



No. 34A

N° 34A

ISSN 1180-2987

Legislative Assembly  
of Ontario

Third Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Troisième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 30 September 2002**

**Lundi 30 septembre 2002**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 30 September 2002

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 30 septembre 2002

*The House met at 1330.  
Prayers.*

WEARING OF RIBBONS

**Mr Dave Levac (Brant):** I rise today to seek unanimous consent. October is Child Abuse Prevention Month. During the month of October, the children's aid societies in Ontario will be distributing purple ribbons in an effort to raise awareness of child abuse and neglect and to encourage people to become involved in the efforts to prevent child abuse and neglect.

The year 2002 marks the 10th anniversary of the purple ribbon campaign. I seek unanimous consent, for the month of October, to wear the purple ribbon.

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

MEMBERS' STATEMENTS

CARDIAC CARE

**Mr Joseph Cordiano (York South-Weston):** It is inconceivable that the Minister of Health has advised West Park Healthcare Centre in my riding that he will terminate funding of the Ontario cardiac rehabilitation pilot program. At the time the program was announced, one of the goals was to provide services to cardiac patients as close to home as possible. Cardiac rehabilitation services not only extend a patient's life, but also greatly improve the quality of life. It allows patients to return to work while reducing the risk of repeat heart attacks.

Minister, over the past few weeks I, along with my colleague the member for York West, Mr Mario Sergio, have received numerous phone calls, letters and e-mails from concerned constituents. They believe this program is very vital and that it must be granted permanent funding.

Our York South-Weston community is already severely underserved when it comes to health care. In July 2001, the Toronto District Health Council identified northwest Toronto as an underserved area—not surprising given that this government is directly responsible for the closure of Northwestern hospital. If that wasn't enough, Humber River Regional Hospital in my area is already on critical care bypass, on average, more than any other hospital in Toronto.

I say to the minister, it is unconscionable that you are thinking of not granting permanent funding. Do the right thing and grant that permanent funding to West Park hospital.

BILL COHOON

**Mr John O'Toole (Durham):** I rise in the House today to salute a distinguished resident of Scugog township on the occasion of his retirement.

Dr Bill Cohoon was recently quoted in the Port Perry Star as saying he has never seen so much hype over someone's retirement. However, the attention is well deserved. It's a tribute to the high esteem in which he is held by his colleagues, his patients, and indeed the entire community. I trust that the good doctor will not object to a few words of congratulations from his MPP.

The September 10 Port Perry Star notes that Dr Cohoon has been one of Scugog township's most recognizable figures. Since moving to Port Perry in 1968, he has served as a family physician, general surgeon and leader of several local organizations. In addition to his professional obligations, his community involvement includes serving as president of Scugog Chamber of Commerce and the Port Perry Agricultural Society.

I know Scugog township residents will be delighted to hear that Dr Cohoon plans to continue to serve as an obstetrical consultant and will continue to serve on the physician recruitment and retention committee. I have worked with Dr Cohoon on this committee and know that Dr Cohoon is committed to encouraging young doctors to move to Scugog and carry on the high standard of care he and his colleagues have set.

Dr Cohoon also plans to devote time to his farming operation. With his son, Zac, and his wife, Whitney, Mr Cohoon runs a broiler chicken business, feedlot and cow-calf operations—very diversified individuals.

I'd like to extend my best wishes and congratulations to Dr Cohoon for a happy and productive retirement.

NATURAL GAS RATES

**Ms Caroline Di Cocco (Sarnia-Lambton):** My office has received hundreds of calls and e-mails from individuals and businesses that are irate about the natural gas retroactive billing. Residents, businesses, municipalities, hospitals and schools will all be receiving a retroactive bill for natural gas. This cost is for the winter of 2000-01. People who have spoken to me are incredulous that they

will have to pay for this cost and, to add insult to injury, they will have to pay the interest on this cost. Even those who are not Union Gas customers have been given notice. It's unbelievable that there's no protection for the consumer in this case.

The Minister of Energy and the Harris-Eves government gave themselves the authority back in 1998 to review the decisions of the Ontario Energy Board. Does the minister actually believe this is acceptable? Consumers feel they are being held hostage by this retro-active billing. To boot, Duke Energy reported an operating profit of US\$1.8 billion last year. The year in question, their profits were approaching US\$500 million.

This smacks of nothing less than corporate greed, and the Ernie Eves government seems to approve of this type of business practice by the private sector, which leaves ordinary people hostage to cost increases.

#### VISITORS

**The Speaker (Hon Gary Carr):** Just before we continue with members' statements, we have some guests who may have to leave.

We have with us today in the Speaker's gallery the chairman of the Armenian National Assembly, who is accompanied by the Armenian ambassador to Canada and a delegation from Parliament, along with Sarkis Assadourian, the member of Parliament for Brampton Centre, who is chairman of the Canada-Armenia Parliamentary Friendship Group. He is being joined today as well by the Speaker of the Parliament. Would you please welcome our honoured guests.

#### GLEN COCHRANE

**Mr Michael Prue (Beaches-East York):** It is indeed my honour today to rise and pay tribute to Glen Cochrane, the Beaches Person of the Year. He was inducted on Saturday. This award was developed by Beaches Metro News. Each year they choose a new person in the Beach to showcase the many people who do wonderful things in our community. Last year the winner was Gene Domagala. This year the winner is Glen Cochrane.

You may remember him best when he worked for years for CFTO News. He was the guy at the end of the newscast who went around telling you happy things that were happening. Since his retirement from CFTO News he has done a great deal of work in our community, everything from saving the Leuty lighthouse to the annual Lions Club Christmas do, and he's the chair of the Centre 55, which does much great work in our community.

On Saturday he was inducted at the Millennium Peace Gardens. There was an assembly of politicians and people from the community there to see him and to salute him. We salute and commend Glen Cochrane for his invaluable and continuing contribution to the people of

the Beach, the people in our community whom he strives every day to help.

We also saw some senior citizens down there today who are doing everything they can to help everyone in Ontario. We salute Glen Cochrane for being part of that very great group of people who give of their time, their money and their expertise to make sure our communities are better places to live.

1340

#### GOLDEN JUBILEE OF QUEEN ELIZABETH

**Mr Bart Maves (Niagara Falls):** In celebration of the Queen's Golden Jubilee, and with her visit to Canada soon approaching, I would like to take this opportunity today to highlight some local events in which I have recently had the privilege of participating.

Last night, I attended a service of commemoration and thanksgiving for the Golden Jubilee of Her Majesty Queen Elizabeth. The ecumenical service was organized by and held at St Mark's Anglican Church in Niagara-on-the-Lake. Reverend Aikman from St Saviour's Anglican Church and Reverend Ford from St Andrew's United Church were also in attendance with St Mark's own Reverend Wright. These three gentlemen conducted a wonderful service. The traditional festal evensong service was sung by the PCVS women's choir from Peterborough, under the direction of Christine Van Der Bank, with guest organist Giles Bryant. The Right Reverend D. Ralph Spence, bishop of Niagara, was also in attendance.

Prior to this weekend's event, the Monarchist League of Canada also held a Queen's Golden Jubilee service on both Sunday, April 21, and, even more recently, on Sunday, September 22, in Niagara-on-the-Lake. Both celebrations featured bands of the Salvation Army, Thorold pipe and drums and Fort George fife and drums.

I'd like to congratulate all of the organizations across Ontario which have held and those which are in the midst of preparing celebrations for the Queen's Golden Jubilee.

I know we all look forward to Her Majesty Queen Elizabeth's visit to Ontario in the near future, and we appreciate her many years of dignified service to the Commonwealth.

#### MENTAL HEALTH SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** When this government proclaimed Brian's Law, making it easier legally to get those with mental illness into treatment programs, it promised to back up that legislation with adequate mental health facilities and community support services. That has simply not happened. Community mental health agencies have not had an increase to their base budgets in 10 years, and the last budget ignored the requests from these agencies for funding just to maintain their programs.

This government is still focused on shutting down psychiatric hospitals and closing mental health beds,

despite an earlier promise that no beds would be closed until community support services were in place. The mental health reform implementation teams are finally starting to bring in reports with recommendations that the government clearly is not ready to fund, and in the meantime, the mentally ill are still on our streets and in our jails.

A study released last week showed that the amount of time that police in London are spending to deal with people who have mental health problems has doubled in the last four years, even though the number of people considered violent has actually decreased. Shockingly, the study shows that 81% of people with mental illness who are involved with the police will be involved with them again within two years—a direct, predictable and tragic result of this government's failure to provide adequate treatment services and supportive housing.

Brian's Law was supposed to be about decriminalizing mental illness. In fact, we are criminalizing the mentally ill more than ever. When will the Ernie Eves government make good on its promise to those with mental illness? Shame on this government for pretending to care and then doing nothing.

JEFF ADAMS

**Mr Bob Wood (London West):** I rise today to report on an amazing event that Citizenship Minister Carl DeFaria and I attended on September 26, 2002.

Jeff Adams climbed the 1,776 stairs of the CN Tower in a specially designed wheelchair, with the hope that his efforts would inspire others to reach for a new level of understanding about the issue of accessibility. The climb took Mr Adams approximately five hours to complete, in a chair built with wheels that roll in only one direction.

Mr Adams is vice-chair of the new Accessibility Advisory Council of Ontario. This project was named Step Up to Change. He attempted this feat for several reasons: first, to heighten awareness about the abilities of people with disabilities and to change people's perceptions and eliminate stereotypes; second, to create awareness of the barriers faced every day by millions of Canadians with disabilities and the need for a barrier-free society; and finally, to raise money for the Canadian Foundation for Physically Disabled Persons to help launch a national school outreach program geared toward elementary school children, which will sensitize the builders and leaders of tomorrow, our youth, to the abilities of people with disabilities.

Jeff Adams is a two-time Olympian, three-time Paralympian, six-time world champion and prior world record holder in the 1,500-metre men's wheelchair event.

I know that all members of this House will join with me in congratulating this remarkable young man on accomplishing this amazing feat and, most important, creating public awareness to the barriers faced by those with disabilities.

## EDUCATION

**Mrs Sandra Pupatello (Windsor West):** On Friday, my leader, Dalton McGuinty, announced the Liberal platform for education. Dalton McGuinty's Liberals will reduce all class sizes to 20 for the all-important early years of kindergarten to grade 3. We will launch Best Start, an ambitious early childhood education program, and Dalton will ensure three quarters of all households with children under four are eligible for assistance.

The Liberal platform will ensure that students stay in school by raising the dropout age to 18. We will increase resources in the classroom by cancelling the Conservatives' handout to private schools and corporations.

Dalton guaranteed his plan will get results. Seventy-five per cent of all children will be able to pass the government's reading, writing and math province-wide tests or the voters will hold us accountable.

What is the response from Ernie Eves? "Nope, can't be done." "Nope, that's too much ambition." "Nope, no way, no how."

We've just got to say that Ernie Eves has become Dr No: negative, contrarian and unable to recognize any vision because his dried up years ago.

We just want to say once again that Dalton McGuinty guarantees results.

## KYOTO PROTOCOL

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Many businesses and ordinary citizens are beginning to realize that the Liberal Party of Dalton McGuinty and Jean Chrétien has a secret agenda to kill jobs in Ontario. Dalton McGuinty's support of the Kyoto accord fails to take into consideration the fact that no other country in North or South America has signed on to this scheme.

Without consulting businesses or taxpayers, the Liberals are rushing ahead with the Kyoto accord, which many agree will cause our taxes to rise and increase our hydro bills dramatically. Most importantly, they agree the accord will kill over 100,000 jobs in Ontario and hurt many Ontario families.

When asked about the impact of the Kyoto accord, Len Crispino, president of the Ontario Chamber of Commerce, said, "Ratifying the Kyoto accord ... will result in significant job loss."

Businesses and residents in my great riding of Bramalea-Gore-Malton-Springdale have also expressed to me that they have very serious concerns about this accord.

Without concern for Ontario working families, Dalton McGuinty continues to support this job-killing scheme. Members on this side of the House know that sending 100,000 Ontario jobs to America and Mexico is a dumb idea. That is why Premier Eves has said that he will not support a plan that will kill jobs in our province.

Many Ontarians want to know: will Dalton McGuinty follow Premier Eves's lead, or will the Liberal Party

continue to hide their job-killing agenda from the people of this province?

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to put a motion to allow the House to sit tonight until midnight so the Liberals can debate their policy on Kyoto and we can have a debate with the Conservatives on their apparent opposition to Kyoto.

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** On a point of order, Mr Speaker: As a matter of fact, just by luck, we do have a late sitting motion here today.

**Mr Duncan:** On a point of order, Mr Speaker: You will note that I called to sit until midnight tonight. That motion doesn't call for it, nor does that motion call for us to deal with Kyoto.

Mr Speaker, again, I can clarify. I'd like to have the opportunity for the Liberals, the Conservatives and New Democrats to debate their position on Kyoto tonight—

*Interjections.*

**The Speaker (Hon Gary Carr):** Until midnight.

**Mr Duncan:** I'd seek unanimous consent of the House to do that.

**The Speaker:** Is there unanimous consent? No.

## INTRODUCTION OF BILLS

### LEGAL AID SERVICES AMENDMENT ACT, 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LES SERVICES D'AIDE JURIDIQUE

Mr Young moved first reading of the following bill:

Bill 181, An Act to amend the Legal Aid Services Act, 1998 / Projet de loi 181, Loi modifiant la Loi de 1998 sur les services d'aide juridique.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The Attorney General for a short statement?

**Hon David Young (Attorney General, minister responsible for native affairs):** This bill, if passed, will allow Legal Aid Ontario to greatly expand its use of staff lawyers, enter into fee-for-service agreements with qualified lawyers and law firms to provide legal aid services in a given community, and expand the functions of existing family and criminal law duty counsel. This bill is vital to the proper functioning of Ontario's justice system, and I hope the House will consider it and approve it as soon as possible.

1350

### TOWN OF ERIN ACT, 2002

Mr Arnott, on behalf of Mr Eves, moved first reading of the following bill:

Bill Pr11, An Act respecting the Town of Erin.

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

Pursuant to standing order 84, the bill stands referred to the standing committee on regulations and private bills.

### REPRESENTATION AMENDMENT ACT (NORTHERN ONTARIO), 2002

#### LOI DE 2002 MODIFIANT LA LOI SUR LA REPRÉSENTATION ÉLECTORALE (NORD DE L'ONTARIO)

Mr Brown moved first reading of the following bill:

Bill 182, An act to amend the Representation Act, 1996, to prohibit the reduction of electoral districts in Northern Ontario / Projet de loi 182, Loi modifiant la Loi de 1996 sur la représentation électorale pour interdire la réduction du nombre de circonscriptions électorales du Nord de l'Ontario.

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

The member for a short statement?

**Mr Michael A. Brown (Algoma-Manitoulin):** This bill amends the Representation Act of 1996 by prohibiting the reduction of the number of electoral districts in northern Ontario below the number of districts that existed on June 3, 1999.

As the House would know, the north lost over one third of its seat in the 1999 redistribution. The north deserves more representation.

## MOTIONS

### HOUSE SITTINGS

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** With agreement from the Liberal and NDP House leaders, I believe we have all-party consent to move a motion regarding the Queen's visit in Toronto.

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

**Hon Mr Stockwell:** I move that on Wednesday, October 9, 2002, this House adjourn after routine proceedings and its committees not sit in the afternoon of that day in order that the members and guests may attend the Queen's visit to Toronto.

**The Speaker:** Mr Stockwell moves that on Wednesday—

**Hon Mr Stockwell:** Dispense.

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

**Hon Mr Stockwell:** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, September 30, Tuesday, October 1, and Wednesday, October 2, 2002, for the purpose of considering government business.

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

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1355 to 1400.*

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

#### Ayes

Agostino, Dominic	Duncan, Dwight	Newman, Dan
Arnott, Ted	Dunlop, Garfield	O'Toole, John
Baird, John R.	Ecker, Janet	Ouellette, Jerry J.
Barrett, Toby	Elliott, Brenda	Parsons, Ernie
Bartolucci, Rick	Flaherty, Jim	Peters, Steve
Beaubien, Marcel	Galt, Doug	Phillips, Gerry
Bountrogianni, Marie	Gilchrist, Steve	Pupatello, Sandra
Boyer, Claudette	Gill, Raminder	Ramsay, David
Bradley, James J.	Hardeman, Ernie	Runciman, Robert W.
Brown, Michael A.	Hoy, Pat	Ruprecht, Tony
Bryant, Michael	Jackson, Cameron	Sergio, Mario
Caplan, David	Johns, Helen	Smitherman, George
Chudleigh, Ted	Johnson, Bert	Spina, Joseph
Clark, Brad	Klees, Frank	Sterling, Norman W.
Clement, Tony	Kwinter, Monte	Stewart, R. Gary
Coburn, Brian	Levac, David	Stockwell, Chris
Colle, Mike	Maves, Bart	Tascona, Joseph N.
Cordiano, Joseph	Mazzilli, Frank	Tsubouchi, David H.
Crozier, Bruce	McDonald, AL	Turnbull, David
Cunningham, Dianne	McLeod, Lyn	Wilson, Jim
Curling, Alvin	McMeekin, Ted	Witmer, Elizabeth
DeFaria, Carl	Molinari, Tina R.	Wood, Bob
Di Cocco, Caroline	Munro, Julia	Young, David
Dombrowsky, Leona	Mushinski, Marilyn	

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

#### Nays

Kormos, Peter	Martin, Tony	Prue, Michael
Martel, Shelley		

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 71; the nays are four.

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

## ORAL QUESTIONS

### HYDRO ONE

**Mr Michael Bryant (St Paul's):** I have a question for the Minister of Energy about the activities of the chief executive officer and other executives and board mem-

bers of a government enterprise corporation in your ministry.

According to published reports, Eleanor Clitheroe engaged in fundraising activities—solicited donations—for a leadership candidate, the Premier of Ontario. Will you confirm whether this took place by a CEO in your ministerial purview? Will you disclose the names of all other executives and board members of hydro corporations, government enterprise corporations and crown corporations who engaged in similar fundraising activities?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** Like him, I read a media report over the weekend where such a claim was made about a former CEO. I'd be happy to discuss the Ernie Eves leadership campaign and the more than 18,000 donations that were received. Obviously many thousands of people around the province of Ontario were raising funds for that individual.

If the member opposite has any allegations of wrongdoing, he's obviously got Elections Ontario, which he can launch that complaint with, or he can launch it with the Integrity Commissioner.

**Mr Bryant:** I think it's a lot more serious than that. We don't have deputy ministers canvassing door-to-door for ministers, for the very obvious reason that they have to serve their political masters in the interests of the public. The problem with a CEO of a government enterprise corporation fundraising on behalf of a leadership candidate is that it looks to Joe Q. Public like they are shilling on behalf of their political masters; it looks to Joe Q. Public like they are trying to acquiesce to their ministerial masters; it looks to Joe Q. Public that they are trying to tollgate, that they are trying to buy their reappointments.

We cannot have that, so we need a code of conduct, obviously, and we have to say, "No, you can't buy yachts; no, you can't buy yachting club memberships; and no, you cannot solicit funds on behalf of the Premier." Will you agree to this, and can we clean up this mess once and for all?

**Hon Mr Baird:** Within the public service there are certain rules which are laid out. The allegation of the member opposite of course does not cover the public service. I've had a number of deputy ministers, most of whom probably wouldn't have agreed to go door to door for me.

**Mr Bryant:** Here's the problem: right now, under the Hydro One code of conduct, believe it or not, the CEO is supposed to police himself or herself. So of course the CEOs follow their own code of conduct. They wrote the code of conduct. We obviously need something to rein in this kind of activity, because it dilutes the public's confidence in our public corporations. They think that instead of Hydro working on behalf of them, they're working on behalf of you. Meanwhile, according to published reports, Hydro One bills are going to go up 40%. That's even dumber than buying another yacht, Minister.

I think it's time for your folks to start getting on to the side of consumers and get off the fundraising circuit. What do you say to all those Ontarians who have always had access to reliable and affordable electricity no matter where they lived in Ontario? You could live in northern Ontario, eastern Ontario, southwestern Ontario and you'd all have the same access to Hydro One transmission. Now you're raising the bills. What do you say to those Ontarians whose bills are going up still further? You're not lowering rates; you're making them go up further. What are you doing on behalf of Ontario consumers?

**Hon Mr Baird:** Hydro One is currently consulting stakeholders and groups around Ontario about a rate application which all utilities make every two or three years. In that consultation they have made no specific proposal; they've made no specific issue. They have raised the issue of harmonization, something that has been done in utilities around the province. The member opposite represents a constituency in the city of Toronto. They would have done that there. They certainly did it in my constituency, where they harmonized rates between the five utilities that form the new Hydro Ottawa. They have had no specific proposal with respect to it. I did receive a letter from the current chief operating officer and president of Hydro One, where he says, "I am writing you regarding a media report this morning that indicated that Hydro One was proposing a 40% increase for some of its electricity distribution rates. I want to assure you that this report is categorically false."

#### CHILD CARE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the Deputy Premier. The Harris-Eves government's failure to give our children the help they need to succeed is being felt right across Ontario. The experts have been telling you that the system is broken, but you refuse to fix it.

One of those experts is Margaret McCain, the co-author of the Early Years report. McCain has been so distressed with the way your government treats children that in her follow-up report to the Early Years Study, she writes that your programs will have a relatively small impact on Ontario's children. She was so disenchanted with your lack of action that she quit the board of Ontario's Promise. Upon her departure, McCain stated, "I felt that if I was going to be a spokesman, an advocate for children, I could not maintain any credibility and stay on that board."

McCain and other Ontario parents want to know why your government has ignored the recommendations of the Early Years Study and why you continue to fail our children.

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm going to refer the question to the Minister of Community, Family and Children's Services.

1410

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** I think my colleague across the

way first needs to acknowledge that it was in fact our government that first drew attention to the issue of early years, under former Premier Harris.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Come to order.

The minister may continue.

**Hon Mrs Elliott:** Under the former Liberal and NDP governments, the words "early years" were never heard. It's only under our government that people have come to understand how very important it is to make investments in the early years from infancy—and even before infancy—up until preschool age.

Our government has made tremendous investments in this particular area. We've done it through very focused programs, and we've done it through broad programs that speak not only to the children's needs but also to those of the parents. We believe it's an unprecedented investment. It's the right thing to do, and we're very proud of it.

**Mrs Dombrowsky:** I would suggest that with the minister's background in history, she should well know that it was John Sweeney and the New Directions document that first focused on early years in this province.

Minister, your programs are centrally controlled, they exclude community involvement and they completely ignore child care. Your programs are the antithesis of everything the Early Years Study stood for. Families who are struggling to find child care for their children are waiting for help.

On Friday my leader, Dalton McGuinty, announced the Best Start plan for child care in Ontario. Our plan provides that 75% of all households with children under four will be eligible for assistance. A Liberal government will help 300,000 families and will ensure that child care providers are regulated and standards are met.

Minister, we have a plan for Ontario's children. What is your plan?

**Hon Mrs Elliott:** To my colleague's comment that this is a centrally focused program, I have to say to her that nothing could be further from the truth. The Early Years centres, for instance—half of them are up and running, just over 42, with another 60 to follow this year—are strategically placed throughout the province. They are being built on the foundation of community advice all across this province and in fact respond in many different ways. I have visited many of them personally, and they are very much, each one, individually designed to meet needs locally.

As far as the Dalton McGuinty plan that was released last week, there has been some attention paid to it. Mostly people are trying to figure out how much this thing is actually going to cost the taxpayers should it ever unfortunately have the opportunity to be implemented. The last sum I saw was something on the order of over \$3 billion and the costs still hadn't been added up.

We do believe that child care is an important thing for the people of Ontario. That's why we've invested over \$700 million in programs that are both the complement of the subsidized child care and the tax credit programs.



**Mrs Dombrowsky:** Your government has not increased what you spend on child care since you came to office. Your programs are not working. Your own experts are abandoning ship. Last Friday, Margaret McCain attended the unveiling of the Liberal Best Start plan. She said, "Child care is not on the Tories' radar screen, and they don't seem to understand the importance."

Dalton has understood the message. Minister, you refer to child care as babysitting. You really don't get it. It is what thousands of Ontario parents want and need. Child care must be on your radar screen.

Minister, our plan sets us apart. You are the government that broke the system. We will be the government that fixes it. Ontario Liberals have a plan to put children first. What is your plan?

**Hon Mrs Elliott:** I find it interesting, hearing comments like this coming from across the floor, when this government is spending over \$2.2 billion on services for children in this program. We have spent money on programs that are very focused and that are broadly based.

I ask my colleague across the way what programs she is going to cut in order to provide the over \$3 billion worth of programs. Is she going to cut the program for autistic children? Is she going to cut the program for children's mental health? Just what programs—

*Interjections.*

**The Speaker:** Order. Come to order.

*Interjections.*

**The Speaker:** You're right; there was an opening there.

Minister?

**Hon Mrs Elliott:** We understand that parents are looking for flexible child care. Some want home-based solutions; some want a more institutional child care program. Our government is one that believes in balance: balance for the parents, balance for the children, and balance for the variety of programs that need to be provided to the most vulnerable people all across this province—something, quite frankly, you will never understand.

#### NANTICOKE GENERATING STATION

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Deputy Premier. There is now a great deal of doubt and concern about your government's real plans for Nanticoke, the coal-fired generating station that pollutes Ontario's air. The Premier says he'll close it by 2015. That's not soon enough, but it's better than nothing. Now we learn that your energy minister, John Baird, has a completely different plan. He told MPP Toby Barrett that the plant will stay open.

Whom are we to believe, Minister: John Baird or Ernie Eves? Are you shutting down Nanticoke in 2015 or are you not?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'll refer that to the Minister of Energy. He can speak for himself.

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** In the leadoff question from the Liberals, I was talking about Ernie Eves's leadership campaign. Now the Deputy Premier is sloughing her questions off to me. I would have liked to hear her answer to this issue. I'm sure it would have been more engaging.

We obviously have a mix of fossil fuels, nuclear power and hydroelectric power in the province of Ontario. We're working hard to bring new, greener power on-line, such as wind and alternative fuels, and I think that's good news. I think it's important that we work to address some of the environmental issues. That's why substantial investments are being made at Nanticoke and at Lambton to try to reduce emissions and to try to improve the air quality within our air shed.

I'm a big supporter of Kyoto if there was a common desire to bring reductions down on both sides of the border. What causes me concern is that the 200 coal-fired plants on the American side won't be required to do anything under Kyoto, regardless of the future of Nanticoke. That is a concern. We want to ensure that the lights stay on in our hospitals and in our assembly lines and for working families in Ontario.

**Ms Churley:** I believe that was the answer to my question, that you're not any more planning to shut it down, and that's a disgrace. Children's asthma will continue to get worse.

But back to you, Deputy Premier. Today the reeve of Michipicoten, Doug Woods, was here. He held a news conference with our leader, Howard Hampton, to talk about the hydro rate increases of over 40% in his community. The two major employers have taken major hits and are now talking about cutting back production. Jobs will be lost—all of this because of your privatization and deregulation.

Deputy Premier, when are you going to stop this sell-off of our electricity and stop this gouging of Ontario consumers?

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** With great respect to the member opposite, how is this a supplementary to closing coal-fired plants at Nanticoke?

**Ms Churley:** It's to do with energy.

**Hon Mr Stockwell:** I'm not going to tell—you know the rules. Maybe you can make the—

*Interjections.*

**The Speaker (Hon Gary Carr):** Thank you. The member for St Catharines and I were just wondering that very point. It's funny how it came across. We're working together, all three sides.

It is a bit of a stretch, but I will allow the minister to answer the question.

**Hon Mr Baird:** The member opposite talks about higher electricity rates in the province. We went through what was the hottest summer in more than 50 years. That put a tremendous strain on the amount of resources available. That was certainly one of the reasons we had higher rates in July and August. Rates did go down in

May and June. I think the member opposite would be wise to look at it in the broader context of 12 months, when we can get a full impact once a full year has been experienced.

I have said that, as have a good number of others. There are a good number of issues in Wawa; there are a good number of issues in parts of the province which have contributed to that. I could talk about the cross-subsidization that went on in Wawa which was now changed as a result of an OEB ruling.

1420

**Ms Churley:** Minister, get with the program here. Don't you see what is going on? Jobs will be lost, and that is not a laughing matter for the people in Michipicoten. Deputy Minister, Michipicoten is served by Great Lakes Power, a private power company that is owned by Brascan. Brascan gave \$100,000 to the Ernie Eves leadership bid. If you live in Major Woods's community, it's pretty clear who is benefiting from your policies and who's losing. If you have the money to give to the Premier, you do just fine. If you don't, you lose.

Deputy Premier, I'm asking you again: what are you going to do to stop the 44% rate increases for the people of Michipicoten?

**Hon Mr Baird:** In that question the member opposite raises a number of issues. I've certainly stood in my place on a number of occasions and explained why we saw some higher rates in Ontario in both July and August. The member opposite, though, stood in her place and talked about a possible relationship between financial contributions and government policy.

I did notice in the last election that one of the NDP's largest donors in 1999, for \$7,500, was Cameco, one of the owners and operators of Bruce Power. So I wonder if the member opposite would like to stand in her place and say she'll want to send back that dirty money, that she wouldn't have any part of it. I'd be interested to see if she would do that.

#### ACADEMIC TESTING

**Mr Rosario Marchese (Trinity-Spadina):** I have a question to the Minister of Education. Your grade 10 literacy test shows how testing is really about playing politics with so many of our students in Ontario. Teachers have contacted us because they're concerned that there's absolutely no transparency in the results of these tests.

We have called your ministry to verify whether you have lowered the passing grade. We can't get an answer because your staff say they can't explain it.

Minister, can you tell us what a passing grade is, or are you cheating on your own tests?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm not quite sure where the member of the third party is going. However, I can tell you that today is a day where we should be acknowledging, congratulating and recognizing the students and teachers in Ontario who today have achieved tremendous success on the EQAO test.

I think we need to take a look at the fact that amongst the English-speaking students there was an improvement of 12% and amongst the French-speaking students there was an improvement of 20%.

**Mr Marchese:** Minister, we called your ministry to verify whether you lowered the passing grade. That's the question I'm asking you. They can't verify it and we're asking you, "What is the passing grade?" One in four students is not going to get a high school diploma and you can't explain their failing grade. What's to stop you from manipulating the standards every year?

My question is, why is there no accountability when you are playing with students' futures? Give us the answer: what is the passing grade? Do you know?

**Hon Mrs Witmer:** I have to tell you I'm just a little confused about the allegations that are being made by the member of the third party. All I can tell you today is that we all need to be very proud of the achievements of the students and teachers in this province, of the tremendous strides they have made and of the fact that an overwhelming majority of students passed this year: again, 75% of the English students and 67% of French students, French students being up 20%.

#### OAK RIDGES MORAINE

**Mr Mike Colle (Eglinton-Lawrence):** I have a question for the Associate Minister of Municipal Affairs and Housing. A very disturbing thing is happening east of Toronto in north Pickering. Over 6,000 acres of publicly owned land are on the verge of being given away by your government without any due process. Not only are these lands which are about to be swapped, known as Seaton, environmentally sensitive, but they're worth hundreds of millions of dollars—again, publicly owned.

The people and elected officials of Pickering are very concerned that this is a done deal and are afraid you are going to do to Pickering what your government did to Richmond Hill this past summer, where your government issued an unprecedented ministerial order which ordered the town of Richmond Hill to allow the building of 7,000 homes right in the middle of the moraine near Yonge Street. Now the same developers who were allowed to build 7,000 homes on the moraine on Yonge Street are going to get this land in Seaton free.

Minister, will you commit before this House that not one acre of land in Seaton will be sold or swapped unless there's a full environmental assessment and until the town of Pickering does all the studies to ensure these lands that are being sold and given away are not environmentally sensitive?

**Hon Brian Coburn (Associate Minister of Municipal Affairs and Housing):** This is about protecting some of the most ecologically sensitive areas in the Oak Ridges moraine. The development of the Seaton lands takes development away from the disputed lands in the Oak Ridges moraine and puts it in an area that is already designated for some urban development.

These lands that are being protected make up the best remaining linkages across the Yonge Street area. Agree-

ments reached to date with developers are simply that lands in Richmond Hill and Uxbridge in the Oak Ridges moraine will be exchanged for the Seaton lands. These are ongoing discussions that are taking place as we speak.

**Mr Colle:** What is incredible is that their government ordered the town of Richmond Hill to allow 7,000 homes to be built by developers right in the middle of the moraine and the Jefferson forest near Bond Lake. These same developers who were ordered by this minister to build on the moraine are now going to be given free land in Seaton. They already got 7,000 homes on the moraine. Now this government's going to allow up to 30,000 homes to be built by the same people in Seaton, which is environmentally sensitive, which has all kinds of water-courses and which the town of Pickering doesn't want to be built upon until they finish their study.

The question again, Mr Minister: are you going to allow these same developers, who are very influential in your party and who got all these freebies in Richmond Hill, to get the same freebies in Pickering? Are you going to allow that?

**Hon Mr Coburn:** Whatever the panel has established when the chair met with Mr Crombie to provide advice and guidance to the province and the affected landowners in this particular area—the principles were important in terms of guiding the development of these lands and the evaluation of them. Those principles are used as the benchmark of fairness, openness and accountability. Certainly discussion is ongoing with the mayor and council of the city of Pickering, taking those principles into account. Those discussions continue with the city and the other stakeholders on how to develop the lands in the Pickering area.

*Interjection.*

**The Speaker (Hon Gary Carr):** Order. The member has had two questions.

#### EDUCATION

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Deputy Premier and Minister of Education. As a parent of two children, one in the last year of high school and one just entering university, the education system is of great importance to me, as it is to so many parents across this province. Last week, Dalton McGuinty unveiled his plan for education. In it, he implied that Ontario's students are not meeting the basic standards in reading, writing and arithmetic.

1430

Minister, is he confused again? It is my understanding that this government has made considerable strides in education for the children of this province. Can you share with us and with the parents and students of Ontario what our government has done and is continuing to do to improve our education system?

**Hon Elizabeth Witmer (Deputy Premier, Minister of Education):** I'm pleased to share with members of this House what we have undertaken. In response to the

public request for a tough new curriculum, and also that we would introduce new standards, our government has done exactly that.

Again, I would just emphasize today how pleased and proud we are to see the results, to see our students in this province meet those new standards and work toward accomplishment. Seventy-five per cent of all English-speaking students today were able to successfully pass the writing and reading test. This is very interesting, because Dalton McGuinty now has said that in four years, he'd like all students to achieve 75%. We've already achieved that target—

**The Speaker (Hon Gary Carr):** Minister, take your seat. Order. There are conversations going back and forth. I would ask all members, if you want to speak to each other, go outside. We don't need clarifications of questions and clarifications of answers. Go outside if you want to do that. We're on to the next question.

Supplementary. The member for Bramalea-Gore-Malton-Springdale.

**Mr Gill:** Thank you, Minister. That's wonderful. I knew Mr McGuinty had his facts wrong. Maybe it's Mr McGuinty who needs some remediation himself.

Ensuring our students meet the challenge of this tough new curriculum must be a priority, especially as we head into the 21st century. Success must be encouraged, supported and, most of all, nurtured. How is our government ensuring that students rise to this new challenge and how do we know they're succeeding?

**Hon Mrs Witmer:** The test is certainly an assurance to students that they're doing well. It's also an assurance to the employers, who know that these students have basic literacy skills.

I think I'd just like to share with you some of the results of the test: the Thames Valley board is up 10% over last year; in Sarnia, St Clair Catholic is up 8%—students have scored 74% this year; Lambton Kent, up 15%; Peel District, up 9%; London, 74% of the students passed.

I think you can see that the programs that have been put in place are helping students, but I think we also need to realize there are some students who are going to need additional help, and our government will continue to provide remediation programs in order to help those students achieve these targets.

Wonderful results for students, teachers and parents.

#### NANTICOKE GENERATING STATION

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Energy. It's the minister who on June 6 during a debate said, "Ontarians want to receive their electricity from sources that don't damage their natural environment. We heard this back in the hearings on Bill 35. My constituents have spoken to me about this a good amount."

The same minister said, "Ontarians will not tolerate and should not have to suffer the consequences of those people who, whether for commercial or private or per-

sonal needs, want to abuse our environment.” He said, “This bill we’re debating is important to the environment. Ontarians have made it clear that they want to receive their electrical power in a manner that ensures that their environment is not damaged.”

In light of what the minister said in that debate on June 6, could he tell us how it is, then, that a Tory MPP says that Ontario Energy Minister John Baird is opposed to the government’s plan to close the Nanticoke coal-fired plant to combat air pollution?

Who is right? Is Toby Barrett right or is John Baird right?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** I strongly supported Bill 35 when it was introduced in this House back in 1998. It’s something different. I voted for Bill 35 on second and third reading. The member opposite and his caucus colleagues voted for the bill on second reading and against the bill on third reading. They flip-flopped.

If someone wanted to set up a windmill to generate power and put it on the grid, the member opposite would make that illegal, by his vote. If someone wanted to expand green power to put on the grid, like capping methane at a dump, the member opposite would make it illegal. That’s why we brought in Bill 35: to give consumers a choice to purchase green power.

I strongly support the measures to reduce emissions at Nanticoke. Some of it will be reduced by as much as 80%. I think that’s good for Ontario and good for the environment.

**Mr Bradley:** I see I’m having the same problem with you that the news media was having. The news media said, “Baird ... did not respond to requests for an interview this week. ‘He’s just not around,’ said his press secretary, Dan Miles.”

I know why he wasn’t around. It was because he’s in disagreement, or in agreement behind closed doors, with Mr Toby Barrett, a parliamentary assistant.

So I ask you the question again: it says in this article in the Spectator, “Barrett said this week Baird was supportive of his stand that the Lake Erie plant ... should remain open....”

“I very much appreciated the support I got from Minister Baird,” Barrett added.

“Barrett said he spoke to Baird about 10 days ago at a Sarnia caucus meeting ... and there was no mention by him about the 2015 closing date.”

Who is providing accurate information? Is it the member for Haldimand-Norfolk-Brant who is providing accurate information when he says that you oppose the closing of the coal-fired plant at Nanticoke, or is the Minister of the Environment providing accurate information when he says that’s government policy? Who is telling the truth?

**Hon Mr Baird:** The member for Haldimand-Norfolk-Brant is a wise and articulate member who works hard for his constituents.

I say to the member opposite, he is the one who both voted for and against Bill 35. But it gets worse, because

he disagreed with Dalton McGuinty. He said “2015” when he was a member of the alternative fuels committee, and Mr McGuinty says “2007.” I don’t know who’s on first and who’s on second over there.

I do know it’s important that we reduce emissions. I do believe it’s important that we continue to provide electricity to meet the needs of the people of the province of Ontario. I do believe it’s important to provide enough electricity so that the General Motors plant in St Catharines can continue to operate. I do think it’s important that we continue to have enough electricity in the province to supply working families and to provide hospitals with enough power.

As Minister of Energy, I can’t take supply for granted. It’s an important responsibility.

## TRANSPORTATION

**Mr Steve Gilchrist (Scarborough East):** My question is for the Minister of Transportation. Minister, as you well know, Ontario relies fundamentally on the export of goods and services. They bring in over \$190 billion a year to our province’s economy, which is fully 51%, and they support more than 1.6 million Ontario jobs.

Clearly, Ontario’s economy is dependent on the competitive success of our goods and services in the international marketplace. To maintain our competitiveness, Ontario needs a safe and efficient transportation network to keep that trade flowing. Traffic congestion in the greater Toronto area has certainly come to hinder that flow of trade and must be addressed. That’s why the Red Tape Commission, as you know, is gearing up to help you with something we call highway incident management.

What other actions has your ministry taken to combat GTA congestion and improve the efficiency of the region’s transportation network?

**Hon Norman W. Sterling (Minister of Transportation):** We have done a great, great deal in this province to address GTA congestion. Since 1995, our government has spent \$3.5 billion on the transportation systems right here in the GTA.

Presently, we’re rebuilding Highway 401. A lot of people don’t realize you spend a lot of money on rebuilding it. We’re spending \$401 million to build, rebuild, expand the 401, all the way in the west from Renforth Drive to the east at the Don Valley Parkway.

We are investing in GTA transit: \$1.25 billion in transit investment partnerships.

No government has ever spent this much money on transportation in this area. We will continue to do it because we recognize—

**The Speaker (Hon Gary Carr):** The minister’s time is up. Supplementary?

**Mr Gilchrist:** Thank you for that response. Clearly, one way to ease traffic congestion is to encourage people to leave their cars at home and take public transit. An increase in the use of public transit has the added benefit

of improving our air quality by cutting down on harmful vehicle emissions, as long as you don't have situations like we have in the city of Toronto where they're taking the money and buying 1960s vintage diesel buses from Montreal—Montreal's hand-me-downs.

**1440**

Notwithstanding the problem in Toronto, to accomplish the movement to public transit, obviously we have to make it more efficient and more accessible. Minister, this is going to require investment from both of the senior levels of government. What is the government's plan for improving public transit in this province and in the GTA?

**Hon Mr Sterling:** Again, we have made a tremendous commitment towards public transit in this province, \$3.25 billion over the next 10 years to spend on public transit alone. A couple of examples: \$12.8 million this year to spend in the city of Ottawa, 70 brand new buses. Earlier this morning my colleague Dianne Cunningham announced \$912,000 for the city of London to fund buses, bus services, a bus station and operational improvements.

The TTC here in Toronto received more than \$62 million in provincial funding for aging buses and subway cars. The Sheppard subway: this government has put \$800 million to \$900 million on the table to improve that. When you add these all together they far exceed the two cents per litre of gasoline that the Leader of the Opposition talks about.

**The Speaker:** New question. The member for Sault Ste Marie.

**Mr Tony Martin (Sault Ste Marie):** The fed hand giveth and the Tory hand claweth away.

#### CHILD POVERTY

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Community, Family and Children's Services. Your policies continue to hurt the children who need our help the most. Nearly a decade ago, the federal NDP obtained a commitment from the Liberals and Conservatives in Ottawa to eliminate child poverty by the year 2000. Now, two years after that deadline, Jean Chrétien is hoping to play some catch-up. Rumours suggest that the federal government's speech from the throne will promise an infusion of new money into the national child benefit. But that benefit will never reach Ontario's poorest children as long as your government continues to claw that money back. It is 2002 and more children in Ontario are living in poverty than ever before. These children deserve a chance. Will you stop the clawback and give children on social assistance the money that is rightfully theirs?

**Hon Brenda Elliott (Minister of Community, Family and Children's Services):** Mr Speaker, I want to be very clear in answering the question to my colleague from the third party across the way. We want to do everything we can here in Ontario to make children thrive and grow. We don't want to see children or adults in poverty. We've

undertaken a number of initiatives to address the issue of poverty and try and reduce poverty in so many ways.

One of the things we have done is reform welfare to a jobs and opportunity strategy. Through the Ontario child care supplement we try to reinvest funding, as a result of the national child benefit program. I would remind my colleague across the way that the money from the national child benefit does go into municipal programs—they choose how those will be reinvested within their communities—and support programs such as Healthy Babies, Healthy Children, the Ontario Works child care and Learning, Earning and Parenting programs.

**Mr Martin:** So the answer is no. Clearly, you've been spending too much time at the Holiday Inn. Empty rhetoric won't fill the stomachs of hungry children.

Last week, Michael Prue, Marilyn Churley and I agreed to live the way your government expects people on social assistance to live. Like people living on social assistance, I had to find enough to eat with less than \$2 a day. Like people living on social assistance, hunger often drove me to distraction. How do you expect families to get back on their feet when they spend their days scrounging to find enough food to survive? How do you expect children to learn in school when they are too hungry to think?

Minister, we challenged the Premier last week, and I challenge you today. It is impossible for children to thrive on this income. I ask you again, will you please stop the clawback?

**Hon Mrs Elliott:** We have undertaken a number of strategies to try to reduce poverty in Ontario, some of them very strategic. You referenced the federal Liberal government. It is our government that has 375,000 families in Ontario who pay no income tax, yet the federal government taxes them. It is our government that has the lowest threshold for personal income tax. You forget to mention those issues.

To my colleague across the way in the New Democratic Party, in his riding the national child benefit clawback was reinvested in \$800,000 worth of programs in 1999 and 2000: child care centres for Ontario Works participants, community kitchens, breakfast programs for children, Healthy Babies, Healthy Children programs—the kinds of programs that benefit a broad number of children, not just individuals. Surely that's the goal for all of us.

#### ACCESSIBILITY FOR THE DISABLED

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is to the Minister of Citizenship, and I ask it on behalf of at least three of my constituents who are in the gallery today. Marie, Ken and Doreen joined me and about 40 other folks earlier today at a Pizza Pizza store on Parliament Street, of which I provided you with a picture.

My question is, how is it that after the Ontarians with Disabilities Act has been passed, Pizza Pizza can spend over half a million dollars to open a new store which is

basically at grade with three entrances, each of them allowing a six-inch lip to remain? When we approached Pizza Pizza and asked them why they didn't make it accessible, their answer was clear: it's because the law didn't make them do it.

This highlights the extent to which your bill is a scam, Mr Minister. In front of my constituents and all Ontarians, 1.9 million of whom have some disability, will you tell me and this House how in good faith you can continue to defend that bill, and will you bring in a bill that deals meaningfully with the challenges people are facing?

**Hon Carl DeFaria (Minister of Citizenship, minister responsible for seniors):** Our government is committed to ensuring that there is greater accessibility in Ontario and more independence for persons with disabilities. The Ontarians with Disabilities Act has been proclaimed. Most of the sections were proclaimed, effective today, and the act has regulation-making authority that gives the government the power to mandate changes.

Since the act was passed last year, we put in place a directorate in February. We also put in place the Accessibility Advisory Council of Ontario, and we have leading people in the disability community, such as Dave Shannon and Jeff Adams, as chair and co-chair of that council.

We are working with the private sector to ensure they understand their responsibilities and will continue to do so.

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is also to the minister. Please don't read back the standard answer; I want to hear what you really believe. You have the power to improve the quality of life of so many people in Ontario who have a disability. Please use that power positively.

Your government pledged during the ODA debate that there would be no new barriers, yet you condoned the firing of over 50 special education teachers in Ottawa. You pledged it would apply to private industry. These people don't get the \$2.1 million a year that the Premier's fundraiser gets. They can't do something as simple as go in and purchase a pizza. They don't even have the ability to do that, Minister.

You put in place an advisory committee. Good for you. Quoted in the paper Friday, one of them said, "I'm on this to try to make the government pass a meaningful Ontarians with Disabilities Act."

I urge you to follow the 13 principles. Minister, please listen to your heart, listen to your sense. There are no second-class citizens in Dalton McGuinty's Ontario; evidently there are in yours. You have the chance to change it now. Will you bring forth amendments that make a meaningful OD act that will improve the lives of these and thousands of others of our—

**The Speaker:** I'm afraid the member's time is up.

1450

**Hon Mr DeFaria:** Making Ontario more accessible is everyone's responsibility. It's the responsibility of the

municipal sector, the responsibility of provincial government and the responsibility of the private sector.

Our government has invested \$209,000 toward the development of customer service standards with the Canadian Standards Association. For the first time, the business community has a resource for providing voluntary quality customer service for the disabled community.

Our government is the government that passed the ODA. When the other government was in power, they did not pass any legislation to protect Ontarians with disabilities. The federal government has not done anything in this area. We have acted and you have not.

#### NORTHERN HIGHWAY IMPROVEMENT

**Mr AL McDonald (Nipissing):** My question is for the Minister of Northern Development and Mines. Coming from a northern riding myself, I know the vital role a well-maintained northern highway system plays in the economy of our area. As the MPP for Nipissing, I drive Highway 11 every weekend. There are only about 50 kilometres left to complete the four-laning and I understand our government's commitment to finish that as soon as possible. Minister, what other good news can you share with us regarding our northern highway system?

**Hon Jim Wilson (Minister of Northern Development and Mines):** I thank the honourable member for the question. In August I had the pleasure of travelling to Timmins, Sioux Lookout and Hudson to announce this year's funding under the northern Ontario highways program. This year our government will invest more than \$255 million in northern highway infrastructure. When combined with over \$1.5 billion spent from 1995 to 2001, our government's total spending on northern highways has risen to over \$1.63 billion, an unprecedented amount. This impressive record will continue. These investments reflect the priority this government has placed on improving northern highways after years of underfunding by the Liberals and the NDP.

While I appreciate that there are demands to build new highways in certain areas of the north, our current priority is to upgrade the existing highway system, like Highways 69 and 11. The Ministry of Transportation will continue to monitor patterns on our highways, and we're always prepared to review situations should the circumstances change.

**Mr McDonald:** Thank you, Minister, for your answer. I applaud the good work our government is doing to foster long-term stability and prosperity in the north. Minister Wilson, you've been a great friend to northern Ontario.

Over the summer I noticed the issue of four-laning was on the minds of people across the north. What are our government's plans for four-laning in the north?

**Hon Mr Wilson:** As the Premier has stated, our government is committed to four-laning Highway 69 north of Parry Sound. The engineering and property acquisition phase is now underway for the new 20-kilometre, four-

lane Highway 69 corridor south of Sudbury. Once this process is complete, we will be better able to set a timeline for the actual construction of the project.

The entire Sudbury region also benefits from the unprecedented progress that is underway toward four-laning Highway 69 south of Parry Sound where traffic volumes are greatest. Last year, about \$106 million was spent on four-laning Highway 69 south of Parry Sound, and we were pleased to open the \$72-million Parry Sound bypass last November.

Work is underway on four contracts valued at over \$140 million to complete the remaining 30 kilometres of construction between MacTier and the new Parry Sound bypass. Once again, it's a record amount of money spent on northern highways, something that should put the Liberals and NDP to shame for the paltry amounts of money they spent for northerners and to make sure our roads are safe and efficient for transportation in northern Ontario.

#### SLOT MACHINES

**Mr Monte Kwinter (York Centre):** My question is for the Attorney General. Minister, I'd like to return to the Picov Downs issue. Last week, we learned that a decision has been made to allow Picov Downs to have slot machines. On April 10, 2002, that decision was communicated to Picov Downs by Minister Hudak. Shortly afterwards, Minister Ecker announced the decision to citizens in her riding.

The only decision that is not yet to be announced is the number of slot machines they will be allocated. Last week you stated that they may get none, one, two, or 799. Industry sources say that less than 100 machines is not viable. Given that the only viable option you have is to give Picov Downs none or a number between 100 and 800, could you tell us what is going to influence that decision?

**Hon David Young (Attorney General, minister responsible for native affairs):** Indeed the member did ask some questions last week. He prefaced his question last week by saying the government announced our three-year plan for gaming in Ontario. He went on to say—and this is quoting from a time in April 2000—that it was a three-year moratorium that would apply to new slot machines at horse tracks. That's what he said. At the time, I assumed the member perhaps was well informed; I've since been advised otherwise. Indeed, it was a two-year moratorium.

If there is any doubt about that, he should look at the horse racing association's correspondence with reference to this issue. I would refer him in particular to a letter dated July 21, 2000, in which Jane Holmes clearly indicates that it is a two-year pause. That's straight from the horse's mouth.

**Mr Kwinter:** The minister went to great pains not to answer my question. The racetrack slot machine initiative was reached in consultation with the Ontario Horse Racing Industry Association, and that association wrote

to the government—the same Jane Holmes—saying that it seems incomprehensible that Picov Downs may be allocated 800 slot machines. Dresden, Clinton, Hanover, the smallest standard-bred tracks in Ontario, have been allocated 100 machines each and they are all many times greater in size and economic activity than Picov Downs. Industry sources also state that 100 slot machines is about 10 times the number warranted, given the level of betting activity at Picov Downs.

Mr Minister, could you assure us today that allocations of slot machines to Picov Downs will be based on the same criteria as other tracks in Ontario and that the process will not be perverted by political influence or campaign contributions?

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. The Attorney General has the floor.

**Hon Mr Young:** Yes.

#### MOOSE POACHING

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a question for the Minister of Natural Resources. Earlier this month you announced the launch of Moose Watch, the annual enforcement program here in Ontario. Minister, in my riding of Haldimand-Norfolk-Brant—and I'm sure it is the case in your riding as well—we have a long tradition of hunters heading north. Friends of mine are heading up in the next few weeks. Could you explain to us in the House today and, further, to hunters in my riding what Moose Watch is and why we have initiated it?

**Hon Jerry J. Ouellette (Minister of Natural Resources):** I thank the member for Haldimand-Norfolk-Brant for the question. Here in Ontario I and the ministry take moose poaching very seriously. That's why I was pleased to announce earlier this month the 2002 continuation of Moose Watch.

Moose Watch is a high-profile enforcement program to assist conservation officers in dealing with and reducing the number of illegally killed moose. The program was designed to increase public awareness, to provide a toll-free, 24-hour violation reporting system and to enhance enforcement efforts.

The reason the program was initiated was that during the period from 1997 to 1999, conservation officers in the northeast region found 416 illegally killed moose, which we at the ministry find completely unacceptable. So a proactive public education and enforcement program began in 2000 and was immediately successful in reducing the number of illegally hunted moose.

1500

**Mr Barrett:** Thank you for the explanation, Minister. I've had a chance to speak with the conservation officers involved with Moose Watch. I understand the need for and the value of this program. Moose poaching is a serious issue, and protecting the resource is a responsibility of all of us.

There are hunters in my riding who may be concerned about the impact of this on the sport and on the perception of hunting in general. Will this program in any way portray hunters as poachers? I'm concerned about the perception this may put on good, law-abiding hunters in the province of Ontario.

**Hon Mr Ouellette:** Clearly the answer is no. One of our main goals is to work closely with our stakeholders to make the program run as smoothly and as effectively as possible. A lot of these individuals are the individuals participating in the Moose Watch program. The outdoor community wants to see an end to the illegal hunting, the same as all others throughout the province. Our top priority is to have a strong working relationship with them. The success of the program to date relies largely on their support, and I'm happy to report that with the great support of our partners and the public, hundreds of calls are made each year to the violation reporting lines, and all indications suggest that our clients and the public have enthusiastically accepted the program. In the northeast region alone, we have seen declines in illegally killed moose from 168 in 1999 to 137 in 2000, and down to 102 in 2001. With results like that, we are moving in the right direction.

#### HYDRO RATES

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of Energy. It is reported in today's paper that the hydro rate is going to be dumped in 17 rural and northern communities. You have stated today in this House that that may not be correct. My question to you is, is it correct? If it is not correct, are you going to assuage the fears of those communities and tell them that in fact the rate is not coming? And if it is correct, why are you letting these communities shoulder yet another hydro rate increase?

**Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs):** The member opposite referred to a letter that I read into the record with respect to distribution rates. Hydro One, as do all distribution companies, has to make from time to time, as a course of regular business, application to the Ontario Energy Board. Prior to doing that, they thought it was best to consult with stakeholders, to consult with affected communities and to consult with customers. That's what they are doing. Nowhere in that proposal have they proposed a specific rate or timetable with respect to harmonization.

There are more than 87 different rate categories across that company's local distribution rates, something that it would seem to me it would only make good sense to look at and consult on before any proposals were even developed.

**Mr Prue:** The reeve of Michipicoten was here this morning talking to people in the Legislature. He has complained about a 44% increase in hydro costs in his community, but he has also talked about the 47% reduction in his tax base because the right to levy taxes

on hydroelectric plants was taken away by your government. I grant you that some provincial help went back, but not enough, because in that community last year there was a 5% tax increase; this year there is a 6% local tax increase just to bring them back to the same level.

Why are you hammering these small communities as you pursue your privatization-of-hydro dirty deal?

**Hon Mr Baird:** There was a policy, as the member knows, with respect to taxation of hydroelectric. I suppose it's difficult; you can't win. You can't use nuclear. The NDP is now suggesting you can't use hydroelectric. You can't use coal. If we followed the consistent line of that policy, we'd have no electricity in the province.

Hydro One is going out to consult. They have no proposal on the table. Before they make a rate application, as do all other local distribution companies—Tom Parkinson, the president and chief operating officer, wrote to me earlier today saying, "I am writing to you regarding a media report this morning that indicated that Hydro One was proposing a 40% increase for some of its customers' distribution rates. I want to assure you that this report is categorically false."

#### PETITIONS

##### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario. It says:

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

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

Whereas 46 people have been killed on that highway in the last three years; and

Whereas 10 people have died on Highway 69 between Sudbury and Parry Sound so far this year alone; and

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

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

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

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

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

I sign this petition. I give it to Kevin to bring to the table as part of the 20,000-name petition I will be submitting on this stretch of highway.



## LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a number of petitions that were sent to me this summer from the following organizations: the Ontario Coalition of Senior Citizens' Organizations; Stella Mostacci of Timmins; and Tony Giovinazzo of Welland. It reads as follows:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% instead of providing adequate government funding for long-term care; and

"Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

"Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

"Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

"Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

"Whereas, according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse...;

"Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

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

"We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities."

I agree with the petitioners and I've affixed my signature to this.

ONTARIO DISABILITY  
SUPPORT PROGRAM

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the federal government of Canada has given a yearly increase in disability pensions geared to inflation, and the Ontario government, through the disability support program, has clawed this amount back;

"Therefore we, the undersigned people of Ontario, petition the Ontario Legislature to remove the cap on the disability support program."

This petition is signed by large numbers of people from across northwestern Ontario who share this concern.

## NATURAL GAS RATES

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

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

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

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

NATIONAL CHILD BENEFIT  
SUPPLEMENT

**Mr Tony Martin (Sault Ste Marie):** "Whereas one in five children in Ontario live in poverty; and

"Whereas, as part of the national child tax benefit program, the federal government gives a supplement to low-income families across the country to begin to address child poverty; and

"Whereas that money, up to approximately \$100 a month per child, is meant to give our poorest and most vulnerable children a better chance in life;

"Whereas in Ontario the Conservative government deducts the child benefit supplement dollar for dollar from those living on social assistance;

"Whereas this is leaving our province's neediest children without extra money they desperately need to begin their climb out of poverty;

"Whereas all children are entitled to a fair chance at life;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand that the government of Ontario stop the clawback of the national child tax benefit supplement and ensure this federal money reaches all low-income families in Ontario."

These over 500 names are added to the over 7,000 I've already submitted, and I add my name to it.

1510

## NATURAL GAS RATES

**Mr Dwight Duncan (Windsor-St Clair):** On behalf of CAW local 444 and its president, Ken Lewenza, I

present the following petition that was taken up at a rally they had this afternoon.

“Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

“Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

“Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

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

I'm pleased, as I have in the past, to affix my signature to this petition.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition sent to me this summer from Foyer Richelieu in Welland, the Association of Jewish Seniors in Toronto, and Woodingford Lodge Family Council in Woodstock. It reads as follows:

“Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% ... instead of providing adequate government funding for long-term care; and

“Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

“Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

“Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

“Whereas the government's own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

“Whereas according to the government's own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse...; and

“Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

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

“We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for residents to a minimum of 3.5 hours per day and provide

stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities.”

I agree with the petitioners, and I've affixed my signature to it.

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a petition entitled Fair Rent Increase Now.

“To the Legislative Assembly of Ontario:

“Whereas the number of tenants receiving above-guideline increases is growing exponentially; and

“Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

“Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

“Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

“Whereas tenants should not be receiving rent increases where there are work orders” outstanding “for the building” they live in;

“Therefore be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan's Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid.”

I agree with the petition, and I have signed my name to it.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition that's been sent to me by Betty Gurland of North York. It reads as follows:

“Whereas the daily increase of \$7.02 starting August 1, 2002, for residents in long-term-care facilities is not in keeping with the increases of prior years;

“Whereas this large increase in rates is a severe financial burden to residents and to family caregivers to maintain a loved one in a long-term-care facility and maintain themselves in order not to ask the government for financial assistance;

“Therefore we, the undersigned, petition the Legislature of Ontario to repeal this large increase and reduce the rates to a nominal increase as in prior years.”

I agree with the petitioners, and I've affixed my signature to it.

#### HIGHWAY 69

**Mr Rick Bartolucci (Sudbury):** This is a petition to the Legislative Assembly of Ontario. It was submitted to me by Alex McCauley from Nickel Belt:

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

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

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

Whereas 46 people have died in the last three years on that stretch of highway; and

Whereas 10 people have died so far this year on that stretch of highway between Sudbury and Parry Sound; and

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

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

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

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

I affix my signature and give it Rachel to bring to the front desk.

#### LONG-TERM CARE

**Ms Shelley Martel (Nickel Belt):** I have some petitions that were sent to me by Tom and Opal Zaitz of Hillsdale Crescent in Sudbury and Muriel Mogensen of RoseMarie Street in Sudbury. They read as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15% ... instead of providing adequate government funding for”—people in—“long-term care;

“Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families;

“Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario;

“Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident;

“Whereas the government’s own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day;

“Whereas, according to the government’s own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse ...; and

“Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

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

We demand “the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term care facilities.”

I agree with the petitioners and I’ve affixed my signature to it.

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

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

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

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

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

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

“Whereas government needs to increase long-term-care funding ... over the next three years to raise the level of service for ... long-term-care residents to those in Saskatchewan ...; and

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

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

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

I’m in full agreement and have signed this petition.

1520

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a final petition sent to me from Newmarket, Ontario. It reads as follows:

“Whereas the Harris government’s decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

“Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians;

“Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

“Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy and biofeedback; and

“Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

“Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

“Whereas the government has already delisted \$100 million worth of OHIP services,

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services.”

I agree with the petitioners, and I’ve signed my name to this.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Mr Doug Galt (Minister without Portfolio):** Government notice of motion 37.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Where’s the quorum?

**The Speaker (Hon Gary Carr):** I’ll ask the Clerk to see if there’s a quorum.

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

*The Speaker ordered the bells rung.*

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

**The Speaker:** The chief government whip.

**Hon Mr Galt:** That pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders, when Bill 131 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill, without further debate or amendment, at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That when the order for third reading is called, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on second and third reading may, pursuant to standing order 28(h), be deferred; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Speaker:** Mr Galt has moved that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 131,—

**Hon Chris Stockwell (Minister of the Environment, Government House Leader):** Dispense.

**The Speaker:** Dispense?

**Mr Kormos:** No.

**The Speaker:** No? No dispense—An Act to facilitate the making, recognition and variation of interjurisdictional support orders, when Bill 131 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill, without further debate or amendment, at such time the bill shall be ordered for third reading, which order may be called on that same day; and

That when the order for third reading is called, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on second and third reading may, pursuant to standing order 28(h), be deferred; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

Debate?

**Mr Michael Bryant (St Paul’s):** In speaking to this bill and this particular time allocation motion—guillotine motion—I want to say that the announcement today, which was not brought to the floor of the House, with respect to the Legal Aid Services Amendment Act directly impacts upon this bill in this sense: as we’ve said before, and we’re in agreement, we support this bill. Of course we support this bill, but we cannot—the bill I’m referring to that we support is the bill that’s before the House, not the Legal Aid Services Amendment Act—

**Mr Kormos:** And not this motion.

**Mr Bryant:** And not this motion. This is a guillotine motion. We want more debate, not less debate.

And along those lines, I would just say, with respect to the Legal Aid Services Amendment Act, with respect to this public defender’s office bill, I would urge the Attorney General to take this to committee now.

This is one of those bills, particularly in the circumstances, which needs to be taken to committee now—not after second reading, after first reading, because this announcement comes right out of right field. There were negotiations and efforts being undertaken between the law society and various other partners in the government of Ontario. There were discussions underway to try and resolve the impasse, and out of nowhere this announcement is made.

This is, I would respectfully submit to the Attorney General, a far more radical departure from our current system of criminal justice and family law representation than may have been originally envisioned. In fact under this bill, with everything handed off to regulation, we may have the Americanization of our legal defence system. That just means one thing: the American experi-

ence has been that caseloads are so high that they become a plea-bargain factory.

Similarly, the purpose of the bill before us right now, the interjurisdictional support bill, is in fact to give legal remedies to those who could not otherwise enforce a bill because the deadbeat dad or the deadbeat spouse has moved out of the jurisdiction, but you need assistance in order to enforce those orders. If a family cannot afford assistance, where are they going to go? If they have to go off to an office that is so overburdened that the scales of justice are tipped in favour of, in this case, the deadbeat dad or the deadbeat spouse, that's no justice at all.

This new bill, I fear, makes it official. The public defender's office bill makes it official. A justice system, once the envy of the nation, is now institutionalizing a two-tier system. The politics of crime and justice right now are really that the elected devote most of their energies toward protecting our electors from crime, criminals and injustice. That's the politics of crime and justice in Ontario today, and we do so in the name of livable communities. But we do so on the working assumption that we have an impartial justice system that is protecting the vulnerable from injustice. We fight for livable communities assuming that those facing the criminal justice system are going to get a fair trial. They're going to be treated as innocents until proven guilty. They'll get due process; that is, process due to a citizenry in a just democracy.

Those assumptions that we base our fight for livable communities on, those assumptions about our impartial justice system, have been rocked as of late. Our justice system in Ontario appears to be on its knees, with criminal cases thrown out because of chronic delays; families who cannot afford legal representation over custody battles and support payments getting no help at all; judges seeking to lend order to the chaos of legal aid shortages with random results obtaining across the province; in short, a two-tier justice system, brutally unaffordable for the vast majority of citizens.

Let's not fool ourselves. The two-tier justice system is in existence. If you have the resources, you can get the legal dream team, get the representation and, in some cases, get off. If you don't have the resources, then in the civil courts there's nowhere to go. There really is no legal aid other than for family law matters in the civil courts.

One remedy is the legalization and regulation of contingency fees, which I'll speak upon in a moment, the subject of a private member's bill I introduced that's coming up for debate in a couple of weeks.

But when it comes to the criminal law system and our family law system, when it comes to the right to a fair hearing for family matters of custody and support, the right to a fair trial, these are rights we hold sacred. We take these rights for granted in our democracy; we do, because for years, governments past ensured that the resources were there so that those who simply cannot afford any representation will get the assistance they need. That's no longer so. After seven years of governance by Mike Harris and Ernie Eves, our system of

justice is the worse for wear. Rather than delivering more for less, as promised, we just get less for less and I am concerned that the public defender's office bill will legislate that reality.

**1530**

The legal aid certificate system permitted the poor to access legal representation that they could not otherwise possibly afford. That was the purpose of the system. Sixty per cent of lawyers offering legal aid have more than a decade's experience. The economics of the legal aid system was that those experienced lawyers could offer in one hour what an inexperienced lawyer could not offer in 10 hours. Those are the economics of the system. Two hours of their time to the system, in many cases, was like 20 hours from a junior lawyer who had no experience. All that is being thrown out today, we fear. The government is throwing the baby out with the bathwater, abandoning a system that needs reforms but not the obliteration of the certificate system.

This new, diluted system of a public defender's office—again, our concern is that it may end up actually costing more at the end of the day. The economics of tossing out the efficiencies of experienced representation in exchange for inexperienced staff lawyers with an enormous caseload is precarious at best, and we'll obviously be looking for answers from the government in this regard.

Unworkable caseloads also mean that our public defender's office could become a plea-bargain factory. Those on the edge of a criminal underclass who cannot afford counsel will be tossed into the revolving door of the criminal justice system, and then we've lost them.

The public's confidence in our criminal justice system also inevitably is going to be shaken in terms of the independence of the system. With the government now paying the salaries of both the prosecutors and the defenders, the appearance may be that the public defender won't want to bite the hand that feeds him or her. When it comes to matters of the criminal justice system, it is necessary not only that justice be done but that it be seen to be done. We'll be looking to the government for answers to ensure this independence.

As members of this House will know, the principle upon which the legal aid certificate system was based was the principle of equal access to justice. The scales of justice for criminal justice matters and family law matters were considered just too important to leave to the marketplace alone. You can't just let those who have money have access to justice on matters as critical as one's liberty, custody and other family law matters. So while we obviously needed a robust and appropriately funded prosecution office, we had to balance the scales of justice and ensure that we didn't have, in effect, the Canadian Olympic hockey team taking on the junior varsity team. We needed to ensure that on the other side there were people with experience. But many, many Ontarians just can't afford those people with experience—like it or not, cannot afford it. So we created a system of legal aid certificates, some duty counsel, to try and right that imbalance. It remains an imbalance.

How are we going to fix it? Many experts have recommended what they call “alternative service delivery systems,” which is a nice way of saying, “experimenting with different ways of providing that representation.” The experience in the United Kingdom is very positive on that front. But in the UK, there was an overwhelming focus on quality of representation, an overwhelming focus on ensuring that the people in public defenders’ offices and duty counsel and otherwise were meeting a certain level of service.

The American experience has been the opposite. Because it is purely a bottom-line-driven process, it is inevitably the more underfunded office. The caseload is unworkable and the plea bargains abound.

Again, the politics of this is obvious. I understand that nobody wants public dollars going off to lawyers. We get that. We all get that. But we operate and fight for livable communities based on the assumption that we do have a system of democracy, protected by a constitution that ensures that our fundamental freedoms are protected. Those rights are worthless without remedies. Those remedies for the indigent mean a right to fair trial with counsel. It means you’re not on your own. And it is that principle that is at stake here.

It may be unpopular to say that we need to protect those liberties. It may be unfashionable to say that we need to protect those liberties. It may be easy to look at the budget that’s involved here and say, “Oh well, this is just about trying to get more for less.”

But these are the principles that ground any system of justice. It is a given that you are not going to have a system as we did, really, centuries ago, where only the wealthy used the courts. In this case, for years governments have committed themselves, whether it was politically popular or not, to protect the rights of those who cannot afford access to justice. That’s the principle at stake here today. That’s why the government needs to spend as much time as possible—I wish it had before it introduced this bill, but in any event it has; that is done—consulting with all of the stakeholders, with people who are working in this system and can tell you what is going on.

The minister says the system is in a state that, in some ways, cannot get any worse, and he’s right. In areas like Brockville, it can’t get much worse. But let’s be clear. If that is the case, then he has to be held to account for the damage that’s been done. If our justice system is on its knees, the Attorney General cannot show up today as if the Harris-Eves government has not been in power for the last seven years.

The government has to remedy this without crushing the system even further. We can’t have even more cases being thrown out. We can’t have even more people getting inadequate representation. The principles at stake are just too important.

On the civil side there’s, as I’ve said, no access to justice, except in the very few instances in which a family law matter is covered by legal aid. One remedy for that has been undertaken by every single province in

the country: contingency fees, the idea that an unaffordable case will become affordable because the lawyer will bear the burden of the risk. That, up until now, has not been permitted in Ontario. The Ontario Court of Appeal recently ruled that, in fact, the common law does not prohibit contingency fees.

Interestingly, the Attorney General’s position at the time that my private member’s bill was introduced regulating and legalizing contingency fees was that it would be, I think he said, foolhardy to take a position on that bill until it went to the courts. I actually agree that my private member’s bill ought not to have, and therefore I did not bring it forward for debate until the Ontario Court of Appeal had ruled on the matter.

**1540**

So I’m looking forward to working with the Attorney General on the issue of contingency fees, because those will provide access to justice not only to the indigent or those who simply cannot afford our legal system; they will provide access to justice for all Ontarians—all Ontarians—on civil matters, doing justice that would otherwise be unaffordable and getting the job done.

I will just say again in closing that we support the interjurisdictional support orders bill; of course we do. We regret that we have another guillotine motion in front of us.

**Mr Mario Sergio (York West):** On a point of order, Speaker: I’ve been trying to get some water, but it smells so awful. It’s so fishy smelling. Am I the only one here noticing this in the water? I wonder if we can look into it and get some decent water in here. I would appreciate it.

**The Deputy Speaker (Mr David Christopherson):** I’ll ask the table to look into it, and we’ll get back to you. I’m not hearing anybody else having a problem, but we’ll take a look at it.

Please continue.

**Mr Bryant:** Can you blame him?

**Hon Mr Stockwell:** Something’s fishy about the speaker.

**The Deputy Speaker:** Order. I think I caught the last part.

**Hon Mr Stockwell:** Not you, Speaker.

**The Deputy Speaker:** Oh, I see. That speaker. The member for St Paul’s.

**Mr Bryant:** Right now in areas all over Ontario, we have counsel, accused, those seeking relief from our family law courts, in the midst of a chaotic dialogue—a nice way of putting it; debate, perhaps—on exactly what we do about somebody who is before the court unrepresented. They are facing a situation where counsel is expressing the concern about lack of funding for access to justice by saying, “We cannot proceed under the status quo.” In many cases, judges are agreeing with counsel and making orders in this chaos to try to lend order to the matter.

In the midst of all that, we have stoppages in parts all over the province. Many of the people participating in these stoppages are doing so in support of their colleagues and in support of the principle that we have to

provide access to justice to those who cannot afford our system, who find themselves either before the criminal justice system or before our family law system without any representation. It is difficult to say which is more important; it really is.

To think that people are appearing before the courts on matters that fundamentally affect the future of their families—custodial support, custody, spousal support—and they carry with them for the rest of their lives, for the rest of their lives, decisions that are made at that time. These hearings have such an impact on their lives that they desperately need representation and assistance, because almost all of them are appearing before the court unaware of exactly how the family law system works.

On the other side, often they find themselves against Goliath: robust, heavily funded counsel for the other side in family law matters, who are able not so much to take advantage of the system, but to exact a result that is in the best interests of their client. But we also need to provide representation for those who cannot currently afford our system, so that they can obtain the best result in the interests of their client.

I have much more to say on this, but I will cease and desist now.

**The Deputy Speaker:** Further debate?

**Mr Kormos:** Thank you kindly, Speaker. There's a time allocation motion. We've been here but a week, a mere—

**Mr James J. Bradley (St Catharines):** How's the water?

**Mr Kormos:** My water's fine. I suggest to the member who complained about the water that it may not be water. The examination should be not as to whether or not the water is fishy, but as to whether or not it's water. I'm simply indicating it's one of the things that should be considered. My water's fine.

There's another time allocation motion. You know, all of us were back home in our ridings on the weekend. Yesterday I was over at the Hungarian Presbyterian Church down on Second Street, and one Reverend Maria Papp. The place was packed because it was the end of their 75th anniversary celebrations, and the one most frequent query put to me by folks in that church basement was their hydro rates. The second was, why is this Conservative government doing everything it can to frustrate and curb and indeed not only inhibit but block debate? Folks over at the Hungarian Presbyterian Church.

On Saturday—Jim Bradley was there too—we were at the grape and wine festival parade. Thousands of folks lining the streets of downtown St Catharines. I made a point of trying to say hello to as many of them as possible before the parade started. The single most frequent comment to me—and I think Mr Bradley is going to speak to this time allocation motion; he can either confirm that that was his experience as well—was about electricity rates. The second most frequent was, why is this Conservative government so hell bent on eliminating debate in the chamber? I'm telling you,

retirees, students, factory workers, truckers, mariners, were saying, “Why does this Conservative government dislike bills being debated as much as it clearly does? Why does it introduce a time allocation motion on”—not virtually, but I put to you, when we take a look at the record, darn near literally—“every bill this House has had put before it?”

What's interesting about 131, as you heard from both opposition parties, is that there's general support for Bill 131. Let's understand this. I've listened to some of the government members' speeches, and I understand that they aren't inclined to read the legislation they debate. I understand that. But let's make it perfectly clear: we've had reciprocal enforcement of maintenance orders legislation in this province since at least 1948. We have. There's nothing novel here. The Tories aren't introducing some bold, new approach. This bill is an effort to harmonize with other jurisdictions across Canada.

We're in favour of that, yet somehow this Attorney General—and you heard him stand up and refer to this bill—expects that we're sort of supposed to just pass this without considering it, without debating it, without considering the prospect of a need to fine-tune this bill in the course of a committee hearing. Look what this time allocation motion does: this time allocation motion blocks this bill from going to committee.

As well, this bill begs the question as to how litigants seeking extrajurisdictional maintenance orders or enforcement of an order made in another jurisdiction access the courts to facilitate that.

You heard the previous speaker make reference to the Attorney General's rather lame announcement this morning. This government has perpetuated the underfunding of legal aid to the point where—and, again, in the criminal sphere it's a crisis; in the family law arena it's beyond crisis. And mostly women, although men too, can't retain counsel; unless they've got really deep pockets, really fat wallets and really enriched bank accounts, they can't get into family courts with legal representation. So all of the Bill 131s in the world—and I acknowledge that Bill 131 streamlines the process just a little bit more because it eliminates the need for the provisional order, and that's why we support it in principle, but we so dearly wanted it to go to committee—ain't going to help if these mothers of little kids who are seeking support can't get into the courts and, if they can get into the courts, don't have competent representation once they're there.

**1550**

On Saturday, I was over at the plaza at the corner of Prince Charles Drive and Lincoln Street in Welland. It was a little ribbon-cutting to open a new business. Jack Huard and his daughter, Jackie Jaroslowski, were opening up Huard Heating. Jack used to own the Mr Furnace Heating down there in Niagara. He sold it a few years ago, thought he was going to retire and then found himself back into the heating, ventilating and air conditioning business. I was there with Jack Huard, his wife Betty, his daughter Jackie—Jackie and he are sort of partners in the

business—and some of their staff. It's a very impressive operation. I indicated that with Jack Huard and others like him in the Welland, Pelham, Thorold and St Catharines area, there is no need for people to go outside of those communities to get those kinds of services.

Of the huge number of friends and supporters of Jack Huard who were present there for the opening of Huard Heating, the single most frequent query put to me was about hydro rates and then the question, "Why does the Conservative government so energetically block any debate?"

Why is the government afraid of committees? Why is the government afraid of committee hearings? Why is the government afraid of exposure to the public and public input into their legislation?

I can see it. I understand some of the answers because this government's experience with the public when it comes to committee hearings has not been particularly pleasant, going all the way back to 1995. Remember the omnibus bill, Bill 26? All hell broke loose in community after community when the government tried to trot that one out before the public. The public was shutting them down. The public was so outraged at what Bill 26 was doing to health care and education, how Bill 26 was paving the way for the orgy of privatization that has indeed flowed from it, and the de-democratization of democratic institutions. All the way back to 1995, this government has had a far less than pleasant experience with public committee hearings. So perhaps there is a reason why the government doesn't want its bills to go to public hearings any more.

I remember when a former Minister of Energy was trotting his hydro deregulation stuff across the province. Remember that, friends? He fled a committee room—was it in London?—and Howard Hampton had to carry on and run the committee.

**Mr Tony Martin (Sault Ste Marie):** He didn't show up in Sudbury.

**Mr Kormos:** You've got that right.

The former Minister of Energy: "We've got to go and sell this deregulation and privatization of hydro to the public. Oh, yeah, we're going to be so slick. We've got the spin lines all down, got it all tuned up and fine-tuned. We've got the spin doctors and the \$1,000-per-day people working on the scripts. We've got the backdrops, the film crew and the makeup people." He was going to trot that out and market it. Oh, yeah, sure. He fled the committee hearings in London. He didn't show up in Sudbury. Howard Hampton took that one over, too.

**Hon Mr Stockwell:** On a point of order, Speaker: That was not the case in Sudbury. The member knows that.

**The Deputy Speaker:** That is not a point of order. Member, please continue.

*Interjections.*

**The Deputy Speaker:** Order. The member for Sault Ste Marie and the government House leader. We'll start naming people. You're not even in your seat, member for

Durham. The member for Niagara Centre, please continue.

**Mr Kormos:** Thank you kindly, Speaker. I'm sorry about the interruption. I apologize on behalf of that member for being so rude. I tell you, Speaker, I appreciate your patience with all of us and your wise ruling with respect to that unsubstantiated point of order. Please.

This government's experience with public hearings has not been pleasant. They've been given a rough ride. So I understand their disinterest in going on the road. I understand the government's disinterest in having public scrutiny of its legislation. You see, one of the jobs we have here, especially in opposition, is to make sure that we give profile to legislation before us and to make sure we do our very best to prevent this government from just ramming stuff through before the press gallery even has a chance to understand that it's there. Our job is to let folks know what this government is doing to them here at Queen's Park, and I tell you, it's not a pretty picture, is it?

**Mr Joseph Spina (Brampton Centre):** Just like the social contract.

**Mr Kormos:** What this government is doing to the people of Ontario here at Queen's Park, I tell you, is a triple-X-rated movie, any day of the week. The brutality of what this—

**Mr Spina:** On a point of order, Mr Speaker: I think that the member's comments are impugning my character as a member of this House, sir. I would ask you to rule on that.

**The Deputy Speaker:** I didn't hear that. What I did hear were your interjections. I'll pay particular attention to see if there's any further reference to you. In the meantime, I know you'll pay particular attention to the member from Niagara Centre's comments. Member for Niagara Centre, please continue.

**Mr Kormos:** Thank you, Speaker. I apologize for that member's abuse of the rules. I regret that those sorts of things happen. I recommend to members to read the standing orders. They're in the book; it's in your desk. Read them and they'll be of some modest assistance to you in the course of raising points, because sometimes you can get a point of order in through the back door where you can't through the front door.

But what this government is doing to the people of Ontario is indeed brutal and obscene. The folks down where I come from, the folks I met, thousands over the course of this past couple of days, over the weekend, know it. The other night—once again, it was Jim Bradley's riding—I was with Jim Bradley over at the Queen Street Baptist Church. The Niagara community male chorus was performing to raise money for young Sarah. Sarah's four years old. Her folks are as loving and as caring and as committed as any two parents I've ever met—and her grandfolks. Sarah was there. She's a beautiful, beautiful child, a real jewel, with a sparkle to her eye and a lively presence. Bright—bright as a whip. But, you see, Sarah has autism. This government has abandoned kids with autism, because this government



won't fund the treatment and therapy that Sarah and other kids with autism need if they're going to get a fair shake, if they're going to be able to develop that incredible intelligence that was so obvious in that little girl, the incredible vitality that generated that sparkle in her eyes.

So Sarah's parents—and they can't afford it; I know these folks, and they're hard-working working people—have embarked on a privately retained treatment program, because it's not available to them through the government's autism program, that is costing them tens of thousands of dollars a year. It was so nice to be a part of that community, the Queen Street Baptist Church, which tried to help take care of one of its own. I was there and I tried to make my modest contribution—I did make it, and I know other folks did. I was there when they were counting the money. I'm sorry to say, although it was a whole lot of money, at the end of the day, the money that was raised last night at the Queen Street Baptist Church in St Catharines is only going to pay for but a few weeks of the therapy and treatment that Sarah deserves.

You see, those folks know that this government has betrayed Sarah and others like her. It was interesting, because as I was leaving the church, a couple of people followed me out into the parking lot. The two things that were raised with me were, one, hydro rates—they had already expressed their anger over the lack of support for Sarah and kids with autism—and interestingly, remarkably, the query of, "What's going on at Queen's Park? Why is debate always being stifled? Why is it being cut off? Why is it being terminated?"

1600

**Mr Bradley:** Why is it on channel 67 now?

**Mr Kormos:** One moment, Mr Bradley.

That's what folks in St Catharines were saying to me over the weekend, be it the thousands upon thousands at the grape and wine festival—of course we celebrate the great vintners and growth of the wine industry, but we also celebrate—I am so pleased—the tradition and history of grape growing there, vineyards, the hard-working families who are, well, stewards of the land. The best way to preserve agricultural land is of course to keep it in agricultural usage, isn't it—sound agricultural usage, such as vineyards are.

Niagara region—and any number of members from Niagara region will be pleased to tell you about this—is an internationally unique place, which is why it's one of the few places in Canada which grow such exceptional grapes, which is why it supports a grape growing industry, grape farms, vineyards, and why it supports a wine industry.

But this is indeed a risky time allocation motion. It's legislation that has existed since 1948, amended in 1993, amended in 1997, and now we have a rewriting of it which does little other than to eliminate the two-stage process. That's fair enough. But it also eliminates some of the safeguards that were inherent in the legislation it repeals—understand that—and I've raised that directly with the government House leader. I spoke to the govern-

ment House leader about the sections in the bill which eliminate the safeguards to respondents of nonjurisdictional, extrajurisdictional, support orders. I said, "Look, I'm not sure. All I'm telling you is that I notice that these are being repealed from the existing legislation." Surely that alone warrants this bill being put to the public so the public can scrutinize the bill and especially so practitioners in the family bar and other advocates can provide commentary.

But the government chose not to have public hearings. God bless. It, then, will live with the consequences. And if this bill blows up in their faces, looks good on you. If this bill bites you on the butt, looks good on you—looks good on you. Because this government didn't want this bill to go to committee. It didn't have to travel; just here in Toronto.

This government has shown such a remarkable disdain for democracy, for debate, for the role of the opposition. Our job is to expose what this government is doing to folks in this province, and I think we do a pretty good job of it. Our job is to expose what this government is doing to this province. And whether it's Bill 131 or whether it's the legislation that was introduced today, which is an effort to distract the public and lawyers from what is the real debate, that is, about this government's lack of support for a legal aid system and its efforts to gut it, to make it collapse—because we'll debate that bill too. We'll debate it and we'll analyze it and we'll push for it to go to public hearings. And oh yes, the government, with its majority, can introduce another time allocation motion and can prevent it from being submitted for any hearing consideration, as the government does today.

During the course of second reading debate, I believe I opened my comments in this Legislature during what was a very brief second reading debate, but a handful of hours. I've got members in this caucus, my colleagues, who very much wanted to speak to this bill on second reading, because it is very relevant, one, to their particular roles in the caucus and, two, to the phenomenon, the reality for so many people, kids and moms as well as dads, in their communities.

This bill begs some reflection on this government's gross and negligent mismanagement of the Family Responsibility Office, the family support plan. The incredible negligence of this government, their disdain for women and kids whose support orders are not being enforced, where money being paid by payers by virtue of deduction by their employers is disappearing into this government's FRO's black hole, never to be seen again, remains one of the biggest single areas of complaint. I've got to tell you, hydro rates are now matching the Family Responsibility Office complaints.

One—and it's not always moms who have custody of the children, but in the majority of the cases it is—moms aren't getting the support payments due their kids, in a large number of instances because this government has basically taken the money and hidden it away in the FRO, which is still the victim of gross mismanagement and under-resourcing up in North York, as it used to be; up in Downsview, here in the city of Toronto.

Two: this government's absolute failure to get serious about deadbeat payers. I've got women coming into my office—and again, it doesn't always have to be women; it can be men to whom money is owed—saying, “Look, I have the location of this guy. I know his employer. I know where he lives. I have his social insurance number. I have his driver's licence number. I've been pleading with the Family Responsibility Office to collect the arrears of \$4,000, \$5,000, \$6,000.”

Here we are approaching the Christmas season again. There are going to be kids going hungry this Christmas because of this government's mismanagement of the Family Responsibility Office. But has this government ever demonstrated any real care or concern? One of its first acts back in 1995 was to slash, cut, social assistance benefits by just shy of 22%.

You heard from my colleagues Michael Prue, Marilyn Churley, Tony Martin, all of whom participated in the challenge put forward by the Daily Bread Food Bank to live on a social assistance food allowance for a week. What was it, my friends, \$12 and how many cents?

**Mr Michael Prue (Beaches-East York):** Five.

**Mr Kormos:** It's \$12.05 a week. That's the welfare budget for food for one week. One Starbucks and she's gone. Think about it: one subway token, it's gone. Most of us lose that much money, as I told you the other day, on a Saturday night leaning back in the La-Z-Boy, underneath the cushion. Less than two bucks a day to eat.

So this government imposes upon the poorest women and kids in this province. I suppose I shouldn't be so surprised at their disinterest in the welfare of women and kids.

**Mr Bradley:** How far would \$12 go at the Albany Club?

**Mr Kormos:** Twelve dollars at the Albany Club? That's what you give the concierge for taking your coat, or the maitre d'. Twelve bucks will probably buy you three quarters of a premium quality liquor martini at the Albany Club. Twelve bucks will probably buy you a little cappuccino or espresso in those tiny, little espresso cups that the guys at the Albany Club with the cigars—12 bucks will probably buy you a cappuccino at the Albany Club. Twelve bucks will probably buy you an appetizer of a couple of pieces of romaine lettuce and some diced and sliced stuff on it with maybe some paprika—I don't know, do they use paprika? That's too ethnic for the Albany Club, isn't it? It's my people who use paprika. But whatever—some little sprinklings of stuff on there. Twelve bucks a week. That's less than \$2 a day that this government allows our poorest sisters and brothers, the poorest members of our community, to live on. That's criminal.

1610

So I tell you, this government has never displayed any real interest or sympathy, or even empathy, for the poorest people in our society. It's been a matter of just kicking them away. Clean them up. Send the cops in to bulldoze the squatters' huts down at Home Depot. Do a little Mayor-Guiliani-style street sweeping. We have homelessness? Let's not address it. Let's not build

affordable housing. Let's eliminate the evidence of it; literally sweep it under the rug. We'll legalize poverty, which is what this government does. We'll solve poverty; we'll make it illegal. We'll make it an arrestable offence to be so poor as to have to beg for alms. We'll send you to jail. Rather than address the issue, we'll hide it; we'll obscure it.

Somewhere up there, Stalin is smiling. He'd find this a remarkable tactic. This is whitewashing and revisionism at its best. The problem is that now when I'm headed to Welland on Thursday night, the beggar at the end of University Avenue doesn't dare squeeze my window as he used to on a snowy, slushy winter day. I looked for him. But now, since a willingness to trade some labour for some modest coin has been made illegal—this government, of all people, making that type of entrepreneurship illegal. Now the guy's just there begging for coin but afraid to squeeze.

*Interjections.*

**Mr Kormos:** He's not. Take a look. Don't hide from it. Get out of your limousine. Take a look.

Mr Prue wanted to speak to this motion, but we don't have enough time. Mr Martin will have enough time. Mr Prue, of course, will be speaking this evening. Mr Prue has his one-hour leadoff on Bill 151, waterfront revitalization. So I encourage folks to come back to the legislative channel at 6:30.

**Mr Bradley:** Channel 67.

**Mr Kormos:** You folks down in Niagara who are with my good friends at Cogeco have noticed that the legislative channel is now up there in the higher numbers. Sixty-seven is the number. Of course, if you're not on 67 now, you won't understand one of the problems—we're going to do something about that; Mr Bradley and I have every intention of addressing that. I got it in one comment on the street in St Catharines on Saturday morning, and we're going to be addressing it. You see, there are a whole lot of folks who don't have 67 on their tuners. There's a whole lot of folks who don't even have converter boxes that go up to 67, and 67 is kind of lost out there. I know that folks down in Niagara watch the legislative channel; I know it. Especially senior citizens watch the legislative channel. They do hit the legislative channel, because they want to know what's going on. They are not pleased with what's going on; they're not overjoyed about it. But they still want to know what's going on.

We are, by the way, voting against this time allocation motion. We oppose it. We believe there has to be free, wide and broad debate around legislation in this chamber. We believe that matters should go to committee. We as opposition members are going to keep on, until that is no longer the case, to hold this government accountable for all the incredibly nasty harm it has done to this chamber, this assembly, this institution.

**Hon Mr Stockwell:** It's certainly opportunistic of me to follow the House leader for the third party. I was out this weekend as well, visiting constituents. In fact, I was at the Etobicoke Centennial Arena watching my daughter

play the Etobicoke Dolphins, and some constituents came up to me there—many, actually.

**Hon Brad Clark (Minister of Labour):** What did they say?

**Hon Mr Stockwell:** They said, “Gee, Chris, I’m curious about this red-faced fellow who wears no jacket and tie in the legislature. He’s a curious sort of fellow because he stands up and says things that don’t appear to be very correct.” That’s not the word they used but that’s the word I’m using because you can’t use the other word in here. I said, “You mean he says incorrect things?” They said, “Yes, he says that other word,” but I have to use “incorrect things.” They said, “We honestly saw last week in the House where Bill 131 was being debated”—and as government House leader I get an insight into this gentleman—“and it seems strange that he has such a different view of what’s taking place than virtually everybody else.” I said, “It’s a planet thing. You see, we have occupied this one and he has another one that he lives on.” That’s the way I responded to them. It’s funny he should talk the way he talks about debating Bill 131, because they said to me, and it’s true, “Well, Chris, I heard that you said to his party, ‘If you want to go to committee on this bill, we should go to committee on this bill.’”

In fact, the Liberals said the same thing. “Gee, Mr House leader,” said Dwight Duncan, “that’s a very generous offer. I don’t want you to leave; I want you to stay. Please, it’s so much fairer if you’re here.” And he said, “Yes, that’s a good idea.” But you know what the House leader for the NDP said? “No!” He said it just like that: “No!” It was a small room, there were a few in there and he yelled it about that loud.

**Mr Wayne Wettlaufer (Kitchener Centre):** Who’s the House leader for the NDP?

**Hon Mr Stockwell:** Mr Kormos. And they said, “Chris, that’s surprising because he was prevaricating then.”

*Interjection.*

**Hon Mr Stockwell:** I think that may have been true because—oh, I really apologize for interjections bothering the Speaker when there are people talking. I know he wouldn’t want to see that.

So what happened? It’s a shame that he left, I say to two backbench members. Maybe you don’t know what happened, and here’s what happened. I said we should have three days of committee to hear this Bill 131, since all parties were voting in favour of it, as long as we took one less sessional day to pass it. “Instead of three sessional days, we’ll take two. Trade off this one sessional day—three days of committee.” “No! My members want to speak to this bill,” he yelled at me. And I said, “This is fair. We’ll go to committee and they’ll have an opportunity and then at third reading they can debate it for a day.” “No!”—he says no a lot—“Where I come from”—and fill in the appropriate planet—“my members want to speak to this.”

So I was surprised when on the third day of speaking, on Thursday—son of a gun—I looked at the speaking

order for the NDP, and his members wanted to speak. But I said, “How many members spoke to this bill on three days’ debate?” Mr Kormos and Mr Bisson. That’s it. No other members spoke to this. On the first day—

**Mr Bradley:** On a point of order, Mr Speaker: I had to go to the dictionary to look up “prevaricate,” which was used by the present speaker, and it mentions speaking in a misleading way. I didn’t know that was permitted in this House. I know it wasn’t when he was the Speaker.

**Hon Mr Stockwell:** Then I will certainly withdraw.

**The Deputy Speaker:** I believe the member already indicated that he was if not withdrawing, acknowledging it was wrong. He has done so now. The matter is dealt with.

*Interjection.*

**The Deputy Speaker:** Your point is well taken. You’ve won. Take yes for an answer.

The government House leader may continue.

**Hon Mr Stockwell:** I will withdraw again if that’s the case.

It’s funny: two speakers in three days. On the first day their House leader agreed to limit debate to 15 minutes per party. Now, here is a guy who was telling me he’s got these people, stacks of them—can’t be stacks with only eight others in the caucus—but stacks of them waiting to speak on this bill.

1620

Here we go. That’s why what he says and reality—and that wasn’t the word they were using at Centennial Arena—don’t seem to come together, because he only put two speakers up to this bill—in three days, two speakers.

Furthermore, did you know that on the last day we were debating this, which was Thursday—and I’m not going to use those words we just mentioned because they’d be unparliamentary, but he was incorrect again. Did you know they skipped two of their turns to speak to this bill? There was all this fist-fighting and arguing, “I’ve got members stacked up who want to speak to this bill.”

**Hon Norman W. Sterling (Minister of Transportation):** That was on Thursday morning.

**Hon Mr Stockwell:** Thursday afternoon. They skipped two of their turns.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet, Minister of Culture):** That’s a blessing.

**Hon Mr Stockwell:** Agreed. But you’d think a guy who doesn’t want three days of committee because he’s got stacks of members who want to speak to a bill could certainly find a couple of these guys to speak to the bill, don’t you think? There’s that whole reality, perception, Kormos-rest-of-the-world thing going on.

As House leader, I was kind of surprised, because the Liberals agreed. They want three days of committee on this. Here we have it, what really happened and his take on what happened.

To add insult to injury, on Thursday afternoon when my members are speaking, he stands up and says, “Mr

Speaker, on a point of order: It being"—before 6—"I seek unanimous consent that it be deemed to be 6"—and that we end this sessional day. He wanted to go home before 6 o'clock on Thursday because he didn't have any members to speak to this bill and he didn't want to be here.

I really feel sorry for those folks who met with Mr Kormos on the weekend. He told them that we were shutting down debate in this House. The only guy shutting down debate in this House was the previous speaker.

**The Deputy Speaker:** Further debate?

**Mr Bradley:** Thank you very much, Mr Speaker, for the time to speak on yet another time allocation motion. It's most unfortunate because you are aware, I'm sure as all members are, that there are many other matters we'd like to discuss rather than a time allocation motion.

As the member for Niagara Centre said when I was speaking to people on the weekend, invariably people were talking about the huge increase in hydro rates, the cost of electricity in the province. Many of them had listened to the government say that the privatization and deregulation of the sector would bring much lower prices. They thought this government was trumpeting itself as a government of good managers. Unfortunately, what we've seen is exactly the opposite. We've seen hydro rates skyrocket. I have not seen as many telephone calls to my constituency office and letters and e-mails coming in as I have on the issue of the increased rates for hydro. How we'd love to be able to discuss that this afternoon instead of a time allocation motion, or the doctor shortage that we experience in the Niagara Peninsula.

You in Hamilton, even though you are a major medical centre with McMaster University, a medical school there, you still experience to some degree shortages in specific areas. On the Niagara Peninsula people are crying out for general practitioners, sometimes known as family physicians and specialists. I get e-mails and letters from people, I get telephone calls from people absolutely desperate, looking particularly for a family physician because the family physician has the ability to refer to a specialist.

My own doctor, Dr James Wright, retired as of Friday, so I'm in that circumstance of having to look for a family physician. Dr Wright provided outstanding service to the people of St Catharines for years and years, one of these dedicated people whom we all know, who worked 60, 70, 80 hours a week, still did house calls, the kind of person you want to see in the medical profession. But he had reached a point in his own life where he wanted to retire and is quite justified in doing so, and we wish him well. But every time one of our physicians retires, then a lot of people do not have a family physician, a general practitioner with whom to deal. Just as it is in Sudbury or in Sault Ste Marie, St Catharines, Niagara, right around the province, we have this problem of physician shortage and a government that is taking precious little action to solve the problem. I like to be fair and say that there have been some steps that they've tried, but they're certainly not producing the numbers that we need.

I think there's not a recognition of the average age of these physicians. We would love to be able to discuss this at some length in this House, some new measures that the government is bringing forward to ensure that we have physicians. People phone our constituency offices, perhaps thinking that we can get them a doctor, that we, individually, have a responsibility to get them a doctor. Of course, as you would know, Mr Speaker, that is not possible. No physician has to take on patients. We're not in a position to know who is taking on patients and who isn't taking on patients. But we do feel for the people who are in those circumstances, and call upon the government to provide the necessary incentives and to change policies to ensure that we have a sufficient number of physicians.

We have young Canadians who go to medical schools outside of Canada, outside of Ontario for instance, because there aren't enough spots, enough positions available in our medical schools, so they're compelled to go elsewhere. If they want to come back into Ontario to practise, that's not as easily done as most people would think, and yet there are many out there who would like to do that, would like to practise in our communities.

I would like to call upon the government to take the kind of positive action that's necessary to ensure that we have an adequate supply of physicians, particularly the underserved areas of the province, such as the Niagara Peninsula and, if I can be parochial, the city of St Catharines.

The member for Welland-Thorold, as we used to say—now Niagara Centre—raised another interesting issue, and it's within the realm of time allocation motions and the procedures of the House, and that is the decision of Cogeco TV, cable television, to move the Ontario legislative channel from channel 15 to channel 67. I've always felt that that was good access for people. They could hear what the members from Durham are saying or the members from Niagara Peninsula, the Minister of Transportation, by having access on a low channel which everybody can get. Every channel now on a television set would go up to channel 15, or at least most would go up to channel 15. But not everyone has a new enough television set, or perhaps a converter, that will take them to channel 67, so people are deprived of watching what happens in the Legislature.

They may not like what they see on some occasions. We all understand that. I think it's important to hear Mr O'Toole. I sometimes, in fact many times, disagree with Mr O'Toole, but I think it's important that they're able to hear the arguments that he puts forward in the House and the arguments that people in the opposition put forward. Now that that's relegated somewhere up to channel 67, instead of channel 15, it's much more difficult for people to access that.

That gets into the realm of democracy. I'm going to be speaking to the assembled Lions clubs in the Niagara Peninsula this evening. My topic is going to be, because I want to keep it non-partisan, the total topic of democracy and how we see, in various places, an erosion of demo-

crazy, and how we can make our democracy more relevant. I think there are many measures. One of them I will mention only: watching in various parliaments across this country the changing of the legislative rules, which takes away the ability of the opposition to influence government policy in a way that they should be able to. One of the best speeches I heard on this was from the gentleman sitting across from me, the Honourable Norm Sterling, the Minister of Transportation. When he was in opposition he made a very compelling case for the opposition having the ability to influence the government, to force the government to reconsider its policies by slowing down the process when that was necessary, and so on. I thought he made a compelling case at that time. No doubt he's still trying to make that case with his colleagues, but not quite as successfully as he probably would like.

Another thing that we could be talking about this afternoon—and I know the whip will tell me when I'm to sit down—because we have to put it in this context, and you would know this in Hamilton West, as we do everywhere else: it's not only the electricity costs that are skyrocketing, particularly for people with a modest income or very fixed income at a low rate, but they're also seeing huge increases in insurance premiums as they have to renew house or car or other kinds of insurance. They're seeing a huge increase there.

1630

We're going to be asking them in a bill before the House to pay even more for water and sewer services in the province, in what we call full-cost accounting. We know in terms of those who heat their houses with natural gas that there will be increases that are going to come that are retroactive increases—with Union Gas, for instance—that will be reflected in upcoming bills. And there are a number of other user fees that municipalities that have been downloaded upon by the provincial government have been forced to increase.

When we get into the user-fee end of things, who does that affect the most? Well, it affects people of modest income. Wealthy people can handle user fees, thank you, and feel quite happy about it because they feel they don't have to subsidize everybody else. But people of modest income or fixed income or low income, to put it bluntly, in many cases don't have that same opportunity. We're seeing increases everywhere. That's what people are talking about. Those are the kinds of issues they're talking about today, as well as the medical issues they have to confront. So when I see us dealing with a time allocation motion when we could be dealing with other significant issues that emerge in our ridings, I am perturbed by that.

I also should say that people are concerned about the environment. I asked a question today in the House of the Minister of Energy. Apparently Mr Barrett, who represents the riding of Haldimand, said that Mr Baird wasn't in favour of eliminating coal-fired plants. In other words, the Nanticoke plant, which is the largest polluter in all North America in terms of plants, is to close down.

We think it can be done by the year 2007; the government believes the year 2015. The impression Mr Barrett got from Mr Baird, the Minister of Energy, was that he doesn't think they should be closed down at all, which makes us worry that were this government to be re-elected, that particular promise would be abandoned.

These are the kinds of issues I would like to deal with. Unfortunately, I cannot because we're stuck dealing with a time allocation motion.

**Mr Martin:** I'm always happy in this place to follow the member for St Catharines, and particularly tonight to follow his neighbour, the member for Niagara Centre, because they are two members of this place who understand very clearly the impact of decisions made by government, and this government in particular, on their own jurisdictions, the people they serve and those who are most at risk in their communities.

They also understand very clearly, particularly our House leader here, the member for Niagara Centre, when our opportunity to speak—and the member for St Catharines speaks on this on a regular basis—our privilege as members to put on the record our thoughts on pieces of legislation that are coming forward that are going to affect very directly and in an immediate way our constituents, is limited, and the way we're so often in this place confronted with time allocation motions where democracy is limited, is what I'm trying to say here.

It really is a problem. It's becoming more and more of a problem as we move forward with this government and as we look at the kinds of initiatives they're bringing forward that always affect, it seems, those who are least able to speak for themselves, and we push it through here in short order.

To suggest for a second, as the House leader from the government side did a few minutes ago in his usual bombastic, blame-everybody-else style when he walks into this place—he's very good at that. He's a good speaker, but he doesn't always tell it quite like it is; lots of revisionist talk from him on how things actually work out. He suggested earlier that we weren't interested in bringing this bill to committee. Well, let me assure you that from the very first day this bill was introduced, we suggested it should be sent to committee. I have a note here that was given to all of us in this caucus in preparation for speaking to this bill, and the very first key message says, "This bill should be sent to committee, so that people in family law practice can comment on the status quo and what is necessary to improve the speed with which a support order can be obtained."

Again, last week, a note was prepared as this bill, after sitting for a year on an order paper someplace—I guess the government, in order to respond to some of the comments they made as we came back to the House that they had a full agenda, that it was going to be a very energetic and exciting agenda, a very positive agenda, had to look around and find something to table. We're not quite sure yet what this exciting agenda is or what it's going to look like, because we haven't seen much tabled to date. Maybe the government House leader is too busy pointing fingers and giving speeches and blaming our

House leader, who happens to be the most effective House leader I've worked with in a long time in this place, challenging the government, demanding that we, his colleagues, get time to speak on issues we have an interest in and making sure we hold the government to account.

The note we got last week, in preparation for speaking to Bill 131, which we thought we'd have a lot of time to do, given that we're here till before Christmas and there are only about two other pieces of legislation on the table at the moment, says again, as did the note of November 9, 2001, which is when we first saw this bill in this place—now, the government may suggest, as the member did, that somehow this small group of nine people in the NDP caucus over here can stall and stop and impede the juggernaut that's across the way. They're the government. They organize and order the business of this place. If they can't get stuff through, if they can't deal with some of this legislation in a timely and effective fashion, then perhaps they should be pointing fingers at themselves and asking why it is that week after week—usually on Wednesday, because that's my duty day here—we have time allocation motions. The member for Nickel Belt and I would almost find it funny, if it wasn't so sad, that if it's Wednesday, it's a time allocation motion; if it's a time allocation motion, it's Wednesday.

We've changed the order a little bit here, because now it's Monday and we're getting time allocation motions. They're not even waiting till Wednesday any more. They're bringing them right in on Monday and slapping them on the table and there we are: debate cut off, no opportunity to go to committee, no opportunity for members here who want to speak to these pieces of legislation like I do to this. It's over in a matter of a few minutes for each caucus, and less for each member to put their thoughts on the record. Once these time allocation motions come in, yes, we get a few minutes to speak on second reading, but when that's over, third reading usually follows on its heels and is immediately brought to a vote and it's all over, no further debate. That's it.

The government has become a master at managing this place in that way. They changed the rules because they don't like to have to take the time that is necessary to follow due process, the procedures in this place that were established over a long period of time, each party having a chance at government to experience that. No, they're in a hurry, they're impatient, they have an agenda, they have things they want to do. They want to make sure their friends on Bay Street, whom we've seen so much of over the last week or so as the Hydro debacle continues to unfold and we discover the kind of money that is being put into the coffers of government members as they run for various offices—the Premier, for example—and example after example of whom this government is wanting to serve and why they're in such a big hurry to get that done. If they get it done quickly, then they hope people won't understand.

But I tell you, they'll understand, like the people of Wawa discovered this past week when they opened their hydro bills to see what the increase is going to be and the

effect the deregulation of that industry is going to have on their little community, their lives and their industry. Time after time, the little people of this province, the people who live in all our communities, discover when they wake up in the morning just what kind of impact the initiatives of this government has had and will have on their lives.

So it's important for us to have the time to get up and be critical, to critique, to do the job we were elected to do here in this place and to put it on the record.

**1640**

I wanted to speak to this bill. I wanted to speak to this bill in a very important way. The government House leader said that last Thursday there were a couple of rounds missed here. He doesn't seem to understand that we have nine members here and we have a lot of work to do, here and out in our constituencies. We're not always able to be here to follow in rotation. We would expect, as other governments have done over the years, that the government would respect that, would understand that and work with us to make sure we had the time that was necessary; that they would bring other bills forward so this could be put off for a day or two, and we could get back and deal with it.

Last Thursday I was in Wawa. I was talking to the people of Wawa about the impact of the deregulation of hydro and what it was doing to their community. I was talking to them about the very difficult economy that all of us are experiencing in northern Ontario and what we might do together to maybe improve that circumstance. They want to talk to their members of Parliament, they want to talk to Mr Brown, they want to talk to me. They want to talk to anybody who will go up there and listen to them as they tell us about the impact of decisions this government makes on their lives. That's where I was. I was out there participating in the democratic process in this province, so that I could bring their comments, their concerns, their views back to this House and put them on the table as we speak to these various bills that come forward.

I couldn't be here on Thursday to speak to this. I was hoping the government would understand that and would be willing to wait, put it on hold, bring something else forward, table something else, but no. We know from dealing with the government House leader over there that that's not his style. He doesn't care. He doesn't understand that. He's driving a bus that is on a course that's going to destroy and destruct all kinds of things that we've taken for granted would be there for us in this province and won't be there any more.

I wanted to highlight in this bill, for the few minutes I have left, the duplicity, the double standard inherent in the bill. Here they are, the government, bringing forward a bill that will tie us into a national program of chasing down people who are in arrears where the Family Responsibility Office is concerned, and they haven't done their own homework, they haven't organized their own backyard.

I know from my own office—and I talk to all my colleagues here about Family Responsibility Office issues—

that it has become the number one-time consumer, the number one issue that we spend time on, that people phone us about, that we're working on diligently, day in and day out. I have a full-time staff person doing almost nothing else but Family Responsibility Office work in my office.

Here is a government that is saying, "OK, we want to participate in this national, countrywide program," when they know that in their own jurisdiction they're not going to be able to live up to it, because they can't even deal with the stuff that's happening in Ontario.

Time after time—and it's interesting, it's bizarre—we get lawyers who are trying to figure out the system, who are trying to help people take advantage of the system and make it work for them, sending their clients to my office. We're not lawyers in my office. I don't think that's our job. I think the legal profession is smart enough and trained enough to do that kind of thing. But they've turned the Family Responsibility Office process into such a disaster, such a difficult quagmire to get through, that even lawyers can't do it any more. Lawyers can't spend the kind of time on the phone that you have to. The phone rings and rings, you get the answering service, you call back again and again, you get called back when you're not there. It goes on and on. So we get lawyers sending their clients to our office, asking us if we'll help them work through this thing.

The other thing we're finding now too, Mr Speaker—and I don't know if you find it yourself in your office—is that the Family Responsibility Office is now phoning my office, asking for information that they should have the ability and the resources to get on their own.

We have somebody in. Somebody is in arrears. They want to get that information to the Family Responsibility Office. We phone the Family Responsibility Office, we give it to them and then they phone back and say, "Well, we're not quite sure where that is exactly. Could you send us a map?" We actually had the Family Responsibility Office phone our office and ask us to send them a map so they could find this little community somewhere close to Sault Ste Marie, where this person is who's in arrears so they could go in and serve him papers, or go after him or her and make the system work. It's bizarre. It's absolutely ludicrous.

There was a time in this province when there was an office in Sudbury and an office in Thunder Bay—and there was a ton of people working on these things—and an office in Toronto. That wasn't perfect, but we were working to make it better. There were people out there you could phone, and they would respond to you. They knew, when you phoned from Echo Bay or back of Bruce Mines or Gogama to that office, where that was. They knew where you were calling from. They don't know any more. As a matter of fact I'm not sure, when you phone the Family Responsibility Office now, that you're not talking to somebody in Georgia or Nebraska or someplace, some call centre. Then they'll call back somewhere. It's a bit like the policing that's going on now, where you have offices dispatching to places north of the Soo, off near Ranger Lake, from North Bay. How does

that person know where to send somebody when they put out a dispatch or an order for somebody to go out?

It's the same thing with the Family Responsibility Office. It's just too centralized. There are not enough people. They're stacked up with cases they can't deal with. I would guess that now the rule of thumb is that if somebody calls, we deal with that file. That's the priority list. If Mike calls in the morning, they take his file and deal with it. If Tony calls in the afternoon, they take his file and Mike's file gets pushed aside to deal with that one. What a way to run a government. What a way to run an office. But that's what is going on. That's what is happening out there.

My staff person is pulling her hair out trying to figure this one out, making phone calls, waiting for phone calls. We've got people driving down the highway who are getting phone calls saying that their licence is going to be suspended unless they send in a payment. They try phoning. They pull over the first chance they get, phone the responsibility office and they can't get through. They go down the road a little bit farther and they pull in again. They phone the Family Responsibility Office and they can't get through. They phone my office and they say, "Lea, will you give them a call? I can't. I've got to get this load someplace. Will you call them and then maybe have them call me and let me know what they're going to do?" So he pulls into a weigh scale somewhere and his licence is pulled.

I'm not saying we shouldn't be pulling licences. It's one way of making people sit up and take notice. But if this guy can't get hold of the Family Responsibility Office in order to find out where to send the cheque that's required, and we as an office are given the responsibility by him to get hold of that office, and then they don't phone back, or we try to get hold of him while he's on the highway, and then he ends up losing his licence, losing the load that's on the back of the truck because he can't deliver it on time, or, if he does deliver it on time, he runs the risk of getting a ticket, which he then has to pay, and is in even more trouble, you know who suffers the most in that scenario? The child; the children who don't get their money because he now has no money. She's not getting her money and the kid's wondering why there's no milk for the Corn Flakes at breakfast in the morning. That's what's happening. The kids are getting hurt.

But we shouldn't be surprised, because the attack this government has waged on the children of this province, particularly those who are most vulnerable and at risk, has been unrelenting since 1995. First they cut the income, then they clawed back the little bit of money the federal government was going to give them in order to deal with the question of poverty, and then, after they had done that, they began to attack their parents. They began to attack the mom and the dad by accusing them of drinking beer with the money they were getting as a nutritional supplement when they were pregnant.

I'm appalled and dismayed that we don't have enough time in this place to have this kind of debate more often and at greater length.

**Ms Marilyn Mushinski (Scarborough Centre):** I'm pleased to join the debate this afternoon. I will be sharing my available time with my colleagues the member for Durham, Mr O'Toole, and the chief government whip, Dr Galt.

We all know that we live in a society that is increasingly on the move. It's not uncommon for someone to change jobs and relocate out of the province and, in a lot of cases these days, out of the country. Add to this the sad reality that many marriages end in divorce, and we believe that we have a challenge that needs to be addressed by our laws.

**1650**

It's essential that we modernize family law to keep up with the increased global mobility—welcome to the chair, Mr Speaker—and indeed that is why we have introduced the Interjurisdictional Support Orders Act: to really address that particular issue. If passed, this bill would recognize the challenges of a mobile population by allowing for greater coordination among the provinces and territories and between countries. It would also simplify and streamline existing processes that would make it easier and less costly for Ontario families and children to obtain support from people who live outside of the province.

These changes would also affect spousal support. Clearly there is a need for this legislation. The numbers prove it, and I personally believe there's a need for this legislation now. Believe me, from the calls that I get into constituency office, I believe this legislation is far overdue.

At any given time, there are over 7,000 Ontario support orders being enforced in other jurisdictions, and I think that's important to remember. In addition, Ontario enforces over 5,000 support orders from other jurisdictions. These changes, we believe, will benefit children, the vulnerable members of our society who need our protection.

I believe it is our duty as a government to do what we can to ensure the well-being of all children. No child should ever go without simply because one parent has left the province. Borders and boundaries should not prevent a child from having what they need and what they deserve.

Just imagine what it would be like for a parent to tell a child there isn't enough money for swimming lessons or, even worse, there isn't enough money to pay the rent or to buy groceries because another parent has failed to pay child support. Just imagine what it's like for that child who is forced to go without. I believe that no child should ever have to experience such hardship. The proposed legislation would replace the existing Reciprocal Enforcement of Support Orders Act, which currently governs support cases where one party lives outside of Ontario.

I want to stress that all existing reciprocity arrangements would continue under the proposed bill. That means that reciprocal arrangements that we currently have in place with all other Canadian provinces and

many other countries will remain as is. Earlier this year, our government and the United States federal government established such an agreement. It also allows Ontario and the US to enforce family support orders for each other's residents. Previously, Ontario had arrangements with 40 individual US states, but this new federal-level arrangement captures the additional states as well as the US protectorates of the District of Columbia, American Samoa, Guam, Puerto Rico and the US Virgin Islands. This arrangement actually makes it easier to improve enforcement co-operation with the US, because Ontario can deal with one federal agency instead of 50 state agencies, something that I think we would all aspire to in this House as a more effective and efficient way of dealing with these issues.

I want to also point out that Ontario isn't alone in its commitment to protecting children and ensuring that they have a healthy and prosperous future. In 2001, at the annual Premiers' conference in Victoria, provincial leaders committed to introducing effective reciprocal family support orders legislation in all provinces and territories. Since that time, a number of provinces have acted on this issue. Alberta, British Columbia, Manitoba, Saskatchewan, New Brunswick, Nova Scotia and the Yukon Territory have all passed similar legislation.

This summer, Premier Eves reiterated his commitment to this legislation at the annual Premiers' conference in Halifax. We now have the opportunity to fulfill Ontario's commitment by moving forward with this legislation—and quickly, I should add.

Ontario and the other provinces are clearly doing their part to ensure that families, and especially children, obtain or vary support orders in the most streamlined and least costly manner possible.

We all know, as I've said earlier, that we lead a very busy lifestyle, with many things to worry about. If there's any way that we can cut down on the amount of time it takes to get something done, I think everyone should jump at the chance.

That's exactly what this proposed legislation would do: it would make it quicker and easier for families to register, establish and vary support orders where one of the parties lives outside of Ontario. In addition, it would also cut down on the costs associated with this. The proposed bill would do this by streamlining and updating existing processes by replacing the Reciprocal Enforcement of Support Orders Act, currently in place in Ontario. For example, the current, somewhat complex two-stage hearing process would be replaced by a single hearing process. Under a single hearing process, persons seeking to establish or vary a support order would complete the application package, which would be sent to the reciprocating jurisdiction for a support determination. This means that a hearing would only need to be held in the receiving jurisdiction, with it no longer being necessary for the court in the originating jurisdiction to hold a provisional hearing, as is currently required. It sounds very cumbersome to me.

The proposed legislation would also help the courts to determine which jurisdiction's laws apply. It would pro-



vide guidance to Ontario courts in determining whether the law of Ontario or of another jurisdiction applies to a particular case. The bill, if passed, would ensure a child-focused test in determining which jurisdiction's laws apply to child support.

Another important element of this proposed legislation is that it would give automatic recognition to orders from other Canadian provinces and territories. An order from another Canadian province or territory would be registered in Ontario and would be automatically enforced. Parties would no longer have the right, as they do now, to apply to set aside registration of an order from another Canadian province or territory—and believe me, I know that loophole has been used to avoid responsibility. Anyone objecting would be required to address their concerns in the province that made the order.

This legislation, if passed, is actually all about protecting children. It's about protecting families and children and ensuring that they get the support to which they are entitled. Protecting children, all children, as I've already said, is an absolute top priority of this government.

**1700**

Earlier this year, we passed legislation that would rescue children from prostitution and other forms of sexual exploitation. The Rescuing Children from Sexual Exploitation Act permits police and children's aid workers to remove children from a range of dangerous situations including street prostitution, massage parlours, adult entertainment facilities, Internet sex lines and the pornography industry.

This legislation will also allow the province to sue pimps and others who sexually exploit children to recover the costs of treating their victims.

Last year's Christopher's Law was proclaimed, creating the Ontario sex offender registry, the first of its kind in Canada. I'm pleased to say that after much pressure from our government and others, the federal government has finally agreed to implement some of the key features of the Ontario sex offender registry.

We're now calling on the federal government to move on this commitment and introduce legislation to implement a national registry. The establishment of a national sex offender registry is required so that all Canadians know that they can live in secure communities where children's safety is of course a high priority.

This government has also taken steps to ensure that the justice system serves the needs of children. As an example, the number of Unified Family Courts has more than tripled since 1995, putting the interests of children first and helping to resolve family disputes.

Our government has expanded the Unified Family Courts to better serve the needs of families in Ontario and to put the interests of children first. Further family court expansion depends on federal co-operation as family court judges are federally appointed. We have informed the federal government that expansion is a key priority of this government.

Since 1997, Ontario has also created 15 child-friendly courts. These courts specialize in child abuse and

domestic abuse cases with child witnesses. Child-friendly courts are designed with special features to help make the courtroom less intimidating for young victims and witnesses, features such as a screen in front of the witness stand to shield child witnesses from the accused and others in the courtroom. We want to do everything we can to lessen the trauma of abuse for children.

This government will also be expanding domestic violence court programs province-wide. These courts give priority to the safety and needs of domestic assault victims and their children. This comprehensive program involves teams of specialized personnel, including police, crown attorneys, victim-witness assistance program staff and others, all who work together to better coordinate the services that are tailored to meet the needs of victims.

In conclusion, protecting children and making sure they have the best future possible is a responsibility we must all share. It is a job for all levels of government and all members of society. Making sure that our children have access to all available support is an essential part of this responsibility.

Our proposed legislation would do just that, by making it easier and less costly for Ontario children and families to obtain support from people who live outside the province.

I urge all members to support this legislation.

**Mr Dave Levac (Brant):** I appreciate the opportunity to talk about the bill that we are debating, but unfortunately it's not really the bill that we're debating; it's time allocation. That means we're going to stop debating about Bill 131.

I had prepared a few other points that I have to come back to first, which is that the member from Scarborough Centre, who just finished speaking, wanted to basically take credit for an awful lot of the things that their government is doing on behalf of children. I want to point out that the very legislation she spoke of was probably due in no part at all except for this one individual, Mr Rick Bartolucci, the member from Sudbury, who year after year—and that's unbelievable—kept introducing the type of legislation that the government finally turned around and realized there was something wrong going on and those children needed to be protected. I want to make sure credit is given where it's absolutely due, and that is to the member from Sudbury who had those pieces of legislation on the books year after year. The government finally picked it up, and we complimented them for doing that, but let's start sharing some of that credit before we start taking it and saying they're the only ones who want to take care of children in this province. It's unfair not to mention Rick Bartolucci in the same breath as that legislation.

The other part I want to make clear is that since watching Project P evolve from the OPP, there has not been very much money sunk into Project P, which is to take care of child pornography on the Internet. Quite frankly, that's a dropping of the ball in a big way. Project P needs to be supported to the tune of maybe doubling the workforce that is presently assigned to take care of that problem, because it's getting worse, not better. I

would ask and challenge the government that if they're concerned about child safety, which they're saying right now Bill 131 takes care of, which I will get into in detail in a moment—I want them to take a look at Project P and support it better than they're presently doing.

I've offered a couple of bills in the last little while that specifically talk about children and safety of children. In my helmet bill I'm asking for a modification to the present law that exists for wearing helmets, that everyone should be wearing helmets when riding bikes—but not just bikes; we're talking about all propelled, wheeled vehicles and asking that helmets be worn.

I've got support from quite a few organizations across the province. I know there are members on the other side who understand that's true because the minister, Dianne Cunningham, made it quite clear when she introduced that bill. It got watered down by this government. It's unfortunate the minister's bill was reduced. Quite frankly, I supported her when she first put it out and said it was a great bill. It shouldn't have been watered down. Why should it take a private member's bill to put it back where it belongs? Quite frankly, that's another area where our children and all adults should be protected.

There's another one: the bill for safe schools in terms of offering a safe haven around schools that my bill is offering us is being picked up by the county of Brant quite well, and I want to compliment them on it. They are doing an audit of safety around schools on their own because of certain situations that have taken place in their municipality, and I totally support them in their action. But I think this should be a province-wide initiative, and that's why I've introduced that bill.

She wants to speak about Bill 131 being almost the be-all and end-all of protecting children, but unfortunately she's not acknowledging something that each and every member in this place, if they were asked what the number one issue that they've heard about in their constituency offices would be, would say, and that's the FRO. It is probably the number one issue that every single member in this House has heard about. It's got nothing to do these agreements they're making with other countries and provinces and other states. It's what's going on in the province of Ontario itself.

The auditor has indicated that in the Family Responsibility Office here in Ontario approximately 128,000 out of the 170,000 registered cases were in arrears as of March 21, 1999. Seventy-five per cent of all the cases in this province are in arrears. The auditor indicated that something's got to get done. He wasn't talking about agreements with the United States or other countries. He was talking about inside this province. That means that at present in this province we're in arrears to the tune of \$1.2 billion of uncollected money for our children and mothers mostly. The disarray that this government created with its cuts to that service has caused it to complicate things right across the board for men, women and children. Unfortunately, this bill, although we applaud it and say it's the right direction to go and that it's not going to be harmful to our children and mothers, has done nothing about the inside of the province.

I want to ask this question: how much are you going to charge for forms, appeals and applications? Quite frankly, some of these mothers have a very minimal amount of income and they're getting asked, when they appeal, to come up with more money, time and time again. We've got to re-evaluate our priorities in this case. We've got to take a look at our own house and clean it up real clear.

The auditor noted that when the payers went into arrears, the office did not have a satisfactory system in place initiating contact and taking the appropriate action that's necessary. It's unbelievable that you would not even have had a system in place that automatically kicks in.

**Mr Ernie Parsons (Prince Edward-Hastings):** Not with this bunch.

**Mr Levac:** It's not happening. The auditor also noted that when the account goes into arrears, more aggressive enforcement measures, such as removing drivers' licences, passport suspensions, bank account garnishment or defaulting hearings, were seldom pursued. That's not a good signal that you're sending to the mothers and children of our province. That's not a good signal at all. In fact, the FRO fails to calculate interest on money owed to families. Can you imagine what the \$1.2 billion owed paying some type of interest would translate into for those mothers and children?

**1710**

By the way, I want to mention very clearly that we are not talking about the number of cases here. If the other side wants to talk about the children, we are talking about over 230,000 of our children in this province who are not getting the money that's owed to them.

I want to refer to very specific examples that are happening in my riding. I've been given permission to talk about these, and I've taken the names out

This elderly lady has an order with a COLA clause in it, and the amount she receives was increased as of several months ago. The payer has been paying the increased amount—good for him—but FRO has only been paying out the old amount and the remainder is still sitting in an account as a positive balance. She has been unable to contact FRO to get any answers whatsoever as to why several months have gone by without her receiving that increase.

A payer was paying by automatic withdrawal from his bank account each month. The child for whom the support was being paid was no longer eligible. The file has been closed with FRO; he has verification of that fact. FRO has continued to withdraw the monthly amount for the past six months, after the file was closed.

It's a mess. Tell me you're going to fix it up. Please tell me you're going to focus this time and get that right. We want those children to get that \$1.2 billion, with interest.

I have one comment to make about the FRO: I am so sorry that you people are being put through this. The individuals who work for FRO are absolutely swamped. I'm going to tell you that with the introduction of 131 they're going to get swamped even more. So what I am

asking the government to do today or tomorrow or the next day is to commit to the funding that is necessary for us to accomplish the things you claim you want to do. I want to say that the regional offices were working, if you had understood that was the way to get that money into the hands of those parents and children quicker.

I'm tired of the little silly games that are being played by some of the deadbeat dads out there who sign everything over to buddies and friends and dummy corporations and claim they are absolutely broke when they have cottages and boats, when these children are going without anything in terms of month-to-month. I'm challenging the government to step up to the plate and say, "Enough is enough. We want to get those 230,000 kids their rightful amount of money. We want to get those parents who are trying to raise those children properly their money. We want to get the quagmire and all the mess in there done and over with."

I am challenging the government to give us an opportunity—this time allocation didn't give us much time. There is support for 131 from this side. We now have several more countries that we can have these agreements with. By having those countries on board, we want to send a message loud and clear that we've put our house in order. They're going to see crystal clear how we operate. If they see that we can't collect \$1.2 billion and that we have 230,000 of our own children without, what kind of judgment are we going to play? We want to make sure that everyone in every province in this country, in all 50 states in the United States and in the countries we've got those agreements with understands that we will be a leader in this.

We want to be a leader and say we've cleaned up our house, and we want to make sure everyone gets the message loud and clear that we are finished, we're absolutely done, with this mess at FRO. I'm looking forward to the day when I don't have to dedicate one full staff member to nothing but FRO cases. I would like to be able to say we have many other things to deal with. But FRO is causing a problem in this province. It's something we should not take pride in, and I would challenge the government to step forward with a concrete plan on how we are going to clean up our own mess.

**Mr John O'Toole (Durham):** It is indeed my pleasure to rise today and speak for a few moments on Bill 131. I think for the members here today much of the time allocation motion has been talking about other things. I appreciate the fact that earlier our House leader explained how there had been agreement from the three House leaders to include further public consultations.

I would like to put on the record that public consultation on this issue certainly started in 1995. What we inherited from the previous government was the fact that it was in disarray, and in fact we took measures I think to improve it somewhat. That being said, it's like trying to get blood from a stone. The court orders themselves are flowing through the process, and perhaps the courts themselves could be made friendlier for children and for families, and more of a mediation attempt probably

would go a long way to take it out of the court system. But at the end of the day, if the payer isn't paying, this is what this particular bill is really about.

I think the best place to start with Bill 131—indulgence, since not much time has been spent specifically on this. I should say that our minister, David Young, introduced this back on November 8, 2001, as the Attorney General. The idea here is to engage all of the provinces and territories in Canada, at least. At the first ministers' conference in Nova Scotia, that was indeed the topic. The intent there was to get some harmonized agreement across at least Canada and try to set out a mechanism so people can't avoid paying their court-ordered awards.

So the explanatory note in the preamble of the bill—it's very important to put this on the record: "The proposed act is based on model legislation developed by a committee of federal, provincial and territorial government officials to provide simplified processes for the making, recognition and variation of interjurisdictional support orders." So there you have it. In fact, it came from the initiative by this government to try and find a way—people are quite mobile in society today and, that being said, families themselves are somewhat distressed, I think, in society today; that's quite another issue—of making sure those payers—"respondents" is the legal term—actually comply with court orders.

Again, some of the respondents do try to go to some lengths to avoid paying, and clearly there is a deficiency. In our office in the riding of Durham we have very dedicated staff to try and help those families. I appreciate what's being said by the opposition. I too think very often of the children, who are ultimately the persons suffering the greatest implications of not receiving the proper support payments.

For those who may be interested, this is a very legal document made up of I believe five parts. The five parts of the bill: the general preamble; defining new orders; "Registration and Enforcement of Orders Made Outside Ontario" is part III; part IV is "Variation of Orders"; and part V is appeals and miscellaneous administrative matters.

But I wanted to deal with part I in a general sense for a couple of minutes just to make sure the public—we all use these acronyms. FRO, Family Responsibility Office, is the title of that agency, organization, that is supposed to collect the money either through garnishing wages or other mechanisms—a direct cheque.

I might also say that couples can agree to resolve these marital difficulties personally and opt out of the Family Responsibility Office. That would be my first advice to those who can resolve the breakup of a marriage amicably and come to some agreement. There are guidelines, of course, federal guidelines that pretty much dictate what you are supposed to pay.

But for the sake of those listening today, both in the House and across the province, some terms here: "provisional order," for instance. What's a provisional order? It means "a support order of an Ontario court that has no effect until confirmed by a court in a reciprocating jurisdiction." In other words, we could have an order in a

jurisdiction that has no specific mechanism to deal with that order. In fact, a dependent child or something may not be entitled to support. But in all cases, if you read through these sections, you'll see that the very least coverage or entitlement would be the Ontario statute, whatever the entitlement was in Ontario in that order. Or, in the event where the other reciprocating jurisdiction, for example, is in one of the Virgin Islands or one of the American states, the receiving individuals or families would not be any less treated.

1720

"Reciprocating jurisdiction": what do we mean by that? It means "a jurisdiction prescribed as such in the regulations made" under a section. It just means that we will define in regulations where we have agreements with other areas: other states, provinces and territories.

So that is pretty much a description section. I was going through the bill myself because I think it's important for all members to pay attention to what legislation or statute we're actually passing.

"Claimant in Ontario. A claimant who ordinarily resides in Ontario and believes that the respondent"—that's the person who's supposed to pay—"ordinarily resides in a reciprocating jurisdiction may start a proceeding in Ontario that could result in a support order being made in the reciprocating jurisdiction."

It goes on to outline a number of requirements, but the courts will take care of that administratively. They'll get in touch with the other jurisdiction to make sure there is a process in the other jurisdiction or province to actually respond to the court order and that there's a process to resolve those disputes.

I think it's section 3 I'm in now. "Parentage"—what is that in? "If a child's parentage"—that's custody, really—"is in issue and has not previously been determined by a court of competent jurisdiction, the Ontario court may determine the matter." In other words, the Ontario court has a very detailed mechanism to resolve most of these more administrative problems of the reciprocating jurisdiction.

To this date, that has been one of the problems. That family, children and spouse, male or female, might already be in difficult financial circumstances. Simply, it's to take as much red tape out of it as possible and to make it clear and transparent to those people who are waiting for the cheque.

I can tell you that our government, our Attorney General and certainly our minister of social and family responsibility are interested in making sure vulnerable children are not lost in all this minutiae of the legislation.

But on reading this, "Variation in orders between reciprocating jurisdictions," all of this really says that we've been trying to get a mechanism harmonized inter-provincially and between other jurisdictions, not just in Canada but in the United States, indeed around the world. It would be my hope that they would push this so that people, as we heard in the news yesterday, fleeing to other countries, maybe taking children—that there's a mechanism to protect the family.

I keep coming back to the importance of the family in our society. I think the government has done a lot of things.

I want to put on the record as well that we've created 15 child-friendly courts since 1997. That's a very intimidating process for the children to go through, and what they would have gone through before they got to court is even more daunting. The courts are designed with special features to make the courtroom a less intimidating place for child victims and witnesses.

We've committed to expanding the domestic violence courts program province-wide. This program gives priority to the safety and needs of victims of domestic violence and their children. Teams of specialized personnel such as police, crown attorneys and victim/witness assistance program staff work together to ensure that the services are tailored to meet the needs of the victims.

If I look at the record so far, I think the government is moving on many fronts, not just on the Family Responsibility Office administrative difficulties and on the inter-jurisdictional and the amount of paperwork etc.

I believe that mandatory mediation—and I'm more or less on my own here on this—is really a far more appropriate mechanism in most cases when we're dealing with custody and support orders. There is a schedule for support orders based on income, but also, on custody, there has to be a mechanism for the two people to get together to find out what's best for the children. I think a mediation process, as opposed to an intimidating court environment, might be the best mechanism.

It's a sad reality that children in our society find themselves victims or witnesses to abuse. We must do everything to lessen this most traumatic experience in their lifetime.

I mentioned earlier that this government has increased funding to child welfare agencies by 139%. In 2001-02, we spent over \$850 million in this area. This funding will help children's aid societies to respond to the increase in demand for services and better protect the vulnerable children they are to assist. There are 52 children's aid societies in Ontario, and they provide a wide range of services to safeguard children in this province. These services include the investigation of child abuse, counselling for families where a child might be at risk, provisions of substitute care such as foster homes or group homes, and protection of children. Children should be able to grow up and live in an environment where they feel safe and protected. This is a priority for our government, in fact I would say a priority for all of us here.

Every child should have an opportunity to reach his or her full potential and lead a healthy, productive life. This government recognizes this and provides programs and services to help families with young children.

It's known that the first six years of a child's life have the greatest impact and are the most important when it comes to learning and developing. The Ontario Early Years plan provides funding for a number of initiatives that support young children during this critical period of development.

Some of the initiatives under this include:

—Funding to support 42 Ontario Early Years centres that currently operate across the province, with a new centre to open this fall and an additional 61 new centres set to open next spring. At these centres, parents get answers to questions about their children's or child's development and referrals to programs and services that are available for young children.

—Funding to provide early literacy specialists—they are linked to the Ontario Early Years centres—who work with children, families and front-line professionals to promote effective literacy programming in the community.

Another important issue facing many families today is child care. Parents face tremendous challenges in maintaining the balance between work and family. It is important that they have child care options available to them that fit their individual needs. Families need flexibility, and this government recognizes the importance of supporting families in meeting their child care needs. This year alone we will spend over \$700 million to assist parents who need child care services. In particular, \$200 million of this funding will be designated for low- and modest-income hard-working Ontario families, the families who need assistance the most, through the Ontario child care supplement for working families.

Our government is committed to supporting families and children. These are just some of the many programs we have in place to help children get a good start in life and assist families living in Ontario.

The safety and well-being of families and children is a priority for this government and for me personally. The Interjurisdictional Support Orders Act is just one of the many fronts that we are acting on, and will continue to act on, on behalf of families in this great province of Ontario.

It is our belief that no child should ever go without simply because one parent has left the province.

At the annual Premiers' conference, as I said earlier, our Premier, Ernie Eves, provided the lead to find agreement between other jurisdictions. To some extent there's been failure at the federal level. I could go on, if time permits, about that. The Premier is committed to introduce effective reciprocal support orders legislation in all provinces and territories.

I just want to spend one more minute, because I am going to be sharing my time with a couple of other members from our caucus who are very anxious to speak.

Our government has urged Ottawa to enact parallel legislation by amending the federal Divorce Act by the summer of 2002. We all know that the federal government has yet to move on this issue. This measure would streamline the process for establishing or changing support orders issued under federal, rather than provincial, law.

It is important for governments to work together to ensure healthy and prosperous futures for our children and indeed for all of us.

One must also understand the jurisdictional issues with respect to the breakup of a family in this country.

Through our constitutional powers, the federal government has jurisdiction with respect to divorce and custody orders arising out of that, and the provincial government has jurisdiction with respect to dealing with property matters arising from family dissolution.

**1730**

There's more to be done and I'm confident this government is moving in the right direction, thoughtfully and consultatively. I think, even today, having the public prosecutor is probably a good step, to make sure there is adequate legal defence and a legal voice for those who find themselves in the court system.

We have to do everything we can to support vulnerable children whose experience in life and growing up is being affected by delinquent parents. Often delinquent parents or divorce or those kinds of issues are complex issues, dealing with financial hardship and other relationship issues, but I believe that if parents settle down, they will realize that their first responsibility is to their children.

I believe the delinquency of people in support orders is something this government and all provinces have been calling for. At this time we need to work together with our federal partners and other jurisdictions to make sure this interjurisdictional legislation moves forward swiftly and effectively for our children.

**Mr Dwight Duncan (Windsor-St Clair):** I listened with great interest to my colleague from Durham and his speech. I want to remind you and the people listening tonight that we are not debating Bill 131 tonight; we are debating time allocation, closure, shutting down debate yet again.

Let me put on the record, as my colleague the House leader of the third party said, that we support the bill. What we wanted was a couple of days of public hearings and committee hearings to put amendments to the bill. I don't want to get into a debate with the government House leader about the fight he and the third party House leader had with respect to that, but suffice it to say, in my view and the view of the official opposition, this bill lent itself to that. There should have been a couple of days of hearings and it should have been done without sacrificing one of three days of second reading debate in the House. It's not a lot of time to spend on one bill, particularly one that's this important, one that I think all of us want to support.

For our part, in the official opposition, we too have some amendments we'd like to put forward to the bill. The government may or may not want to take them, but we probably won't get that chance now.

This notion of stopping debate before it's been allowed to happen is a relatively new concept. Premier Eves has talked about how he wants to emulate Premier Davis's style more than Mike Harris's style. In the Davis-Miller governments—and I see Mr Sterling across the way, who served in those governments—they passed 292 bills in those five years and they used time allocation or closure three times in five years.

*Interjection.*

**Mr Duncan:** Those bills were controversial, admittedly. The member for Durham makes caustic comments about the opposition of the day. Well, then, let's look at other governments.

The Peterson minority government passed 129 bills, of which one had time allocation. Fair enough. Let's look at the Peterson majority government in this House: 183 bills passed, time allocation used three times. The Rae majority government, five years, 1990-95: 163 bills passed, time-allocated 21 times. I'm sure the Chair would acknowledge that there were many controversial pieces of legislation which I'm sure the Chair would rather not have had to have done when he was a member of that government if he'd had his druthers.

Then along come Mike Harris and Ernie Eves and the world changes in so many ways: 39 hospitals closed, countless schools closed, tax cuts for the wealthy, no money. Even the co-author of your early childhood initiative has now abandoned you. She has said that she can't support you because you're not serious.

One thing these folks and this government have been good at is shutting down debate, abusing this House and abusing, in my view, the privileges of members. Up until June of last year, 48 pieces of government legislation were passed. Time allocation was used 29 times. It's shameful. We'll vote against this time allocation, as we always do. We have proposed a series of amendments to the standing orders that would limit the government's ability to use time allocation.

In fact this government, my colleague Mr Sterling when he was the government House leader, put forward changes to the standing orders that should have been used in this case: to refer to a committee after first reading, something this government has used on a couple of occasions and should use more often.

This debate tonight is not about the substance of the bill, which we support; it's about yet again using time allocation—that is, shutting down debate and preventing as many members as we want to speak on this from having the opportunity. It's not a good way to govern, it serves no good purpose and it just, in my view, lessens this institution and the respect people in this province have for it.

**The Deputy Speaker:** Further debate? The chief government whip.

**Mr Galt:** Thanks very much for the opportunity to speak on this time allocation motion. On a rare occasion, I have to agree with the member for Windsor-St Clair. We're not speaking on Bill 131. It is a time allocation motion. But I think the member for St Paul's was a bit confused on what the debate was about—

**The Deputy Speaker:** I'll have to interrupt the speaker. I am reminded that you moved the initial motion today and waived your right to speak at that time; therefore you are now negated from speaking. I will turn to another government member if one is ready. I see the member for Bramalea-Gore-Malton-Springdale—

*Interjections.*

**The Deputy Speaker:** —now has the floor, if members would allow it to happen.

**Hon Mr Galt:** Thank you very much, Speaker.

**The Deputy Speaker:** You're very welcome. Order. Go ahead.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is a pleasure to join in and I'm happy to speak on this bill. I know the chief government whip wanted to put in his remarks, but unfortunately his hands are tied, technically speaking. Therefore, he could not.

As you know, Mr Speaker, I spoke on this bill earlier. You were in that chair. The thing is, Ontario's children deserve to have the best possible future. The business of the Legislature must go on. I know a lot of times people think not enough time has been given to a certain bill. I feel the other way around. I feel enough time has been given. It's time to move ahead and make sure we bring forward the much-needed legislation.

I am certainly in agreement with the member for Durham earlier on who said that it's not only interjurisdictional within the provinces, but we must also be looking at the international type of agreements. Even as early as yesterday there was something in the news saying a certain parent has gone away with—it seems like abducted—a child into another foreign country. I think we should have bills that will actually make sure those sort of things are stopped and it doesn't happen. I know it's difficult to control, but we are looking for the federal government to hopefully bring that kind of initiative.

I didn't see that in the throne speech, by the way, today. We were hoping that sort of direction would come through. I heard that the federal government finally may bring some more dollars to the table in terms of health care money. It seems more like their GST promises. They were going to eliminate the GST. They never did anything. In fact, they said they were going to—I heard somewhere, I don't have any proof—increase it to 10%. So you never know what's happening in terms of the federal government.

1740

**Mr O'Toole:** They're Liberals.

**Mr Gill:** Of course, it's the Liberal government who promises all kinds of things, but they never deliver.

This legislation, if passed, would simply streamline existing processes, making it easier and less costly for Ontario families and children to obtain support from people who live outside the province. It's one-stop shopping. You don't have to keep forking out money to lawyers. It's these families that can ill afford it, so I'm glad to say it's almost like the red-tape reduction bill.

I'm happy to report back to you—I'm not sure if you attended that, but there was a Red Tape to Smart Tape conference recently. I'm very happy that they chose Ontario in terms of holding that conference. I was very happy to also attend the biotech conference in June, where 15,000 people came to Ontario. Those are some of the special places we have in the international community in terms of going ahead with research and development, so I'm very pleased.

At the same time, we must not forget the plight of the children while we do all these wonderful things from

science and technology and everything; the plight of the children in terms of getting caught in this dilemma where support payments have been adjudged by the courts and the parents find it easy to slip away to the US or to other provinces, and they try and avoid their duty, which is toward their children. I know the other day when I spoke, many members opposite were saying that dads are the ones who are responsible and I was quite quick to point out that it's not only the dads but sometimes it could be the moms who are the parents who have a duty toward their children. They must live up to not only their own moral responsibilities but also their legal responsibilities when they have been adjudged to owe this money and they must come forward with that.

I'm glad all the 50 states have agreed to ratify this thing with Ontario and we will be able to implement the court orders within those jurisdictions. In addition, Ontario enforces over 5,000 support orders from other jurisdictions already. So some of the mechanisms are there, but this new bill will make sure there is even less red tape.

It is clear from these numbers that we live in a world that is significantly, increasingly on the move. Our laws must recognize and reflect that reality. If passed, this bill would recognize the challenges of a mobile population by allowing for greater co-operation among provinces, territories and countries. With this proposed legislation, we would modernize family law to keep up with increased global mobility. I must point out again that we are and we should be looking globally in terms of international agreements because there are cases where parents shirk their duties. They might have been first-generation immigrants here who still have strong roots in the country they came from and they find it easy to slip away and then hide in those jurisdictions. But we must ensure that the laws we make, whether they're federal or provincial, are far-reaching and we should try and cut out any of the loopholes. So we must make sure that we, perhaps, do that.

I'm very, very happy to join with members on this side of the House to support this bill. I know members on the other side as well, the opposition, have said the intent is there. If the intent is there, then I think it's fair that we move forward quickly, because there are many more bills to be brought forward. I know that Premier Eves has said it's going to be a very busy agenda and I want to assure all the people in Ontario who are watching television this afternoon that the Legislature is going to be sitting tonight, by the way, so we can carry out some of this very important agenda. I'm sure they'll be watching as well because I will be speaking. I think I'm the lead speaker—

**Mr O'Toole:** Again tonight?

**Mr Gill:** Well, I like to have the opportunity to put my views forward to make sure that people—and if they need to call me, they can certainly call me at my riding office if they want to have any input.

**Mr O'Toole:** “www”—

**Mr Gill:** Yes. My good friend the member from Durham wants me to give you my Web site, which is [www.ramindergill.com](http://www.ramindergill.com). I'll be happy to take your concerns to the Legislature so that we can make the best laws for the people of Ontario. I want to give thanks to my friends who gave me the opportunity this afternoon to share some of the views. I know time is running short, and I'll be happy to speak this evening on another bill. I'm sure people are looking forward to that.

**The Deputy Speaker:** The time for debate has expired. I will now put the question.

Mr Galt has moved government notice of motion number G131. Is it the pleasure of the House that the motion carry?

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

All those opposed, please indicate by saying “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1746 to 1756.*

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

#### Ayes

Arnett, Ted	Gilchrist, Steve	O'Toole, John
Baird, John R.	Gill, Raminder	Ouellette, Jerry J.
Beaubien, Marcel	Hastings, John	Spina, Joseph
Chudleigh, Ted	Johns, Helen	Sterling, Norman W.
Clark, Brad	Johnson, Bert	Stewart, R. Gary
Clement, Tony	Klees, Frank	Stockwell, Chris
Coburn, Brian	Maves, Bart	Tsubouchi, David H.
Cunningham, Dianne	Mazzilli, Frank	Turnbull, David
DeFaria, Carl	McDonald, AL	Wettlaufer, Wayne
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Ecker, Janet	Munro, Julia	Witmer, Elizabeth
Elliott, Brenda	Mushinski, Marilyn	Wood, Bob
Galt, Doug	Newman, Dan	Young, David

**The Deputy Speaker:** Those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Bartolucci, Rick	Dombrowsky, Leona	McMeekin, Ted
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Boyer, Claudette	Hampton, Howard	Peters, Steve
Brown, Michael A.	Hoy, Pat	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Prue, Michael
Caplan, David	Levac, David	Ramsay, David
Colle, Mike	Marchese, Rosario	Sergio, Mario
Crozier, Bruce	Martel, Shelley	
Di Cocco, Caroline	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 39; the nays are 25.

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

This House will stand adjourned until 6:45 this evening.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*

# CONTENTS

Monday 30 September 2002

## MEMBERS' STATEMENTS

<b>Cardiac care</b>	
Mr Cordiano .....	1639
<b>Bill Cohoon</b>	
Mr O'Toole.....	1639
<b>Natural gas rates</b>	
Ms Di Cocco.....	1639
<b>Glen Cochrane</b>	
Mr Prue.....	1640
<b>Golden Jubilee of Queen Elizabeth</b>	
Mr Maves.....	1640
<b>Mental health services</b>	
Mrs McLeod .....	1640
<b>Jeff Adams</b>	
Mr Wood.....	1641
<b>Education</b>	
Mrs Pupatello.....	1641
<b>Kyoto Protocol</b>	
Mr Gill .....	1641

## FIRST READINGS

<b>Legal Aid Services Amendment Act, 2002, Bill 181, Mr Young</b>	
Agreed to .....	1642
Mr Young .....	1642
<b>Town of Erin Act, 2002, Bill Pr11, Mr Arnott</b>	
Agreed to .....	1642
<b>Representation Amendment Act (Northern Ontario), 2002, Bill 182, Mr Brown</b>	
Agreed to .....	1642
Mr Brown .....	1642

## MOTIONS

<b>House sittings</b>	
Mr Stockwell .....	1642
Agreed to .....	1642

## ORAL QUESTIONS

<b>Hydro One</b>	
Mr Bryant .....	1643
Mr Baird .....	1643
<b>Child care</b>	
Mrs Dombrowsky .....	1644
Mrs Elliott.....	1644
<b>Nanticoke generating station</b>	
Ms Churley .....	1645
Mr Baird .....	1645, 1648
Mr Bradley.....	1647

## Academic testing

Mr Marchese .....	1646
Mrs Witmer .....	1646

## Oak Ridges moraine

Mr Colle.....	1646
Mr Coburn.....	1646

## Education

Mr Gill.....	1647
Mrs Witmer .....	1647

## Transportation

Mr Gilchrist.....	1648
Mr Sterling .....	1648

## Child poverty

Mr Martin.....	1649
Mrs Elliott .....	1649

## Accessibility for the disabled

Mr Smitherman .....	1649
Mr DeFaria.....	1650
Mr Parsons .....	1650

## Northern highway improvement

Mr McDonald.....	1650
Mr Wilson .....	1650

## Slot machines

Mr Kwinter.....	1651
Mr Young .....	1651

## Moose poaching

Mr Barrett.....	1651
Mr Ouellette .....	1651

## Hydro rates

Mr Prue .....	1652
Mr Baird.....	1652

## PETITIONS

### Highway 69

Mr Bartolucci .....	1652, 1654
---------------------	------------

### Long-term care

Ms Martel.....	1653, 1654, 1655
Mr Peters .....	1655

### Ontario disability support program

Mrs McLeod.....	1653
-----------------	------

### Natural gas rates

Mr Peters .....	1653
Mr Duncan .....	1653

### National child benefit supplement

Mr Martin.....	1653
----------------	------

### Affordable housing

Mr Caplan .....	1654
-----------------	------

### OHIP services

Ms Martel.....	1655
----------------	------

## GOVERNMENT MOTIONS

### Time allocation, government notice

of motion number 37, *Mr Stockwell*

Mr Galt .....	1656
Mr Bryant .....	1656
Mr Kormos .....	1659
Mr Stockwell .....	1662
Mr Bradley.....	1664
Mr Martin .....	1665
Ms Mushinski .....	1668
Mr Levac.....	1669
Mr O'Toole.....	1671
Mr Duncan.....	1673
Mr Gill .....	1674
Agreed to .....	1675

## OTHER BUSINESS

### Visitors

The Speaker .....	1640
-------------------	------

### Wearing of ribbons

Mr Levac.....	1639
---------------	------

## TABLE DES MATIÈRES

Lundi 30 septembre 2002

## PREMIÈRE LECTURE

### Loi de 2002 modifiant la Loi sur les services d'aide juridique,

projet de loi 181, *M. Young*

Adoptée..... 1642

### Loi de 2002 modifiant la Loi sur la représentation électorale (Nord de l'Ontario),

projet de loi 182, *M. Brown*

Adoptée..... 1642