



**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 22 December 1999

Mercredi 22 décembre 1999

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 22 December 1999

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 22 décembre 1999

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

BURTCH CORRECTIONAL CENTRE

Mr Dave Levac (Brant): Speaker, a very Merry Christmas to you and your family, and to the members of the House and to the citizens of Brant.

I rise today to inform the House of my deep concerns about the plans and actions this government is taking with regard to Burtch Correctional Centre just outside of Brantford.

This facility at one time was a centrepiece for true correction and rehabilitation of inmates. The programs were highly successful, innovative and modelled by many other facilities, especially the First Nations program there in Burtch—that is, until Mike Harris needed to change things to set the stage for privatization.

You know the scam by now: underfund, cut, overwork the employees, tell the world it's broken, create a crisis and then save the day. It's happening again. This time they cancelled a very successful, money-making farm program within Burtch, a highly successful canning operation, recycling program, soap-making program, and reduced the education program. What was the effect? A higher per diem and no rehabilitation. Create the crisis, then save the day.

Now, how are they going to save the day? They're going to bring in an American-style warehousing of inmates.

Here's the rub: The MPP for Haldimand-Norfolk-Brant, in which Burtch is located, thinks this is great. He thinks moving the inmates to Penetanguishene is the right thing to do. He thinks taking \$20 million out of the local economy is good. He thinks transferring the job site instead of closing the site is cute. Why? Because guards then lose their jobs, with no successor rights, and the private prison gets to hire less expensive, poorly trained rookie guards. The government gets to bust another union.

Shame on the government.

EDUCATION FUNDING

Mr Doug Galt (Northumberland): I bring to your attention a report to parents released by a public school in

my riding. The report states that "school priorities in spending" have been placed on "providing many new textbooks, instructional materials" and resources for our students to use.

I'm left wondering why the local school board and the opposition continually claim the sky is falling when it comes to classroom materials and new textbooks.

There are 284 students in this school, from junior kindergarten through to grade 6. They have 10 classroom teachers, a librarian, special education resource teachers, a core French teacher, a full- and part-time secretary, three educational assistants and two custodians. In addition, the report lists many other supports for special-needs students.

The chair of the Kawartha Pine Ridge board in a November media release said the government is "asking us to cut the heart and soul out of our children." This comment was absolutely inappropriate and very disturbing for its imagery of violence against children.

Our government is indeed fulfilling its promises on education. We promised to enhance classroom funding, to eliminate waste and duplication and we promised to provide the learning materials students need. We have done all of these things.

With that in mind, why is there such a disconnect between the board's claim and the school's report? Politics? You bet.

UNIVERSITY AND COLLEGE FUNDING

Mrs Marie Bountrogianni (Hamilton Mountain): My statement is for the Premier and for the Minister of Training, Colleges and Universities.

There are significant challenges facing all universities. Our obligation, according to the president of McMaster University, is not just to enrol every qualified student; we must provide them with a quality education. I agree wholeheartedly with Dr George and with all those who are concerned with post-secondary education.

In recent years, McMaster's ability has been challenged by an aging physical plant and by the call to their professors by other, better-funded jurisdictions. Their best and brightest young professors are leaving Ontario at a time when we need them the most.

This minister on numerous occasions throughout this session has promised a space in our colleges and universities for every qualified student.

McMaster University in Hamilton has shared this commitment over the years, in spite of Harris's \$400-mil-

lion cut to post-secondary education. McMaster has not talked about accessibility; it has acted. McMaster has provided access to almost 9% more students than required through the enrolment corridor numbers negotiated with the Ontario government. Few universities in this province have demonstrated this kind of commitment to accessibility. Yet when this government made funds available in 1998 for equity adjustment, McMaster received nothing. Now McMaster has the equivalent of at least 1,200 unfunded students enrolled at a cost of over \$5 million a year.

Why is Harris punishing an institution committed to the accessibility principle this government is continually talking about? When will Harris accept the reality of the funding crisis facing our colleges and universities?

THREE CENTURY CLUB

Mr John O'Toole (Durham): It's my pleasure to rise today in the House to congratulate four unique individuals who live in my riding of Durham.

In just a few short days they will have achieved a very special distinction by having lived in three centuries. They will join the ranks of about 1,000 Ontarians now being recognized through the Ministry of Citizenship, Culture and Recreation's Three Century Club.

It is difficult to imagine that when Fred West and Danny McCuaig of Bowmanville and Maude Waite and Beatrice Loates of Port Perry were born, the Wright brothers had yet to fly the first plane, women did not yet have the right to vote, the British Empire encompassed almost one quarter of the earth and Prime Minister Wilfrid Laurier had yet to claim the 20th century for Canada.

The Three Century Club is part of the ministry's Ontario 2000 initiative and was designed to honour those seniors who were born in the 19th century and join with us as we embark on the 21st century.

As the MPP for the riding of Durham, it is my pleasure to congratulate Fred, Danny, Maude and Beatrice on reaching this important milestone.

One of my predecessors, Mr Josiah Johnston Preston, Durham East MPP in 1899, would have sent their parents birth congratulations, as I would for their grandchildren today.

I think the Three Century Club is a fitting tribute to those who have helped to make Canada one of the best places in the world to live, to work and to raise a family.

On behalf of them and my constituents, I send a very merry Christmas and happy new year to all.

POLICE HELICOPTER PROGRAM

Mr Dominic Agostino (Hamilton East): I rise today to ask the Premier and the Solicitor General for support for the Hamilton police helicopter program. This was a 20-week pilot project that flew for 216 hours. During this time period, they responded to 152 calls for service, were first on the scene 45% of the time. Average response time

was two and a half minutes. It gave direct support for 35 apprehensions, 45 traffic stops and work on special details on 99 occasions, and was also responsible for a marijuana seizure of over \$2 million.

1340

This program, which was a cost-sharing program with the province, Peel, Halton and Hamilton-Wentworth, provided great success for the police force, particularly when it came to high-speed chases. In every single case, of the chases involved, there was no damage, there were no injuries, there were apprehensions and the vehicle was recovered. It is a 100% track record and success record. We need the program to continue and it ended as of last Thursday.

Chief Robertson and the rest of the force are fully behind this program and it has proved itself. I know the province believes in this program. I know the province has a special interest in policing. You have a responsibility to become involved and to help regional forces.

I today ask the Premier and the Solicitor General to continue their support for this program. It is now out of commission. It cannot start up again until you come through with the money. It would be a great gift for the people of Hamilton, for the police of Hamilton, for the people of Ontario, if this government today announced ongoing funding to continue the helicopter program in Hamilton-Wentworth.

APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Mr Rosario Marchese (Trinity-Spadina): I haven't had an opportunity yet to comment on the Gord Miller affair and since I only have two minutes, or at least a minute and a half, I wanted to be able to put that on the record today. I tell you I am opposed to this proposed appointment because I think it's wrong.

When I was a member of the government agencies committee, they used to be the bloodhounds on that committee, like German shepherds, sniffing out New Democratic Party appointments, and they were always calling the media and saying: "Come, we got a surprise for you. We got a New Democrat, a new catch-of-the-day." Those were the good old days of the Tories, and they said when they got into government: "We won't be the same. No siree, we won't make any appointments that will be partisan." Unlike New Democrats, they were going to be different.

Now, of course, they're in power and 99% of all the appointments are Tory, but because that is the case nobody fights it because it's common. That's what they do. They expect it and nobody, not the media, not anyone, seems to care any longer about the fact that these appointments are Tories.

Unlike the Ombudsman, which had a three-party agreement, this appointment for the Environmental Commissioner does not have a three-party agreement. That's why it's profoundly wrong. That person should be inde-

pendent, above-board and above partisanship and that is why we're going to oppose that appointment.

JIM MCCALLUM

Mr R. Gary Stewart (Peterborough): The residents of my riding of Peterborough have once again made an impression on the international stage. I'm very proud today to recognize Jim McCallum, a semi-retired dentist from my riding.

Mr McCallum is the president of the Peterborough Friends of Honduran Children, a group that has recruited local companies to help improve the quality of life in Honduras, the poorest country in Latin America.

In recognition of his efforts, Mr McCallum was recently awarded the YMCA Peace Medal for his realization of the YMCA statement on peace. It states: "Peace has many dimensions. The responsibility for peace begins with each person, and extends to community life and national activities."

The government is committed to encouraging volunteerism in this province. The efforts of these unsung heroes are truly the ones that make this province a better place to live. I am pleased to see volunteerism included in the new curriculum so that our young Ontarians can learn how to give a bit of themselves in order to help others in need.

On the eve of the new millennium, I would encourage all Ontarians to reflect on the way they can make the world a better a place in which to live. I'd like to thank Jim McCallum for his spirit and for his giving nature, but most of all the people of Honduras want to thank you for giving them a reason to look forward to this new millennium.

UNITED WAY OF GREATER TORONTO

Mr George Smitherman (Toronto Centre-Rosedale): As 1999 comes to a close, I wish to pay tribute to the United Way of Greater Toronto. This year, the United Way will meet their goal of almost \$63 million.

It's fitting that at this time of the year, when the differences between those who have so much and those who have so little are so stark, we should thank president Anne Golden, her staff and especially the countless volunteers who have helped to meet this ambitious goal.

My riding is home to the United Way offices, but more importantly, it is home to a vast cast of United Way-funded agencies. These are the front-line agencies expected to pick up the pieces when the government exists stage right. Agencies like the 519 Church Street Community Centre, Dixon Hall and East End Literacy remain steadfast in their support of real people.

In the next few days, the United Way member agencies will play silent Santa to tens of thousands of children in our city, children who make up an ever-present underclass. I cannot imagine the feeling that comes from being unable to provide for your children. Thankfully for many, the United Way prevents that indignity.

Early in the new year I'll be launching a major fundraising effort for the United Way. For three months I'll be boxing with Florida Jack and eating properly, with serious weight loss in mind. Sponsors are encouraged on a per-pound basis. I'll benefit from better health and the less advantaged in my community will benefit through the United Way, as always.

SEASON'S GREETINGS

Mr Wayne Wettlaufer (Kitchener Centre): Mr Speaker, I would like to wish you and every member here the tidings of the season, a happy Hanukkah, a merry Christmas and a happy new year.

We end this year with Canada again being recognized by the United Nations for having attained the highest quality of life for its citizens of any country on earth.

On the international scene, Canada is respected as a peacekeeper whose troops are deployed throughout the world in an effort to stop bloodshed and to try to bring a better quality of life to the citizens of many countries which are not as blessed as ours. On the national level, Canada is both peaceful and economically prosperous. Our philosophy is based on the principles of democracy, ethics, honesty and hard work.

Canada's economic prosperity is setting new records. This season's Christmas retail sales are expected to hit a record \$45 billion. This past weekend alone, Canadian retailers enjoyed their strongest shopping weekend in history, with over \$3 billion in sales.

It is only through a strong, stimulated economy that tens of thousands of new jobs are being created monthly, which is the only direct manner in which problems such as child poverty can be attacked. As a result of this government's "right on target" economic policies, we end this year with Ontario again being the engine of the Canadian economy.

Today we should count our blessings. We are truly blessed to live in such a wonderful part of the world.

STATUS OF BILL 46

The Speaker (Hon Gary Carr): Yesterday the member for Scarborough-Agincourt introduced a bill entitled the fairness for taxpayers bill, the more days in the House for the Premier and fewer cheap photo ops act.

Aside from various other difficulties, I had found that the bill introduced was in unilingual format, which is contrary to subsection 3(2) of the French Language Services Act. I must therefore advise the House that this bill contravenes standing order 33(d) and will be removed from the Orders and Notices paper.

Mr Gerry Phillips (Scarborough-Agincourt): On a point of order, Mr Speaker: I appreciate your ruling and accept it. I just wanted to assure the supporters on all sides of the House and in all three caucuses that I will be reintroducing the bill and looking forward to your continued support when it is reintroduced.

The Speaker: I thank the member.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mrs Claudette Boyer (Ottawa-Vanier): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Ms Lisa Freedman): The standing committee on regulations and private bills presents the committee's report and moves its adoption as follows:

Your committee begs to report the following bill without amendment:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

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

1350

INTRODUCTION OF BILLS

TARTAN ACT, 1999

LOI DE 1999 SUR LE TARTAN

Mr Murdoch moved first reading of the following bill:

Bill 49, An Act to adopt an official tartan for Ontario / Projet de loi 49, Loi visant à adopter un tartan officiel pour l'Ontario.

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

Mr Bill Murdoch (Bruce-Grey): This bill was around in the last session, introduced by Lillian Ross, and never came to fruition, so hopefully in this session it will. I think Ontario needs a tartan, as it will fit in very nicely with Tartan Day on April 6, which this House also approved. Maybe some of the new members won't know that, but April 6 is Tartan Day, and after this bill is approved we'll have our own tartan in Ontario.

The Speaker: I can tell the member we all look forward to seeing him in his kilt on that day.

ROSS MEMORIAL HOSPITAL ACT, 1999

Mr Stewart moved first reading of the following bill:

Bill Pr5, An Act respecting The Ross Memorial Hospital.

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

Pursuant to standing order 86(a), this bill stands refers to the Commissioners of Estate Bills.

MUNICIPAL AMENDMENT ACT (SIMCOE DAY), 1999

LOI DE 1999 MODIFIANT LA LOI SUR LES MUNICIPALITÉS (FÊTE DE SIMCOE)

Mr Hastings moved first reading of the following bill:

Bill 50, An Act to amend the Municipal Act to name Civic Holiday as Simcoe Day / Projet de loi 50, Loi modifiant la Loi sur les municipalités en vue de désigner le Congé civique sous le nom de fête de Simcoe.

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

Mr John Hastings (Etobicoke North): The intent of this bill is to really honour Mr Simcoe, who was the founder of this great province.

MOTIONS

HOUSE SITTINGS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Wednesday, December 22, 1999, for the purpose of considering government business.

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

Ms Marilyn Churley (Broadview-Greenwood): On a point of order, Mr Speaker: I'm asking for unanimous consent. I rise on a very important issue, that being the transportation of plutonium waste along Ontario highways. I ask for unanimous consent to do second and third readings of my Bill 34, An Act to amend the Dangerous Goods Transportation Act to prohibit the transportation of Nuclear Material.

The Speaker: Is there unanimous consent? I heard some noes.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: Once again I seek unanimous consent of the government—

Interjections: No.

Mr Bradley: You have to hear it first—for second and third reading for my gas price bill, Bill 16.

The Speaker: Is there unanimous consent? I heard some noes.

ORAL QUESTIONS

APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Deputy Premier. This year we sat

seven days in the spring, 33 in the fall. You have limited debate on nearly one half of the government bills that were introduced. We in the opposition were lucky if we got eight hours of debate on any particular bill. No travelling committees have done any work this fall. You have provided yourself with new dictatorial powers in one of your bills. You have revived the power to bully counties into restructuring. This afternoon you will undoubtedly be proceeding with ramming through the appointment of Mike Harris's friend as our new Environmental Commissioner. In summary, your government has relentlessly attacked the democratic underpinnings of this Legislature.

My question for you is, what have you got against the democratic process, which to this point in time has served so well in ensuring that we had strong laws and a strong Ontario?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I would like to remind the leader of the official opposition that during the last Parliament this government sat 12% more sessional days than the NDP government and 45% more than the Liberal government, of which you were a member. Is that what he means by sitting less and less—45% more than the government of which you were proud to be a member? Why didn't you resign from that government if you thought they sat so little?

Interjections.

The Speaker (Hon Gary Carr): Order. Minister of Education, come to order. Member for Windsor West, come to order, please.

Mr McGuinty: The Environmental Commissioner is a non-partisan officer of this Legislature and should be seen as such. That individual is to answer to all of us, not just to the government members or to the Premier. You know that only Conservative MPPs favour the appointment of this individual as the Ontario's new Environmental Commissioner.

What I'm really worried about is the precedent that this is setting for our province. If Mike Harris is able to impose the appointment of his friend and political ally for such an important non-partisan position, what is next? Are other very important and supposedly non-partisan jobs up for grabs for friends of the Premier? Can we expect that you're going to ram through the appointment of Tom Long as Ontario's new Chief Election Officer? When are you going to appoint Conrad Black as the Provincial Auditor, or Brian Mulroney as the new Integrity Commissioner?

Hon Mr Eves: Since the government has been in power, we have had 3,603 reappointments. Some 2,277 of those were reappointments of people who were appointed either by Bob Rae's government or by David Peterson's government. That's 63% of all the appointments or reappointments made. That doesn't sound to me like a very partisan appointments procedure.

Mr Miller is a very qualified individual to be Environmental Commissioner. Are you suggesting that despite the fact that he's a qualified individual, the fact that he

has some correlation to the Progressive Conservative Party of Ontario should disqualify him from becoming the Environmental Commissioner? Is that what you're suggesting?

Mr McGuinty: This is not some kind of a distant relationship with the Conservative Party of Ontario. This is a man who has sought political office under the stripe of the Progressive Conservative Party of Ontario. This is a man who did the same thing for the federal Progressive Conservative Party. This is a man who holds the position of the federal riding president of the Progressive Conservative Party. This is not what you call a distant passing relationship. In addition to all of that, this man is a personal friend of the Premier.

1400

This appointment is a very important appointment. It is one that must be seen as non-partisan and at arm's length from the government. It is one that should be approved by all three political parties. Deputy Premier, how can you possibly justify the appointment of this man in the vein of a non-partisan appointment by this Legislature?

Hon Mr Eves: I note that when the leader of the official opposition is talking about partisan political appointments and people who have run for different political parties, he neglects to name off some names like Marion Boyd, Dave Cooke, Floyd Laughren, Gilles Morin, Bernard Grandmaître and Frank Miclash. How come you didn't rhyme those off when you were talking about people who have run for different political parties?

HOMELESSNESS

Mr Dalton McGuinty (Leader of the Opposition): A question for the Deputy Premier: Before the Christmas break in 1992, your boss, Mike Harris, had the following to say in this Legislature. "I suggest to the members of the government, when they go home over this Christmas holiday, that they reflect on the most vulnerable in our society and the back of the hand that they have received from this government in 1992."

We are now nearing the one-year anniversary of Anne Golden's report on homelessness. Her report detailed in dramatic fashion how your government's policies caused an increase in homelessness, particularly for our children and our young people.

Anne Golden found that since 1992, hostel use by youth is up by 80% and use by families has risen by 123%. She found that there are 40,000 children in Toronto alone living in families that are vulnerable to becoming homeless.

Minister, when you go back to your riding, will you be reflecting on the most vulnerable in our society and the back of the hand that they have received from your government?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): Nobody, I believe, in the province is happy when people are homeless and people live in some degree of poverty or another, and find themselves there

through no fault of their own, quite frankly. The government is doing what it can to try to provide opportunities for those people either to educate themselves or to improve upon their job skills to bring them into the workforce, if and where possible. However, that's not always possible, and our obligation as a government and as a society is to take care of the people who can't take care of themselves, that having been said.

Mr McGuinty: It might be worth our while to take a look at the record of this government when it comes to helping out the homeless and the hungry. This is what you have done: You have ended rent controls, you have cancelled 17,000 new affordable housing units, you have cut welfare to our poorest and our neediest, and you have closed psychiatric hospitals. The result was predictable. It was the following: Rents have increased dramatically, more people and families are being evicted in Ontario than ever before, families are now being told that the waiting list for affordable housing is 12 years long, hostel use by families and youth has doubled, and there are more poor people living in Ontario today than at any other time in our history.

In 1992, Mike Harris also had the following to say, "Let me hope that we can do better for you"—the hungry—"in 1993, and for the homeless." My question for you: What is your hope for those who are hungry and those who are homeless in the year 2000, and when are you going to start to help instead of hindering?

Hon Mr Eves: First of all, over 400,000 Ontarians are no longer on welfare who were on welfare when our government was first elected. When this government came into office in 1995 there were 1.3 million people on welfare, the highest per capita rate in the entire country of Canada. That is the legacy that the Peterson and Rae governments left the people of Ontario. I am now proud to say that 400,000 of those people are no longer on the welfare rolls, and our goal is to make sure that as many as possible are removed from the welfare rolls.

Mr McGuinty: The fact of the matter is that there are more children growing up hungry in Ontario today than ever before. There are more families growing up in poverty today than ever before in the history of our province.

Interjections.

The Speaker (Hon Gary Carr): Order.

Mr McGuinty: When it comes to your lack of activity—

Interjection.

The Speaker: Order. This is the last warning for the Minister of Education. If she does it again, I will name her—the last warning.

Mr McGuinty: When it comes to your commitment to fight homelessness, you have spent less than one quarter of what you promised to spend. You promised to spend \$100 million. Half of that came from the federal government and you spent less than one quarter. You haven't announced any details on how or when this is going to help house our poor. In the area of supportive housing, all that you've done is send out press releases.

There is not a single new unit that has been built. When it comes to your PST rebate for new affordable housing, which you have said so much about, that's not going to cost you a penny because there is no new affordable housing being built today in Ontario.

Minister, when are you going to turn your empty promises on homelessness and poverty into real action to help people who are in real and pressing need?

Hon Mr Eves: We have doubled the community start-up grant for homeless families. We have introduced an Ontario child care supplement for working families. This is going to help some 350,000 children in Ontario. The program has grown to a \$200-million program. We have invested \$45 million more in the Trillium drug program to ensure that 140,000 working poor receive assistance. We have added over 500 drugs to the Ontario drug benefit program. Some 650,000 low-income earners who previously paid income tax now pay no personal income tax whatsoever as a result of some of the measures we have taken. Those are just a few of the measures we have taken.

With respect to housing, you might want to get Jean Chrétien's phone number and ask him why the federal government has totally abandoned housing for anybody in the entire country.

APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier. I want to ask the Deputy Premier to give some direction to other members of the government. It must be clear to you now that the person you want to appoint to become the Environmental Commissioner of Ontario doesn't have and can't have any public credibility. Environmentalists across the province are united in one voice in saying very clearly that to appoint a political backroom operator of the Conservative Party into this important job discredits the job. Gord Perks of the Environmental Alliance and Paul Muldoon from the Canadian Institute for Environmental Law and Policy have said this would be just a very bad appointment.

Deputy Premier, it's not too late. Would you direct the committee to reconsider, to find a candidate who would enjoy the confidence of everyone here who especially would have the confidence of the public out there? Would you do that?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): The committee has recommended a candidate through the same process that your government used when you were in government with respect to an Environmental Commissioner in 1994.

The Speaker (Hon Gary Carr): Supplementary.

Ms Marilyn Churley (Broadview-Greenwood): Minister, in 1994—and you would know this; you were here—the process worked. We advertised in the press, we had over 200 applications and, most important, we found a candidate all three parties, including the Mike Harris Tories, could support. It was unanimous.

1410

Minister, listen carefully, please. For this position to work, the public must have the confidence that if the Environmental Commissioner tells them things are fine, they are indeed. You and I both know that when Gord Miller says things are fine, nobody outside of the party is going to believe him. I ask you again, will you support the motion to send this committee back for reconsideration?

Hon Mr Eves: The honourable member is saying that she doesn't like the decision a committee of the Legislature made, therefore she wants to revisit the decision. We're using exactly the same procedure that your government used in 1994. Mr Miller is a more than qualified candidate to be the Environmental Commissioner.

Ms Churley: The government minister is still not listening to a very grave problem here. Have you heard what the environmentalists across the province are saying? Some of the multi-stakeholder task forces that were brought together from all sectors are very concerned about what you're doing here. Let me quote from one of them: "The commissioner position will be transformed from a watchdog into a lapdog. There is a critical need for an independent review of the government's environmental performance to track the impact of the many cuts they have made to environmental programs, staff and budget."

I say to the minister, the process in this committee was not conducted properly. There was not given an opportunity, until I pushed it, to ask Mr Miller about his political connections, which was a legitimate thing to do in this case.

Minister, this is a very important position for all Ontarians and to every member in this House, not just your government. I ask you again, will you reconsider?

Hon Mr Eves: Mr Miller's qualifications speak for themselves. He worked in the Ministry of the Environment for some 14 years. He's headed up environmental groups and conservation groups concerned with water quality and supply in Lake Nipissing and Trout Lake, among other things. He has a record that's very creditable. Obviously the human resources department assisting the Legislative Assembly committee felt the same or he wouldn't even have been interviewed for the job. The committee has chosen him as the successful candidate. We are following exactly the same procedure that was good enough for you and your government in 1994.

INVESTIGATION OF FORMER MINISTER

Mr Howard Hampton (Kenora-Rainy River): A further question for the Deputy Premier: For the past two and a half months the Ontario Provincial Police have been investigating the activities of your former Minister of Municipal Affairs and Housing. Today we understand the OPP put out a press release which says no evidence of criminal wrongdoing. But you and I both know that there are other details that may not be criminal that are

certainly of interest to the conduct of your government. We know that the former minister was alleged to have been channelling access through his personal lawyer, who is also the lawyer for many of his companies. We know that his personal lawyer has gotten a very lucrative contract with your Ontario Realty Corp, the realty corporation itself being the subject of allegations of wrongdoing and corruption and the subject of a number of lawsuits.

The Premier said he would make all of the details public. Will you do that today, Deputy Premier?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): The government has no details other than the same press release that the leader of the third party has. The OPP have stated in their press release that they have completed their investigation, that they found no evidence whatsoever for laying of any criminal charges. That's as much as he knows, that's as much as we know.

Are you suggesting, I say to the leader of the third party, that we now have access to OPP investigations of any individual in our society? They've obviously issued a press release. If there's a report to be made public, the OPP will make the report public.

Mr Hampton: I'm simply taking the Premier up on what he said two months ago. Two months ago he said—and he said it again yesterday—that he would make the details of what has been learned public.

Let me get across exactly what I think the public needs to see. One of the things that emerged during the investigation, the discussion about Mr Gilchrist, is that Mr Gilchrist was found guilty of tax evasion. I think the public deserves to know those details. If your government put Mr Gilchrist in the cabinet, if you're considering putting Mr Gilchrist back in the cabinet, I think those are details that ought to be open to the public. What exactly did happen to the criminal charges of tax evasion? There was a finding of guilt and I understand that was upheld on appeal. Those are the details that I think the public needs to know. If your government is going to appoint cabinet ministers, those are the details that I think you should make public. Are you going to make the full report public?

Hon Mr Eves: First of all, there is no report I know of that has been prepared on this case. The OPP have issued a press release today. You know as much about it as we know about it. The press release speaks for itself.

The Premier held a press conference at 12:45 today. He indicated that he met with Mr Gilchrist for the very first time, discussed with him certain actions and comments that he is alleged to have made during the course of the investigation, told them that they were inappropriate and has chosen not to put him back in cabinet at this point in time.

EYE CARE SERVICES

Mr James J. Bradley (St Catharines): I have a question for the Minister of Health. You'll recall that there is an eye-care crisis in the Niagara region, and

thousands of people will be forced to travel to Hamilton to receive their eye care as a result of your action.

Dr Jeffrey Sher, who is the chief of the department of eye medicine and surgery at Hamilton Health Sciences Corp, says that your solution is bogus. He says the following: "Please be advised that the provision of all ophthalmology services in the Hamilton area is currently under significant stress due to manpower shortages. Access to ophthalmology services in Hamilton is already significantly restricted. Waiting lists for consultations and surgery are exceedingly long.

"The seven non-surgical ophthalmologists in Hamilton are unavailable for urgent or emergency care. Five out of seven are between ages 62 to 70 and have retired from surgical practice. Their clinical availability is part-time to various degrees. These individuals are likely to further reduce their practices over the next number of years. We are sitting on a human-resource time bomb in this specialty."

Will you now admit that your solution of forcing people from the Niagara region to go to Hamilton for eye care services is not a suitable solution?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, the government has worked very hard to encourage more specialists to practise in Ontario, particularly in the underserved areas. In fact, the number of specialists has actually increased by 238 since 1997.

When we come to the issue of the specialists retention initiative, each year it is determined by the Ontario Medical Association and the ministry which physicians will be exempt from the impact of the threshold. When physicians want to appeal decisions that have been made, they certainly have the opportunity to do so.

Mr Bradley: I'll quote further from the letter, which really demonstrates for the people of the Niagara region and Hamilton how inadequate your response is. They say: "We suggest that you re-evaluate how these ratios are being used in light of current realities. We can assure you that Hamilton ophthalmologists cannot handle the primary and secondary eye care needs of the entire central-west region. We are barely coping with our own needs. We wish to advise you in advance that urgent and emergency eye care problems for the Niagara region cannot be dealt with by referral to Hamilton. We have little capacity to accept these cases. We consider the ophthalmologists in the Niagara region responsible for these patients. We urge you to resolve this issue as soon as possible."

In the short and medium term, will you now lift the cap on ophthalmologists in the Niagara region until such time as we have a sufficient number of ophthalmologists to serve the people in the Niagara region and not force them to head down the Queen Elizabeth Highway to Hamilton?

Hon Mrs Witmer: As the member knows, it is the physician services committee that makes the determination, and I would recommend that certainly this situation would be reviewed.

There are others within the province who have applied for exemption, and I would strongly recommend that this be communicated to the ministry and that the situation be reviewed in light of the additional information. I think everyone wants to ensure that the appropriate number of specialists are available to meet the needs of people in your community and throughout the entire province.

1420

DOCTOR SHORTAGE

Mr Marcel Beaubien (Lambton-Kent-Middlesex): My question is for the Minister of Health and Long-Term Care. In the past number of years I've queried you on the underserved areas in Ontario and the shortage of family physicians in Lambton-Kent-Middlesex.

Interjections.

Mr Beaubien: If you'd give me a couple of minutes and listen, this is a serious matter in my riding. I'm sure for the member for Chatham-Kent-Essex it's probably the same thing.

On December 9 I received another letter from the town of Parkhill questioning the shortage of family physicians. Today the report from Dr McKendry has been released. Apparently it's a fact-finding report. I haven't had a chance to see it. Minister, could you please tell the Legislature and my constituents what steps you plan to take with regard to the recommendations made by Dr McKendry?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): I'm very pleased to respond to the member that indeed Dr McKendry has publicly shared his fact-finding report with us at the Ministry of Health. It's now available to the public. I'm also very pleased to respond that Dr McKendry has indicated that the initiatives the government has undertaken thus far show that we are on the right track to improve access to family physicians and specialists. As a result of his report, I'm very pleased to indicate today that we are going to be expanding some of our initiatives, particularly in the field of foreign-trained doctors. I'm very pleased to be able to say today that we are going to expand the capacity by 50% for foreign-trained doctors. They'll be able to access the international medical graduate program. That will commence in July 2000. Also, for students who have gone to the United States, we are going to be funding additional post-graduate training in Ontario. We will be funding up to 15 training positions in order to attract those individuals back to Ontario.

Mr Beaubien: I'm sure my constituents in Lambton-Kent-Middlesex will be very pleased to hear this information that you passed on to the House today. You've also taken the wind out of my sails with regard to my supplementary question, because you've already answered it. I guess I could ask, when do you plan on initiating these particular processes that you've just talked about?

Hon Mrs Witmer: The initiatives I've talked about, such as the expansion of opportunities for foreign-trained

doctors by 50%, the 15 additional training physicians for those who have done their training in the US to return to this province—those are all going to be targeted at bringing people back into underserved areas, specialties that are underserved. We're also going to have an expansion of the re-entry training/return-of-service program. We'll be expanding that from 25 to 40 positions. We'll be doubling the number of community development officers. We're expanding the northern training program.

The other piece of good news for the member and 58 other communities in our province today is that we are making an additional \$60 million available to those hospitals in the province that have less than 35,000 visits to their emergency rooms. This will allow them to keep those emergency rooms open 24 hours a day. I'm pleased that St Catharines is included on the list.

The Speaker (Hon Gary Carr): New question.

Mr John Gerretsen (Kingston and the Islands): I would like to return to exactly the same issue of doctor shortages. If there's one thing that the minister has acknowledged today, it is that it is not just a distribution problem, which is what you have been saying for the last six months here; there's actually a shortage.

Let me ask you this: We are still short, according to your own records, some 422 doctors. The 50 positions that you talked about is a step in the right direction.

I'd like to talk to you about the case of Dr Rawani. He's one of the very many foreign-trained doctors in this country. Let me just tell you what he has done. He came here with his family two years ago, after having spent seven years at one of the centres of excellence in a hospital in Pakistan. He passed a Canadian medical council evaluating exam, giving him the equivalency of Canadian medical graduate, yet since that time he has run into nothing but roadblocks in order to get approved as a physician in this province. What are you doing, Minister, to fast-track those qualified foreign physicians to make sure that the people of Ontario who lack medical services can get those services as soon as possible?

Hon Mrs Witmer: What we're doing, as I've indicated today, is immediately responding to Dr McKendry's report today. These are the short-term initiatives that we're able to put in place. It amounts to a total of an additional \$11 million to make sure that underserved areas of the province that need family physicians and parts of the province that need specialties that are lacking are going to have them. When we take a look at the fact that we're going to be increasing the capacity for foreign-trained doctors by 50%, that is certainly very significant movement.

If we need to take a look at further dialogue with the colleges, because it is the colleges, of course, that do the licensing of the doctors, we need to communicate. But what we are also doing today is that we have designated Dr Peter George, who heads up McMaster University, to head up our expert panel to develop the long-term strategies that we need to ensure we have the appropriate

number of health human professionals to meet the needs of our population today and in the future.

Mr Gerretsen: Just so I am clear and the people of Ontario are clear, when you're talking about increasing the foreign-trained doctor capacity by 50%, you're only talking about 12 positions, because currently only up to 24 medical graduate positions are available under the international medical graduate program. I was wrong when I assumed there were 50; it's 50% of 24, which is only 12 additional positions.

Let me just quote to you what Dr Rawani has said: "At no time am I suggesting that the medical doctors from 'approved' medical schools overseas should set up a medical practice without first proving the necessary skills and expertise. However, after passing the evaluating exam there should be no discrimination. I have learnt that at every step of pursuing my field I will have to encounter different standards and feel that my rights are being jeopardized."

Minister, you're in charge of the health of the people of Ontario. What are you doing to ensure that the College of Physicians and Surgeons, the OMA and your own ministry work together to do away with the discriminatory tactics that Dr Rawani and many other—

The Speaker: Order; the member's time is up.

Hon Mrs Witmer: There has been considerable dialogue, and I do believe the dialogue will continue. First of all, we need to continue to recognize that it is the Royal College of Physicians and Surgeons of Canada and the College of Family Physicians of Canada and the College of Physicians and Surgeons of Ontario who determine the standards required to receive a licence to practise medicine in Ontario. These policies exist to ensure that all physicians meet the standards and qualifications to be certified to practise in Ontario. What we are doing is that we have immediately ensured that the capacity is increased by 50%. However, the panel being set up will continue to further look at how we can ensure that we have the appropriate number of family physicians and specialists in the province.

COLLECTION AGENCIES

Mr Bart Maves (Niagara Falls): My question is for the Minister of Consumer and Commercial Relations. The Collection Agencies Act, as it now reads, restricts non-resident ownership of collection agencies that operate in Ontario. In the Niagara region there is an Ontario-based company that has indicated it would be willing to expand its 100-person workforce by up to another 250 employees by spring if this restriction is lifted. Ontario is the only province in Canada with this kind of restrictive provision on collection agencies. This provision is a barrier to investment in our community and unnecessary red tape. What action are you taking to ensure job creation and economic growth in my region?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I thank the member from Niagara Falls for the question. Last week I introduced

amendments to the Collection Agencies Act to remove the restriction on foreign ownership of collection agencies in Ontario. I'd like to assure the House that the proposed amendments do not change the existing requirement that collection agencies operating in Ontario be physically located in the province. Those provisions are still in place.

1430

By passing this legislation, Ontario would be in step with all other provincial and territorial governments in Canada. Harmonizing our laws with other jurisdictions would improve interprovincial co-operation and enforcement of standards in the collection agency sector.

Our government has made job creation a top priority. We've created more than 500,000 jobs since being elected, and through this legislation we will level the playing field for Ontarians to compete for more jobs in the collection agency industry.

Mr Maves: Thank you very much, Minister, for recognizing how important 250 jobs like this are to the Niagara region, although some members of the House apparently aren't that concerned. I won't mention names; I won't do that today.

Minister, what can we do to ensure that these amendments in this package are passed as quickly as possible so that my constituents can benefit immediately from this legislation?

Hon Mr Runciman: We are working with the opposition to try to secure their support for swift passage of this legislation, and I urge them to make job creation for Niagara a priority. Let's put partisanship aside and get this job done.

NURSE PRACTITIONERS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health. My question comes from the Mary Bergund Community Health Centre, which operates in an underserved area and badly needs a nurse practitioner.

On October 13 of this year the Ministry of Health put out a request for proposals for nurse practitioners, but under your new rules, to submit an application you have to go through a private sector company called MERX. On three occasions in October and November the community health centre tried to get an application document through MERX, and MERX said, "Sorry, we can't send it because of some differences in software." They asked MERX to send them an application by courier. MERX said they would not use Purolator as a courier despite the fact that Purolator is the only courier that operates into the town of Ignace.

The community tried five different ways to get an application and MERX couldn't provide them with one. The result, after a two-month tie-up with bureaucracy, is that they can't take part in the nurse practitioner process. Is this the new scheme of things in the Ministry of Health: privatize things and make it difficult for underserved areas to even get a nurse practitioner?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member certainly knows, it was our government that actually for the first time in the history of this province did recognize that nurse practitioners—we've actually moved forward to hire and will be hiring 80 nurse practitioners. As you know, there is an RFP process that is used to ensure that the nurse practitioners are located in the areas where they are most needed. We continue to refine that process, but I can tell you that the nurse practitioners are certainly increasing the access. Along with the measures that I have announced today for additional physician resources and the measures we've incorporated in the past, there is considerably improved access for people in the north and isolated areas when it comes to physicians and nurse practitioners.

Mr Hampton: Minister, this is a community that badly needs a nurse practitioner. This is a community that has essentially one full-time physician and one locum physician and then tries to get nurse practitioners to provide health care for a population in the catchment area of over 2,000 people. They tried on four separate occasions, through this private sector process that you set up, to get the application form and MERX wouldn't send them the application form. The result is that they can't even apply for a nurse practitioner. They've now gone to get a law firm to sue MERX and your ministry to try to become part of the application process.

Minister, you can launch press release after press release, but the fact of the matter is that hard-pressed communities out there that actually need a nurse practitioner, that are trying in good faith to apply for a nurse practitioner, can't get through the private bureaucracy you've set up.

What are you going to do for a community like Ignace? Will you reopen the process so they can at least participate and file an application for that nurse practitioner they need so badly?

Hon Mrs Witmer: We are continuing to issue RFPs for nurse practitioners. We certainly have received very positive feedback from the community as to the work they are able to do to improve access to primary care. Certainly the concerns you've raised today are ones that need to be seriously considered. I very much appreciate that, and they certainly will be taken into consideration by the Ministry of Health officials in order to ensure that all communities have opportunities.

MUNICIPAL TAXATION

Mr Richard Patten (Ottawa Centre): My question is to the Minister of Municipal Affairs. You will know that two evenings ago, Bill 25, the restructuring and amalgamation of municipalities bill, went through and imposed an unwanted, unexpected tax increase on the people in the city of Ottawa.

You will recall a letter that was sent to you by the mayor of Ottawa. Part of it says: "It is a direct attack upon the taxpayers of Ottawa. I am writing to condemn

these mean-spirited provisions which will accomplish nothing but penalize our taxpayers. The formula as it now appears is cherry-picking of assets and of liabilities.” This letter was sent to you by the mayor. He asked for a meeting. You wouldn’t meet with him, of course, because you wanted to help out your friend the minister from Nepean. No amendments in the bill, but in the bill it did have the opportunity for the cabinet to amend the legislation. So I want to ask you, will you use those provisions to amend the bill to provide fiscal justice to the taxpayers of Ottawa?

Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing): I thank the honourable member for the question and I can confirm to him that I have actually had discussions with the mayor of Ottawa on this very point. I understand, as you do, that there has been correspondence on this issue as well. We had a very fruitful discussion.

There has been no determination of some of the fine-tuning issues to which the member refers, but I can tell you what the intention of this government is, which is to protect taxpayers every step of the way to the best extent possible. That is what animates us; that is what drives us to commit to being part of this government and to deliver good government.

We are looking for an opportunity to be fair and equitable and reasonable to the taxpayers of Ottawa, but also to the taxpayers of Nepean and the taxpayers of Kanata and the taxpayers of Cumberland. This is all part of our job as being part of this government in Ontario. If the honourable member has any suggestions as to how best to do that, we would welcome them at any turn of events.

Mr Patten: Minister, I would like to hear you say that you will take action. The legislation in fact creates an imbalance. It means that the taxpayers of Ottawa, who didn’t expect it—in fact one of the objectives was lower taxes. This will increase property taxes for taxpayers.

The mayor has two suggestions as to how to deal with this. Either of those suggestions would work. I would ask if you would confirm that you will direct the transition team to examine that and make sure there are no tax increases for the property taxpayers of Ottawa.

Hon Mr Clement: I can confirm to the honourable member and to this House that those two options that the mayor of Ottawa has determined are acceptable to him and to his council have been conveyed to me and we are apprised of that information. Let me say this, though. We also have a commitment to the taxpayers of Nepean. We also have a commitment to the taxpayers of Kanata. We did not think it was fair—which is why we went for area rating—to share with the taxpayers in Nepean or Kanata or outside of Ottawa the debts that have been accumulated by council decisions in Ottawa, nor did we feel it was fair to strip out reserves from those communities for the new city of Ottawa.

Having said that, we are looking for a fair, equitable and reasonable way of dealing with this, and I can

certainly keep the honourable member apprised of our progress.

TOY DELIVERY

Mr John O’Toole (Durham): My question is to the Minister of Transportation. Many of my constituents in Durham, and indeed across Ontario, are aware of a massive shipment that will be travelling throughout Ontario the night of December 24. Thanks to the tax cuts, millions of pounds of toys are being transferred in a single vehicle that will perhaps exceed Ontario’s vehicle weight restriction limits.

Minister, stand in your place in this Legislature and tell the children and people of Ontario that you will transport these toys on time and in a safe manner.

1440

Hon David Turnbull (Minister of Transportation): What an excellent question. Play safety is of paramount importance to this ministry. The ministry is aware of the shipment in question, and I can assure the House that the owner has an excellent safety record and has taken every precaution in the past. After careful inspection, the carrier has been granted an “overweight” permit and he will have easy access to all Ontario communities. I’m confident that the toys will arrive on time and in a safe and efficient manner.

Mr O’Toole: Minister, it’s clear from that response that you will not awake on Christmas morning with a piece of coal in your Christmas stocking.

In all seriousness, though, this issue of road safety is critical. Minister, stand in your place and come clean on behalf of the children of Ontario. Assure them that Mr Claus and the Christmas toy convoy will meet our load restrictions and that the vehicle will operate in a safe manner.

Hon Mr Turnbull: Of course, it would befit—
Interjections.

Hon Mr Turnbull: Please, this is a very serious matter. People all over the province want to know the answer to this.

It would be premature for me to speculate on the number of hours that Mr Claus would be working, but I’m pleased to report that the driver has a perfect safety record and that his vehicle is always well lit and well maintained. I’m confident in the ability of Mr Claus to deliver the cargo safely and on time.

I would just like to take this opportunity to wish everybody in this Legislature a happy Christmas, a wonderful holiday and, please, safe driving.

INFRASTRUCTURE PROGRAM FINANCING

Mr Gerry Phillips (Scarborough-Agincourt): I might just comment that I’m glad Santa has a sled, because many of the roads aren’t plowed.

But my question is to the Minister of Finance, and it has to do with the SuperBuild Growth Fund.

I think all of us agree that over the next five years we have to invest about \$20 billion in the infrastructure of Ontario. The government has told us that half of that, \$10 billion, will come from the private sector. You know we've had some reservations about your ability to do that, based on the 407 experience, where the private sector has been given the right by you to double the tolls. Anybody who doesn't pay the toll doesn't get their licence renewed. The Harris government took about a \$1.6-billion slush fund.

My question is this: We now are almost through the first year of this \$10-billion private sector funding, so we expect that we've probably got somewhere around \$2 billion of private sector funding for infrastructure. Can you indicate to the House where the \$2 billion of private sector funding is coming from and what the major projects are that will represent that \$2 billion?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): No, I cannot. The member is trying to leave the impression that this will be equally divided year by year, month by month, day by day, hour by hour, I suppose. When we make a commitment on this side of the House, we keep it. I can remember the same honourable member standing up and pooh-poohing how anybody could ever dream of creating 725,000 jobs—"That will never happen." Of course we're up to 615,000, and I don't hear that question any more.

Interjections.

Hon Mr Eves: Excuse me. There's still a year to go to meet the commitment. It was a five-year commitment.

You people on the other side of the House must really look forward to Christmas Day. What do you do, tack up a little picture of Scrooge over your mantle on Christmas Day?

Mr Phillips: There is no need to be so bitter. You won the election; you've got to get over it. You're going to have to put that behind you. You're just a sore winner.

I don't mean to disturb you. I know it's Christmas, but maybe you can just give us a hint. We are now almost through the first year. You've said \$10 billion in total. I don't mean to upset you at all, but can you perhaps give Ontario some indication of the major projects that the private sector is going to fund? From where I sit, they want to make a profit. When you sell them a toll road or get them to build a toll road, that incremental infrastructure is a new tax on people. They build a school and you lease it, that's the same way of raising funds.

I want to know where you're going to find the incremental \$10 billion for infrastructure. I don't mean to upset you; I'll just ask it quietly and maybe you can give us a hint of where that will come from.

Hon Mr Eves: I'm glad to see the member for Scarborough-Agincourt is in such good humour today.

We will be releasing project by project as the SuperBuild operation gets up and running. As he knows, we now have an executive director who is going to run the SuperBuild fund.

Interjection: Who is it?

Hon Mr Eves: You know very well who it is.

We will be doing this project by project. We're looking at many projects, four of which we talked about in last May's budget, as a matter of fact, in the post-secondary education sector. And there will be many more projects forthcoming. Trust me, at the end of five years, there will be at least that amount of money raised through the private sector and it will improve the infrastructure in the province of Ontario.

Merry Christmas to the honourable member for Scarborough-Agincourt.

CANADA SUMMER GAMES

Mr Frank Mazzilli (London-Fanshawe): My question is to the Minister of Citizenship, Culture and Recreation. Our government is committed to young athletes. As you know, in 2001 the Canada Summer Games are coming to our area of southwestern Ontario. That site has been selected for many reasons, and one reason is the London Health Sciences Centre, which is a world-renowned health care facility. It's no thanks to the federal Liberals who have cut health care funding. The province of Ontario and our government had to create the economy in order to fund health care properly. If the members across the House want to lobby the federal Liberals for some further health care funding, we would certainly appreciate it in southwestern Ontario.

Minister, could you tell us some details of the 2001 Canada Summer Games?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member for London-Fanshawe for the question. It gives me great pleasure to talk in the House about the games that are happening in London in August 2001. The 2001 games are being worked on by a large number of volunteers across the southwestern Ontario district. As people will know, the games will be held in London, Woodstock, Grand Bend and St Thomas. So there are a number of representatives in this House who will be involved in those, I'm sure. Of course, the University of Western Ontario will also be involved in these games.

I think the important thing to remember about the games is that our youth from the ages of 13 to 19 will be involved in these games. These games are held every two years. I know that the athletes are preparing now for the games and many will then move on to the Olympics and other games as a result. It's a good opportunity for these athletes and I know they're training hard to be ready.

Mr Mazzilli: This is something that we can truly celebrate in southwestern Ontario, the Canada Summer Games coming there. We've created over 600,000 new jobs in the province of Ontario to date and we will continue to create more jobs.

Minister, can you tell us what financial impact these Canada Summer Games will have to our region?

Hon Mrs Johns: As the members from southwestern Ontario will know, it's very important to create economic activity in this area. It is estimated that the economic

benefits of these games will be very substantial to southwestern Ontario. Some \$42 million is the economic impact that is estimated for London alone. They have also estimated that there will be 571 full-time jobs to London and the surrounding region, and across the province 737 jobs. So it's quite a legacy that these games will be leaving.

There will be \$2 million for sport complexes that will be raised by partners and people involved in the games and the province, so it's quite a complex that's going on and it's going to bring a great deal of economic activity to southwestern Ontario.

1450

OMERS PENSION BOARD

Mr David Christopherson (Hamilton West): My question is to the Chair of Management Board. Minister, you had to be embarrassed into putting some limits on the exotic junkets and high living of the Liquor Control Board of Ontario. I want to ask you about some of the other neat little travel opportunities that are available to members of the OMERS pension board.

I have a list here of the possible conferences sent to OMERS board members on November 2. Some of them are pretty cool: "Dialogue Along the Danube" in Budapest and Vienna; another conference at the Pointe Hilton in Tapatío Cliffs, Phoenix, Arizona; others in Palm Beach, Paris, Madrid, San Francisco. In many cases there are little stars instead of dollar signs, indicating that the sponsors will gladly pick up the cost.

My question to you is this: Are any of these junkets being paid for by the hard-earned wages of municipal workers, firefighters and police officers, or are they being paid as freebies by the corporate sponsors who want to influence the board members and their decision-making?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): It's a good question. We have tried to root out a lot of the waste and abuse that was left in the system from the NDP government days, so I'll take this under consideration. I will check it out and see if it even falls within our jurisdiction or who is responsible, or if what you are saying is even true. Thank you for the question.

The Speaker (Hon Gary Carr): Supplementary.

Mr Christopherson: Well, Mr Speaker, I'm surprised you are going to let it stand in terms of him asking whether or not that's true.

However, Minister, I am disappointed that you take this so lightly. You take everything lightly around here until it's brought to you here or put on the front page of the newspaper; then you react. I suspect this is another one of those cases.

Let me say to you that one of the things these members should be hearing as they are travelling around the globe is that more and more pension boards are recognizing the right of workers to have at least a 50% say in how their board pensions are being invested. We of

course have done that with the OPSEU pension trust fund, and it's working very well. We think you ought to be doing the same thing with the OMERS board. Will you tell us whether or not you are prepared to make that commitment today?

Hon Mr Hodgson: The answer to the last question is no, but to the first part, we do take those things very seriously and I appreciate your bringing it to our attention. I'm not sure which part of "yes" you're not comfortable with.

These are accusations that you are making that appear on the surface to be frivolous—we'll investigate that—and a waste of money for the people who have contributed to the plan, and of course we take that very seriously.

LONG-TERM CARE

Mr Mario Sergio (York West): My question is for the Minister of Health. Calls are coming in fast and furious with respect to long-term care and patients who need home care, including disabled patients. Will you introduce legislation which will guarantee those patients—handicapped, disabled, people who need home care services—the services provided within the health care system in Ontario?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member knows, we have 43 community care access centres in the province. Those community care access centres are run by a local board of directors, and within each one of those communities decisions are made regarding case management of patients. As you know, we have made available \$551 million which is being used and will be used in the future to fund home care and community services.

VISITOR

Ms Marilyn Churley (Broadview-Greenwood): On a point of order, Mr Speaker: I want to take this opportunity to introduce to the House Ryan Cookson, who was a former page in this House from Broadview-Greenwood last year. Welcome, Ryan.

The Speaker (Hon Gary Carr): On a point of privilege, the member for Windsor-St Clair.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, it has come to my attention that earlier today—we've had discussions about the McKendry report, which is three months overdue. My understanding is it has been given to all the government members but it's not available at this moment to opposition members or to the gallery. That's a very important infringement and we'd like to have copies of that report.

The Speaker: I'm not aware of the reports that they give out. I'm sure if there are reports available, the appropriate people would make them available to all members.

PETITIONS

MEDICAL LABORATORIES

Mr Monte Kwinter (York Centre): I have a petition to the Parliament of Ontario:

“Whereas the Ontario government has recently imposed a retroactive cap on revenue earned by medical laboratories for services provided under the health insurance plan; and

“Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that revenue exceeds the retroactively imposed cap for those years; and

“Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

“Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

“Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

“Whereas this type of legislation also unfairly discriminates against one sector of the society;

“We, the undersigned, petition the Parliament of Ontario as follows:

“That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law.”

I've affixed my signature.

LOCAL SUPPLIERS

Mr Tony Martin (Sault Ste Marie): “Whereas consumer and business operator free choice may be limited where franchise agreements are in place; and

“Whereas Lock City Dairies is a Sault Ste Marie-based business contributing to the economy and well-being of the city and area, and is not able to have its products appropriately displayed and available to the public because of such agreements; and

“Whereas we, the undersigned, wish to be able to have the choice of Lock City Dairies products and the benefits of more jobs it would bring to our economy;

“We, the undersigned, petition the Parliament of Ontario as follows:

“To pass Tony Martin's Bill 35 or amend the government's Bill 33 to include provisions to make it possible for local operators of grocery store chain outlets, and other outlets such as convenience stores, to have the freedom to choose to support local suppliers and to provide them with shelf and display space proportionate to consumer demand.”

I have signed my signature to this petition.

KARLA HOMOLKA

Mr John Hastings (Etobicoke North): I have a petition to the Legislative Assembly of Ontario:

“Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

“Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

“Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

“Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

“Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

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

“That the government of Ontario will:

“Do everything within its power to ensure that Karla Homolka serves her full sentence;

“Continue to reform parole and make it more difficult for serious offenders to return to our streets;

“Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

“Ensure that the Ontario government's sex offender registry is functioning as quickly as possible.”

I'm pleased to affix my signature to this petition.

GASOLINE PRICES

Mr Steve Peters (Elgin-Middlesex-London): This is a petition to stop the soaring price of gasoline arising from the gas price gouging of major oil companies.

“To the Legislature of Ontario:

“Whereas the price of gasoline has soared over 30% in price in the last six months; and

“Whereas the Mike Harris government has done nothing to protect consumers and is afraid to take on the big oil companies; and

“Whereas the wholesale market for gasoline is controlled by an oil oligopoly which controls 85% of the wholesale market; and

“Whereas the big oil companies have used predatory pricing to eliminate small competitors; and

“Whereas, in 1975, former Ontario Premier Bill Davis froze the price of gasoline for 135 days and called an inquiry into the pricing practices of oil companies;

“We, the undersigned, petition the Legislature of Ontario as follows:

“That the province of Ontario call for a 90-day freeze on the price of gasoline while an inquiry is held into the pricing practices of large oil companies and that the province pass into law the Gas Price Watchdog Act which would protect consumers and independent oil companies from price gouging and predatory pricing.”

This is signed by a number of constituents in the riding of Elgin-Middlesex-London and I proudly affix my signature to the same.

1500

APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Ms Marilyn Churley (Broadview-Greenwood): To the Legislative Assembly of Ontario:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding accepted thousands of dollars in political donations when he ran for the Mike Harris Tories from Falconbridge Ltd, Mallette Lumber, Timmins Forest Products, Abitibi-Price, Millson Forestry Service, Columbia Forest Products, Grant Lumber, Erocon Waste Management, Timmins Logging, Westland Logging and Gaetan Levesque Logging; and

"Whereas, given the candidate's strong personal ties to the Premier of Ontario, the candidate cannot be trusted to protect Ontario's environment;

"We, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I agree with this petition and proudly affix my name to it.

KARLA HOMOLKA

Mr Dan Newman (Scarborough Southwest): I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

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

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I have affixed my name to this very worthwhile petition.

HIGHWAY SAFETY

Mr Pat Hoy (Chatham-Kent Essex): To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driver licensing fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

This is signed by a number of residents from Blenheim, Chatham and Merlin and I affix my signature to it.

DENTAL CARE

Ms Frances Lankin (Beaches-East York): "To the Legislative Assembly of Ontario:

"Whereas a growing number of Ontario working families are not receiving any dental benefits through their place of employment;

"Whereas it has been recognized that good dental health is important to the overall health of the body;

"Whereas other countries that pay less per person in health care have universal dental coverage;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that every Ontario citizen has fully funded access to at least one dental checkup and cleaning a year."

This is signed by approximately 600 citizens of Ontario, primarily residents of the Niagara Peninsula.

KARLA HOMOLKA

Mr John O'Toole (Durham): It's a privilege to rise in the House today and represent the people of Durham. I also want to put on the record that yesterday I spoke on a petition on the 407 routing—

The Deputy Speaker (Mr Bert Johnson): If you want to read this petition, I'd like to hear it; if not, I will go on.

Mr O'Toole: I will get to that. On the attempt to silence the voice of Durham—out of respect for the Chair, I will read:

"To the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

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

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to submit this on behalf of—

The Deputy Speaker: Thank you. Further petitions.

TENANT PROTECTION

Mr Mario Sergio (York West): I have a petition addressed to the Legislative Assembly of Ontario, with a total of 214 signatures.

"Whereas the current rental housing legislation in Ontario, the Tenant Protection Act, is unfair and does not serve the interests of tenants;

"Whereas tenants are being victimized by landlords who are securing excessive rent increases and not providing adequate services;

"Whereas the Ontario Rental Housing Tribunal unfairly favours the interests of landlords;

"We, the residents of 2405 Finch Avenue West (Lori Gardens Tenants Association) petition the Legislative Assembly of Ontario as follows:

"We urge the Ontario government to replace the Tenant Protection Act with legislation that protects the rights of tenants and ensures a fair balance between them and their landlords."

I concur with the petition and I will affix my signature to it.

EDUCATION FUNDING

Mr Tony Martin (Sault Ste Marie): "To the Legislative Assembly of Ontario:

"Whereas the current education funding formula stipulates that should the student population of a given district divided by the district's area equal less than 1.0, the district is to be funded as a low-density area; and

"Whereas Algoma District School Board has approximately 15,000 students and covers an area of 70,534 square kilometres and as such has a quotient of 0.21;

"We, the undersigned taxpayers"—I have about three pages of signatures here—"supporters and district school council members of the Algoma District School Board petition the Legislative Assembly of Ontario to instruct the Minister of Education to review the current education funding formula as it applies to the Algoma District School Board of northern Ontario and rightfully designate it as a low-density board."

I sign my own signature to this petition.

1510

KARLA HOMOLKA

Ms Marilyn Mushinski (Scarborough Centre): This is a continuation of concerned petitioners regarding Karla Homolka.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

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

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to affix my signature to this petition.

MATERS MORTGAGES

Mr James J. Bradley (St Catharines): My petition reads as follows:

"Whereas Maters Mortgages investors have battled for a decade to receive compensation for their losses, which were incurred as a result of overzealous action on the part of an official in the Ministry of Financial Institutions, as was proven recently in a parallel criminal case;

"Whereas Maters Mortgages investors believe that their civil action against the government of Ontario has been unduly and unnecessarily delayed in the courts by legal representatives acting for the government of Ontario;

"Whereas the new investors' committee of Maters Mortgages has requested that legal representatives of the government of Ontario meet with legal representatives of Maters Mortgages investors to discuss the possibility of reaching an out-of-court settlement of the investors' civil case against the Ontario government;

"Whereas many Maters Mortgages investors are senior citizens who placed their life savings in these investments and have suffered from extreme stress and financial hardship and continue to do so;

"We, the undersigned, petition the Legislative Assembly to encourage the government of Ontario to take immediate action to appoint a case manager to expedite the case involving the class civil action of the representatives of Maters Mortgages investors against the government of Ontario.

"Further, we petition the Legislative Assembly to urge the government of Ontario to engage immediately in serious discussions with legal representatives of Maters Mortgages investors with a view to reaching a fair out-of-court settlement with the investors and urge the government to instruct its legal representatives to cease any and all legal activity designed to prolong the duration of the case."

I affix my signature to this petition.

The Deputy Speaker (Mr Bert Johnson): The time for petitions has ended. I want to just say that it's the duty of the Chair, the presiding officer, to interpret the rules of the House, the rules you have made, so that it isn't within the purview of any presiding officer to take the voice away from any representative as long as they are within the rules. If you don't stay within the rules, then please look at me, because I'll make sure you are. I

would like to just leave that with you for the rest of the afternoon and evening.

Orders of the day.

Hon Frank Klees (Minister without Portfolio): Speaker, government order 3.

ORDERS OF THE DAY

APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Resuming the debate adjourned on December 21, 1999, that an humble address be presented to the Lieutenant Governor in Council as follows:

To the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Gord Miller as the Environmental Commissioner for the province of Ontario as provided in section 49 of the Environmental Bill of Rights Act, to hold office under the terms and conditions of the said act, and that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

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

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, on a point of order: Perhaps the Speaker could enlighten me. Yesterday this order was government order 30, and I believe I heard the chief government whip say government order 3.

The Deputy Speaker: I usually don't explain things, but today, if you check on page 8, this order is listed as number 3. I don't have yesterday's to see what number it is, but I'll take your word for it that it was 30.

Mr Duncan: So it did change.

The Deputy Speaker: Just to explain, as far as I know, they could change any day as the number—

Interjections.

The Deputy Speaker: Order. I also notice that the date on the calendar in front of me changes each day. So I think that's quite normal.

Mr Bart Maves (Niagara Falls): It's a pleasure to rise and wrap up my comments that I started last night, mostly about bringing back some history about some of the sanctimonious attitudes that come from across the way from the other party, particularly the New Democratic Party.

I had started out by quoting from a book by an NDP-supportive author, Tom Walkom. He wrote a book called *Rae Days* about their time in office. What we talked about largely was how much politicization of the bureaucracy the NDP had done in their term in office and how much patronage they had engaged in. It was probably the greatest orgy of patronage we'd ever seen in the province of Ontario.

Certainly I think no one would dispute that it was a greater politicization of the bureaucracy, the civil service,

than ever before probably in the history of this country. That's quite shameful, actually, Minister, because as you know the parliamentary tradition is to have an independent civil service, and that was really breached in a quite pathetic way during their term in office.

I quoted mostly yesterday from chapter 4, which was entitled "Wackos from Outer Space." I went through yesterday and read example after example of friends of the NDP and NDP activists who got put into the bureaucracy as deputy ministers, as assistant deputy ministers, and it was just a shameful politicization of the civil service—and people who gave contributions to the party. I didn't even get into all of the agencies, boards, commissions, tribunals and authorities, many of which the NDP started and put a lot of their friends in those positions.

When we first started making expenditure reductions when we got in office, the hue and cry—most of the howls were from their friends. We are saying they had created too many agencies, boards and commissions. We had to get rid of a few of them, and when we did we got rid of a lot of their friends and their party faithful whom they'd given jobs to. That's why the hue and cry was as loud as it was.

I just want to finish off, because I only have a few seconds left. At the end of this chapter in this book, after this politicization occurred and after a few years of being in office, here's what Bob Rae himself had to say when people were raising their eyebrows so much at their government. I'm going to quote from the book: "We are not wackos from outer space," Rae insisted early in his term. Later, as his government's economic policy moved back and forth across the ideological map, he was moved to say: 'My brain has not been captured by alien forces.' Not everyone was convinced."

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very pleased to rise in the House today to speak to what I think is a very important topic, the appointment of the Environmental Commissioner of Ontario.

Of course, I'm new to the role, but I think it's important for the members of the House to understand that in my riding there are a number of issues of significance. Certainly two that come to my mind, and two that I heard about very regularly as I campaigned, as I crossed my riding to understand what was important to the people in Hastings-Frontenac-Lennox and Addington, two issues that came to me very regularly, related to environmental issues.

One issue is with regard to a proposed expansion of a landfill site. The landfill site is located in Richmond township and there is at the present time a proposal under way that would see that landfill expand in capacity by six times its present size every year for the next 25 years. So it is a proposal of some great significance for the people in that particular community.

1520

The people of the community have come to me out of concern and I certainly appreciate the concerns they've

brought to my attention. I would like to be able to say to the people of my riding that there will be opportunities for them to have their issues heard in an impartial forum and that decisions will certainly be made with their better interests at heart.

Another important environmental issue in my riding is a situation that has attracted much attention over the last decade. It's the Deloro mine site. The Deloro mine site is probably one of the worst environmental tragedies in North America. It's not my role, or the role of the government either, to lay blame. It certainly is our responsibility, though, to deal with the reality that there is much to be done there to clean it up and ensure the safety of the people of the community and the people who would live downstream from that contaminated site. It's another situation where I believe the people in my riding deserve to be confident that the people involved with reviewing the process that will be in place to address their serious concerns will give fair hearing and impartial consideration to the important issues that they will raise about this matter. Those are two reasons why I, as a representative of my community, am particularly interested in the role of the Environmental Commissioner of Ontario.

I have to say as well that I have personally benefited from the hours of debate that have taken place on this particular issue so far. I know that there have regularly been motions to stop debate, to close debate, to say, "We've heard enough," but as a member who is new to the House, I must say to the members of the government that I have benefited greatly from the opportunity of sitting here and hearing the perspectives of government members and members on this side of the House. So I would encourage members of the government to consider in the future, when we do discuss bills, that this is an opportunity for you, the government, to have us better understand what might be your position and perhaps to be open to points that are made on this side of the House.

That's really what democracy is all about: the hearing of both sides; not necessarily the digging in its heels but to be able to appreciate the valid perspectives that are raised in this Assembly, to be able to say that, perhaps in the better interest of the people of Ontario, we need to reconsider our position. So it has been with great interest that I have participated in the debate and am very happy to speak to the issue this afternoon as well.

I have had to do a lot of homework and I have reviewed a number of documents and I've had to become familiar with the distinction between a Legislative Assembly appointment and a government appointment. I have for many years been aware of what have been considered patronage appointments. They have been in every government, whether it's a Conservative government, a Liberal government or an NDP government. Liberals appoint Conservatives, Conservatives appoint Liberals and NDPers appoint members of other parties as well. Of course, it's to be expected that governments are going to appoint people known to be supporters of their party.

For boards and commissions and agencies of the government, while some people may not like the idea, it has been a long-standing practice and one that is largely accepted. I know that Hansard would bear me out if I were to say that members of this side of the House have said as much, that we understand the reality of patronage appointments, that they're quite appropriate for boards, agencies and commissions. But the Environmental Commissioner, as I understand it, as it has been explained to me and as I have researched it, is an appointment made by the Legislative Assembly. That means it's a position that this body recognizes and makes appointment to. I would suggest that it's probably a position that should have the blessing of all three parties that participate in the assembly.

I believe there are certain reasons why it is important that assembly positions are supported by all members of the Legislature. I would think that the government would only want to place someone in that role if that were the case. Surely, we must recognize that the role of Environmental Commissioner for Ontario is probably one of the most important roles in the province today. If there is anything that the people of Ontario are very concerned about and that has been reported regularly in the media is that the government needs to pay a good deal of attention and do a better job than they have. Even in the speech from the throne, the government indicated an intention to improve the record, its performance in the area of the environment. That being the case, I've got to think that the person that this assembly would place in the role that would monitor the government's performance and in this very important portfolio would have the confidence of the entire assembly.

I've got to think that the government would want to have someone in place so that when the Environmental Commissioner of Ontario makes a report to the assembly, the assembly is going to be confident and not suspect that the report is biased or less impartial or that perhaps the commissioner has been somewhat partisan in reviewing the various roles, the various activities of the various ministries that impact on the environment of Ontario. I would think that it would be of benefit to the government to be able to say, "We have this report from the Environmental Commissioner," and all parties of the House, having supported that commissioner, would say, "Yes, we accept that this would be a sound document and we have no reason to believe that it would be partial in its presentation."

As I've done a little bit of homework and tried to understand the role and the requirements of the role, I refer to a document that's reasonably recent, February 1999, where it is in my opinion very clearly indicated. I think it's important for me to read it into the record and for the people of the province of Ontario who might be tuning into the House today and wondering what is the Environmental Commissioner and what makes this role distinct. I think it's important that the importance of the role and why we are talking about it at the length we are are clearly stated.

"The task force envisioned that 'the Environmental Commissioner would have responsibility for oversight of this implementation and effectiveness of the Environmental Bill of Rights.'" I believe in Ontario we are most blessed to have an Environmental Bill of Rights. But it is only a blessing if it is adhered to, if it is in fact acted upon, if it is respected by the agencies that have the responsibility to guard our environment. "It would take a quantum leap of faith in government to assume that one government or a succession of governments could maintain willingly a high standard of compliance with such a piece of legislation." Accordingly, the ECO has been described by the media and some observers as an 'environmental watchdog.'

1530

"Public servants and members of the caucus have great incentives not to embarrass the government, while opposition members have great incentives to exaggerate problems and ignore well-managed programs and institutions. Such an environment is not conducive to developing sound performance information and, even if such information were deemed credible, reasoned use of that information in the public domain."

"The nature of the Environmental Commissioner of Ontario's legal obligation to report on ministry compliance with the Environmental Bill of Rights makes it likely that at least some ministry officials will find these reports disagreeable. In particular, the Environmental Commissioner's position is independent of the party in power, and its impartiality cannot be compromised by pressure from non-statutory considerations such as political pressures, potential reprisals or interference."

As I say, this is from a document entitled *Independence, Accountability and Transparency: The Role of the Environmental Commissioner of Ontario*, a background paper that was issued on February 15, 1999. I think it has presented very well why anyone appointed to the role of Environmental Commissioner should be, and should be seen to be, impartial.

In the House over the last couple of days there has been a lot of debate and discussion about the individual who has been proposed for the role. I want to clarify, and I think it's important for me to have the members of the government understand, because there have been statements made.

The member for Northumberland indicated last evening that members of the opposition were trying to discredit the government. The member from Peterborough indicated that this was a character assassination. I want to make very clear this afternoon that I'm not trying to discredit the government and I certainly am not trying to impugn the integrity of Mr Miller. I'm not questioning his credentials or his ability. But it is very clear—it's a matter of public record—that this man has in the past been very involved with the Progressive Conservative Party.

Last evening the member from Dufferin-Peel-Wellington-Grey made the presentation, "I guess if you're a card-carrying member of the Conservative Party, you should

expect to be discriminated against and you shouldn't be appointed to anything." That's not what I'm saying here today either. I think I've already made my thoughts clear on that. I think patronage appointments are a reality, they happen, but this is an appointment of the Legislative Assembly, and I think it's important that this is clear.

My comments today are not to an individual's ability but to the fact that, in a very public forum, Mr Miller has attached himself to the Conservative Party. While I don't believe that has any impact on his ability to function in the role as the Environmental Commissioner, in a very pragmatic sense, we all must understand that whatever an individual with his background might bring forward, because of his political ties, because he participated in an election campaign and advocated the present environmental policies of the government, I think it's fair to assume that there's going to be the assumption in the public forum by the people of Ontario that this commissioner would continue to hold as appropriate, as true, as the way the province should be directed in terms of environmental policy—that this commissioner would be very favourable to what the government would present.

That may or may not be true, but I can assure you it would be the perception. While you might argue that would be unfair, I can only argue back that that is the reality.

I say to the members of the government this afternoon, as we're considering this very important matter, that the people of Ontario, and certainly the people in Hastings-Frontenac-Lennox and Addington, deserve—I think the Environmental Commissioner is one of the most important roles in the province today. I believe that our very future as a province depends on the Environmental Commissioner doing his job and doing it well.

I know the government likes to measure the health of our society by the bottom line, by what the ledger says, by how much money we have in our pockets from a tax cut, but there are other gauges in society that measure health. I would say that the environment is probably one of the most important ones. Right now the barometer on our environment is falling, and it's falling fast. The government needs to pay some attention to our environment. We need to have someone in the role of commissioner who is not afraid to say to the government: "You're not doing a very good job here. We need to work harder."

I don't think the role is entirely to find fault or to criticize. It's important when people have roles such as this that they are able to provide guidance and direction. I believe this assembly should be able to wholeheartedly support the candidate who is presented for this role. It's very obvious, for reasons you may or may not agree with, that this is not the case with Mr Miller.

I would encourage the members of the government to reconsider, for the people of Ontario, for the good of this government, so that when a report is issued by the Environmental Commissioner of the province, it is not suspect, and the members of the entire Legislative

Assembly are able to say we appreciate this as an impartial perspective. You must understand, for the many reasons that have been talked about these last number of hours in debate, that this would not happen. I believe the people of Ontario deserve that. I believe the Environmental Commissioner deserves that. I really question the ability of someone to function at the very best of their ability in such an important role with this kind of cloud over their head.

It's my hope today that further debate will reveal to the government that it is probably a better idea—and I think my colleague from St Catharines yesterday made a very good point. Certainly we should not overlook the very fine abilities of Mr Miller. I'm sure it's possible for him to be appointed by the government to another role where his abilities would serve the people of Ontario well. But it's important for the government to recognize that at this time to appoint Mr Miller to such a significant post would not be in the better interests of this Legislative Assembly.

I would ask you to assist me, as a new member, to be able to say that I believe the process is working and that when we stand in the House and debate, you are able to see the other side and see why this is not a personal issue; it is one of perception and we want to be fair to all of the people involved.

I thank you very much for this opportunity to share my concerns around the appointment that's before us this afternoon.

Mr Wayne Wettlaufer (Kitchener Centre): This is obviously an issue that many of us have a great deal of concern about. I think we have to look at the entire process around which legislative appointments are made. I would like to draw a comparison to the Ombudsman who recently was appointed. I sat on the committee that made that appointment. I think we have to look at how the person is selected. As you're aware, a number of resumés are submitted after an advertisement goes into a national newspaper. The resumés are submitted to human resources. In the case of the Ombudsman, I believe we had 82 resumés, and in the case of the Environmental Commissioner—and I could stand to be corrected—I believe it was 71.

1540

What happens here is that the human resources people weigh, based on a series of categories, the individual they feel should be put at the top of the list. They report to the Legislature. They don't report to the government; human resources reports to the Legislature. They weigh and they put their choices, the top five, the top 10, the top 25, which then come to the committee.

Mr Joseph Spina (Brampton Centre): They grade the candidates.

Mr Wettlaufer: Yes, they grade the candidates, I say to my friend and colleague the member for Brampton Centre. When they come graded, they have already expressed their support for the candidates.

In the case of the Legislative Assembly committee, when we picked the Ombudsman, we advised them that

we wanted to see the other resumé as well. I'm not too sure what happened in the committee picking the Environmental Commissioner. However, I do know that Gordon Miller was in the top three of all the human resources gradings. He was in the top three.

I know that we unanimously selected the Ombudsman. That was fortuitous; it was good management, I guess. But you can't always have a unanimous selection. Whether it be an Environmental Commissioner or whether it be an Ombudsman or whatever, you can't always have a unanimous selection. The majority of a committee will rule.

In this case, yes, the majority was the government, and yes, those who were not government opposed the selection. That is the democratic process. That's how democracy works. Whether we like it or not, it is how it works. Nevertheless, whether he is picked by the majority of the committee, in this case all of the government members, he still must report to the Legislature. He is accountable to the Legislature.

His qualifications are impeccable. Nobody is arguing about his qualifications. I haven't heard any one of you say he's not qualified to do the job. What you have said is that because he's a PC, because he ran for the PCs both federally and provincially, because he's a friend of Mike Harris, because he is the president of his riding association, because he is all these things, he shouldn't get the appointment. That's what I've heard out of you. That's not appropriate.

The Deputy Speaker: I'd ask the member to address your comments to me, please.

Mr Wettlaufer: Certainly, Mr Speaker. I understand that and I accept that.

This is what I have heard from the members of the opposition. Mr Speaker, I know you will agree that that is not appropriate.

Hon Chris Stockwell (Minister of Labour): Throw him out.

Mr Wettlaufer: The minister wants me thrown out? OK. You want me to say something that will inflame the situation; then I'll get thrown out and I won't be here for the vote tonight. Tonight aren't we voting on something?

Interjections: Tomorrow.

Mr Wettlaufer: Tomorrow? OK. I'm sorry. Then I don't have to worry. I can inflame the situation all I want.

Mr David Caplan (Don Valley East): It might be next week.

Mr Wettlaufer: Next week? We'd have to get unanimous consent to come back next week. We may have trouble getting unanimous consent.

Mr Caplan: Agreed.

Mr Wettlaufer: No. I'm not going to move unanimous consent. I'll oppose it.

I think it's so very important to keep in mind that this debate shouldn't even be held here today. Here is a man whose reputation is without fault. Had the proper procedures been followed—confidentiality—we wouldn't be here debating this issue. But because one member of this

Legislature feels that the rules are made for everyone else and not her—

Ms Marilyn Churley (Broadview-Greenwood): Who are you talking about? Name names.

Mr Caplan: Who?

Mr Wettlaufer: She knows who it is. One member chose to release the particulars to the media. This has become a public issue, a matter that should have been a confidentiality issue. That is the way this is.

I have hired many people in my lifetime. I have had many resumé come to me. Every time an applicant submitted a resumé to me, I have advised them that it was in the strictest confidence. The candidates who submitted their resumé to this committee, through human resources, did so in the belief that their resumé would be submitted in the strictest confidence. Every single one of those individuals from around this province submitted their resumé in the belief that it would be in the strictest confidence. This member chose to interpret the rules as applying to everyone else but not to her.

This is shameful behaviour. It is behaviour that is not becoming a member of this Legislature. It is behaviour not becoming to anyone in a position of authority. I don't care whether it's a person who is an employer, I don't care whether it's a member who is a leader of a union, I don't care whether it's a person in this Legislature; we must always respect the rights of a candidate who is applying for any kind of job. When we say to them that their applications will be submitted in the strictest confidence then we, as the legislators of this province, who are supposedly some of the finest human beings in this province, the leaders of our province, have an obligation to ensure that our word is good. We cannot, we must not ever again open up into a public forum someone's application for a position when we tell them that it will be held in the strictest confidence. We must never do that. How can we as legislators go back on our word? I ask the member, how can you feel justified, because you think that you are above—

Ms Churley: Who are you talking to?

Mr Wettlaufer: Mr Speaker, how can that member think that because she is above this Legislature she can release the particulars to the media? The rules apply to all the members of this place. The rules apply to every member of the committees.

Mr David Christopherson (Hamilton West): On a point of order, Mr Speaker: During the course of your being in the chair over the last few weeks, you will know that some members of the government have taken exception to people not being referred to by their seats. Rather than "she" and "her," how about having the guts to acknowledge that you're talking about the member for Broadview-Greenwood, who's leading this charge to stop this improper appointment?

The Deputy Speaker: That is a point of order. It is usual to refer to people by the name of their riding.

Mr Wettlaufer: Before I go any further, Mr Speaker, I would like to advise that I will be sharing the rest of my time with the member for London-Fanshawe.

1550

Interjection.

Mr Wettlaufer: It's already been done.

I'm glad that the member from Hamilton West has indicated that it was the member from Broadview-Greenwood who thought that she was above the rules of this Legislature. I'm ashamed to be part of a process in which a member will no longer hold applications that come in for positions confidential.

I think it's very important that every member remember—

The Deputy Speaker: Order.

Ms Churley: On a point of order, Mr Speaker: The member from Kitchener is imputing motive here and accusing me of disclosing resumé's, which I never did. In fact, one of his very own members gave more information about what happened at that committee than I did. He's imputing motive, and I want you to ask him to withdraw.

The Deputy Speaker: I was listening very carefully to the member for Kitchener Centre and I think that he has been getting very close to designating actions, but I have heard no indication of imputing a motive.

Mr Wettlaufer: I'd just like to point out that I wasn't out of order and that I've lost a minute and a half of my time as a result of that point of order. I think it's very important that we, as members of this Legislature, respect the confidentiality process at all times.

I now want to pass the rest of my time on to the member from London-Fanshawe.

Mr Frank Mazzilli (London-Fanshawe): It's a privilege, and I think it's important that we go through the process the government followed in order to pick this particular individual. It's important for people of Ontario to know that there is a system in place that has been in place for some time, under different governments.

The first thing that was done was, people who were interested in applying for the post of the Environmental Commissioner responded to an advertisement in the *Globe and Mail*. This is a national newspaper, respected by many, not only in our province, but across the country. The message was certainly put out there.

None of the applicants were put forward by any party. That is extremely important because, to be independent, the name should not be put through by any party or caucus. Each caucus had the opportunity to put forward names for this position and none of them did so.

The advertisement that ran in the *Globe and Mail* for several days in September 1999 stipulated that any individuals may submit resumes by October 6, 1999. So there was a very clear indication of what the process was and that resumé's were being accepted prior to October 6, 1999, which of course, as with any job that's advertised, is a normal course to follow.

All three House leaders then referred the selection process to an all-party standing committee to follow the same process from 1994—

Interjections.

Mr Mazzilli: The opposition doesn't like that process, and I certainly understand. They would just like to appoint someone on their own, but we had a process to follow, a process that had been in place from 1994, and we did so.

Then the selection of the Environmental Commissioner was sent to the general government committee, at the same time that the selection of the Ombudsman was referred to the Legislative Assembly committee. Both committees followed the same fair and confidential process to select the best candidate for each job.

Interjections.

Mr Mazzilli: I hear from across they have a problem with that, selecting the best candidate for each job because, you see, that's what our intention is, to pick the right person for the job based on qualifications.

Then, when both of the committees have tabled the names of the intended appointments, the House ought to accept the integrity of these committees, because of course they are committees of the House and the selection process was hard for the committee members.

The one thing we know about any committee or Legislature is that we rarely agree on everything, and so we vote on things. When you vote on things, that is the democratic process. If you win the vote, then that will be it; if you lose the vote, then that is it.

Interjection.

Mr Mazzilli: From across the benches they don't understand that the election is over and that they lost. They don't seem to understand that. Surely this Legislature doesn't believe that the public involvement in politics should disqualify people from applying for a job.

I was a member of the Consent and Capacity Review Board, as were lawyers and psychiatrists and community members of all three parties in this House. I was a member of that committee after going through a selection process. That review board decided essentially on mental health issues, people appealing their involuntary status on mental health issues.

Was I partisan? Was I a card-carrying member of the Progressive Conservative Party? Yes, I was. Did that influence me on involuntary status decisions made by that board? No, it did not. I can assure you, there were members on that board from the Liberal Party, who are card-carrying Liberals, who worked on the Liberal campaign through the election, and there were members on that board from the NDP. We all worked for one common goal and that was to decide the best way to deal with those mental health issues. That's something that should not be forgotten, that we pick the best people for those boards.

I will tell you that when I decided to run in the election, I did not conduct any more hearings on the board that I was appointed to, and immediately after the election I resigned from that board, which is obviously proper, and I have done that.

This brings us back to the Environmental Commissioner, because essentially there is a non-partisan process, a process that's been in place since 1994. A com-

mittee met, a committee voted and the majority elected Mr Miller, who was picked on his qualifications. I know it disturbs members of the opposition that someone carrying a Liberal card is not the Environmental Commissioner. They would like to see all appointments across the board go to a Liberal. We disagree with that and we will have no part of that.

They do that in Ottawa. There's a vacancy in the Supreme Court and the Prime Minister goes around the country and picks someone who's loyal to him, who's raised money for him, who's done all these things. We do not do that in Ontario. In Ontario we have a process. We pick the best person for the job, and that's the way it will continue under a Mike Harris government in the province.

The Deputy Speaker: The member's time has expired.

Mr John Gerretsen (Kingston and the Islands): On a point of order, Speaker: It has never been suggested that the Environmental Commissioner be a card-carrying Liberal. What we have said throughout is that the Environmental Commissioner—

The Deputy Speaker: I'd like to reiterate that if there are two of us standing up, one of us is out of order, and it's not me.

Further debate?

1600

Mr Gerry Phillips (Scarborough-Agincourt): I appreciate the opportunity to continue the debate on the appointment of the Environmental Commissioner and just to say, perhaps at the risk of repeating what's been said before, that this is an important position. It's one of the very few in which the members of the Legislature have an opportunity to select someone who has the confidence of all members of the House. If we were to say, "It's impossible to find anybody in the province who would have the confidence of everybody in the House," that would be wrong. There is absolutely no question we can find an individual whom all three parties would have no difficulty in supporting. That's not the issue. That's what we should be looking for.

There is no question that we need in this position, just as we need in the Provincial Auditor, just as we need in the Ombudsman, somebody who has the confidence of the New Democrats, the Liberals and the Conservatives, and the confidence of the people of Ontario.

I would just say that we're making a mistake. We are making a mistake proceeding to push this through. The government can get it through, but you are doing the person an injustice, a disservice. This individual, who I gather is quite competent, could serve in a thousand other positions for the government. Why you would put this person into this position is beyond me.

I repeat, and I hope the public understands: There are very, very few positions where it has been the tradition in this province that we select someone who has the confidence of all three parties. Why we would choose this case to disregard that—I repeat, I don't know Mr Miller. I don't doubt that he's a competent individual, but

to put him into this very important position is wrong. I imagine the public understands the role of the Environmental Commissioner, but it is to be an impartial watchdog, really, on the government of the day. Governments come and go, as we all know.

In the role of Environmental Commissioner, which is to review the implementation of the Environmental Bill of Rights, to review—and this is important—ministries' compliance with the Environmental Bill of Rights, this person must be looking objectively at what each of the ministers is doing in the environment and being unfettered in their comment on it.

The Environmental Commissioner must review ministerial decisions to exempt proposals from being placed on the environmental registry—again the watchdog; review the way ministries process applications for review and investigation; review the use of whistle-blower protection rights under the Environmental Bill of Rights; and several other things.

I hope the public, in watching this—this is an important, fundamental debate. For the first time that I can recall in the Legislature, we are about to appoint a person to one of these positions, one of these very few positions, where there's not all-party agreement on it. We are putting Mr Miller in an intolerable position. I would honestly think he may want to consider—as I say, there are hundreds of other positions that the Premier could put Mr Miller into besides this one.

I always try to say to the government members, "If you were in the opposition, would you ever stand for this?" That's often a sort of litmus test. When you're in government, you assume you'll never be in opposition, but I've learned from experience that doesn't necessarily hold true. So I guarantee you, if you were in opposition and the Liberal Party or the NDP were doing this, you would be across the aisle at us—

Ms Shelley Martel (Nickel Belt): Hanging from the rafters.

Mr Phillips: Hanging from the rafters.

If I may, I'd just like to put this into the context of concerns about the direction the government is following. We don't get an opportunity to put these into context very often. I think it's unfortunate.

I'll just go through a few things that I think are diminishing the role of the Legislature, such as the fact that we will only sit for about 40 days this year. Believe me, I know that in the Premier's office there's polling done probably daily. To use the language of my colleague from St Catharines, the whiz kids say: "You don't want the House sitting, Premier. All it does is cause trouble. The media are all there. The opposition are asking nasty little questions. You're best to have it sit as infrequently as possible, so we'll sit for 40 days."

The Premier has been here, I think, 11 days. We now are almost through the year, and he has been here 11 calendar days.

The Deputy Speaker: Order. The Speaker has made a ruling on the issue of attendance of members in this

House. I want you to be very careful because, understand, you're on very thin ice.

Mr Phillips: As I say, I'm trying to put this into context, because I understand where this is coming from.

Interjection.

The Deputy Speaker: Member for Bruce-Grey, come to order.

Mr Phillips: The previous Environmental Commissioner was a headache to the government. The government had a choice. They hate the Environmental Commissioner. "Why don't we just get rid of it? If we can't get rid of the Environmental Commissioner," which was too messy, "let's make sure we have someone in there who will recognize the needs of the government." Sure enough, that's what we have.

The reason I'm putting this into context—you on the opposite side can accept this or not, but I'm just going through the things that are happening. On the House sitting much less frequently, the point I made where you said I was on thin ice I won't repeat, Mr Speaker.

The government believe they can put through something as sensitive as the Environmental Commissioner a political operative, albeit probably a very talented political operative.

I've also been concerned about the direction of election spending. We've been fortunate in this province, probably in this country, that there have been good, strong rules on election spending. They're changing dramatically. In the last election, I'd say as much money was spent on campaigning before the election was called as when the election was called. Even the amount that could be spent during the election went up dramatically. We have moved very quickly in this province from a tight rein on election spending to almost a wide-open one. Many candidates opened their offices two and three months before the election was called.

My concern on appointments extends to two huge organizations in the province of Ontario that are responsible for enormous spending and that have moved out of the spotlight of the Legislature and the spotlight of our public service. One is the Ontario Realty Corp, where we now have quite an independent body, an independent board of directors, and now even the president, the chief operating officer, is someone who at least has been very actively involved with the party.

The second one is the SuperBuild fund. It will have responsibility for \$20 billion of expenditures, half apparently coming from the private sector. Again, that is moving out of the spotlight of the Legislature into an agency headed up by Mr David Lindsay, who I have a lot of respect for, a very talented individual, the Premier's former chief of staff. There's no question of his talent.

The point I'm making is that one by one, the opportunity for the Legislature and the elected members to scrutinize the full range of activities by the government is leaving us. I repeat that the Ontario Realty Corp now has the responsibility for building and managing all of our offices and selling off all of our assets. By the way, previously any asset sales went to reducing the debt of

the province. That was a campaign promise, as you recall, from Premier Harris when he ran: "Every single penny of our asset sales will go to reduce the debt." Well, we just passed a law that changed that. They've said, "No, no, we can spend that however we want."

1610

The reason I'm raising this is that two of our major organizations, two of our major groups that are responsible for investing in infrastructure in the province are now out of the spotlight and both run by hand-picked people of the Premier.

I go even further to the changes that are going on. I'm not sure the public really care about this one, but it used to be in the Legislature that when there was a major government announcement of policy, it was announced in the House, in the Legislature. A minister got up under ministerial statements and said, "I'm announcing a major activity of the government," and we in the opposition had an opportunity to comment on that for five minutes. Seldom, if ever, does the government now make the announcement here in the Legislature. Understand why. They've been told by those around the Premier who do all the polling: "Premier, don't announce it in the House. All it does is give the opposition a chance to point out the problems with it. Why don't we go somewhere where we can have a photo op? If it's going to be something on technology, why don't we head out to Scarborough or Markham? We'll go to a place with whirling gadgets and whatnot and we will announce that." But not in the Legislature. It is too messy and the opposition and the media have a chance to ask or comment on it in an embarrassing way.

The reason I'm raising all of this is that one by one, the people in the Premier's office who think they can silence the opposition are having their way. You wonder why we're taking a firm stand on this and why we are objecting to it so much? Think about it. As I said before, here are the three people I can think of who, most importantly, are the independent watchdogs hired by the public. This is public money. I think the Environmental Commissioner's budget is well over \$2 million. The Environmental Commissioner, the Ombudsman and the Provincial Auditor have all been put into place to protect the public interest. But now one of them is going to be put under a significant cloud: the Environmental Commissioner. It has put that person into what I believe is an intolerable position.

I raise the pattern that has been going on. It started two or three years ago. The Legislature is sitting less frequently. Committees virtually never sit any longer. Hardly anything is ever referred to committees, because that would give the public a chance to come and comment on it. We passed the amalgamation bills that fundamentally changed four major communities around Ontario and we didn't allow one single member of the public to comment on it in any way, shape or form. Many of us come from a municipal background. If any municipal council ever tried to do that, the public would storm the council chambers and would physically demand to be

heard. But no, the government has found through experience that it can get away with no public hearings. So it starts there. Then it goes on to the Legislature sitting relatively infrequently. Then it goes on to the government virtually never announcing policy here in the Legislature. I understand it's a much better photo op; it's much cleaner doing it offsite with a photo op and maximizing the Premier's smiling face, but it undermines what we're attempting to do here in the Legislature.

I mention the election spending because this, in my opinion, is a growing issue. It used to be that we spent maybe \$40,000 on our campaigns. That would be a lot. This time I suspect the average Conservative member spent \$80,000 or \$90,000. I believe that.

Interjections.

Mr Phillips: You may laugh: \$80,000 or \$90,000. Much of it was done before the election was called. I know the candidate who ran against me had his campaign office open months before the election was called. I know for a fact that Premier Harris spent \$100 million of taxpayers' money on advertising for the 12 months before the election was called. And I know for a fact—

Mr Doug Galt (Northumberland): On a point of order, Mr Speaker: A figure has been put forward of a \$100 million. I think he should be able to back that up and document in this House where he gets that figure of \$100 million. That's an awful big—

The Deputy Speaker: I was just going to remind you that when there are two of us standing up and I'm one of them, the other one is out of order. That is not a point of order.

Mr Phillips: It's appropriate, though, that the Provincial Auditor, one of those three independent people that I mentioned, pointed out to the government—this was on the advertising issue; I'm glad the member raised it—“This is wrong.” In fact, he sent a letter to the government weeks before the election and they didn't have the courtesy to respond to it. The auditor said to the government: “You had better get some guidelines on this. You had better get some guidelines in place.”

I understand the Provincial Auditor may be on shaky ground. You've chosen to get your own person to be the Environmental Commissioner and if you get away with this, the next one will be the Provincial Auditor, who pointed out the concerns he had about the misuse of government money on advertising. I hadn't planned to spend much time on it until the member raised it, but \$100 million of public money leading up the campaign, that the auditor said, “It's time you got some guidelines, Mr Premier, and stopped abusing the public trough.”

Interjection.

Mr Phillips: I raise this: The auditor pointed out, as the leader of the third party just noted, the complete misuse of public funds on a huge consulting project.

Why is it important that we appoint people in these positions with the confidence of all parties? It is because that person has to have the rein and the authority to be able to investigate and comment critically on minister after minister. If you had gotten away with this in the

Provincial Auditor, the Provincial Auditor would not have been able to point out all of the abuses he found, including, I might add, billions at Ontario Hydro. We now find Ontario Hydro is restating its financial statements, to take that into account.

So to the public, if you're wondering why the Legislature is having this debate, I think everybody in Ontario appreciates and understands the importance, to the future of Ontario, of our environment. Everybody in the province understands that if the government has as an Environmental Commissioner someone who will not look independently, we've got a problem.

I'm pleased to join the debate to say you're making a mistake; you're putting Mr Miller into an intolerable position. The proper thing to do would be to say, “Let's go back.” I guarantee you, there are people out there who would fulfill this role exceptionally well and would have the support of the Conservatives, the Liberals and the NDP. Why don't we simply do that?

1620

Ms Frances Lankin (Beaches-East York): I also am pleased to be able to join in this debate with respect to the appointment of the Environmental Commissioner of Ontario.

I regret the nature of the debate that is happening in the House. I regret the fact that we have to be having this debate. I sat through the discussions yesterday afternoon and here through to midnight last night and I have to say that there were a number of occasions when I was very uncomfortable listening to members from all sides of the House, from a couple of different perspectives.

I certainly think it's unfortunate that any individual in the province of Ontario would become the subject of such debate here in the Legislature. I have to say that I lay the blame for that directly at the feet of the government for pursuing this ill-advised and obviously partisan appointment to a position which has shared the tradition and history of the other two Legislative Assembly offices, that of the Ombudsman and the Provincial Auditor. In its short time of existence here in Ontario, the Environmental Commissioner has been a non-partisan appointment. I want to spend some time talking about that and what that has meant and what it should mean.

But I do want to say that I have felt uncomfortable on behalf of Mr Miller. I don't believe he should have been put in this position of being the subject of debate by the government of Ontario in proceeding with this ill-advised motion. I will speak to this. I think that Mr Miller in some ways contributed to putting himself in this position and that comes back to the issue of disclosure of partisan-ship ties. But we shouldn't have been here in the first place, I guess, and he shouldn't have been the recommended candidate in the first place, because it is not within the spirit of the Legislative Assembly's definition of independence required of offices such as the Ombudsman, the Provincial Auditor and that of the subject candidate here, the Environmental Commissioner of Ontario.

There has been much said, particularly by members from the government, in the debate thus far that I

fundamentally disagree with. I want to begin with a fine point, a very specific point that was made by the member from Dufferin-Peel last night, and then echoed, as we hear many of the government comments echoed by other members, particularly newer members of the Legislature. It was echoed as the evening went on about the raising of the concern of the partisanship affiliation of Mr Miller, in this case the fact that he had been twice a candidate for the Progressive Conservative Party, once provincially and once federally, and that he was, at the time of his application and the debate of his appointment in the committee and the decision by committee, the president of the federal Progressive Conservative riding association in Nipissing, that being North Bay and the Premier's home riding area; the fact that we would raise this as a concern, the fact that we would focus on this as somehow being a violation of this individual or any other individual who would apply for such a position, a violation of their human rights of freedom of political affiliation. I was astounded to hear that assertion come particularly from the member from Dufferin-Peel, who has been here for a long time and who has a legal background and who knows better.

I find it so disturbing that we can be so cavalier in this Legislative Assembly with statements such as that and allegations such as that and to leave that impression with members of the public who may be watching this debate.

In particular, I want to provide some information that I hope will put an end to the government members bandying around that kind of assertion. I want to read to you from the human resources policy manual from the Office of the Assembly. I ask you again to remember that the position we are speaking of here, the Environmental Commissioner of Ontario, is a position that is responsible to the Legislative Assembly of Ontario, to the members of this Legislature. It is governed by and bound by the practices of the Legislative Assembly, so the human resources manual and the practices therein become extremely important to understanding the process that was undertaken with respect to the interviewing and the appointment of an individual, as well as the expectations.

Let me talk about this issue of a candidate's political involvement. Here is what it says in the human resources manual of our own Legislative Assembly:

"Every attempt should be made during the interview process to ensure that prospective employees of the Office of the Assembly are not active members or visible supporters of any political party. The rationale for that, it should be stressed during the interview, is that perception is paramount."

What this means is that even if the prospective employee states that he/she can work in a non-partisan fashion—and that's what the government is asserting about Mr Miller—if he/she is known to be an active supporter of any party, the other two parties would find such a candidate unacceptable as an assembly employee and would lose confidence in the ability of the branch to appoint non-partisan staff.

The interview question: The following is a suggested approach to dealing with the formal interview question of whether or not a prospective employee is active within a political party: "The Office of the Assembly serves all three political parties. It is therefore very important that all its employees perform their duties in a strictly non-partisan and neutral manner so as to have the trust of all members." Here's the question, folks: "Have you been or are you active in a political party, for example, fundraising, speech writing, managing a campaign or holding office?"

I ask you to please understand that the passage I just read out, the suggested question that should be put in an interview process, is exactly the process that was followed once Ms Churley became aware of Mr Miller's political background. That's exactly the process that was followed in the committee giving consideration to the appointment of the Environmental Commissioner of Ontario. The question is exactly the question that was put, that was approved by human resources according to the manual because, as it states, it is important that the individual not be known to be or seen to have been politically active in any party.

I don't understand how the government and government members can continue and can go down the road of arguing that this appointment is the same as the appointment, for example, to head up the Ontario Energy Board, a regulatory agency to which this government appointed a New Democrat; or perhaps the same as the head of the Liquor Control Board of Ontario, another regulatory agency to which an NDP government appointed a former interim Conservative leader; or, for example, an appointment to the High Commission in London, England, to which an NDP government appointed a former interim Liberal leader.

Please understand that there is nothing of similar quality or nature in these appointments. The office of the Legislative Assembly, and the Environmental Commissioner, being one of those offices, has, different than any other appointment that could be made in the province of Ontario, a relationship that relates to the members of this assembly, to all three political parties. Not just the reality of independence, but the perception of independence is paramount.

There are yards of material that have been written on this. I'm not sure if I'm more disturbed by the fact that there are senior members of this Legislature on the government side who have stood in this place and made comparisons to government appointments which are often partisan, or whether it is the fact that so many new members of this Legislature have been misled into believing that. I don't know which disturbs me more.

What I hope to do is at least put on the record, if you're going down this road—hopefully for the future, hopefully for an opportunity to restore integrity to this process at some time in the province of Ontario the expectations that have been set out. I'd like to put on the record, from the policies and procedures manual of the

Environmental Commissioner of Ontario, directly the position that we're talking about, section 7.2. I ask the members to please understand and listen.

1630

"The high conflict of interest threshold is more stringent for the offices of the provincial Legislature, such as the Environmental Commissioner, which performs an independent review of the provincial government.

"ECO employees must not participate in activities that might identify them as members or supporters of a political party."

Could you for a moment help me understand what it is about those words, "The high conflict of interest threshold," which is applied to all positions of appointments in the province of cabinet ministers, which we as members of the Legislature must abide by in terms of integrity and conflict of interest rules, the high conflict of interest threshold, which this government touts to support, that is more stringent for the offices of the provincial Legislature, such as the Environmental Commissioner?

I am left at a complete loss as to how the government members can continue to make comparisons, as they have done and as I'm sure they'll continue to do, to many of the political government appointments, and why they won't acknowledge the distinction between those appointments and appointments that deal with the office of the Legislative Assembly. The independence of these positions, I indicated, it's been written about so often.

There was a conference this year entitled Public Participation and the Environment: Five Years of the Environmental Bill of Rights in Ontario. Your government participated and helped sponsor and have a conference to celebrate the role of this independent commission and public participation set out in the bill of rights. I want to just tell you what some eminent world citizens had to say about the model here and how they had adopted it in their own jurisdictions, and why.

Brian Emmett, who is the Canadian Commissioner, Environment and Sustainable Development: "Like the Auditor General of Canada, my office is independent, is at arm's length from government, is non-partisan and professional."

Douglas Ruck, who is the Ombudsman of Nova Scotia, talked about independence and says:

"So, where does independence begin? It starts with our legislation. It must be enshrined in our legislation, as is the case of the Environmental Commissioner of Ontario, as in the case of the Office of the Ombudsman of Nova Scotia, and other ombudsman offices. Government must begin by stating that the office is independent and impartial."

In years gone by, and he's talking about the history in Nova Scotia when they didn't have such high thresholds around independence and impartiality, what happened is a former member of the House would be called or a friend of a political individual—sounds a little bit like the situation we're dealing with here—and would be asked, "Would you be interested in serving as Ombudsman?"

That didn't mean the selection was a poor one, which is what the government argues, that in this case Mr Miller has credentials which they think on the single issue of his environmental knowledge might make him an appropriate candidate—that's what the government is arguing. He says:

"That does not mean that the selection was poor. It does not mean the person did not possess the particular attributes required to do the job. But it does mean that the perception was there that this person was beholden to the government of the day. And that becomes a weakness for the office."

What that means is that with the appointment you are attempting to put through, if you pass this motion, you will contribute to the weakening of the office of the Environmental Commissioner of Ontario, because it can't be perceived to be impartial and non-partisan, given the knowledge that we all have now.

Lastly, let me quote from Robert Martin, director of the Office of the Ombudsman, United States Environmental Protection Agency:

"Functions such as the Environmental Commissioner of Ontario and the Ombudsman may serve as quintessential mediating structures because they cut across ideological and political divides and empower people where it matters, in control of their own daily lives as they live next to toxic sites and they feel the impersonal impact of environmental problems.

"The benchmarks of success can be viewed as independence, credibility, neutrality and the quality of advice offered to all parties in any kind of report, whether it's for consideration by a congressman—he's speaking in the US situation—"or member of Parliament"—speaking to the Ontario situation—"as the case may be.... As for independence, people know when you are independent. People know when you are not. It is very clear."

I think it is truly the responsibility of the government in this case to protect the historical legacy of the Legislative Assembly that the officers of the Legislative Assembly and the officers reporting to the Legislative Assembly are maintained as non-partisan appointments and that inherent within that it requires the agreement of all three parties. It is the responsibility of the government here that has the majority to ensure that's the case.

I have to say that at the end of the day, if this government decides to proceed with this, I implore Mr Miller to search his conscience with respect to this. I believe very strongly that if, as I have heard him claim, he believes in the process of the Environmental Bill of Rights and in the process in Ontario for the protection of public participation and for the role of a watchdog on the government, then I implore him to search his conscience and understand that he in no way can ever receive the full confidence of the Legislative Assembly of Ontario, and therefore will contribute, himself, to the weakening of the office of the Environmental Commissioner of Ontario. I am so sorry that he is in this position at this point in time. I, as I said, place the blame with the government.

I want to also respond to the assertions members of the government have made that the process that's being followed with this committee recommendation, coming before this Legislature, is the same as had been done with respect to the previous and first Environmental Commissioner of Ontario, Eva Ligeti.

I don't know how to deal sometimes with assertions that are made but I know that historically the events occurred in a different way. In particular, with the appointment of Ms Ligeti, the committee that dealt with that, the members of the committee from all three political parties, worked to appoint, in consideration of the candidates, where there was unanimous support for a candidate.

The committee members did not go into that process and the first part of the deliberation of that committee—it was not obvious at first that there was a unanimous decision. What I mean by that is that the parties had differing opinions of who the candidate should be that would be recommended by the committee.

The committee worked through that and on the committee, in respect of the historical precedents in this Legislature and the expectation of unanimity of the three parties with respect to these appointments, the approach that there be complete respect for and confidence in the non-partisanship and independence and credibility of the individual being appointed, those committee members worked through until they arrived at a unanimous position.

That is the process that was followed. That is the process that you continue to say is the same with respect to Mr Miller and I am so sorry that I can't use the language to tell you what it is you're doing when you make that assertion. It would be unparliamentary, as you all know.

Lastly, I want to talk just very briefly about the assertions being made about my colleague from the riding of Broadview-Greenwood. There's a time that all of us face in our lives where we are bound by rules and by undertakings about which we sometimes feel we have to take a step beyond that. In this case I call it whistle-blowing. I applaud the member for having the courage to step outside the guidelines she was bound by. It showed the public what was happening, to expose the hypocrisy of the government with respect to this appointment and the violation of the independence and non-partisanship of that position.

In closing, I'd like to move an amendment to this motion.

I move that the motion be amended by inserting the following words after "said act": "subject to a performance review by the standing committee on general government after six months in office."

The intent of my amendment is that should this motion carry, there will be an opportunity for the standing committee to review the performance of this individual and perhaps correct a mistake I believe they're going to make.

1640

The Acting Speaker (Mr Tony Martin): Ms Lankin has moved an amendment that the motion be amended by inserting the following after the words "said act": "subject to a performance review by the standing committee on general government after six months in office."

Further debate.

Mr Dan Newman (Scarborough Southwest): I want to indicate that I'll be sharing my time with the member for Durham.

Applause.

Mr Newman: I am pleased to have the opposition applauding my presence here today and my speech to come.

I am pleased to talk about the appointment of the Environmental Commissioner and to indicate that he was the choice of the standing committee on general government. That's what we're debating here today.

The process we're going through today, or rather the debate we're talking about here today reminds me of when the new police chief was selected in the city of Toronto. An NDP socialist member of the police services board, when the media started to report that Julian Fantino may be named as the chief of Toronto, got out there in the public spotlight and said the process was flawed. Isn't that the socialist way? When socialists don't get their way, they start to complain about the process. It's like a schoolyard bully: If you're not going to play the game by his rules, then he won't play at all. That's what we have with the NDP here today.

I think we have to look no further than the recent provincial election. The NDP was complaining about the election lists that the federal government was giving to them. They claimed that the lists were flawed, that somehow the process was flawed again. It's the socialist way. If you don't get your way, if your person doesn't win, then somehow the process is flawed.

Ms Marilyn Mushinski (Scarborough Centre): Crybabies.

Mr Newman: Crybabies indeed, I say to the member for Scarborough Centre. That's what the NDP is all about.

I think it's important that we look at some previous legislative appointments in this place. Over the past decade this Legislature has appointed a Provincial Auditor, an Ombudsman, two information and privacy commissioners, two integrity commissioners, a Chief Election Officer and an election finances commissioner—eight major appointments. Do you know how long these appointments were debated in this House? Those eight major appointments were only debated for a total of 65 minutes.

We've been debating the appointment of the Environmental Commissioner for over 10 hours over the last few days. For those eight major appointments by previous governments, that would have left an average of eight minutes per appointment to be debated in the House. Again, we have spent 10 hours debating the

appointment of the Environmental Commissioner. I would suggest to you that the opposition members are playing nothing more than silly opposition games. They can't get their way, so somehow they're going to play bully in the schoolyard and try and play bully here in the Legislature.

I've listened to the members opposite refer to the individual whose name has been put forward and indicate that this person is somehow the president of the Premier's riding association. That simply is not true. If you look at the name of the Premier's riding association president, his name is actually—

Members pounding on desks.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: I am trying to listen to the debate on this motion. I could possibly be interested in this debate.

The Acting Speaker: I have to say I'm having a hard time hearing the speaker too, so if you would refrain from banging on your desks, it would be helpful to everybody.

Member for Scarborough Southwest.

Mr Newman: What I was trying to point out was that over the last few days the opposition members have been trying to indicate that the person whose name has been put forward as Environmental Commissioner is the Premier's riding association president. I just want to indicate again that that simply isn't true. If they had done their research—

Mr James J. Bradley (St Catharines): Federal.

Mr Newman: Now they use the word "federal." They hadn't been using the word "federal" over the last few days. I wouldn't want to say that they're misleading; I would probably want to say that they haven't been as clear as they probably would want to be.

The Premier's riding association president is actually David Liddle. David has been the president for the last several years. Gordon Miller may have been a federal riding association president, and I know it's tough for the opposition members to look at that—

Interjection.

The Acting Speaker: Order. Excuse me. Sit down. You cannot speak in the House unless you're in your chair.

Mr David Young (Willowdale): On a point of order, Mr Speaker: As hard as I'm trying, I have not been able to hear the speaker addressing this chamber. I wonder if there's any way that we could resume some sort of order so that I could hear the words of the speaker.

The Acting Speaker: The member has a good point. We do need to hear the speaker as he presents to us in this place. So if you would keep order it would be appreciated.

Member for Scarborough Southwest.

Mr Newman: I wanted to indicate that some days the members opposite say that members of this party are Reformers, other days they say that we're federal Conservatives. They can't have it both ways.

Interjections.

Mr Newman: They laugh. Liberals can have it both ways.

Yes, I say to the chief government whip that this appointment process was indeed a fair and open one. It was a process where there was an all-party committee, the standing committee on general government. Names were put forward after people had submitted their names through an ad that was placed in the Globe and Mail. Caucuses of all three parties had the opportunity to put names forward and none of the three parties put names forward.

Mr Miller's appointment was approved by an all-party committee, and what does the opposition do now? They don't like the end result, so somehow the system is flawed and they're playing silly political games here. It's exactly the same process that was used to select the new Ombudsman. Both committees followed the same fair and confidential process. Well, I should say that most members followed that same confidential process. But they're continuing to play silly games and I think not respecting the rights of the members of the standing committee on general government who listened to the people who came forward with interviews and looked through the resumé.

I'm not going to go at length about how qualified Mr Miller is for this position. What the opposition wants you to think is that somehow if you're involved in the political process you should be disqualified or discriminated against from applying for any job. That's not the case at all. The Liberals and the NDP today and over the last few days have been trying to make political mileage out of this statement with what they're doing here today.

Mr Gerretsen: On a point of order, Speaker: We have never suggested that Mr Miller shouldn't apply for a job. He shouldn't have applied for this one.

The Acting Speaker: That's not a point of order.

Mr Newman: I know that I'm being heckled here today. It's because I've hit a nerve with them. They know what I'm saying is truthful. The fact of the matter is that they've tried to make political hay with this across Ontario, but right now the people of Ontario are not talking about it in Tim Horton's, they're not talking about it at Country Style donuts or Coffee Time. They're not talking about it on Main Street, Ontario. They're not talking in the busy shopping malls about this and they're not talking about it at the kitchen table.

What we have here today is what I think is a routine appointment. We've spent over 10 hours debating this issue and even the Toronto Star, on page A34, says that Miller has an "appreciation for the environment and a decent working knowledge of environmental law, regulation and policy." It goes on to state, "He's deeply involved in conservation, the head of one interested in Lake Nipissing and another that keeps a close watch on Trout Lake and the source of North Bay's drinking water."

So I think what we have here today is the opposition stalling and delaying things. I believe Mr Miller is emin-

ently qualified for this position. I think the opposition would rather have a professional bellyacher up there as the Environmental Commissioner, but the position of Environmental Commissioner goes beyond partisan politics. This position requires an individual who can take an active role in working with policymakers to find realistic solutions to problems, and I would expect, should Mr Miller's appointment be carried, that he would have to work hard on behalf of the people of Ontario.

What the opposition wants you to believe is this: If you haven't hugged a tree, you're simply not up to the job.

Mr John O'Toole (Durham): It's a pleasure to follow the member for Scarborough Southwest. He has put on the record the substance of the debate we've listened to with over 25 speakers over the last couple of days. Yet it's my understanding the committee met for almost 20 hours over 11 or 12 meetings and sub-committee meetings. The civil servants, I imagine, have spent considerable time reviewing and evaluating objectively the 71 applicants for the position.

So I think the debate has gone on a considerable length of time, and I just want to make sure that we put on the record that this particular—

Members pounding on desks.

The Acting Speaker: Order. Will the members please come to order.

We'll recess the House for five minutes.

The House recessed from 1652 to 1659.

The Acting Speaker: The member for Durham.

Mr O'Toole: Mr Speaker, I would put to you that there's been more time spent on this particular debate than any prior appointment of a commissioner. I know that in all decisions there's a time for leadership and there's a time for decisiveness. I think that time has come.

Mr Speaker, I would move that we put the question now.

The Acting Speaker: Mr O'Toole has moved that the question be now put. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

All those—

Interjections.

The Acting Speaker: We're in the middle of a vote here. Please sit down.

In my opinion, the ayes have it.

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

The division bells rang from 1700 to 1730.

The Acting Speaker: Members will take their seats.

All those in favour of the motion will rise one at a time and be recognized by the Clerk.

Clark, Brad	Johnson, Bert
Clement, Tony	Kells, Morley
Coburn, Brian	Klees, Frank
DeFaria, Carl	Martiniuk, Gerry
Dunlop, Garfield	Maves, Bart
Ecker, Janet	Mazzilli, Frank
Elliott, Brenda	Molinari, Tina R.
Flaherty, Jim	Munro, Julia
Galt, Doug	Murdoch, Bill
Gill, Raminder	Mushinski, Marilyn
Guzzo, Garry J.	Newman, Dan
Hardeman, Ernie	O'Toole, John
Hastings, John	Ouellette, Jerry J.

Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascaona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob
Young, David

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

Nays

Agostino, Dominic	Duncan, Dwight	Lankin, Frances
Bisson, Gilles	Gerretsen, John	Levac, David
Boyer, Claudette	Hampton, Howard	Marchese, Rosario
Bradley, James J.	Hoy, Pat	Martel, Shelley
Caplan, David	Kennedy, Gerard	McGuinty, Dalton
Christopherson, David	Kormos, Peter	Peters, Steve
Churley, Marilyn	Kwinter, Monte	Sergio, Mario
Dombrowsky, Leona	Lalonde, Jean-Marc	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 51; the nays are 23.

The Acting Speaker: I declare the motion carried.

Mr Duncan: On a point of order, Mr Speaker: I rise on a point of order with respect to standing order 47. That is the standing order which deals with motions of closure. It is the contention of the official opposition that this vote and the motion that precipitated it are out of order. Allow me to read to you the salient section of standing order 47:

"A motion for closure, which may be moved without notice, until it is decided shall preclude all amendment of the main question, and shall be in the following words:— 'That this question be now put.' Unless it appears to the Speaker that such motion is an abuse of the standing orders of the House or an infringement of the rights of the minority...."

Mr Speaker, you accepted the motion and allowed the vote without telling this House whether you thought it was either an infringement of the rights of the minority or an abuse of the standing orders. It is the position of the official opposition that that closure motion and the vote that it precipitated were both an abuse of the standing orders of the House and an infringement on our rights.

Mr Speaker, we have members who still wanted to debate this motion and we were not given an opportunity by yourself, as Chair, to put this question before you allowed the vote. Indeed, we stood on the point of order before the member made the motion. Accordingly, I ask you to rule the previous vote out of order for the two reasons: First, it's abuse of the standing orders by the majority and, second, it's an infringement on the rights of every minority member of this House.

Mr Christopherson: On the same point, two aspects: One is the inability of the House leader of the official

Ayes

Baird, John R.	Hodgson, Chris	Palladini, Al
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Skarica, Toni

opposition or myself to place our concern about the appropriateness of the motion at the time. It would seem to me that certainly the House leaders ought to be given even just half a minute to at least outline what the concern is at the point where a government has introduced a motion that is about to muzzle this place. That's our first concern, that we didn't get an opportunity to make that argument at the time.

The appropriateness of that motion is that first of all a member of our caucus, the member for Beaches-East York, had just placed an amendment and we had absolutely no opportunity whatsoever to debate that amendment. Second, when we look at what happened in the past in terms of precedent, I would draw your attention to what happened on December 3, 1992, when there was a motion to close debate at that time.

In fact, it was made by us when we were in government, but it was not allowed because 12 hours wasn't deemed to be enough. On May 6, 1992, on another closure motion, the Speaker ruled at that time that 20 hours was not enough. We had well below 20, below 12, and an amendment just placed on the floor, and the government decided that's when they were going to muzzle this House.

Yesterday the chief government whip stated in the House, "This House has seen other substantive government motions, such as address in reply to the throne speech, as well as a budget debate called in both the afternoon and the evening of the same calendar day." The chief government whip made the argument (1) that this is a substantive motion and (2) that it was the same as a throne speech and a budget debate.

I would point out to you, Speaker, under standing order 41(a) that for a speech from the throne there are six days of debate and that under standing order 57(b), dealing with budget motions, there are to be four sessional days on the budget motion. All of those things are greater than the amount of time that we have been given. I join with the House leader of the official opposition and ask you to now reconsider whether or not that closure motion was indeed in order and whether or not it should have been put to this House.

The Acting Speaker: I've ruled on the motion. I stay by my ruling.

Mr Sterling has moved government motion number 3.

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 30-minute bell.

"Pursuant to standing order 28(h), I request that the vote on motion by Mr Sterling for government order number 3 be deferred." The vote is accordingly deferred.

Hon Mr Sterling: Mr Speaker, I seek unanimous consent to call orders Pr1, Pr6, Pr7, Pr8, Pr13, Pr14 and Pr15 so that they may be moved and debated concurrently for second and third reading.

The Acting Speaker: Unanimous consent? Agreed.

1740

HARBOURFRONT TRAILER PARK LTD. ACT, 1999

Mr Dunlop moved second reading of the following Bill: Bill Pr1, An Act to revive Harbourfront Trailer Park Ltd.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr Dunlop moved third reading of the following Bill: Bill Pr1, An Act to revive Harbourfront Trailer Park Ltd.

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

Resolved that the bill do now pass and be entitled as in the motion.

ASSOCIATION OF REGISTERED INTERIOR DESIGNERS OF ONTARIO ACT, 1999

Mr Wood moved second reading of the following bill: Bill Pr6, An Act respecting the Association of Registered Interior Designers of Ontario.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr Wood moved third reading of the following bill:

Bill Pr6, An Act respecting the Association of Registered Interior Designers of Ontario.

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

Resolved that the bill do now pass and be entitled as in the motion.

TOWN OF PICKERING ACT, 1999

Mr O'Toole moved second reading of the following bill:

Bill Pr7, An Act respecting The Corporation of the Town of Pickering.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr O'Toole moved third reading of the following bill:

Bill Pr7, An Act respecting The Corporation of the Town of Pickering.

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

Resolved that the bill do now pass and be entitled as in the motion.

TOWNSHIP OF NORTH KAWARTHA ACT, 1999

Mr Stewart moved second reading of the following bill:

Bill Pr8, An Act to change the name of The Corporation of the Township of Burleigh-Anstruther-Chandos to The Corporation of the Township of North Kawartha.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr Stewart moved third reading of the following bill:

Bill Pr8, An Act to change the name of The Corporation of the Township of Burleigh-Anstruther-Chandos to The Corporation of the Township of North Kawartha.

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

Resolved that the bill do now pass and be entitled as in the motion.

PEMBRIDGE INSURANCE
COMPANY ACT, 1999

Mr Wood moved second reading of the following bill:
Bill Pr13, An Act respecting Pembridge Insurance Company.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr Wood moved third reading of the following bill:
Bill Pr13, An Act respecting Pembridge Insurance Company.

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

Resolved that the bill do now pass and be entitled as in the motion.

BLUE MOUNTAIN VILLAGE
ASSOCIATION ACT, 1999

Mr Murdoch moved second reading of the following bill:

Bill Pr14, An Act respecting Blue Mountain Village Association.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr Murdoch moved third reading of the following bill:

Bill Pr14, An Act respecting Blue Mountain Village Association.

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

Resolved that the bill do now pass and be entitled as in the motion.

MUNICIPALITY OF
KINCARDINE ACT, 1999

Mr Murdoch moved second reading of the following bill:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

Mr Murdoch moved third reading of the following bill:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

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

Resolved that the bill do now pass and be entitled as in the motion.

ROYAL ASSENT
SANCTION ROYALE

The Acting Speaker (Mr Tony Martin): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator of Ontario has been pleased to assent to certain bills in his office.

Clerk Assistant (Ms Deborah Deller): The following are the titles of the bills to which His Honour did assent:

Bill 11, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts / Projet de loi 11, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant quatre nouvelles lois;

Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits / Projet de loi 22, Loi commémorant le sergent Rick McDonald et modifiant le Code de la route en ce qui concerne les poursuites en vue d'appréhender des suspects;

Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité;

Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): Mr Speaker, I ask for unanimous consent that we continue sitting past 6 of the clock, begin our evening session at 6 o'clock and not recess for dinner this evening.

The Acting Speaker: Is there unanimous consent? Agreed.

UNIVERSITY OF OTTAWA
HEART INSTITUTE ACT, 1999
LOI DE 1999 SUR
L'INSTITUT DE CARDIOLOGIE
DE L'UNIVERSITÉ D'OTTAWA

Mr Sterling, on behalf of Mrs Witmer, moved third reading of the following bill:

Bill 39, An Act respecting the University of Ottawa Heart Institute / Projet de loi 39, Loi concernant l'Institut de cardiologie de l'Université d'Ottawa.

The Acting Speaker (Mr Tony Martin): Is it the pleasure of the House that the motion carry? Carried.

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

Report continues in volume B.

Continued from overleaf

TABLE DES MATIÈRES

Mercredi 22 décembre 1999

PREMIÈRE LECTURE

Loi de 1999 sur le tartan, projet de loi 49, <i>M. Murdoch</i> Adoptée	1760
Loi de 1999 modifiant la Loi sur les municipalités (fête de Simcoe), projet de loi 50, <i>M. Hastings</i> Adoptée	1760

SANCTION ROYALE

La lieutenant-gouverneure	1788
---------------------------------	------

TROISIÈME LECTURE

Loi de 1999 sur l'Institut de cardiologie de l'Université d'Ottawa, projet de loi 39, <i>M^{me} Witmer</i> Adoptée	1789
---	------

CONTENTS

Wednesday 22 December 1999

MEMBERS' STATEMENTS

Burtch Correctional Centre	
Mr Levac.....	1757
Education funding	
Mr Galt	1757
University and college funding	
Mrs Bountrogianni.....	1757
Three Century Club	
Mr O'Toole.....	1758
Police helicopter program	
Mr Agostino.....	1758
Appointment of Environmental Commissioner	
Mr Marchese.....	1758
Jim McCallum	
Mr Stewart.....	1759
United Way of Greater Toronto	
Mr Smitherman.....	1759
Season's greetings	
Mr Wettlaufer.....	1759

REPORTS BY COMMITTEES

Standing committee on regulations and private bills	
Mrs Boyer.....	1760
Report adopted.....	1760

FIRST READINGS

Tartan Act, 1999, Bill 49, Mr Murdoch	
Mr Murdoch.....	1760
Agreed to.....	1760
Ross Memorial Hospital Act, 1999, Bill Pr5, Mr Stewart	
Agreed to.....	1760
Municipal Amendment Act (Simcoe Day), 1999, Bill 50, Mr Hastings	
Mr Hastings.....	1760
Agreed to.....	1760

MOTIONS

House sittings	
Mr Sterling.....	1760
Agreed to.....	1760

ORAL QUESTIONS

Appointment of Environmental Commissioner	
Mr McGuinty.....	1760
Mr Eves.....	1761, 1762, 1763
Mr Hampton.....	1762
Ms Churley.....	1762
Homelessness	
Mr McGuinty.....	1761
Mr Eves.....	1761
Investigation of former minister	
Mr Hampton.....	1763
Mr Eves.....	1763

Eye care services

Mr Bradley.....	1763
Mrs Witmer.....	1764

Doctor shortage

Mr Beaubien.....	1764
Mrs Witmer.....	1764, 1765
Mr Gerretsen.....	1765

Collection agencies

Mr Maves.....	1765
Mr Runciman.....	1765

Nurse practitioners

Mr Hampton.....	1766
Mrs Witmer.....	1766

Municipal taxation

Mr Patten.....	1766
Mr Clement.....	1767

Toy delivery

Mr O'Toole.....	1767
Mr Turnbull.....	1767

Infrastructure program financing

Mr Phillips.....	1767
Mr Eves.....	1768

Canada Summer Games

Mr Mazzilli.....	1768
Mrs Johns.....	1768

OMERS pension board

Mr Christopherson.....	1769
Mr Hodgson.....	1769

Long-term care

Mr Sergio.....	1769
Mrs Witmer.....	1769

PETITIONS

Medical laboratories

Mr Kwinter.....	1770
-----------------	------

Local suppliers

Mr Martin.....	1770
----------------	------

Karla Homolka

Mr Hastings.....	1770
Mr Newman.....	1771
Ms Mushinski.....	1772
Mr O'Toole.....	1772

Gasoline prices

Mr Peters.....	1770
----------------	------

Appointment of Environmental Commissioner

Ms Churley.....	1771
-----------------	------

Highway safety

Mr Hoy.....	1771
-------------	------

Dental care

Ms Lankin.....	1771
----------------	------

Tenant protection

Mr Sergio.....	1772
----------------	------

Education funding

Mr Martin.....	1772
----------------	------

Maters Mortgages

Mr Bradley.....	1773
-----------------	------

GOVERNMENT MOTIONS

Appointment of Environmental

Commissioner, government notice of motion number 30, *Mr Sterling*

Mr Maves.....	1773
Mrs Dombrowsky.....	1774
Mr Wettlaufer.....	1776
Mr Mazzilli.....	1778
Mr Phillips.....	1779
Ms Lankin.....	1781
Mr Newman.....	1784
Mr O'Toole.....	1786
Mr Duncan.....	1786
Mr Christopherson.....	1786
Vote deferred.....	1788

SECOND AND THIRD READINGS

Harbourfront Trailer Park Ltd

Act, 1999, Bill Pr1, Mr Dunlop

Agreed to..... 1787

Association of Registered Interior

Designers of Ontario Act, 1999,

Bill Pr6, Mr Wood

Agreed to..... 1787

Town of Pickering Act, 1999,

Bill Pr7, Mr O'Toole

Agreed to..... 1787

Township of North Kawartha Act,

1999, Bill Pr8, Mr Stewart

Agreed to..... 1787

Pembridge Insurance Company Act,

1999, Bill Pr13, Mr Wood

Agreed to..... 1788

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THIRD READINGS

University of Ottawa Heart Institute

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OTHER BUSINESS

Status of Bill 46

The Speaker..... 1759

Mr Phillips..... 1759

Visitor

Ms Churley..... 1769

ROYAL ASSENT

The Lieutenant Governor..... 1788

Continued overleaf