this government does business. They are not concerned about the fact that the executive branch of the government—the cabinet and the Premier—have launched an all-out assault on the rights and privileges of this Legislative Assembly.

We are, after all, the legislative branch of government. Let us not forget that. The executive branch of government proposes laws. The executive branch has a preponderance of power. It is the job of this Legislative

Assembly to place some checks on that, and the first line of defence is for the government to make available to members of this Legislative Assembly documents—the budget document, at the very least—so that the executive branch will be accountable to the people of this province. That's how our government works—representative democracy. No supply is granted by this House until there is a debate. There's a very good reason for that.

But I say to the members of the backbench on the government side: you have, in many respects, allowed this to happen by not demanding of your own executive—of course, we are here to bring about scrutiny and accountability. We do that by very definition. We are in opposition. We oppose. But you on the government backbenches—and I say this with all due respect to the members of the backbench—have a duty and an obligation to demand of your executive that they be accountable to this Legislative Assembly, first and foremost. When you failed in that responsibility, you caused yourself enormous grief.

There is a creeping growth of executive power in our government, in our parliamentary democracy, in this House in particular. It has happened over the years. The executive branch of the government—the Premier and the cabinet—has grown stronger and has unlimited powers to make laws and bring laws to this assembly, but they need to bring those laws to this assembly to validate them, to make them laws. But when you propose a budget, which requires budget bills to be introduced in this House to validate a budget, when you do that outside the House, you not only deny the rights and the privileges of the members of this House but, more importantly, you deny the right of the people of this province to have a say, to have the government be accountable to them. That is very fundamental.

I say to the backbench, you should have questioned the government's initiative. You shouldn't just do this to secure favour with the executive. That's just unacceptable. The more you do that, the more powerful the executive branch becomes. This has happened throughout the years, but to a far greater and more worrisome extent by this government; a greater degree of executive control, executive power—unchecked, unlimited. It is a very dangerous precedent. I say to every backbencher in this government: you're going to have to go out there on the hustings to explain yourselves. You're going to have to go out there to your constituents and explain to them why you had no concerns about the government introducing a budget outside of this Parliament, outside of this Legislative Assembly. I think that's a very big cause for concern. If I were one of the backbenchers on the government side, I'd be very concerned about that.

I don't think you have a good explanation for your constituents. I don't think it's good enough to say, "Well, we should be debating the budget. We should be debating substantive matters rather than having this debate about fundamental rights and the accountability of government to the people of this province." That's what we're here to debate today.

Hon Mr Stockwell: Put the question.

Mr Cordiano: You put the question. Call an election. Where is the Premier, by the way, all week? Why don't you ask him why he isn't having an election campaign, why he isn't calling one?

Hon Mr Stockwell: You call the election.

Mr Cordiano: Actually, we'll ask the House leader of the government side. He speaks on behalf of the government. He has enough power over there. He's part of the cabinet, part of the executive branch, part of that encroachment of power on this Legislative Assembly.

When you take the right and the ability of this House to scrutinize government documents, particularly an important document like a budget, away from this House, then you have denied democracy in this province. You have done that. You failed to bring the budget before this assembly to have it read as a first measure, as a step, and that was done intentionally.

I think speaker after speaker on our side has proven that it was the intent of the government to do that, to avoid coming before this assembly to be accountable and to be scrutinized. That's what governments must do in this Legislative Assembly.

I want to go to the Speaker's finding. It's important to revisit what he has said very clearly. He continues to say, I think to this day, that he has no right to pass judgment upon what this government has done. Only the House and the members of this assembly have the unfettered right to debate this matter and to determine what is to be done about it.

I want to quote the Speaker. He says, "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." And he quotes Maingot, who is an authority on the matter:

"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."

My esteemed colleague Mr Conway has put forward a motion. He is not admonishing the government; he is simply attempting to reassert the authority of this House that a budget must first and foremost be read in this Legislative Assembly before it is read anywhere else.

Parliament has the undisputed right to hear a budget in this Legislative Assembly. It is a very important concept that, as I say, the members on the backbench of the government don't quite get, don't understand. It follows through—and I've seen this erosion over the years in this assembly. Repeatedly the backbench has not stood up to the executive branch, has not done that, particularly during the years of this Conservative administration. You have withdrawn from that responsibility to ensure that this assembly is the place where we have rightful debate, that you can disagree with your own executive, that you can do so by debating in this House, you can do so on committees of this House.

1710

I want to say about that that we have essentially eroded the opportunities members have to assert them-

selves and thus to speak on behalf of their constituents in an informed fashion about the debates that are taking place, about the very critical issues we debate in this House and the issues we don't debate in this House. As I recall, there have been very few select committees of this House that have been created to deal with important matters. When I first started as a member, we had all sorts of select committees to deal with important questions of the day that we felt needed further examination by committees. There have been a few, admittedly, but not very many.

I say to members, this House is not functioning in the way it should. The committees of this assembly need reform. The opportunities for backbenchers must be enhanced in the future if we are to ensure we have a vibrant democracy in this assembly. I would say that speaks to the cynicism that now exists among all people in our political system. The cynicism stems from the fact that members I don't think have the opportunity to truly reflect what their constituents are saying, through various vehicles of this assembly. Perhaps it's time to find a way to do that. That is essentially a critical question that all members of the House ought to address and ought to think about in the future.

It is contemptuous as well that the government would attempt to operate for a period of perhaps six months—I can only assume that's what the government had in mind—when they issued a special warrant, which of all things they blame bureaucrats for. It is preposterous to blame the bureaucrats for an executive decision that was made by the Premier and his cabinet of this province to issue a special warrant to allow the government to operate—\$36 billion, which amounts to just a little more than 50% of the operating budget of this government. It is preposterous to blame the bureaucrats for bringing forward a special warrant.

Yes, special warrants have been used in the past, but never of this magnitude, of this order—more than 50% of the provincial budget. That meant only one thing: the government had no intention of coming back to the Legislative Assembly with a budget to be read or to be debated in the Legislative Assembly. It meant the government fully intended to go to an election campaign, and they were going to use that \$36 billion as an election spending free-for-all. That's the intent the government had when they issued those special warrants.

This was done in secrecy. This was not done with full disclosure to the Legislative Assembly, where the government comes to account for its expenditures; this was done behind closed doors. That's the state of affairs in the Ontario political landscape. We've reached the point where we have government by executive fiat, without any scrutiny by this Parliament. Oh, yes, we go through the motions, but when a government gets to the point where it can read a budget outside this Legislative Assembly and then decide to issue a special warrant to continue with its expenditure program and not come before this Legislative Assembly to be accountable for its expenditures, then we've reached the state of affairs

where we have government by executive decree, by executive fiat. It is shameful that we've reached this state of affairs.

I say to the backbenchers on the government side that it is without question your duty to challenge the executive branch of your government, to make certain—

Interjection.

Mr Cordiano: Well, we wear both hats. Some members on that side wear both hats. They're part of the executive branch and they're part of the legislative branch. The members on the backbench who don't have any other extraordinary parliamentary duties as parliamentary assistants are legislative members of this assembly, like the opposition members are. They have no executive duties. They should defend the rights of this assembly. They should defend the rights for the people of this province to have laid before them some measure of accountability for an expenditure of an enormous sum, \$36 billion, which—

Hon Mr Stockwell: They do. It's called supply.

Mr Cordiano: It's not called supply. You did not put before this House a budgetary plan. You can do that six months after the fact and ask for supply? What a joke. There is no accountability in that process. Six months after you've spent the money you ask for supply. Sure, that in effect constitutes the measures we take around here, but under normal circumstances a budget is read in this assembly before all that takes place and therefore there is accountability, there is an opportunity for members of the opposition and, I would argue, members of the government backbench who are not privy to executive meetings of the government, who are not privy to information that the cabinet alone has. They also have the right to know how the government plans to spend its money on behalf of the people of this province.

I want to turn my attention in the couple of minutes that remain to an interesting poll that was conducted in the Minister of Finance's own riding. This poll appeared in the Ajax Pickering News Advertiser and the Uxbridge Times; 487 people answered the poll. The question in the poll read this way, "Do you agree with the Conservatives breaking from tradition and introducing the Ontario budget outside the Legislature?" An overwhelming number, 91% of those polled, said, "No, we don't agree with the Conservatives breaking with tradition." That was in the Minister of Finance's own riding.

Many people in her riding are calling for her resignation because of that, calling for her resignation because of the special-warrant spending, her mishandling of the budget. Many people in her own riding who have supported her in the past have called for her resignation, and I think the Minister of Finance should be responsible, first and foremost among her executive colleagues, for the debacle that the budget was for this government, along with her colleagues.

That's an interesting poll, that 91% of the people in her riding did not agree with the presentation of the budget outside of this Legislative Assembly, and I think the Minister of Finance has been rattled by what has

happened here. She appears to be out of sorts, and I think it's a question as to whether she has control of her own ministry at this point in terms of following the edict that was laid out respecting a special warrant to continue expenditures without being accountable for them. It's an interesting fact, and I say again that many people in her riding call for the Minister of Finance to resign. I think she should consider it.

Mr AL McDonald (Nipissing): It's a pleasure to stand in my place and join in the debate today as we talk about respect and decorum and tradition of this Legislature.

I first want to say that there is an MP by the name of John Richardson who spent most of his life in public service. He retired from the armed forces as a brigadier general. He was the former head of the reserves before being elected into the Legislature in 1993. Here's an individual who has served his country, served his constituents, served his riding, served very well. Unfortunately the Prime Minister blamed the by-election defeat on him because he perhaps waited too long to retire.

Mr Richardson, I'd just like to say thank you for your years of service. Thank you for representing our country. Thank you for the sacrifice you made on behalf of your constituents. On behalf of all constituents of Canada, thank you, and just know that we appreciate what you've done and that you have served. Unfortunately, the Prime Minister wanted to put blame on somebody. I think it's unfortunate. To Mrs Richardson: we're very proud of your husband and we hope he gets well.

1720

We're here to debate respect, tradition and decorum in this place. In my year in the Legislature—it's almost been a year; the anniversary is coming up very shortly—I too have found there seems to be a lack of respect among MPPs. I've heard individuals shout across, even as I speak to an issue. Although they might not believe the same things I do, or what my party stands for, the same way I don't always agree with some of the things they put forth, I'm always very respectful here in the Legislature. I don't point people out and I don't yell across at them and try to interrupt their thoughts or call them down, although I've heard that quite a bit in this place. It's unfortunate, because I've heard from a lot of my constituents—the fact is, this place is quite a sight. When people come and watch, and hear the comments—one of the comments of the member from Hamilton Mountain was, "If my children were behaving the way the government members are behaving, they'd be grounded." In other words, it's just our side that's misbehaving; that's all she said. I believe just about everybody would be grounded, according to her, although she seems to think her side doesn't do anything wrong.

I guess that might be typical, and maybe that's just politics. Just blame it on the other side; it's always everybody else's fault. But we all share the responsibility for our own actions, for how we represent our ridings and our constituents. I think it's very important that we put our best foot forward. And do you know what? If you've

done something wrong, stand up, be a good person and just admit that what you did was wrong. That's all the people want. They just want you to be an honest individual with integrity who is willing to represent. A lot of times we sacrifice our family time and our free time as elected representatives. It is an honour for me to represent my constituents and the province of Ontario as we sit here and debate issues.

I've received a number of calls from constituents in Nipissing regarding this debate. They understand it's an important debate. But after the fourth day, they're calling and saying, "The province is important as well. Why aren't we getting back to governing the province? Why aren't you dealing with all these different issues?" I said that unfortunately this motion has been put forward by the opposition, and all business of the province basically ceases until we get through this debate. I just want to say to the members of the opposition and the third party, let's get on with the governance of the province, let's get on with the business of Ontario, let's get on with what the people of Ontario want. They want good health care, they want good education, they want to know that tax money is being spent properly, they want to know that if they get sick they can go to a hospital and there will be nurses and doctors and specialists.

When I read through the throne speech—I was very lucky, because I was able to consult with a lot of my constituents in Nipissing. They came out and gave me their thoughts, which we passed along. We were very pleased that we saw a lot of the ideas in the throne speech. A lot of them had to do with northern Ontario. One of the things that I found very interesting, even when I was on the municipal council in the city of North Bay, was that a lot of senior citizens would call me and say, "Costs and taxes are going up, and I'm actually afraid I might have to leave my house because I can't afford it." We introduced this senior citizens' property tax credit that's going to save them anywhere from \$300 to \$500 a year. That doesn't sound like a lot of money to a lot of people, but I can tell you, from the senior citizens who have called me, they really appreciate it. They see this as a way they might be able to stay in their homes. I was very surprised that Mr McGuinty said he would vote against this, that they wouldn't support this type of tax relief for our senior citizens because I thought this was something all parties could agree upon: the fact that senior citizens have built our communities, they've raised children and grandchildren and been such an important part of our communities and cities.

We're very fortunate, in my riding of Nipissing, that we have a new, \$212-million regional health care facility being built that's going to increase employment by about 150 individuals. There will be more nurses, doctors and health professionals, and these are good-paying jobs for our riding. Mattawa is building a new hospital as well, and they're doing extremely well with their fundraising for their component. I know the mayor and everyone associated over in Mattawa are doing a great job, and they're very excited.

What I think is very important when we build these facilities is there is a consideration to build a lot of it in wood. As most people realize, natural resources in the forest industry and the mining industry are so important to the economy of Ontario and so important to northern Ontario, because, as you might know, northern Ontario makes up about 85% of the geography of Ontario. The fact remains that forestry and mining are very important to us. They create a lot of employment for us and it's a sustainable, renewable resource. That is so important to us in the north. The fact that our hospital leaders are looking at building components of the hospital in wood gives confidence to the forest industry that we're not going to just build everything out of concrete and steel. That's so important.

Some people might say, "Wood might burn if it was ever to catch on fire." I've talked to a lot of experts on that issue, and what they've said to me is if a building caught on fire, if it's built out of steel and concrete what happens is the temperature gets so hot the steel actually melts and bends and the buildings come down, but if they're made out of wood—as you know, if you throw a log in the fire, it takes forever for it to burn right through—so they've said that even structures built out of big, solid, wood foundations will actually withstand a lot hotter fire than would concrete and steel.

We're very pleased today also to follow up the budget and the throne speech with an announcement of two nurse practitioners for the riding of Nipissing, which just increases the amount of health care for individuals in northern Ontario. I just want to thank my colleague Mr Clement for that announcement. I can tell you it was well received in my riding of Nipissing. From what I understand, there were a lot of nurse practitioners allotted across northern Ontario.

So, Mr Clement, thank you so much for that announcement. Thank you so much for what you're doing in the area of SARS; you've been deemed a hero. I know you've passed all the credit on to the nurses and the health care professionals, the front-line staff, and you're so right: they're the heroes of our health care centre. Mr Clement, you did not try to make political points; you allowed them to take all the credit, and deservedly so. Thank you for not playing politics. Thank you for doing the right thing. That shows leadership and integrity to me.

Also announced in the budget and the throne speech were tax incentive zones. The Premier announced in Mattawa last week that all of northern Ontario is going to be a tax incentive zone. What a tax incentive zone does is it creates a balance for northern Ontario. We see southern Ontario booming, we see the highways, the big cities and all the employment. If you pick up a newspaper there are all kinds of employment opportunities here in southern Ontario. We don't get that as much in northern Ontario. This goes a long way to levelling the playing field for us in northern Ontario, because we want to keep our youth in the north. We want to retain them and provide opportunities so they can get good jobs, raise families in

the north and build our communities. As we see our demographics getting older across the province of Ontario, we in the north see that as a critical component of building northern Ontario and building our communities.

Unfortunately, we're here tonight debating this issue, but I just want to say hello to Dr Dave Marshall. He's the president of Nipissing University. They're celebrating and having a dinner in his honour, as he was the 2002 Citizen of the Year for North Bay. It's the Kiwanis Club of North Bay that's honouring him tonight. I was hoping to be at the dinner and make a presentation to him, but unfortunately I can't get there because our responsibility is here at Queen's Park.

I want to say to Dave, good luck. It's very well deserved and we're very proud of you. Unfortunately, we're losing Dave to Calgary, but I can tell you that for the past 10 years, he has served us very well in North Bay and area. We're very proud of his accomplishments. What he has done is just incredible. It's a great way to thank him. I want to say to everyone who might be going to the dinner tonight that if you would just say hello to him for me, that would be great.

1730

Today I heard Mr Gilchrist speak of the Trillium Gift of Life Network, the organ and tissue donation. This is a great program for the province of Ontario. When Steve announced it today, I actually cut the card out and put it in my wallet because I think it's so important.

I want to read a couple of the facts here to promote this organ and tissue donation idea, some of the important facts that should be relayed to the public of Ontario:

"Everyone is a potential organ and tissue donor," no matter how old they are. "The oldest Canadian organ donor was over 90 years" old, and "the oldest tissue donor was 102...."

So it doesn't matter how old you are, you can be part of this program.

It also says here, "Organs and tissue that can be donated after death include the heart, liver, kidneys, pancreas, lungs, small bowel ... corneas, heart valves, bone and skin...."

"Studies show that donating the organs and tissue of a loved one who has died can provide immediate comfort and long-lasting consolation to family" and friends. I think that speaks very well.

That's something that's come out of the throne speech that shows we as a government have to understand, and we as individuals in our communities, as community leaders, as ordinary individuals, that if we pick up this card, sign it and put it in our wallet and, God forbid, anything happens to us, there might be somebody who can carry on with their life so they're that much richer for it. So I would encourage all Ontarians to get involved in the project.

Tradition is earned. Tradition is something that happens over a long period of time. It is a pattern of how we behave. The tradition we speak to tonight regarding the budget is an important debate that we're having. When

we talk about tradition, I think what we see in this Legislature is that a lot of heckling goes on, a lot of name-calling. Sometimes it can be very personal; it can be very hurtful. At times I've seen the Speaker throw individuals out of the Legislature, deservedly so.

If I have a wish it would be that, if I'm here, I'm going to represent my constituents of Nipissing in a very honest way, with integrity and with hard work, and that I will behave in the Legislature, that I will listen very closely to the debate, and that I can make an informed decision that best represents my constituents' interests. That's what an elected official or an MPP is all about: an individual who will fight for his constituents, an individual who will fight for what's right, an individual who isn't going to make a wrong decision, an individual who's going to do what's right even though it's tough to do at times and might be unpopular, because that is about leadership.

As elected officials, our responsibility is to show leadership at all times, either being here at Queen's Park in the Legislature or back at home in our communities, on our streets, saying hello to people. That's what makes our province so great. We have great leaders here. We have individuals from all sides of the House who are doing the honourable thing and serving their constituents, and that's very worthy and very honourable. I can tell you that every time I stand in my place and know that maybe there are some people at home watching, then I'm very proud to represent them, and I don't forget that. Every minute of the day I realize that I'm being watched and people want to know what I think. They want to speak to me, and they want their thoughts and concerns addressed. That's what being an elected official is all about. Being an elected official is being with the people and supporting what they want.

We have to respect the rights of individuals and their thoughts, but at the same time we're governed by the majority, and the majority will always win in the end. When you represent constituents, not all constituents support you, not all constituents will vote for you, but as representatives we represent all those individuals in our community, and we have to be mindful of that. But we should also remind our constituents that we, as a majority, have to make the decisions. If the majority of the community decides they want something or don't want something, we need to be very respectful of their thoughts and concerns because, after all, they're the ones who voted for us to come down here and relay those thoughts and concerns to all elected members here at Queen's Park in the Legislature.

It's an incredible feeling, after a year, to stand here and look across and see individuals whom I've seen on TV over the years or have read their thoughts and concerns in the newspaper. I have a lot of respect for all elected officials. Everyone who puts their name on a ballot to run for elected office really puts their reputation, their life, their family life, their friends and relatives in the forefront. A lot of times that can be very difficult and very painful.

Having said that, we as elected officials owe that to our constituents. We owe our responsibilities, our lives to

serve. That's why we're here. We're here to serve these individuals. Honour and integrity are so important. If you don't have that, if you can't give your word to your constituents and stick to it—if you make a promise, you keep your promise; that's what the honour and integrity of being an MPP means. It means they will stand up and do what they believe is right and represent their constituents.

I see I only have about 30 seconds left. We don't often get an opportunity to stand in our place, because there are 103 of us here who want to join in the debate, but I just want to say to the constituents of Nipissing and all those who might be watching in northern Ontario that I'm working as hard as I can for you and will be here as long as you want me.

Mr Mario Sergio (York West): I'm very pleased to join the debate on the amendment to the original motion by Mr Conway following the decision of the Speaker himself on May 8.

Normally, following the ceremonies of the House, we go directly to orders of the day. Today, what is the order of the day? What are we debating here? We are debating the amendment of Mr Kormos to the motion by Mr Conway, and we got here following a series of issues which started from the supposed budget presentation of March 27. That is why we are here today: to debate the events that have taken place following the March 27 budget.

1740

Following the budget presentation outside this House, Mr Conway, who is the dean of our House after 28 years of service, has brought a motion to the House with respect to the issue of not having the budget presented in this Legislative Assembly, as is customary; a choice of the government to take the budget presentation out of the House and into a private place—because many members were not able to access that particular place—and present it to a chosen, very particular group. The House was really not in its rightful place of having the budget presented and debated, as is normal.

That's where it began, and that's why we're here today. When Mr Conway, the member from Renfrew-Nipissing-Pembroke, approached the House, this is what he had to say:

"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."

This followed the unusual action of the government in not presenting the budget in this House.

What did the Speaker say to the House, to the public and to the people of Ontario? He moved the motion by Mr Conway, and prior to giving time to Mr Conway to begin the debate, this is what the Speaker had to say:

"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."

Then the Speaker called on Mr Conway to initiate the debate.

Why did I read this? Because some of the presentations we've had today, especially from the government side, said, "Where did the Speaker find prima facie contempt?" Well, it's in here. It's in the deliberations of the Speaker himself. If we cannot accept what the Speaker had to say, the Speaker's ruling, then it's a further contempt from the members from the government to say, "Where did the Speaker find prima facie contempt?" It's right in here.

Thank goodness our system still works. We have staff over here who record every whisper, every action in this House and every word we say, and in case they should miss it, then we have those silent cameras, if you will, recording everything we say and do.

Today the debate on the action taken by the government goes on. Do you know what's strange? We are debating things we should be debating, because this is important. When there is an attack on our principles and our democratic process, it is important that we debate why we are in this particular situation and why we are debating the amendment and motion today.

Someone may say, "There are other important things we should be debating." I say, yes, absolutely, and we'll get to that. But it's also important, that as Speaker Carr said in rendering his decision to the House, one of his comments was such.

Carr offered a strong defence of parliamentary democracy, saying, "A mature parliamentary democracy is not a docile ... or one-way communication 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."

This is very important that we debate that. I have to say that I'm very pleased that indeed democracy is at work when the quintessential person in this House, being yourself, Mr Speaker, says, "Yes, indeed. This is an attack on our democratic system," and that the members of the House have a right to hold the government in contempt because they do represent the people that have elected them.

"It is an open, working, relevant system of scrutiny and accountability," continues the Speaker. "If any members of this House have a problem with the concept of parliamentary democracy, then they have some serious explaining to do."

This is the place to make those explanations and to conduct those debates. It is important. While there is other work to be done on a number of other important issues, this is important because we have seen it before, and we continue to see it on a daily basis: the attack of the government on our democratic process. Worst of all, it is an attack on every Ontarian, because if we turn it

around and say, “What are we doing in here? Who are we? How did we get here?”, suffice it to say, we got here through a very wonderful system that we call the democratic process.

Prior to being elected in this House, we went to our people—every member of this House, both sides. We have used the democratic system. We went to the public and said, “I feel I could, I would, I’d like to, I can, I must, I will represent you in the chamber in the Legislative Assembly of Ontario; to go there and speak on your behalf; to represent you and your issues.”

When we are not in this House we are perhaps in our constituency office, attending functions. Often, constituents—if yours are like mine—say, “This bothers me, and I would like you to bring it to your caucus, speak in the Legislative Assembly. I want you to advise the Premier or the minister.”

Yes, we are here to bring into this chamber and debate those issues that our constituents feel strongly about and they want us to bring into debate.

Our business is debating. What else is there? It is to debate those issues that eventually will become laws—some of them, anyway. One very important thing: we have, on a regular basis, visitors to this wonderful place and the entire building here. We have school classes come into the building. I’m sure that every member of the House has had the pleasure to receive members from their communities into this building here. What are some of the things that they ask when we meet in the main foyer, in the staircase, and we take pictures with them?

Some of the things they ask us are, “What do you do? When? Who decides? Who does what and when?”—all the things that interest them.

1750

We have our pages here, who are students themselves. I think they are here for a wonderful reason and with good cause. I hope the experience they have here—a short time, I must say—will serve them well in their lives for years to come. But while they are here, they will be paying attention and learning about the behaviour of this House, how we deal with things in this House, how we manage the various issues. That is why our democratic system is so important, because every issue that is being debated may be finally approved or not, but at least it’s being debated in this House.

I have to bring to the attention of the House what Mr Conway brought to the attention of the House just a couple of days ago with respect to the special warrant that was signed by two ministers of the crown one day prior to the budget of March 27 and was not issued by the government until some five weeks after that. Why is that? That is not normal. I know this is the way the government has been working for the past eight years, but is this the way the government continues to use and abuse the democratic process; that they are to the point where they can say, “Forget the opposition, forget the House, forget the people who have elected us; this is the way we are going to do it”?

But worst of all is when we have the Premier and ministers of the crown saying, “We had to do it, because we had no other choice.” Bull. Of course they had a choice; of course they had. The former Speaker himself, Mr Stockwell, said, “There is nothing the least bit unusual about what we did,” adding, “The special warrant was required because the current spending authority expired on April 30, the first day of the new legislative session and the throne speech.” Come on, give me a break. We haven’t been sitting for three or four months. The government knew very well that they had to do it, and they didn’t do it, because there were some good reasons why the government did not want to bring it to the attention of this House.

Above all, I have tremendous respect for every member of the House, I have tremendous respect for the Premier, but I have to say this: with all due respect to the Premier, when he says, “A \$36-billion plan—not our idea,” well, holy moly, whose idea was it? He says that it was the civil servants, non-elected politicians, who came up with the unprecedented \$36-billion secret spending plan that was quietly approved by the cabinet.

Let me get to something very interesting here.

Hon Mr Stockwell: Are you going to sit down?

Mr Sergio: Not yet, no. I have another four minutes or so. Oh, here it is. I’m sure Mr Stockwell would recognize this. I’m sure every member of the House should be familiar with this by now. This is the order in council—le décret; c’est le décret—signed, and it’s very important because do you know what it says in the right-hand corner here?

Hon Mr Stockwell: What?

Mr Sergio: I’m very pleased that Mr Stockwell is here. It says, “On the recommendation of the under-signed”—and guess who signed this?—“the Lieutenant Governor, by and with the advice and concurrence of the executive council.” Well, who is the executive council? Did the bureaucrats do this? Did they order this? No, they didn’t. Who ordered that? The bureaucrats didn’t. Do you know who did? The Premier and the Conservative caucus, signed by two very fine people, two ministers of the crown: the Minister of Finance and the chair of cabinet.

Interjection.

Mr Sergio: Well, they are right here and I can say their names.

My goodness, this is a recommendation from the Premier. I’m baffled that he says, “This is not our idea.” Come on, folks. Like you didn’t have enough for the last month and a half or two? Come on, shed some light and say, “Look, we had to do it, because we decided to do it.” But \$36 billion? That’s more than the entire budget.

They had absolutely no idea of coming back and facing the opposition. Their intent was, “We’re going to approve enough funds to last us the balance of this year and go into an election.” They had no intention of coming back into the House and facing the opposition. That’s not a bad idea, to face the opposition. They were thinking so low that they were refusing to come back and

deal with the issues that are of importance and interest to the people of Ontario. They will pay the consequences, because they will have to explain soon to the people of Ontario why they got into such a jam. It can only be one reason: the government is no longer in control of the agenda, not even the bureaucrats. It is some non-elected members of their staff who made this decision behind closed doors. That is why we are here today.

I thank you, Speaker, for the time you have allotted me to speak on this important issue. It is important that we recognize why we are here, how we got here and on who's behalf we are speaking. If we cannot understand

that, in the decision of Speaker Carr, as he says, we have a very serious problem when we cannot recognize that it's us doing it. It's not the bureaucrats, it's not the staff, it's the elected people who are responsible. Every three, four or five years we have to face our people again and, I'm telling you, when I go door to door, these are the issues important to people: health care and education, of course, but democracy is right at the top and we should do everything possible to safeguard it.

The Deputy Speaker: It being 6 pm, this House stands adjourned until 1:30 pm, Tuesday, May 20, 2003.

The House adjourned at 1759.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

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

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

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haliburton-Victoria-Brock Halton	Hodgson, Chris (PC) Chudleigh, Ted (PC)
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Beaches-East York	Prue, Michael (ND)	Hamilton Mountain	Bountrogianni, Marie (L)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
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Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Burlington	Jackson, Cameron (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Deputy Premier, Minister of Education / vice-première ministre, ministre de l'Éducation
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Don Valley East / -Est	Caplan, David (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Public Safety and Security / ministre de la Sécurité et de la Sécurité publique
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Associate Minister of Enterprise, Opportunity and Innovation / ministre associé de l'Entreprise, des Débouchés et de l'Innovation	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Dufferin-Peel- Wellington-Grey	Eves, Hon / L'hon Ernie (PC) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	London West / -Ouest	Wood, Bob (PC)
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Eglinton-Lawrence	Colle, Mike (L)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Chair of the Management Board of Cabinet, Minister of Culture / président du Conseil de gestion du gouvernement, ministre de la Culture
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Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises		
Essex	Crozier, Bruce (L)		
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Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Hon / L'hon Brenda (PC) Minister of Community, Family and Children's Services / ministre des Services à la collectivité, à la famille et à l'enfance		

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Mississauga South / -Sud	Marland, Margaret (PC)	Scarborough East / -Est	Gilchrist, Steve (PC)
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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	Wilson, Hon / L'hon Jim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Galt, Hon / L'hon Doug (PC) Minister without Portfolio, chief government whip / ministre sans portefeuille, whip en chef du gouvernement	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister of Transportation / ministre des Transports	St Paul's	Bryant, Michael (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Stoney Creek	Clark, Hon / L'hon Brad (PC) Minister of Labour / ministre du Travail
Oshawa	Ouellette, Hon / L'hon Jerry J. (PC) Minister of Natural Resources / ministre des Richesses naturelles	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
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Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) 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	Ecker, Hon / L'hon Janet (PC) Minister of Finance / ministre des Finances	Trinity-Spadina	Sorbara, Greg (L)
Prince Edward-Hastings	Parsons, Ernie (L)	Vaughan-King-Aurora	Arnott, Ted (PC)
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Waterloo-Wellington	Flaherty, Hon / L'hon Jim (PC) Minister of Enterprise, Opportunity and Innovation / ministre de l'Entreprise, des Débouchés et de l'Innovation
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	Young, Hon / L'hon David (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Sault Ste Marie	Martin, Tony (ND)	Willowdale	Pupatello, Sandra (L)
		Windsor West / -Ouest	Duncan, Dwight (L)
		Windsor-St Clair	Kwinter, Monte (L)
		York Centre / -Centre	Munro, Julia (PC)
		York North / -Nord	Cordiano, Joseph (L)
		York South-Weston / York-Sud-Weston	Sergio, Mario (L)
		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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