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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 13 June 2000**

**Mardi 13 juin 2000**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 June 2000

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 13 juin 2000

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SHABAQUA HIGHWAY

**Mr Michael Gravelle (Thunder Bay-Superior North):** I want to use this opportunity today to call on the Minister of Transportation to move ahead with the construction of the Shabaqua Highway in Thunder Bay. This crucial route, which would extend the existing Harbour Expressway westerly to connect with Highway 11/17 at the 10th Side Road, needs to be made a real priority by this government as the sharp increase in commercial traffic on both the Arthur Street corridor and Highway 102/Dawson Road is causing serious safety concerns in our community. Most significantly, construction of the Shabaqua Highway would create a much-needed direct connection to the heavy industrial area of the city and would be supported, once it's completed, by a ban on everything but local traffic on Arthur Street.

It's important to note that this is a project that can move ahead quickly. This route has been in the planning stages since the mid-1970s. All the necessary land has been acquired. The right-of-way has been cleared and it is my understanding that all environmental reviews have been completed.

The construction of this important highway extension is supported by Thunder Bay city council, the Thunder Bay Chamber of Commerce, various trucking organizations and by an ever-increasing number of citizens in our community. It is my hope that you will see the value of moving forward with the construction of the Shabaqua Highway, especially in light of your commitment to spend more money on northern roads.

As commercial truck traffic continues to increase on our roads, it is vital that we seek solutions to the safety issues that go along with those increases, as well as the economic advantages of smoother passage for transport. Minister, this is a project that deserves your support. Please make it a priority.

#### UNITED EMPIRE LOYALISTS' DAY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I'd like to draw members' attention to Monday, June 19, which is fast approaching. On that day, Ontario cele-

brates its third United Empire Loyalists' Day. I will host and participate in an 11:30 am ceremony to commemorate the occasion on the lawn at Queen's Park. It will be an honour to represent Haldimand-Norfolk-Brant on June 19, both as an MPP and also as a descendant of a Loyalist family.

Although he can't make it on that day, I'd also like to recognize a former member for Hastings-Peterborough, Harry Danford, UE, for making United Empire Loyalists' Day a reality in Ontario.

The story of United Empire Loyalists began over 200 years ago during the conflict between the crown and its American colonies over what was considered to be over-taxation and oppressive rule. Not all inhabitants of the original 13 American colonies were in favour of independence. These loyalists reflected diverse religious, cultural and economic backgrounds representing many places of origin: England, France, Germany, Holland, Africa, native North Americans and others.

Today, Canadian's benefit from the democratic institutions Loyalists fought to defend: a Parliamentary democracy headed by a constitutional monarchy. This is our heritage and one that I am proud to serve. I invite all members to join me to celebrate United Empire Loyalists' Day. God save the Queen.

#### NORTHERN HEALTH SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Over the past year, my northern colleagues and I have continued to raise our concern about the unfair treatment of northern Ontario residents who have to leave their home communities to receive health care.

A year ago, northerners were frustrated and angry to learn that cancer patients from southern Ontario who have to travel to get radiation treatment had all their travel, accommodation and meal costs paid for by the government. In the meantime, northern Ontario patients were eligible for a maximum of \$420 dollars through the northern health travel grant.

Last June, the government agreed to cover all the costs of northern patients who were receiving brachiotherapy—a positive hopeful step. But there has been no further action since then despite petitions with thousands and thousands of names of concerned citizens and unanimous support of every northern municipality, wanting to see fair treatment of northern Ontario patients.

The minister seems to think there's nothing more that needs to be done. She says northerners get the same

treatment as southerners if they have to leave their region to get care. That is simply not the case, not for cancer patients and not even for families of children with cancer who have to go to Sick Kids for treatment. It is certainly not the case that there's fair treatment for others who have to leave to get care.

I have constituents who have to leave northwestern Ontario to get treatment for neurological disorders and to have cardiac surgery. Children with spina bifida have repeated visits to clinics in Toronto. If you need a kidney transplant, it will cost you over \$4,000, and that's if you're prepared to come down and go through it by yourself without any help or support.

Those are just a few examples of people who are being forced to spend large amounts of their own money to get medically necessary care.

The only difference between the situation of southern Ontario cancer patients and the needs of northern Ontario residents is that the situation is not temporary for northerners. It's gone on too long. It's time to address the unfairness.

#### BRYAN LEWIS

**Mr Ted Chudleigh (Halton):** I'd like to take this opportunity to congratulate Bryan Lewis, the NHL director of officiating, on winning the Georgetown Hockey Heritage Award for 2000.

Mr Lewis began his hockey career playing minor hockey in Georgetown. He graduated to play Junior C with the Georgetown Raiders and moved to Junior B, playing in both Dixie, where he met his wife, and Burlington. He eventually became involved as an administrator, acting as commissioner for Georgetown Legion hockey with the guidance of Bill Fisher, Jim Yates and Roy Norton Sr.

Mr Lewis was a charter member of the Georgetown Referees' Association. While working minor hockey, he was selected to officiate in the Georgetown International Bantam Tournament and has officiated in every tournament in its 39-year history.

Mr Lewis quickly advanced as a referee through the OHA Junior A and eventually received the OHA honour roll award.

He refereed his first NHL game on January 6, 1970, in Montreal, the first of 1,031 such assignments, including the 1981 All-Star game, the 1984 Canada Cup and the Stanley Cup playoffs, often in the final series. Mr Lewis joined the NHL as supervisor of officials in 1986 and was appointed director of officiating in 1989.

He has always been a supporter of hockey in Georgetown, and I'd like to thank him for his contributions over the years.

#### HOSPITAL FUNDING

**Mr Dominic Agostino (Hamilton East):** As the government continues to spin numbers in regard to health care spending in Ontario, I will remind this government

of a crisis we have at St Joseph's Hospital in Hamilton. This hospital, which has a number one rating for efficiency in the province of Ontario, is facing a \$5.4-million debt in the upcoming year. The hospital, I want to stress, has warned the province of Ontario that people's health will be put in jeopardy and the possibility will exist that people will die if this funding is not forwarded to St Joseph's. Some of the steps they'll have to take will include closing beds, reducing admissions, laying off staff, cancelling elective surgery, increasing waiting time in the ER and turning ambulances away more often.

We're just seeing the impact of this. The mobile collection blood service, which would go to the homes of seniors and the disabled in Hamilton-Wentworth who are too ill or too frail to go to a clinic, has been cancelled. Over 20,000 visits a year by this mobile service will no longer take place as a result of funding cuts by the government of Ontario. We have one of the longest waiting lists for cardiac surgery at St Joseph's Hospital.

I urge, I beg, I implore this government to give St Joseph's the \$5.4 million. Let me go clearly on the record: As you were warned with Walkerton, you have been warned with St Joseph's Hospital. They have made it clear that people could die because of cuts in services. Remember that in coming up with the \$5.4 million necessary for St Joseph's in Hamilton.

1340

#### EDUCATION LEGISLATION

**Mr Rosario Marchese (Trinity-Spadina):** I have a message for the Minister of Education and the Premier from parents and teachers, and trustees as well: Bill 74 is injurious to the entire teaching profession, but to the entire educational profession in its individual parts and on the whole. I've got to tell you that what this minister has announced in terms of saying that extracurricular activity will not be mandatory but will be in law, not applied but held in abeyance, like the sword of Damocles—with the help of the clerks we were able to get that right, and I appreciate the help. That's the first part.

I find it offensive and the teaching profession finds that particular measure you've taken offensive. Nothing has been done to help the teachers. The fact that you are forcing teachers to teach 6.67 courses of teaching time means that teachers will be teaching yet another extra class. It means you will be firing up to 2,000 teachers—offensive to the teachers and offensive to me.

Finally, you are, through this bill, decapitating the trustees, where they are rendered helpless and unable to defend and protect the parents who elected them. They are powerless with this bill. You have taken away local control with this bill and we are all angry about it.

#### SPECIAL EDUCATION

**Mr Jerry J. Ouellette (Oshawa):** I'd like to bring to the attention of the House the extraordinary efforts being

made by teachers of special needs students in the primary schools of Durham region.

An excellent example happened last week. C.E. Broughton school is an innovative school in Whitby, in the riding represented by my colleague Jim Flaherty, the Attorney General for the province. Ms Smyka and Mrs Clark each teach classes of special needs students. Supported by their educational assistants, last week they organized a two-night camping trip for the special needs students at the scout camp, Camp Samac, in Oshawa, which is in the riding of the member for Durham, Mr O'Toole, I might add. The children were both excited and delighted. What a wonderful experience for these children as part of their education.

I am sure all members will share our enthusiasm in Durham region for the teachers and educational assistants who lead the way in demonstrating initiative and dedication to their students and, in particular, expanding the horizons of special needs children.

#### HYDRO RATES

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to talk about Hydro today, and particularly and sadly about the fact that hydro rates are going up for all Ontarians: residential, farm, and industrial and commercial consumers. They're going up because of the electricity policy of the Harris government.

It was astonishing last Thursday to hear the Minister of Energy, Mr Wilson, stand here and play the blame game: "It's all because of the municipalities." Well, let's talk turkey. Let's talk the truth.

What have we got? Over at Ontario Hydro, we find out that they are down at the energy board bragging about the fact that, thanks to a capital restructuring done last year in the dark, they've built in a 9.35% commercial rate of return already. Their rates in most cases are substantially higher than the rates for customers at the municipal level beside them.

I have to say, we're all watching these days the multi-million-dollar Hydro ads. You know the new Hydro One? Those ads should be recalibrated to say "Hydro Won," because under Mike Harris, Ontario Hydro has won. They managed to get this Tory Legislature to rig the rules of the new game by giving Hydro preferential status in the restructured market. We're going into a deregulated market this fall where Ontario Hydro generation is going to have 85% to 90% of the market.

Hydro rates are going up, you bet. They're going up because of direct actions of the Ontario government, not because of what municipalities are doing.

#### ONTARIO ECONOMY

**Mr Bart Maves (Niagara Falls):** Isabel Bassett, David Boushy, Jim Brown, Jack Carroll, Harry Danford, Ed Doyle, Barb Fisher, Doug Ford, Gary Fox, Tom Froese, Bill Grimmett, Charles Harnick, Dave Johnson, Ron Johnson, Leo Jordan, Al Leach, Gary Leadston, Al

McLean, John Parker, Trevor Petit, Peter Preston, Lillian Ross, Doug Rollins, Bill Saunderson, Reverend Derwyn Shea, Frank Sheehan, Toni Skarica, Bruce Smith, Bill Vankoughnet, Noble Villeneuve and Terrence Young.

On May 2, 2000, Finance Minister Ernie Eves presented the second of two consecutive balanced budgets for the province of Ontario. This is a historic achievement. The last time the Ontario budget was balanced in two consecutive years was in 1942-43 and 1943-44.

At the same time that this government has balanced budgets, the Ontario economy has flourished. Spurred by tax cuts, 700,000 net new jobs have been created, over 500,000 people have moved from welfare to work, and sound investments in health care, education and infrastructure have been made.

This legacy belongs not only to the current members who have returned to sit on this side of the Legislature; it should also be attributed to the above-mentioned former members. Our colleagues worked diligently with us between 1995 and 1999 to achieve the phenomenal Ontario turnaround. It is important that we commend them and thank them for their efforts.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Carl DeFaria (Mississauga East):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill, as amended:

Bill 74, An Act to amend the Education Act to increase education quality, to improve the accountability of school boards to students, parents and taxpayers and to enhance students' school experience.

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

All those in favour will please say "aye."

All those opposed will be please say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1346 to 1351.*

**The Speaker:** Would the members kindly take their seats.

Mr DeFaria has moved adoption of the report by the standing committee on justice and social policy.

All those in favour will please rise one at a time and be recognized by the clerk.

#### Ayes

Arnott, Ted	Gill, Raminder	Newman, Dan
Baird, John R.	Guzzo, Garry J.	O'Toole, John
Barrett, Toby	Hardeman, Ernie	Ouellette, Jerry J.
Beaubien, Marcel	Hodgson, Chris	Runciman, Robert W.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clark, Brad	Jackson, Cameron	Snobelen, John

Clement, Tony	Johns, Helen	Spina, Joseph
Coburn, Brian	Johnson, Bert	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Flaherty, Jim	Munro, Julia	Witmer, Elizabeth
Galt, Doug	Murdoch, Bill	Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time.

#### Nays

Agostino, Dominic	Conway, Sean G.	Lalonde, Jean-Marc
Bartolucci, Rick	Curling, Alvin	Lankin, Frances
Bisson, Gilles	Di Cocco, Caroline	Marchese, Rosario
Bountrogianni, Marie	Dombrowsky, Leona	Martel, Shelley
Boyer, Claudette	Duncan, Dwight	Martin, Tony
Bradley, James J.	Gerretsen, John	McLeod, Lyn
Brown, Michael A.	Gravelle, Michael	Parsons, Ernie
Bryant, Michael	Hampton, Howard	Patten, Richard
Christopherson, David	Kennedy, Gerard	Peters, Steve
Churley, Marilyn	Kormos, Peter	Phillips, Gerry
Cleary, John C.	Kwinter, Monte	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 45; the nays are 32.

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

Pursuant to the order of the House dated Wednesday, May 31, 2000, the bill is ordered for third reading.

#### VISITORS

**Hon John Snobelen (Minister of Natural Resources):** On a point of order, Mr Speaker: With your indulgence, I'd like to introduce to this chamber, in the west gallery, the senior fire managers from the Peoples' Republic of China. They are here today to watch these proceedings. They'll be spending close to a month in Ontario working with our forest firefighters and learning the techniques in Ontario. I'm pleased to report that Ontario's firefighting equipment and our manpower is known around the world. I'm pleased to welcome these firefighters from the Peoples' Republic of China here today.

**The Speaker (Hon Gary Carr):** That is not a point of order, but we do welcome our guests.

#### INTRODUCTION OF BILLS

##### ELECTRONIC COMMERCE ACT, 2000

##### LOI DE 2000 SUR LE COMMERCE ÉLECTRONIQUE

Mr Flaherty moved first reading of the following bill:

Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication / Projet de loi 88, Loi visant à promouvoir l'utilisation des technol-

ogies de l'information dans les opérations commerciales et autres en éliminant les incertitudes juridiques et les obstacles législatifs qui ont une incidence sur les communications électroniques.

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

The Attorney General for a short statement.

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** I'm going to make a minister's statement on it.

##### MINISTRY OF CORRECTIONAL SERVICES AMENDMENT ACT, 2000

##### LOI DE 2000 MODIFIANT LA LOI SUR LE MINISTÈRE DES SERVICES CORRECTIONNELS

Mr Kormos moved first reading of the following bill:

Bill 89, An Act to amend the Ministry of Correctional Services Act with respect to parole hearings and the disclosure of information by the Board of Parole, to ensure greater fairness and broader access for victims, inmates and others / Projet de loi 89, Loi modifiant la Loi sur le ministère des Services correctionnels à l'égard des audiences de libération conditionnelle et de la divulgation de renseignements par la Commission des libérations conditionnelles afin d'assurer une plus grande équité et un meilleur accès pour les victimes, les détenus et d'autres personnes.

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

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The member for Niagara Centre for a short statement.

**Mr Peter Kormos (Niagara Centre):** This act would entitle victims to be advised as of right of pending parole hearings and to be able to attend as of right those parole hearings in the provincial context. As well, it would entitle members of the public, including most importantly members of the press, journalists, to attend parole hearings and obtain that appropriate information, including reasons given for granting or denying parole, so that there can be a new level of transparency in the parole process and an enhancement of victims' rights when it comes to consideration of parole applications by inmates.

##### SAVE OUR ARCHITECTURAL HERITAGE ACT, 2000

##### LOI DE 2000 VISANT À SAUVEGARDER NOTRE PATRIMOINE ARCHITECTURAL

Mr Marchese moved first reading of the following bill:

Bill 90, An Act to amend the Ontario Heritage Act to promote the conservation of buildings of historic or architectural value / Projet de loi 90, Loi modifiant la Loi sur le patrimoine de l'Ontario pour promouvoir la

conservation de bâtiments ayant une valeur historique ou architecturale.

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

The member for a short statement.

**Mr Rosario Marchese (Trinity-Spadina):** This is a harmless and non-partisan bill, as you can imagine. The bill makes the following amendments to the Ontario Heritage Act: Municipal councils are given power to prohibit the demolition of buildings that have been designated under part IV and demolition of buildings in areas designated under part V. As you know, currently the act merely allows councils to delay demolition for up to 180 days.

The second thing it would do is that council decisions may be appealed to the Conservation Review Board. The third point is that a provision dealing with financial assistance for owners of heritage properties is included in the bill.

I hope to have the support of government members on this.

1400

## MOTIONS

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that the standing committee on general government be authorized to meet from 9 am to 12 pm on Wednesday, June 14, 2000, for the purpose of considering Bill 68.

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

## STATEMENTS BY THE MINISTRY AND RESPONSES

### INFORMATION TECHNOLOGY LEGISLATION

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** This statement is about the bill I introduced a few minutes ago.

The world is going on-line. Over 300 million people around the globe access the Internet on a regular basis. Over the next three years it is estimated that, worldwide, e-business will reach US\$1.3 trillion dollars annually. For Ontario, that means the creation of new jobs and the potential sale of millions of dollars in goods and services.

Still, some businesses and consumers are wary of doing business electronically because of the legal uncertainty governing on-line transactions. This uncertainty

is restricting the growth and acceptance of e-commerce in Ontario.

The legislation I introduced earlier today, if passed, would boost the on-line growth of electronic business in this province. Our proposed Electronic Commerce Act would cut red tape and remove outdated legal barriers to e-commerce. This bill would encourage investment and investor confidence in Ontario and provide the people of Ontario with a new level of certainty in their electronic transactions.

This bill would ensure that electronic contracts, documents and signatures have the same legal effect as contracts, documents and signatures on paper. This bill would set up rules for automated transactions and for correcting mistakes made on a computer. This bill would adopt national and international standards for e-commerce law based on international models developed by the United Nations.

The act would be enabling legislation. It would not force people to go electronic. It would simply provide legal clarity for those who wish to do so.

The act would be minimalist legislation. It would not prescribe any particular technology that must be used.

We know there are privacy concerns surrounding e-commerce, and we have consulted with the Information and Privacy Commission. In fact, the commissioner has written to me indicating how pleased she was with the consultation. As well, the related issue of consumer protection is being reviewed and will be addressed by the Ministry of Consumer and Commercial Relations.

I would like to take this opportunity to thank the member for Etobicoke North, John Hastings, for all his efforts and initiative in the area of e-commerce.

I would also like to thank the many businesses and associations that have told us that they fully endorse the introduction of e-commerce legislation: John Wetmore, the president and CEO of IBM Canada, is one business leader who is encouraging other provinces to adopt our government's approach. As well, I am pleased to acknowledge several business leaders in the House today: Margo Langford of IBM Canada, Louis H. Milrad of I-TAC, Mr George Takach, author of Computer Law in Canada, Peter Woolford of the Retail Council of Canada, Shameela Abbas and Susan Kerr of the Canadian Bankers Association.

This government is committed to fostering a positive climate for e-business by bringing Ontario laws in line with technological advances and by allowing business to be as creative, innovative and competitive as possible. Better laws encourage investment and job creation in Ontario.

## WALKERTON TRAGEDY

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** All members of this House share a determination to get to the bottom of the Walkerton tragedy. Today I am informing the House that cabinet has now formally established a commission of

inquiry with Justice Dennis O'Connor as commissioner. I am also pleased to announce that comprehensive terms of reference for the public inquiry have been finalized, giving Justice O'Connor a broad mandate to examine all relevant matters to ensure the safety of Ontario's water supply system.

In drafting the terms of reference, I have consulted Walkerton residents and the two opposition parties, as well as Justice O'Connor and Chief Justice McMurtry of the Ontario Court of Appeal. My aim has been to see that the commission has a free hand to get to the bottom of this tragedy.

Under the terms of reference, the commission is to inquire into the following areas: first of all, the circumstances which caused hundreds of people to become ill and several to die at a time when E coli bacteria were found in the Walkerton water supply; second, the cause of these events, including the effect, if any, of government policies, procedures and practices; and third, any other relevant matters the commission considers necessary to ensure the safety of Ontario's drinking water.

The terms also authorize the commission to make recommendations to the Attorney General on funding for parties with standing at the inquiry who would not be able to participate without financial assistance. The government will accept and follow these recommendations.

Let me share with the members of the House a statement by the commissioner, Justice O'Connor. He says: "I have reviewed and been consulted with regard to the terms of reference for the inquiry. I am satisfied that they will enable me to carry out a full and thorough inquiry into the causes of what happened at Walkerton—including the effect, if any, of government policies, practices and procedures—and the implications for the safety of drinking water in Ontario, in order to make recommendations to ensure the safety of the water supply system in Ontario."

Justice O'Connor continues, "I am satisfied that I have sufficiently broad powers under the terms of reference and under the Public Inquiries Act to carry out this very wide mandate."

As mentioned, I also consulted Chief Justice McMurtry on the terms. I can assure the members that the Chief Justice is also satisfied that the terms of reference will provide the basis for a full and thorough inquiry.

I know the people of Walkerton and the Ontario public want to know when the inquiry will begin and how long it will last. Justice O'Connor has indicated that within a period of 30 to 60 days he will develop a work plan and a tentative schedule for hearings. He will then be in a position to announce when public hearings will be scheduled.

As I've said before, the victims and their families demand answers, the people of Ontario demand answers, and the government demands answers. The Premier has pledged the government's full co-operation. We all want to get to the bottom of this tragedy. With a distinguished commissioner and broad terms of reference in place, I am confident we have established a process that will get those answers.

1410

**Mr Dwight Duncan (Windsor-St Clair):** I respond today on behalf of the official opposition to the Attorney General's announcement with respect to the terms of reference for the O'Connor inquiry, which the government has appointed at the urging of my leader, Dalton McGuinty.

First of all, let me begin by saying that the terms of reference contained in the order in council are broad and we welcome the fact that Justice O'Connor has endorsed them and endorsed the way it will unfold in the course of the next months and years. We have just now received the actual order in council and I note that, as is called for, the justice will have discretion over making recommendations with respect to intervener funding, an issue we raised with the Attorney General by letter dated June 7. I note that, as case law indicated to us and as we stressed in our letter to the Attorney General dated June 7, the question of standing at the inquiry will be determined by the justice. We have confidence in the justice's appointment, that he will make what we believe to be the correct decisions on these issues.

We note there's no provision for an interim report. We will publicly ask the justice to give consideration to that, if the government has not asked him to do that. We raised that in earlier correspondence with the Attorney General.

The other question we want to put out publicly now, and the Attorney General has given me his assurance in our meetings to discuss this, is the question of the approved budget that's called for in the order in council. It is our understanding from our discussions with the Attorney General and in response to a letter I sent him subsequent to that, that there will be no restraint put on the budget that's provided to the commission, so that if the budget that's initially approved does not meet the commissioner's needs, he will have the ability to go back and get that budget updated. That budget should not limit in any way, shape or form his ability to conduct a thorough and proper inquiry into what can only be termed one of the greatest tragedies in the history of this province.

I'd also like to put on the record today what the terms of reference do not deal with. The terms of reference of this inquiry ought not to prevent the government from responding to legitimate questions in this Legislature about legitimate matters of public policy. The government cannot and ought not to use that as a shield to prevent itself from answering legitimate questions that are going to be placed by the official opposition with respect to a variety of issues that may be in front of the commission. Yesterday we saw the Minister of the Environment refuse to release the list of towns where there is concern about their water quality, ostensibly because this is under investigation by the commission. That is simply not acceptable to the opposition and you ought not to be using this as some kind of shield.

The government's belated acknowledgement that an inquiry can go on while criminal and civil actions may be ongoing causes us to think about the issue of Ipperwash

and the Dudley George situation, and the response the government has given to not having a public inquiry there. But I stress to the government, if your attempts to get all of the answers to this are legitimate, you cannot hide behind Justice O'Connor from the very real issues that will be raised in this House by the opposition, by the communities affected. Any number of inquiries are going on and we urge you not to use this as a shield. I can tell you, we won't let you get away with that.

There are questions that require urgent responses. There are issues that need to be addressed and dealt with in a full public debate. We believe you have to be held accountable in this Legislature and in the court of public opinion while this is going on.

We welcome the appointment of Justice O'Connor and we trust his judgment and his ability, but we will not allow the government to hide behind this. We will hold you accountable not only for Walkerton but for what we believe to be a myriad of other issues that will be caused because of your reckless legislation and regulation.

**Mr Howard Hampton (Kenora-Rainy River):** I want to respond to the Attorney General and say that earlier on I sent you a long list of things that I believed needed to be dealt with in the terms of reference. While I am pleased with some of the things you've included in the terms of reference, there are other items that are not there that I believe need to be addressed, and addressed forthwith.

For example, if you truly appreciate the tragedy at Walkerton, if you truly appreciate that there are a number of issues that must be dealt with urgently, I believe you have no choice but to require an interim report. You know as well as I that if the commissioner is to delve into all of these matters over the longer term, it may take two, three or four years for a final report. That prospect says to us, and especially to the citizens of Walkerton, that we need to have an interim report and that part of the terms of reference should be a clause which says, "An interim report dealing with the most pressing issues must be provided within 12 months." The fact that you have not done this is worrisome for me and I'm sure is worrisome for a number of people.

As well, instead of saying directly to the people of Walkerton, who have already told you that they want status and want intervener funding so they can present their case, you've said to them that they will now have to go and argue for it, that they will somehow have to line up at the council table and make a request. It seems to me, Attorney General, that justice demands that the citizens of Walkerton have not just your assurance but your commitment that they will be heard, that they will have legal status and that they will have intervener funding. To do less than that, to say to them now, "If you want status and you want intervener funding, go and try to argue your case," is to me a denial of basic justice in the circumstances.

I also want to say to you that the fact you have not granted legal status to the people of Walkerton, the fact you have not granted, within the terms of reference,

assurance of intervener funding, the fact you have not set out that there needs to be an interim report within, say, 12 months, makes all of us concerned that the objective here is to stickhandle these issues off into the hands of a commissioner of inquiry and leave them there for some extended period of time. I didn't want to be faced with that prospect, but the fact you've left these two critical issues out very much leads one to think in that direction. I say to you that is very problematic in the circumstances we face.

Attorney General, I want to tell you that even as you've presented these terms of reference here today, community after community across this province is receiving boil-water advisories from their medical officer of health. Today the communities of Cochenour, Balmer-town, Madsen and Mackenzie Island, communities in my constituency, otherwise known as Red Lake, received a boil-water advisory from the medical officer of health. I say this to put you on notice. If your government believes that by setting up the commission of inquiry now you can escape answering questions about why so many communities are receiving boil-water advisories, why so many communities are being told by their medical officer of health, "There are public health problems here," you will not escape that.

There are too many communities in this province that have problems with the quality of their water and the quality of their water treatment systems. We're going to ask you and the Minister of the Environment on a daily basis, and I would say the Minister of Health as well, why this problem seems to be occurring and recurring in so many communities across the province.

I just want to conclude by saying that while we finally welcome terms of reference almost one month after this tragedy happened, the terms of reference as they are stated do not meet the requirements of the citizens of Walkerton and, finally, do not meet the requirements of ensuring that we will get to the bottom of this matter in a speedy way, because it lacks an interim report.

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## ORAL QUESTIONS

### MINISTRY OF THE ENVIRONMENT

**Mr James J. Bradley (St Catharines):** My question is for the Minister of the Environment. Minister, even in the wake of Walkerton you are cutting and slashing environmental protection. In the spending estimates released yesterday by your ministry—we had to pry them out of them late yesterday and they're being considered tomorrow—there's a 77% cut in water and sewage infrastructure. Two weeks after people died because of contaminated water, you're planning to cut what we spend on keeping drinking water safe. Your capital budget for water and sewage infrastructure will be cut from \$225 million to \$53 million, and that drops to zero next year. Minister, how can you possibly cut drinking

water protection after drinking water killed people in Walkerton?

**Hon Dan Newman (Minister of the Environment):**

The figures that the member opposite refers to refer to the provincial water protection fund. This is a \$200-million fund that was spread out over three years. What actually happened was that money was accelerated and given to municipalities, so that instead of three years, that money was put out over two years, because we recognized that it was a priority, and continues to be a priority, for this government. The \$200 million went to the municipalities. They have updated many water projects in the province, as well as many other sewage projects.

**Mr Bradley:** The fact is that you've cut it and so there's none left for next year and only \$53 million this year. What we've heard in this House is that people who build sewers were told that sewage and water isn't a priority for SuperBuild money. These numbers come from your own spending estimates, just released. You'll have to defend them this afternoon and tomorrow and next week in committee, although I don't know how you can possibly do that.

Our water and sewer infrastructure is crumbling. It's the best defence we have against poisons in our drinking water and you're cutting it by 77%. Minister, seven people, perhaps as many as 11 people, died in Walkerton. Didn't that tell you and your government something?

**Hon Mr Newman:** As I've indicated, that money was accelerated to municipalities. We could have kept the money over a three-year period, but we decided to make that money available over a two-year period. Had we not done that, the member opposite would not be raising the question that he is. What we decided to do was accelerate that money to those municipalities that were part of the program, because water and sewage projects are indeed a priority for our government.

**Mr Bradley:** Minister, it's not just that you're cutting drinking water protection; you're planning to force municipalities to cut drinking water protection too. We learned today that your government is planning to tell every city and town in Ontario, "Cut what you spend on drinking water protection or we'll hand your water and sewers over to private companies who are willing to do things on the cheap." According to cabinet documents obtained by the media, you're going to tell municipalities that they have to prove to you that water services delivered by them are "better value than privatized services." Let me put that in plain English: You're telling them to cut more.

It's all about money for you people, isn't it? Seven people are dead—maybe 11 died—and it's still all about money. Minister, didn't you and your government learn anything from Walkerton?

**Hon Mr Newman:** As the Minister of the Environment, I have a responsibility to stand up to protect the environment of this province. That also means standing up to protect water quality in this province. It also includes protecting the air that we breathe and it also means protecting the land of our province. It's something

that we take very seriously as a government and something that I take very seriously as the minister.

With respect to what the member opposite has said, nothing could be further from the truth.

**The Speaker (Hon Gary Carr):** New question, member for St Catharines.

**Mr Bradley:** Minister, according to a cabinet document, 571 municipal governments will have to prove to you that services by them are, as I quote again, "a better value." That means you're telling them that the only bottom line is cost. What about the cost to human safety? What about the cost of human lives?

This is the way your government does things: starve public services, watch them crumble and then give them away to your business buddies; download on to municipalities, then cut water and sewer spending by 77%, damn the consequences, and then privatize.

Minister, now that people have died, will you stop this dangerous scheme?

**Hon Mr Newman:** I refer the question to the Minister of Municipal Affairs and Housing.

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** I'd be happy to answer the question on behalf of the government.

One of the reasons why we believe we should be the government is because the people demand better quality services at less cost to the taxpayer. That is one of the reasons why they voted for the Common Sense Revolution. It's one of the things we as a province should be doing on an ongoing basis, every municipality should be doing on an ongoing basis and indeed the federal government should also be doing on an ongoing basis.

On this side of the House, despite the spin of the opposition, we are of the view that better quality services for less is one of the reasons why we are in government and we're going to continue down that path to work with our municipal partners to get to those solutions.

**Mr Bradley:** There's no spin about the fact that seven people have died in Walkerton. That is one of the problems, when I talked about right-wing ideologues. I want to go back to the Minister of the Environment.

Minister, if we've learned anything in the past month, it's the importance of accountability. The ultimate responsibility for protecting our drinking water rests with your government. The buck stops with you even if you try to pass the buck to the NDP or to human error or to municipalities.

Now you want to pass the buck yet again to the private sector and wash your hands of any responsibility for protecting our drinking water. You should know by now that this ideological bent you people are on is dangerous. It has serious consequences for real people. A \$200 cheque doesn't mean a darned thing to a mother who has lost a child or to a child who has lost a grandparent.

Minister, you can't support this scheme and protect the environment. Will you tell this Legislature and the people of Ontario clearly and unequivocally that you oppose the budget cuts and you oppose the privatization of our drinking water system?

**Hon Mr Newman:** No one is passing the buck; we're taking responsibility for the environment.

I think it's important to look back at where we were in this province five years ago. We had an annual deficit of \$11.2 billion. We saw jobs leaving our province. That has all turned around and I can tell you that with respect to infrastructure funding there's money in the Ontario SuperBuild Corp for infrastructure, and that would include water and sewer projects.

**Mr Bradley:** As Minister of the Environment you have a special responsibility and obviously that responsibility is to protect the environment. What the right-wing ideologues in the Premier's office and the cabinet are doing is drastically cutting the budget for the Ministry of the Environment and for water and sewer facilities in Ontario, and forcing municipalities to ultimately turn their water and sewer plants over to the private interests where the main preoccupation is to make a profit. What they are doing will place the safety of drinking water at even greater risk.

A month ago you would have had no clout or ammunition with which to confront the Premier and his right-wing advisers. But the Premier has been severely damaged by the events of the past few weeks and he can no longer run roughshod over those who oppose his agenda, even those in the cabinet.

With seven people in Walkerton dead, with drinking water in our province at risk, will you tell the Premier that he must abandon these damaging budget cuts and his insistence on privatizing our water and sewer system in Ontario? If he won't, will you submit your resignation in protest?

**Hon Mr Newman:** The member opposite is absolutely correct that I do take my job and responsibilities as Minister of the Environment very seriously. My job is to ensure that the environment in this province is protected. That means not only the water in our province, but also the air that we breathe and the land. That's my responsibility as minister and that's what I intend to do.

1430

## WATER QUALITY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of the Environment. Minister, about four years ago you laid off 339 people in the investigations and enforcement branch of the Ministry of the Environment. At the same time, you privatized all of the testing of water across the province. We know that in Walkerton water testing was one of the problems. Privatized labs were not under any legal requirement to report to the medical officer of health. There weren't enough staff in your ministry to ensure that reports that came to the ministry were in fact communicated to the medical officer of health. Can you tell us, please, in your latest proposal how privatizing more of the water system and laying off more of the people who are in charge of water quality and water testing at the municipal level are going

to better protect the quality of water for Ontario communities?

**Hon Dan Newman (Minister of the Environment):** With respect to the testing of water in this province, I can tell the member opposite that in 1993 the government brought forward the idea of charging municipalities for water testing in the province, gave them the option, gave them the ability, instead of paying the Ministry of the Environment for those tests, to go to a private lab. In 1996, what our government did was to allow it all to go to private labs because 50% of all testing in the province was not being done in the Ministry of the Environment labs.

I'd want to caution the member opposite not to reach any conclusions or to jump to any conclusions. He seems to have arrived at his own conclusions, but I remind him that there are four investigations underway, including the inquiry. I just remind him that there has been absolutely no change with respect to the numbers of investigators within the Ministry of the Environment.

**Mr Hampton:** You can repeat that line all you want. Your own internal government documents show that in 1995 there were 890 people in the enforcement and inspection branch, and by 1998 there were only 651. The hypocrisy of this is clear to everyone. You say that your government is interested in having an inquiry to get to the bottom of what happened at Walkerton and to ensure that the water quality and safety are protected. In the meantime, behind closed doors you've got a proposal to force even more privatization of the water supply and to force municipalities to lay off people they have working for them who are supposed to be there to protect the water supply. Can you tell us, please, which is your government's true agenda: to get to the bottom of this and make sure it doesn't happen, or to use the public inquiry as a smokescreen while you carry out the other half of your business, which is going to put the water supply at risk?

**Hon Mr Newman:** I refer that question to the Minister of Municipal Affairs and Housing.

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** The honourable member asked what our agenda is. Our agenda is to protect the people of Ontario, to constantly look at everything we do in this government and everything that is done with our municipal partners to ensure the delivery of best quality services at an accountable cost to the taxpayers. That is a process that will not be stopped by his haranguing, will not be stopped by the opposition. That is what the people of Ontario demand of us, and if we so much as retreat one millimetre from the job of protecting the taxpayers, protecting the citizens through better quality services, we don't deserve to sit on this side of the House. We are moving forward on behalf of the people of Ontario. That is why they elected us.

**Mr Hampton:** I have to say to the Minister of the Environment, your job is to protect the environment of this province and it includes the quality of the drinking water for people. What you're putting forward in your

cabinet proposal is nothing less than what Margaret Thatcher in Britain put forward. It resulted, yes, in 50% profit levels for corporations. It resulted, yes, in the layoff of thousands of people who were supposed to be there to protect the water supply, but it also resulted in the British medical society on an annual basis sending a letter to those Conservative governments and telling them that what they'd done in privatizing water was creating a major public health problem for the population across Great Britain. Is that what you're up to? Is that what you call protecting the water supply: turning it over to your private friends and laying off more of the inspectors? This is utter contempt. What's the real agenda here? Come clean.

**Hon Mr Clement:** Perhaps the honourable member would be interested in knowing that there are already private company operators operating water plants in Ontario. Perhaps they were around when his government was in power because this is something that has been occurring in the province for a good deal of time. Nothing could be further from the truth than the rhetoric on the opposite side. Our position is simple and straightforward with the people of Ontario: We are always looking for ways to deliver better quality services at an accountable cost to the taxpayers.

It's not only a duty incumbent upon us; it's a duty incumbent upon every single transfer partner we have. We will not shrink from that duty and responsibility to the people of Ontario because, you're right, they deserve higher quality services. That means not accepting the status quo, not defending the status quo, but always moving forward with better ideas for health, for safety, for the delivery of the services the citizens of Ontario expect. We do not shy away from that responsibility; indeed we take it upon us proudly.

**The Speaker (Hon Gary Carr):** New question, the member for Broadview-Greenwood.

**Ms Marilyn Churley (Broadview-Greenwood):** I would say to the Minister of Municipal Affairs, tell that to the people in Walkerton.

#### MINISTRY OF THE ENVIRONMENT

**Ms Marilyn Churley (Broadview-Greenwood):** To the Minister of the Environment: Yesterday we asked you about documents in which your staff warned that your cuts meant reduced services. Today we heard your colleague the previous Minister of the Environment speak about your failure to initiate more than a single prosecution for 3,300 violations of industrial and municipal discharges, including the Walkerton plant. We've pointed this out to you before in the House, with no satisfactory answer. Then, that minister was quoted as saying the ministry would hire more inspectors. When asked about progress on this, he said, "Dan's working on it."

Minister, it has been three years since you were warned about the effects of the cuts. Now your colleague says you're working on it. Are you going to keep ducking the truth here?

#### **Hon Dan Newman (Minister of the Environment):**

No one is ducking the truth. I want to say to the member opposite that we take waste water discharges in this province very seriously, whether it's from an industrial source or a municipal source, from a sewage treatment plant. There are many exceedances that have taken place. There are various reasons why. We take it very seriously. It's something the government wants to work towards.

**Ms Churley:** Minister, nobody is taking you seriously. You have to do better than that. As you know, the Walkerton sewage plant is a repeat violator for discharge standards in 1998, 1997, 1996 and 1995. Now that plant has another problem: The sewage holding tank is almost full, because farmers won't take the sludge because it contains the deadly E coli 0157. A Ministry of the Environment spokesperson, the same one we spoke to yesterday who said they didn't have enough staff to go to Rocklyn, was asked what will happen with this holding tank now that it is full and there's nowhere to put the sludge. He said, "We don't know."

People in Walkerton have been calling us about this. They are frightened. Yesterday we had to go to the Premier to get your staff to Rocklyn. He's not here today so I'm asking you, Minister, what action are you going to take before there is more contamination in Walkerton? I want an answer today.

**Hon Mr Newman:** First, with respect to waste water discharge, I want to bring to the attention of everyone a June 9 Toronto Star article. There was an executive jailed for a waste spill. It says, "The operations manager of a waterfront oil recycling company was jailed yesterday for 90 days after admitting the company spilled hazardous chemical waste into Toronto harbour." So action is indeed taking place.

With respect to what the member opposite speaks about, I would be pleased to look into it and get back to her.

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#### WATER QUALITY

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I have a question to the Minister of the Environment. I have in my hand two auditors' reports, from 1996 and 1998. The Ontario auditor, in the fall of 1996, raised some very real concerns about the state of Ontario's water policy. At that time your ministry said that you were developing a strategy to deal with these concerns.

Two years later, the auditor for Ontario again raised his concern, more serious this time than two years before, about what is and is not happening to protect the public from contaminated water. Your department said in the fall, in responding to the 1998 Ontario auditor's report, "We, the Ontario Ministry of the Environment, have yet to finalize a comprehensive groundwater strategy." That was the fall of 1998.

Minister, two auditor's reports within the last four years raised serious concerns about water quality. In

1998, after the second warning from the Provincial Auditor, your predecessor said, "We are developing a comprehensive groundwater strategy." Did you ever finalize that groundwater strategy in response to the auditor's concerns? If so, will you table that groundwater strategy spoken of in the 1998 Provincial Auditor's report, complete with any implementation policy that went with that so-called comprehensive strategy?

**Hon Dan Newman (Minister of the Environment):** This year's budget contains money for a groundwater monitoring network. What's important first is that you obviously have to monitor the water to see what you have in the groundwater system in Ontario. That's why \$6 million is being spent over three years—\$3.6 million this year—in the groundwater monitoring strategy. There are some 350 electronic monitoring devices being put towards the 36 conservation authorities in Ontario to enable them to monitor the groundwater. Obviously you have to know what's there first to go forward with a strategy.

**Mr Conway:** I'm sorry, that's not nearly good enough. My concern is not what you did after the tragedy at Walkerton in May-June of 2000. We had not one but two auditor's reports raising real concern, on top of what the Environmental Commissioner said. In the fall of 1998, your department said you were in the process of finalizing a comprehensive groundwater strategy to deal with the auditor's concerns.

I have to assume, as an honourable member, as we all do, that you were telling the auditor the truth, and that sometime shortly after the second report was tabled in this Legislature in the fall of 1998 there was a comprehensive groundwater strategy from your department. What I want to know now is: Will you today table in this Legislature and show the people of Ontario precisely what was in the groundwater strategy and what implementation strategy was to go with it 18 months ago when, for the second time in two years, the Provincial Auditor raised very serious concerns about the public not being fully protected from contaminated water in this province?

**Hon Mr Newman:** Again, in the budget of May 2 of this year, there was money for the groundwater monitoring network: \$3.6 million this year and 350 electronic monitoring sites throughout the province. The groundwater will be monitored, and I can tell you that's being done. It's \$6 million over three years. With respect to any other information, I'd be pleased to make it available

#### EATING DISORDERS

**Mrs Brenda Elliott (Guelph-Wellington):** My question is for the Minister of Health. Many Ontarians, in particular young girls and women, suffer from eating disorders. The physical impact of these conditions can be debilitating not only for the individuals involved but can have serious impacts on the lives of the sufferers and their families.

I know the treatment of this illness is very specialized. In my own riding, Homewood Health Centre is a leader

in the treatment of eating disorders. People come from not only across Ontario but across the continent to receive care from their expert physicians.

I also know that the number of people suffering from eating disorders is growing. Could you please provide members of the House with an update of what the government is doing to help those who are struggling to overcome eating disorders?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** The issue of eating disorders is very serious. We've had an opportunity to meet with parents, health care providers and individuals who suffer from eating disorders, and we have heard the concerns that have been expressed. We've also heard from the Chief Coroner and the family physicians. As you know, we announced in our budget this year that we were prepared to spend an additional \$7 million, which will mean that funding for the eating disorder program will have increased from \$1.5 million in 1995 to \$10.8 million in 2000. The \$7 million that has been set aside to help people who are struggling with eating disorders is a considerable increase.

**Mrs Elliott:** That is a remarkable increase in this portfolio. I too have heard from residents and families in my riding who are quite concerned about this. Can you give us specifics on exactly how that \$7 million from this budget announcement will be spent?

**Hon Mrs Witmer:** The staff at the Ministry of Health are presently finalizing an implementation strategy to ensure that all regions in the province benefit from the expansion of services. I know there is a need for expanded services in the east, and the member opposite has indicated the need for services in the north. We want to make sure the allocations are made fairly, in response to the needs of those individuals, and I can assure the member for Guelph-Wellington that I will very soon be announcing the regional allocations of the \$7 million.

#### WATER QUALITY

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of the Environment. I took the minister's last response to me to be that there was in fact a comprehensive groundwater strategy.

*Interjections.*

**Mr Conway:** Listen, people are dead, and the reason I'm raising these questions is, what we have got from 1996 to May 2000? We had the auditor raising a concern in 1996. We had the Environmental Commissioner raising a serious concern. We had the auditor back raising yet more concerns in 1998. In January 2000, we had senior officials in the Ontario Ministry of the Environment raising their own alarms. And we're told and asked to believe that people with names like Clement and Newman hadn't even seen the internal documents from January 2000 until they were reported in the press weeks later, after the Walkerton tragedy. This is all about what you did when independent third parties like the Prov-

incial Auditor were saying, "There's trouble here," as he said in 1996 and 1998.

What I want to know is, and I want to be clear: Was there or was there not, as you told the auditor in 1998, a comprehensive groundwater strategy developed to protect the public health against the concerns the auditor raised, not once but twice? Did that strategy ever exist, what was it and, more particularly, was it ever communicated and implemented across the province?

**Hon Dan Newman (Minister of the Environment):**

We in the Ministry of the Environment are working with the Ministry of Natural Resources, the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Municipal Affairs and Housing, as well as the Ministry of Economic Development and Trade, on groundwater issues to ensure that groundwater is indeed protected and conserved. What is important to note also is that the provincial water protection fund also included \$4.3 million that went to 88 municipalities to conduct 34 studies on groundwater in the province. That's what was done. We also have the additional money in this year's budget with the groundwater monitoring network to protect the water in this province.

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**Mr Conway:** The water of the province was in jeopardy, according to the auditor, and I am particularly interested about what happened from that first auditor's report in 1996 through till about April 2000. The inquiry is going to tell us a lot about what happened in the course of the Walkerton tragedy, but you see, Minister, for me the question is about trust. There are millions of Ontarians who are worried about whether or not they should be drinking their water. They want to believe that their provincial government is going to protect their public health, particularly when authoritative third parties like auditors raise alarm bells.

I guess the question I have to leave with now is, it doesn't appear that anything was done to respond to the auditor. You shake your head. You've got one more chance to tell me, specifically between the fall of 1998 and about March or April 2000, what specific strategy did you develop, consistent with your promise to the auditor, to deal with the concerns the auditor raised, and why should the people of Ontario today trust you and your government to protect them against these kinds of environmental concerns when there is altogether too much evidence that from 1996 through to the year 2000 you did not respond to serious authoritative alarm bells rung by people like the Provincial Auditor?

**Hon Mr Newman:** Again, there was money from the provincial water protection fund, some \$4.3 million, that went to fund 34 studies affecting 88 municipalities to look at the groundwater issue in the province. In addition to that, in this year's budget there is the \$6-million announcement of a groundwater monitoring network, with \$3.6 million in the budget this year that will provide some 350 electronic monitoring devices throughout the province to monitor groundwater in the 36 watersheds.

## HIGHWAY IMPROVEMENT

**Mr Brad Clark (Stoney Creek):** My question is for the Minister of Transportation. A great number of my constituents are among the thousands of people who use the highways every weekday to commute to and from work somewhere in and around the GTA. Traffic congestion is an issue that more and more people are becoming concerned about in my community.

Using my community as an example, from Stoney Creek to downtown Toronto, a distance of only 75 kilometres, travel times are now reaching upwards of two and a half hours during peak periods. I can attest to that; I travel it myself daily.

Taxpayers and businesses are not only concerned about but affected by increasing congestion, as traffic jams often equate to increased travel costs and heightened incidents of road rage. What can you tell us that the Ministry of Transportation is doing to address these concerns?

**Hon David Turnbull (Minister of Transportation):**

I thank my colleague for this important question. Our government is investing \$50 million in improvements on the QEW from Hamilton to Toronto, and they are currently underway. We're adding additional lanes and upgrading intersections.

Two weeks ago I announced Highway 6 New. This will be a \$33-million investment which will construct a nine-kilometre link between Highway 403 and old Highway 6 to improve access to John C. Munro International Airport. Red Hill Creek Expressway is one to which we have committed \$131.5 million and we're working with Hamilton-Wentworth—\$200 million in the GTA highway improvements over this next year. Additionally, the 407 west extension will be completed July 31, 2001, at no cost to the taxpayer.

Our plan will reduce bottlenecks and improve traffic flow and expand and improve infrastructure in the GTA. We're proud of the first \$1-billion highway capital budget—

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

**Mr Clark:** No doubt, highway construction is necessary to improve the flow of traffic. However, construction itself can become a source of congestion.

To use just one example, evening commuters along the QEW in Niagara would have experienced construction-related congestion as they approached Stoney Creek over the last two weeks. Minister, can you tell us what action your ministry is taking to mitigate the frustrating impacts of highway construction and ease traffic congestion for commuters in the GTA?

**Hon Mr Turnbull:** We're applying new, innovative techniques and technology. There will be no daytime lane closures on either the 401 or the QEW, and we're expanding the COMPASS camera coverage right through Burlington. There will be special message signs signalling construction information, and we're applying movable concrete barriers—the so-called Zipper—on the

401. But we do ask drivers to be patient and drive with care when they are going through construction zones. We're working to minimize the effects of highway construction.

#### NORTHERN HEALTH TRAVEL GRANT

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health. Last Friday I attended a meeting of Cancer Care Ontario's northeast committee, and the matter of your government's discrimination against northern cancer patients was front and centre as a concern of the members.

The most vocal critic of your government's policy was board member Alex McCauley, who is chief of the Sudbury regional police force. He said the following about your discrimination:

"I have never seen anything so wrong. Fixing the northern health travel grant issue is an easy fix—just make it equitable. If the Harris government can't acknowledge this basic right of northerners, there is no point to stay on as a board member. Board members deserve to know where the government is taking this issue—if it's not going forward, I'll resign. If there is no resolution of this northern health travel grant issue, every board member must step down."

Minister, Chief McCauley wants to know, when is your government going to end its discrimination against northern cancer patients?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** There is no discrimination. There are two travel grant programs. One is the northern health travel grant, which is available for all Ontarians who live in northern Ontario, and it is available only to those who travel distances. It's not available to people in the south. There is another program available that has been established by Cancer Care Ontario which pays for travel for patients who are re-referred for radiation treatment, and any cancer patient in the province of Ontario is eligible for this grant, whether they live in the north, the south, the east or the west.

I wish the member would recognize that there are two programs. They are designed to meet two different purposes and they are designed to meet two different needs. In fact, if we want to talk about the northern health travel grant, the program we have today is the same as the one we had with the Liberals. It was the NDP who actually tightened the criteria, and I just wonder why she didn't make the change.

**Ms Martel:** Minister, don't insult Chief McCauley by trying to intimate he doesn't understand the issue. He's been a board member for a long time now. He understands cancer issues and he takes them very seriously. He knows that he is part of a board that made a decision 14 months ago to send cancer patients to the United States and to the north to get timely treatment. He knows he is part of a board that made a recommendation to you to pay 100% of the cost for travel, food and accommodation for those patients who have to travel far from home so

they wouldn't face the financial burden. He also clearly understands, Minister—and it seems you don't—that every single day in northern Ontario, people travel far from home to get treatment in Sudbury and Thunder Bay, and they have to travel even farther, leave the north altogether, to get cancer treatment in Toronto or in Ottawa. He knows that for the last 14 months your government has practised blatant discrimination against cancer patients because northern cancer patients can only get a fraction of their costs covered.

Chief McCauley and the board of the Cancer Care Ontario northeast committee want to know, when are you going to end this discrimination? When are you going to provide equitable treatment for northern cancer patients too?

**Hon Mrs Witmer:** Again, the member is not recognizing we have two programs that are designed to meet two different purposes and two different needs. Also, the member needs to know that we do take the needs of cancer patients very seriously. We have added approximately \$155 million to our cancer budget in this province. I also would like the member to know that in a letter from Ken Shumak, the CEO of Cancer Care Ontario, he certainly supports the re-referral policy. They will continue to support improved access for all cancer patients in Ontario and, as we have said, we are supporting Cancer Care Ontario in the re-referral program. We support the northern health travel grant. In fact, we are one of only four provinces in Canada that provide any funding for northern travel.

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#### WATER QUALITY

**Mr John Gerretsen (Kingston and the Islands):** My question is to the Minister of the Environment. We've already heard today that you have completely ignored the recommendations from the Provincial Auditor in both his 1996 and 1998 reports, but it goes further than that. Let me read to you something from the 1996 and 1997 standing committee on public accounts, whose report was unanimously passed by the committee and unanimously adopted by this House. It reads as follows:

"The Provincial Auditor recommended that the ministry develop a more proactive and systematic approach in order to better manage and monitor groundwater quantity and quality. Such an approach should include the updating of the water well information system and the aquifer maps to enable better assessment of current groundwater use in the province and for timely remedial action."

The committee specifically recommended and this House unanimously adopted the following resolution: "The ministry report to the committee by August 1998 on its progress in protecting groundwater quantity and quality."

Minister, why did you not report by August 1998? Why have you not reported to this date? You have done absolutely nothing. Give us the plan, if you have the plan.

**Hon Dan Newman (Minister of the Environment):** First, as to the beginning of the question from the member opposite, it's not what I said. He's putting words in my mouth and he knows that.

What we did with the provincial water protection fund was there were 34 studies funded in 88 municipalities, which totalled some \$4.3 million. That's part of the study. That's how you build a strategy, by doing some studying. Also, this year in the budget there is \$3.6 million towards a groundwater monitoring network in the province; 350 electronic devices that will monitor groundwater through the 36 watersheds in our province.

**Mr Gerretsen:** I didn't say you said anything. This was the report from the committee and it was adopted by this House. It states quite specifically, "The ministry report to the committee by August 1998 on its progress in protecting groundwater quantity and quality." You and your ministry haven't done that. Why haven't you done that? Is it because there is absolutely no plan? Why are you in contempt of this Legislature? It unanimously adopted this report.

**Interjection:** Where is the plan?

**Mr Gerretsen:** Where is the plan? The committee and the Legislature have asked for a plan. Where is your plan that you should have filed by August 1998?

**Hon Mr Newman:** I know this is the fourth time I have to give this answer but I've got to give it because the member opposite obviously is not listening to it and doesn't understand the issue. Quite simply, the provincial water protection fund provided \$4.3 million to study groundwater, to fund 34 studies that affected 88 municipalities. This last budget in May of this year also included \$3.6 million this year, \$6 million over three years, to fund the groundwater monitoring network, which includes 350 electronic devices in our province that will monitor groundwater.

## CAMPING

**Mrs Julia Munro (York North):** My question is for the Minister of Natural Resources. In my riding of York North is one of the province's most popular provincial parks, Sibbald Point. I know there have been many changes made to our parks to ensure a successful camping experience for Ontario families. Minister, what can park visitors expect this summer?

**Hon John Snobelen (Minister of Natural Resources):** I want to thank the member from York North for the excellent question. It's a matter on the minds of many people across Ontario. As many folks in this chamber understand, we have some of the best and most beautiful camping experiences anywhere in the world right here in Ontario. Ontario parks offer the highest levels of facilities of any park system in Canada or the United States. In fact, something that's surprising to many people is the size of our park system.

**Hon Chris Stockwell (Minister of Labour):** How big are they?

**Hon Mr Snobelen:** Thank you for asking. Ontario's park system is bigger than the total of all 50 states' parks systems put together.

This year, in addition to the beauty and splendour of our parks, we're offering a variety of activities for our visitors. Folklore, which is common in this chamber, and fiddle music will fill Ontario's great outdoors as the Canoe Rendezvous 2000 makes its way through some 24 parks.

In addition, at Algonquin Park, the Algonquin Park Gallery will once again present the works of Tom Thomson and the Group of Seven and 40 of the world's most famous wildlife artists.

Sit down, Mr Speaker, there's more to come.

Last year, there were 9.5 million visitors. We'll have more of them—

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

**Mrs Munro:** Thank you, Minister, for that enlightening and entertaining answer. It is certainly gratifying to know about the growing popularity of camping in Ontario parks, given this government's commitment to an enhanced park system.

How have we also increased the ability of people to access our parks through a reservation system?

**Hon Mr Snobelen:** Again, I thank the member. She points to something of obvious importance to us: services to all the visitors to Ontario parks. Last year we took in 275,000 reservations and we're on track this year at 125,000 to exceed that.

The ways you can make a reservation are, obviously, at the park; you can make a reservation by calling our toll-free number—and I'll say this slowly so the members opposite can write it down—1-888-ONT-PARK; and the member asked about the Web. We have a Web service, [www.ontarioparks.com](http://www.ontarioparks.com). On that you can virtually visit the parks. You can pick out very particular campsites that you might want for yourself or your family. It's a wonderful service. It exceeds anything available anywhere else in the world and we're darned proud of it.

## WATER QUALITY

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Agriculture. Minister, a previously unpublished report prepared under the now-defunct Clean Up Rural Beaches program which has been recently released, found dangerously high E coli counts in both the Kettle Creek and Catfish Creek watersheds, parts of both of our ridings. In fact, one count had 4.8 million parts E coli, where 100 parts are acceptable. This is an area where children play and it's used for recreational purposes.

The CURB program would have provided funds to make improvements to such things as manure facilities, but it was cancelled by your ministry in 1996. Kim Smale, the general manager of the Catfish Creek Conservation Authority, said there is no program for water testing currently underway within the watershed.

Minister, there seems to be no one ministry responsible for the coordinated management of ground and surface water. There is no program in place to sufficiently meet the needs of rural communities. What are you doing to make sure that there is a comprehensive water testing program in place for rural creeks and that the tools and the assistance required are provided to those who need to make improvements?

**Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs):** I'd like to thank the member opposite for the question and I would like to assure him that we too have concerns about the quality of the surface water in rural Ontario. That's why part of the healthy futures program is designed to do just that—to make sure we have the type of programming to do the best we can to make sure that as small an amount of runoff as possible will reach the rural streams and the rural surface water to cause contamination. That's why we're working together with the conservation authorities, municipalities or anyone else who would put together a proposal that we could jointly instigate to make sure we have the best possible water quality program we can build in rural Ontario.

**Mr Peters:** Minister, your much-touted healthy futures program supposedly has high water quality as one of its targets, but the agribusiness approach inherent in the healthy futures program places severe limitations on eligibility. Only six applications have been approved after more than a year in the program. Minister, I remind you that individual farmers are simply not eligible.

In my community, beach postings in the past have had a direct economic impact on tourism. In fact, as we speak, the Kettle Creek Conservation Authority has issued a flood warning. The E coli upstream will be sent downstream to Lake Erie, most likely resulting in further beach postings.

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It would appear that there's no one—not your ministry, not the Ministry of the Environment, not the Ministry of Natural Resources—that will take any responsibility for province-wide monitoring, evaluation and maintenance of rural creeks and streams. Minister, you're responsible for rural affairs. Again, what are you going to do to ensure that there is cohesive action taking place across the province to end the contamination of our rural waterways?

**Hon Mr Hardeman:** I want to assure the member opposite that he is correct, that at the present time we have not had approvals of major projects that deal with a large watershed. We have some applications the panel from the conservation authorities is looking at that deal with exactly the issue the member brought forward. We will be considering that.

The panel will be reviewing those to make sure they meet the water quality initiatives the healthy futures program is designed to address. As expediently as possible we will address those applications and make sure the people of Ontario and the people of rural Ontario benefit from the \$90 million we have invested in the

healthy futures program to achieve that water quality, the safety of our food and the opening of new markets for our agri-food products.

#### MINISTRY OF TOURISM

**Mr John O'Toole (Durham):** My question is to the Minister of Tourism. You would probably know of the annual Highlands of Durham Games. I certainly want to invite you to those games from July 20 to 23 in Port Perry and Uxbridge in my riding of Durham. I might also say these games are being held in Minister Ecker's riding of Pickering-Ajax-Uxbridge.

Many volunteer organizers have worked very hard to bring these rich cultural events to Durham. Stu Bennett and his volunteer committee must be thanked, along with Mayor Doug Moffatt, Mayor Gerri-Lynn O'Connor, Mayor Keith Shier and Regional Chair Roger Anderson. Of course the federal member is somewhat missing from this wish list, although there is a letter in support from the federal member. He's not really directly involved in this event. Perhaps you could tell us about the exciting tourism promotions you're working on this summer, not just in Durham but in Ontario.

**Hon Cameron Jackson (Minister of Tourism):** I'd like to thank the member for Durham for his question. I know he's been a strong advocate and supporter of the highland games. Ontario boasts over 400 major festivals and events this summer and fall. It's why the government has made such a strong commitment to tourism marketing and promotion in our province.

I received an application from the Highlands of Durham Games with not only the provincial member's letter of support but also an interesting letter from the federal member, who apparently is unaware there is a federal fund he could have applied to. We're going to make sure he's aware that the federal government has some modest dollars for tourism marketing but certainly nothing to compare with the commitment being made.

The member will be advising his community that we've confirmed our support for marketing. As I say, it's of great concern to us that Ontario is not getting its fair share of federal festival dollars. We're not complaining as much as we're ensuring that festival gets support from this provincial government. The federal government obviously should be looking at these festivals to provide support.

**Mr O'Toole:** I can assure you that I believe the tourism story is a success under your leadership. I can see it with your commitment in my own riding of \$15,000 to the Highlands of Durham Games. I thank you, along with the committee members, for that. You could tell us more perhaps about the \$50-million-plus that you've added to the Ministry of Tourism budget. Is this in any way matched by the federal government, or are you just doing it on your own?

**Hon Mr Jackson:** The member has raised a very important question. I think the members of the House should be aware of this. There's a recent article in the

paper, in the Toronto media, that indicates the federal Minister of Public Works, Mr Alfonso Gagliano, has a major fund of about \$70 million, of which 70% to 72% goes just to the province of Quebec, and Ontario is only receiving about 7% or 8% of those funds.

That's why the member has raised a concern that his federal Liberal member in his riding has seen fit to write the government of Ontario for support. Apparently they may have given up on the federal government for support for festivals and developments. This is an opportunity for all members of the House. The Liberal tourism critic would be especially well advised to advise his counterparts, his cousins in Ottawa, that for the \$60 billion we send in Ontario taxes to Ottawa, we should get back our fair share. That is appropriate. It's important to tourism in this province, and it's a principle of fairness as well.

### CAMPING

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Natural Resources. I was really interested to listen to your answer a few minutes ago when you promoted the use of provincial parks in this province, parks that I think are wonderful and that we should be trying to promote. In light of the comments you made in the House just now, is that in any way related to the practice of the Ministry of Natural Resources in northern Ontario, who now are going around with the policy that you're not allowed to park on crown land for more than 21 days total or you'll be evicted? I'm just wondering if this is a strategy your government is taking to push people off crown land and into provincial parks or private, for-profit campgrounds?

**Hon John Snobelen (Minister of Natural Resources):** I'm glad the member opposite raises this issue today, because it is obviously an issue of importance not just to the people of northern Ontario but to people who visit the north from southern Ontario and other jurisdictions around the world. Yes, there is a limit, and has been for some time, on how long one can occupy a particular part of crown land. The member opposite will understand there's a distinction between owning a piece of property and enjoying a piece of property that's owned by the public. In Ontario, that length of time is determined to be 21 days.

**Mr Bisson:** Here's the problem: That policy, as you know, has been on the books dating back to 1970, but no government, including yours, mine or the Liberal predecessors, has ever enforced that policy because we recognize in northern Ontario there's lots of crown land to go around and we don't need to limit people to 21 days camping on land overall. Putting it to you very simply, this is a stupid policy. You're at the point now where you're kicking people off crown land after they've gone 21 days total camping on crown land. In fact, on one occasion I know of, your ministry staff has gone to a camper and spray-painted the bumper to mark it for eviction.

I'm going to put it to you this way: Are you prepared in the House today to say to campers across Ontario,

"You're allowed to camp on crown land, and we're not going to limit you to 21 days total," or are you going to push them into private parks and provincial campgrounds?

**Hon Mr Snobelen:** Let me say that I am very disappointed—I'm being handed a note. Just before I got the note, I was very disappointed. Having read the note, I'm still disappointed in the question from the member opposite, and let me tell you why. The member is suggesting that there's a public policy on how long someone can occupy publicly owned land, land owned by the whole of the public of Ontario. He is suggesting that a policy that's been on the books since the 1970s is the wrong policy. I'd ask him, why didn't you change the policy?

The other part of his question is: He's accusing the government and the people who work in the government of actually enforcing the policy of this province, and I think that's a good thing.

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### WATER QUALITY

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** A question to the Minister of the Environment, and back to the 1998 Provincial Auditor's report. In the second auditor's report, in 1998, the auditor said that the province needed a comprehensive water policy to guard against the concerns he identified both in 1996 and again in 1998. You said at that time—that is, the Ministry of the Environment—that you were developing a comprehensive plan to deal with these concerns and that that comprehensive plan was going to include a common set of management and protection principles and a clear delineation of roles and responsibilities between the province and local authorities to protect the public health.

My question is: In that comprehensive plan that you said was being developed two years ago, what specific principles did you agree on about responding to the concerns about contaminated water, what were the ingredients of that plan, and did you communicate those principles of your plan to your colleagues across the Ontario government and to various local agencies like people in Walkerton?

**Hon Dan Newman (Minister of the Environment):** Groundwater protection is an integral part of the province's water management framework. The Ministry of the Environment has worked closely with other ministries, with the Ministry of Natural Resources and the Ministry of Agriculture, Food and Rural Affairs, as well as with the Ministry of Municipal Affairs and Housing and, I might add, the Ministry of Economic Development and Trade, and not only those ministries in our government but also municipal and agency partners, to ensure that groundwater and all our water resources are not only protected but conserved in our province.

The groundwater protection is accomplished through a number of mechanisms, including ongoing operational and monitoring measures. The provincial water protec-

tion fund funded 34 studies affecting some 88 municipalities—

**The Speaker (Hon Gary Carr):** The minister's time is up. Final supplementary.

**Mr Conway:** The point is, I say to the Minister of the Environment, your ministry and your government said in the fall of 1998 to the auditor, not for the first time but for a second time, that you were developing a comprehensive plan to protect the public interest around contaminated water. You said that. You said you were working on a plan that was going to be clear around principles and around who does what. That's what you said. That's what you promised.

I ask you, as one honourable member to another—I assume that you were telling the auditor and the Legislature the truth—what were the specific ingredients of the plan you were finalizing in 1998, and beyond the grants you announced a while ago, what were the specific implementation measures you took and announced to people in communities like Walkerton and across the province to keep your word and protect the public health?

**Hon Mr Newman:** Again, in addition to the 34 studies being funded, the \$4.3 million, there was a budget initiative this year of \$3.6 million, a groundwater monitoring network in our province, 350 electronic devices in the 36 watersheds so that we're able to monitor groundwater in our province.

#### SECURITY OF THE LEGISLATIVE PRECINCT

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** On a point of privilege, Mr Speaker: It relates to your responsibilities for security in the legislative precinct and the incident that occurred here earlier today. This is a long-held concern of mine, for the safety of members of the assembly. I know that you and your staff will review any breach of security. I am concerned about the broader implications and the potential for members of the assembly being seriously injured by objects or materials being tossed out of the public galleries on to the heads or backs or bodies of members of this assembly. So I would make a personal request that any review of this incident be looked at in a broader context with respect to the potential for serious injury.

**The Speaker (Hon Gary Carr):** I thank the member. I think that's a concern of all the members. The member may know that the Speaker also has a security committee that is struck that looks into this, with all three parties represented there. We will obviously be taking every incident and we appreciate the member's—I can say very clearly that the issue of security of the members is very important, obviously, to all of us.

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: On that point, I was glad you raised the notion of the security committee, of which I am of course a member, but I would like to bring out that this is always a balancing act. I know that the former

Solicitor General is very much aware of that and is a veteran of this place, but we must always keep in mind, and it needs to be on the record when these things are raised, that there is a balance between providing for the security of the public that's here, the staff and the members, but also a recognition that this is a public building, arguably the most public building, and the committee and the Speaker must constantly be struggling with that fair balance between the security of individuals and recognizing that people need and deserve access to their own building.

#### USE OF LEGISLATIVE ASSEMBLY FACILITIES

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: On February 24 of this year, you sent a letter addressed to all members of provincial Parliament and staff, and in that letter you raised the issue of members using common areas of the Legislative Assembly for the purpose of conducting partisan media activities. This was in response to a press conference that one of my colleagues had had on a particular issue that was before the Legislature.

I note that yesterday the Minister of Education held a press conference in the corridors of the third floor here which was essentially the same matter, and at this point you have not reissued this letter or brought this matter to people's attention again. I wonder if the contents reflected in your letter dated February 24, 2000, still hold and if they apply equally to the government and to the opposition.

**The Speaker (Hon Gary Carr):** I thank the member for raising that. It does. What we've attempted to do is to get all sides to begin to use the media studio. As you know, we have many guests who come to this building and we do have a good media studio that could be used.

I will say this: What we've attempted to do with all sides is to let them know. It hasn't worked. What I have been doing is keeping copies of the incident reports. I'm not at the point now where I'm going to send constables in the middle of a press conference to pull the plug, as it were, but if that's what it takes, we may have to go that route.

It's always my opinion that the best way to work with honourable members is to let them know, and that most members will be good. If I see it is abused—and I will also say that we are working with the president of the press gallery on this to put together some comprehensive rules. We are coming to the end of the session in a couple of weeks and I would like to begin the next session where we don't have any situations like this. But again, it is not my feeling, as Speaker, that we should send constables in the middle to pull out uni-mikes and so on, but we do want to have a situation where all members abide by that.

I thank the member. I can say very clearly that, as part of a comprehensive policy, we are looking at the whole issue of the media studio, and there are some things we are going to attempt to do to enhance the members

wanting to use that media studio as well. When we have the policies, we are going to post them so that everybody knows, all members on all three sides, as well as the press gallery. Then, I will say to all members, we will have to enforce it, up to and including whatever is necessary to ensure the rules aren't broken. Again, just let me say very clearly, it is my hope that in all circumstances I don't have to rush in with, as they would say, a heavy hand in these matters.

I can say very clearly to the member, I do have a copy of the incident report. In this particular case, we advised the Ministry of Education of the circumstances. I will say to the Minister of Education, we do keep copies of what exactly the reply was, and as a result of that we know very clearly whether a member doesn't know, which were some of the circumstances in the beginning. Members didn't know that, in all fairness to new members. So we now have a file on that and we are going to come out with a comprehensive policy that we will have to ensure gets enforced, because as the member will know, it isn't fair for some members to live by a certain set of rules and not other members. At the end of the day, it doesn't matter if it's an announcement by a cabinet minister or a regular member; we're all going to have to live by the same rules.

I thank the member for his attention to that matter.

**Hon Margaret Marland (Minister without Portfolio [Children]):** Mr Speaker, on the same point of order: When you do review this question, I would suggest to you that it probably becomes a very fine line between what constitutes a press conference and a scrum. Any one of us, as members, can have 30 people in a scrum around us at any time, which also, if we extend the interpretation, could be an inconvenience to visitors to this place. I think the thing we have to remember is that this is a place where the work of Parliament takes place, and the visitors are here as a courtesy. This is where we do our work.

**The Speaker:** I thank the member for her input. I'm certainly aware of the difference between a scrum, which is spontaneous, and a situation where uni-mikes are set up and there is a planned press conference. I'm definitely aware of the differences.

## MOTIONS

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I ask for unanimous consent to make a motion relating to the standing committee on the Legislative Assembly.

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

**Hon Mr Klees:** I move that, as authorized by each caucus whip, the members of the standing committee on

the Legislative Assembly or their alternates be authorized to attend the National Conference of State Legislatures.

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

1530

## PETITIONS

### ABORTION

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition to the Legislative of Ontario.

"Whereas the Ontario health system is overburdened and unnecessary spending must be cut; and

"Whereas pregnancy is not a disease, injury or illness and abortions are not therapeutic procedures; and

"Whereas the vast majority of abortions are done for reasons of convenience and finance; and

"Whereas the province has exclusive authority to determine what services will be insured; and

"Whereas the Canada Health Act does not require funding for elective procedures; and

"Whereas there is mounting evidence that abortion is in fact hazardous to women's health; and

"Whereas Ontario taxpayers funded over 46,000 abortions in 1995 at an estimated cost of \$25 million;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to cease from providing any taxpayers' dollars for the performance of abortions."

I also affix my signature to this petition.

### EDUCATION LEGISLATION

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

"Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

"Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

"Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

"Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario's teachers; and

"Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

"We call on the government to hold public hearings on Bill 74 immediately."

I am sending this petition to the table with page Maria Dombrowsky, representing Hastings-Frontenac-Lennox and Addington.

## LORD'S PRAYER

**Mr Bert Johnson (Perth-Middlesex):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

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

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I sign this so that it becomes an official record in this chamber.

## PRIVATE UNIVERSITIES

**Mr Ernie Parsons (Prince Edward-Hastings):** I have a petition signed by the residents of Picton, Wellington, Bloomfield, Hillier, Demorestville, Conseccon, Ameliasburgh, Milford, Cherry Valley and Belleville to the Legislative Assembly of Ontario:

"Whereas the Ontario government plans to allow private universities into the province;

"Whereas the \$40,000-per-year tuition fees will create a two-tier education system and dramatically widen the gap between rich and poor in Ontario;

"Whereas private universities will take away faculty from public universities, who are already understaffed due to government funding cuts;

"Whereas post-secondary education should be accessible to all qualified students and not merely those with a high family income;

"We, the undersigned, petition the Legislative Assembly as follows:

"(1) to deny private universities entry into Ontario;

"(2) rather than encouraging privatization, to instead restore the funding that has been cut from our public universities so that they will be able to offer higher quality education;

"(3) to end the yearly tuition increases that deter many students from attending university."

I am pleased to add my signature to this petition.

## EDUCATION LEGISLATION

**Mr Rosario Marchese (Trinity-Spadina):** These are thousands of names from people across the province.

"To the Legislative Assembly of Ontario:

"Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

"Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

"Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

"Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

"Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

"We call on the government to hold public hearings on Bill 74 immediately."

I support this petition.

**Mr Joseph Spina (Brampton Centre):** I'm pleased, according to the standing orders, to submit a petition on behalf of 30 members of my constituency, two of whom are active members of OEETA. It's with respect to Bill 74. It's a form petition very much like the one the previous member submitted, and I submit it to the Legislature on their behalf as my constituents.

## CORRECTIONAL FACILITIES

**Mr Michael Gravelle (Thunder Bay-Superior North):** I have a petition signed by 2,000 people who are very strongly opposed to the privatization of our correctional system in the province. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas privatization of Ontario's correctional services is wrong and only publicly run and accountable correctional services can be beneficial to taxpayers, employees and those incarcerated,

"Therefore we, the undersigned, demand that the government of Ontario must stop the privatization of any correctional service now."

I have 2,000 names from across my constituency, and I'm very proud to add my name to this petition.

## KARLA HOMOLKA

**The Acting Speaker (Mr Tony Martin):** Further petitions? The member for Bramalea-Gore-Malton-Springdale.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Thank you, Mr Speaker. I do appreciate that. As you saw, I did stand up about 10 times before.

"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’ll attach my name to it.

#### EDUCATION LEGISLATION

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I have a petition to the Legislative Assembly of Ontario.

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

I proudly affix my signature to this petition.

1540

#### FARMLAND

**Mrs Julia Munro (York North):** “Whereas Canada’s class 1 farmland is a nationally important resource that is fast disappearing; and

“Whereas 8,000 acres of Canada’s best farmland north and east of Toronto was expropriated in 1973 to be retained as parkland and farmland in perpetuity; and

“Whereas it was the stated intention of this and previous governments to protect this area, the Rouge-Dufferin Agricultural Preserve, as parkland and farmland forever; and

“Whereas the Ontario Realty Corp is charged with selling this public land; and

“Whereas this sale is being conducted in a manner that threatens the existing community and the future of farming in the agricultural preserve;

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

“We request that the government of Ontario actively seek implementation of agricultural easements on all the farmland in the Rouge-Dufferin Agricultural Preserve;

“We request that the government of Ontario honour the promise of the Chair of Management Board of Cabinet, specifically that the sale of the farmland will be at prices affordable to the farmers to ensure the continuation of farming in the agricultural preserve.”

#### NORTHERN HEALTH TRAVEL GRANT

**Mr David Ramsay (Timiskaming-Cochrane):** “Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislative Assembly to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

#### CO-OP HOUSING

**Mrs Brenda Elliott (Guelph-Wellington):** I present a petition on behalf of 16 of my constituents.

“We request that the Ontario government sit down with the co-op housing sector to negotiate a deal which

will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend, and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operations of housing co-ops.”

I submit this respectfully.

#### EDUCATION LEGISLATION

**Mr Gerard Kennedy (Parkdale-High Park):** I have a petition to the Legislative Assembly of Ontario.

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on the threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

“Whereas Bill 74 deserves more than a token opportunity for the citizens of Ontario to be heard on this unprecedented attack on the rights of Ontario’s partners in education;

“We, the undersigned, petition the Legislative Assembly of Ontario to more than the current one and a half days of public hearings on Bill 74.”

There are 725 people from Nepean, Ottawa, Gloucester and other parts of this province, among thousands, who have signed this petition. I’d like to sign my agreement with them and also indicate to some of the laughing members opposite that this is not over and there needs to be a proper debate.

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

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers;

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

**Hon Margaret Marland (Minister without Portfolio [Children]):** On a point of order, Mr Speaker: It is in our standing orders that a member cannot impugn the intent or the words or the actions of another member, and I would ask you to request that the member for Parkdale-High Park apologize for just referring to “laughing” members on this side of the House, who indeed had nothing to do with anything the member was doing when he had the floor. It is beneath even him to make that accusation.

**The Acting Speaker (Mr Tony Martin):** I don’t think that was a point of order.

*Interjections.*

**The Acting Speaker:** I ruled that I didn’t think it was a point of order.

Orders of the day.

**Hon Mrs Marland:** On a point of order, Mr Speaker—

**The Acting Speaker:** Is it the same point of order? Because I have already ruled.

**Hon Mrs Marland:** No, it is not the same point of order. Perhaps at some time you could advise me, as a member of this Legislature, when raising a question on the orders under which we operate, the standing orders of this House, when those orders are not in effect, how a member can have them made effective by he or she who controls this House, namely, the Speaker.

**The Acting Speaker:** That’s a matter of personal opinion and perspective. That was not a point of order previously, and so I call orders of the day.

#### ORDERS OF THE DAY

##### SAFE SCHOOLS ACT, 2000

##### LOI DE 2000 SUR LA SÉCURITÉ DANS LES ÉCOLES

Resuming the debate adjourned on June 8, 2000, on the motion for second reading of Bill 81, An Act to increase respect and responsibility, to set standards for safe learning and safe teaching in schools and to amend the Teaching Profession Act / Projet de loi 81, Loi visant à accroître le respect et le sens des responsabilités, à fixer des normes pour garantir la sécurité des conditions d’apprentissage et d’enseignement dans les écoles et à modifier la Loi sur la profession enseignante.

**The Acting Speaker (Mr Tony Martin):** Pursuant to the order of the House dated June 12, 2000, I am now required to put the question.

Mrs Ecker has moved second reading of Bill 81. 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.

Pursuant to the order of the House dated June 12, 2000, the bill is ordered referred for third reading.

1550

SAFE SCHOOLS ACT, 2000  
LOI DE 2000 SUR LA SÉCURITÉ  
DANS LES ÉCOLES

Mrs Ecker moved third reading of the following bill:

Bill 81, An Act to increase respect and responsibility, to set standards for safe learning and safe teaching in schools and to amend the Teaching Profession Act / Projet de loi 81, Loi visant à accroître le respect et le sens des responsabilités, à fixer des normes pour garantir la sécurité des conditions d'apprentissage et d'enseignement dans les écoles et à modifier la Loi sur la profession enseignante.

**Hon Janet Ecker (Minister of Education):** I will be sharing my time with my parliamentary assistant and with the honourable member, Brenda Elliott, whose riding name at the moment, I'm sorry, I have forgotten.

**Mrs Brenda Elliott (Guelph-Wellington):** Guelph-Wellington.

**Hon Mrs Ecker:** Guelph-Wellington, a fine riding. So I will be sharing my time.

When our government launched its education reforms more than five years ago, our primary goal was to offer Ontario students the best-quality education possible. A key part of our quality education agenda is to ensure that schools and our publicly funded education system are safe and respectful places to learn and to teach in. We recognize very clearly that our teachers can't teach and our students can't learn if they're in fear for their safety. In too many classrooms in this province this, sadly, has been the case.

The Safe Schools Act, if approved by this Legislature, takes the steps necessary to ensure that Ontario's school system is the safest and the best that it can be. Parents, students and teachers have told us that they want their schools to be safe, respectful environments for learning and teaching. I don't think there is a person in this House who would disagree with that. Parents have told us that we need to provide more direction to the school system so that students come first. They want our teachers to be skilled and dedicated, as many, many of our teachers are, and they want our school environments to be safe and disciplined.

Bill 81 would do this by giving authority to the provincial code of conduct that I released in April, and it would allow this government to proceed with other initiatives that will promote respect, responsibility and civility in our classrooms.

The provincial code of conduct is a key step in a series of initiatives that will make our schools safer, more respectful environments for learning and for teaching. We want to bring those values back into our classrooms, and the values of good citizenship as well, because we believe that those values of respect, responsibility and

good citizenship are very much foundations for our education system. So this code of conduct and the legislation that we are discussing today is very much part of trying to bring that back to our education system.

This is also very much an election commitment, a campaign promise that we made to the voters of Ontario last year. We clearly laid out, based on the consultations that my predecessor had done, how we would respond to that, how to make our schools safer, more respectful, to involve parents in that process. That was very much what we heard from parents around safer schools. Our plan was to have a code of conduct and other safe school initiatives to be phased in step by step, beginning this September. So it was indeed a promise that we made. There was great public support for this promise and so we are moving ahead with this.

Bill 81 directly addresses what people have been telling us they want for their schools. But I think it's also important to note that parents and students have also said that they do want us to act. Yes, it's important. They want us to act. They are in fear today. There are incidents today. This code of conduct will help to deal with that; it's another step to deal with that.

Our colleagues from the opposition have in fact been criticizing us because we haven't moved on this. My honourable colleague from High Park-Parkdale is frequently saying, "They've announced all this many times and they haven't implemented it." Today the rubber meets the road, where he has to actually decide whether he supports a code of conduct for our schools or whether his party does not support a code of conduct for our schools, because we are acting as we said we would. But I take his point. He says we should be acting faster. We are moving forward with this because there's so much that needs to be done in order to make our schools safer, to bring the values of respect, responsibility and good citizenship back. This legislation is very much part of making that happen. That is why we are bringing it forward.

Over the past year we have planned and consulted very carefully and very thoroughly with our education partners to ensure that Bill 81 addresses the widespread concerns that we have been hearing about behaviour, discipline, respect and safety. The code of conduct sets clear, consistent province-wide standards of behaviour for everyone involved in the education system.

We quite recognize that many schools do have varying codes of behaviour, and one of the honourable members was holding them up in the House the other day. Of course, there are very many codes of behaviour and various behaviour standards in schools, but we heard very clearly that (1) they vary very much from board to board and (2) sometimes principals and teachers do not feel they have the right authority to make the decision to keep their classrooms or their schools safer, or that when they do try to make those decisions they are not backed up in doing it. The rules, the standards, varied very much from class to class, from school to school, from board to board. Parents also said very clearly that despite those

codes that may in some communities be very good, they still believe more needs to be done.

We very much agree with that, and that's why through this legislation we will ensure that there are clear province-wide standards, especially for the most serious infractions, things like bringing weapons, drugs or alcohol to school, harassing or threatening teachers or other students. Those are very serious offences and we want to make sure we have clear rules about what is and is not accepted, but also clear consequences if our students are breaking those rules, because those are very important safety initiatives.

We should also be very clear that school boards will continue to be able to establish their own procedures and set consequences for other kinds of infractions, for other kinds of behaviour that the school board and the parent community feel are important for the school. But regardless of where you attend a publicly funded school in Ontario, there will be the same mandatory consequences for serious violations of the provincial code. This is certainly a first in Ontario and we are indeed leading the country in making sure we have these very strong rules.

It's also important to say that this legislation clearly recognizes the role of parents in making these decisions. As I said, there are many other kinds of rules, other kinds of procedures, behavioural codes or standards that school boards might want to do in addition to this code of conduct. They have to have parents, through the school council, involved in this decision-making process, because parents are very much partners in the education system. Their involvement makes a difference in their schools and also in their child's achievement and what they can do in these schools. The legislation clearly recognizes that role by ensuring that school councils are involved when a school board is developing its code of conduct and its safe-school policy.

One important way to ensure that our classrooms are respectful learning environments is to make sure, and I referenced it earlier, that teachers and principals have the clear authority they need to make decisions to keep their classrooms or their schools safe. One important way is to ensure that the bill does indeed propose this. For example, it would give teachers the authority to suspend students for one day if they had a circumstance where the code has put forward the penalty of suspension and where a teacher, in their professional judgment, feels that is a necessary step. Suspensions that warrant more than a day would continue to be referred to the school principal. We certainly have heard that message. We think that's appropriate. Principals will continue to have suspension power for up to 20 school days. But we also believe that principals need to have an additional authority, and that is the right to expel students for up to one school year from their school. Obviously, school boards will continue to have their decision-making authority around further expulsions, but we do believe this is important to help promote safe classrooms and safe schools.

I should add, because I know there has been a great attempt to misrepresent this, that of course this legislation

puts forward appropriate due process for any use of this kind of authority that we're giving teachers and principals. The legislation would give parents or guardians the right to appeal an expulsion by a school board or principal, or a suspension by a principal. We think that's extremely important.

Parents and guardians want to see appropriate programs for students who have been suspended or expelled from school, and this government certainly agrees with that viewpoint. We agree that sending these young people out on to the streets, rewarding them with a day at the mall by kicking them out of the classroom or school, is not dealing with their problem at all; that only puts the problem somewhere else. That's why the proposed legislation clearly sets out requirements for students who have been expelled, for example, to attend strict-discipline or equivalent programs in order to accomplish a couple of things. First of all, obviously, removing a student from the classroom, from the school, deals with the safety of the other students and the teachers at that time. But the goal of this legislation in ensuring that there be another program for that student to go to is to ensure, first, that that student's education continues. Secondly, we want to make sure we are dealing with whatever problems the student may have that may have contributed to the behaviour, and also to make sure those expelled students are clear that they can come back to a regular classroom but they have to earn their way back, that that good behaviour is something they need to work on to get back into the regular school program. Again, we heard from parents very clearly that this was another important step. So the legislation clearly recognizes the need for these other programs to be in place.

#### 1600

One of the other significant initiatives in this legislation is to ensure the safety of students, staff and volunteers. The bill is proposing that we would have criminal background checks for anyone working in a school. I think it's important to note that the Ontario College of Teachers already conducts criminal reference checks for all new teachers, but we've clearly heard of the need for an additional process here to add to the safety in our schools. It also very much responds to the recommendations of Justice Sydney Robins. As many of the members in this House will know, he did a very excellent and detailed report about what had unfortunately occurred in the past, where some children in schools were sexually abused. One of the recommendations he makes is that the government introduce mandatory criminal reference checks for everyone teaching or working in Ontario schools. So Bill 81, our Safe Schools Act, responds to the recommendations of Justice Robins on that.

Another important initiative has to do with dress codes or uniforms. One of the things we heard very clearly from parents was that they think this is an excellent idea and they would like to proceed with this. This bill gives the authority to a majority of parents at any school to decide on a dress code or require a uniform for their

children. Not only do they believe this is something that helps promote respect and responsibility in their schools, but I heard from students about how it actually promotes safety, because they know who the members of the school community are.

I'll never forget when I met two young ladies who were Muslim and were in the traditional garb of someone who supports that faith. They talked about how the dress code in their school had been adapted so that they could have similar clothing to the other students in their class but at the same time were respecting their religion. They said it made them feel very much part of the school body. It was certainly a benefit of a dress code that I hadn't anticipated, but they wanted me to know. They waited at one of the events I was at to make sure I heard their message that it was possible to have dress codes but at the same time they could respect their religion and still feel part of the student body. So I believe there are many benefits of having a dress code or a uniform for students, but we do believe the authority to make that decision should rest with the parents. That's why this legislation proposes to indeed do that.

Another initiative is that principals would be given the authority to ensure that anyone who poses a threat is denied access to school property.

One of the other points I think it is important to note is that we do recognize that sometimes there are troublemakers who are not on school property. Another piece of legislation that this government has already passed—it was actually in 1998—does allow communities to create community safety zones where they can set specific rules around the school, for example, to add to safety. This code of conduct indeed deals with school property and with school events, but we also have other legislation which allows the community to deal with safety in the community around the school.

These amendments are about making the rules of behaviour and consequences clear to everyone. They clarify the roles and responsibilities we all have to ensure safety and respect in our schools and they build on the previous reforms we've made to ensure that Ontario's schools are delivering the best and the safest quality education possible for our students.

The reforms that we have either implemented or that are underway—for example, to improve the curriculum, have a better, stronger, more rigorous curriculum so our students are learning what they need to know; testing to make sure they are indeed learning what's in the curriculum; standard, clearly understood report cards so that parents know how well their students are doing; providing extra help for students to deal with that more rigorous curriculum; more resources for special-needs children; smaller classes, more teachers—are all part of the quality education reforms that this government has promised in two elections and we are indeed delivering on.

And very much part of that is the code of conduct, because if our classrooms are not safe, if we do not have respect and the values of good citizenship and responsi-

bility in our schools, all of those other initiatives will indeed fail. So this code of conduct, the legislation that we are discussing today which proposes to bring it into effect, is very much part of our plan for education quality reforms. The legislation is consistent with the policies that we've announced and consulted about over the preceding months.

I do believe that it is time to move forward with this so we can take these steps in our classrooms beginning this fall. I would certainly invite and hope all of the other members across the way would support this very important and crucial legislation.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to join in the third reading debate with respect to the Safe Schools Act, Bill 81. There's a couple of areas I want to focus on in dealing with this. Certainly, as we are all aware, the provincial standards of behaviour that are being set out here with respect to the code of conduct apply not only to students but also to all individuals involved in the publicly funded school system—parents or guardians, volunteers, teachers and other staff members—whether they are on school property, on school buses, or at school-authorized events or activities. There's a couple of areas that need to be referred to in terms of what we're trying to accomplish here under this legislation.

It was suggested by the opposition party that we really should be focusing not on the school conduct itself that happens at the school but on activity that surrounds the school. It was proposed by the Liberal Party as part of their 1999 election campaign that "Anyone convicted of carrying a weapon or dealing drugs within five blocks of a school would be subject to a new provincial penalty of up to two years in prison." I just want to put my position out there. From what I understand from the Attorney General, that approach is not sustainable. To create a provincial offence simply as the result of committing a criminal offence close to a school is going to be extremely hard to justify as a valid exercise of provincial legislative power and in fact the province has no jurisdiction to create a criminal offence.

But what this government has done through legislation and responses to deal with safe communities is proclaim an act on September 1, 1998, to promote public safety through the creation of community safety zones. Those have been in existence since September 1, 1998. Also, Bill 26, the Highway Traffic Amendment Act (Community Safety Zones), allowed municipalities to designate, through a bylaw, portions of roadways where public safety was of concern. In these zones near schools and playgrounds, moving offences such as speeding and careless driving can be subject to increased fines that are under provincial jurisdiction. Possession of illegal drugs and/or weapons are Criminal Code offences and the sentencing provisions are under the jurisdiction of the federal government.

Establishing a new provincial offence, in addition to sentencing under the Criminal Code, would be legally problematic and subject to charter challenges. So the

Liberal proposition with respect to dealing with activity outside of a school certainly would not be sustainable based on the jurisprudence and based on the jurisdictional powers of the federal government.

There are also measures under the code of conduct that would ensure that school boards and schools would have safe school teams involving community members that would work on safe school strategies. That is in the act because it requires school boards to establish policies and guidelines governing codes of conduct and safe school policies in schools with the involvement of school councils.

The act also requires school boards to review their policies and guidelines re codes of conduct and safe schools when doing so, and they must seek the views of students, teachers, staff, volunteers working in schools, parents and guardians, school councils and the public. The act also requires the principal of a school to involve school councils when developing or revising school codes of conduct and school safety policies.

#### 1610

The government has made a commitment to develop a provincial protocol that will provide a framework for how police and school staff respond to incidents in schools. This protocol, a collaboration between the Ministry of the Solicitor General and the Ministry of Education, will be developed in consultation with police services, school boards, principals and the special education community.

The act also provides authority for the minister to direct school boards to establish policies that promote safety of pupils—ie, the prevention programs—that require consultation with school councils and periodic reviews, and include the public. Boards are free to establish teams if that is the best way to operationalize their policies. So the framework for setting up safe school teams is there, with tremendous input, I may add, from school councils. What we're looking for is meaningful and full participation of our various partners in education at the provincial and local levels to ensure that we have safe schools and safe communities.

One other area I want to touch on at this time is the collection of personal information about persons and the request under the act to ask boards to collect this information. It's important for every student to feel safe and secure at school. One way of achieving this result is to ensure that students and parents know that they can trust people working in schools. We know that the vast majority of teachers and school staff have earned and deserve the respect of their students. Still, as the Honourable Sydney Robins told us, we can do more to ensure that children in schools are not abused by adults to whom they are entrusted.

This government is committed to identifying more and better ways to help ensure the safety of Ontario's children. Justice Robins's report, *Protecting our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*, recommended that the government introduce mandatory criminal background checks for

everyone teaching or working in Ontario schools. In order to make a safer school environment for students and to ensure that schools have the information they need to support expelled students who are returning to their regular classroom from strict discipline programs, we will have to collect specific information.

I'd like to look at a Toronto Star editorial. It says, "The Safe Schools Act gives the Minister of Education sweeping powers to collect and disseminate personal information regarding individuals in schools, being students, teachers, administrators etc."

The editorial notes that Bill 81 says:

"The minister may collect and may by regulation require boards to collect such personal information as is specified by regulation from, or about, the classes of person specified by regulation...."

"A board or other person is authorized to disclose the personal information ... to the minister ... and the minister may disclose it to such persons or entities as may be prescribed by regulation."

The commitments made by this government in the Blueprint during the last election are very clear. We indicated that we were focusing on ensuring safe learning and teaching environments in schools, and the government stated that it would "require mandatory criminal background checks for everyone teaching or working in schools" and "require strict discipline schooling programs for students who have been expelled from regular classes."

The Safe Schools Act, Bill 81, the proposed legislation, will permit the collection of information in order to:

(1) Require criminal reference checks on all employees who have regular access to students. Currently the College of Teachers requires that new teachers provide a criminal reference check.

(2) Allow the sharing of information on an expelled student for the purpose of ensuring that, for example, upon re-entry from a strict discipline schooling program, a school board will have the information it needs to assist the student in his or her transition back into the regular program.

The Robins report was dated April 7, 2000. The Attorney General of Ontario released a report prepared by the Honourable Sydney L. Robins, as I indicated earlier, *Protecting our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*. The report contained 101 recommendations, most of which involve the education system, the Ontario College of Teachers and school boards. The recommendations of the Robins report that are to be implemented include (1) that a code of conduct apply to students, teachers and other staff; (2) that criminal reference checks be required for teachers and other employees. That is exactly what Bill 81, the Safe Schools Act, is doing. It's implementing those measures of the Robins report that I just indicated.

In essence, we have set up a code of conduct that holds everyone who's involved in the school system to the same standard. We are ensuring there are safe schools, and the zones around them; we're ensuring there

are safety teams involved through the principal, teachers, support staff. In particular, school councils will have a tremendous impact and role with respect to developing this provincial code.

That's the focus with respect to this legislation. The proposed legislation allows the minister to "establish a code of conduct," which is a policy of the minister governing "the behaviour of all persons in the school." The code of conduct has a number of broad purposes centring around making schools safer. The minister can direct boards to take steps to bring the code of conduct to the attention of parents and guardians of pupils and others who are present in schools under each board's jurisdiction. The proposed legislation also allows the minister to "establish additional policies and guidelines" governing "the conduct of persons in schools," promoting safety and disciplining pupils.

The fact of the matter is, this legislation is needed. The information that is before this House, that has been debated at second reading, clearly indicates that there are very serious offences that have resulted in expulsions and have resulted in suspensions and that our schools need to be safer. The measures we are proposing are province-wide. If you wish, they're province-wide standards to deal with a provincial code of conduct. I think it's important that the public know that safe schools and the standards that are important with respect to codes of conduct in school boards are not uniform across the province, and that is the fact.

What we're trying to bring here is uniformity in terms of the code of conduct and the consequences that would result, but most important, we're setting out the framework of who would be involved in developing and implementing local codes of conduct that would be dealing with matters other than those which are covered with respect to the provincial code of conduct. Pursuant to the proposed legislation, a board can "direct a principal to establish a local code of conduct governing the behaviour of all persons in the school, and the local code must be consistent with the provincial code" of conduct and must address all requirements set by the school board and the principal must consider the views of the school council with respect to the contents of the local code of conduct.

There will be a provincial code of conduct and there's authority for school boards to establish local codes of conduct. We also have consequences that have been introduced into the bill. There are mandatory suspensions imposed by the proposed legislation or school board policies. Very clearly, it indicates what kind of conduct will result in suspension from school and all school-related activities, if the pupil engages in certain types of activity while at school or at a school-related activity.

There are also discretionary suspensions which can be imposed by school board policies. That will be determined by the school, but it also deals with the school and school-related activities. Obviously there will be appeals and reviews of certain types of suspensions.

Another aspect of the bill is expulsions. There will be mandatory expulsions imposed by the legislation or by

school board policies. There are very clear circumstances, types of conduct that will not be tolerated which will result in expulsion. What's very important here is that there will be limited and full expulsions.

"A pupil who is subject to a limited expulsion is not entitled to attend the school the pupil was attending" or to participate "in school-related activities until the later of,

"(a) the date specified by the principal or the board when expelling the pupil, which date cannot be more than one year after" the pupil was suspended; "and

"(b) the date on which the pupil meets such requirements as may be established by the board for returning to school after being expelled."

But a student who is subject to full expulsion is not entitled to attend any school in the province or to engage in school-related activities of any school in the province until they meet such requirements as are established by regulation for returning to school after being expelled.

#### 1620

What we're establishing here is dealing with expulsions that are limited or full. Certainly there are going to be support programs put in place to deal with these students who are dealt with and also an appeal process to deal with students who are suspended or expelled.

I just want to say that the code of conduct is a provincial standard. It has a procedure that's set out. It has a framework that is very supportive, that brings all the stakeholders together to bring into effect a safety team. Certainly we understand what the safety zone is: It's the school and school-related activities. We can't be any more definitive than that. I would say that what we need here across the province is uniformity. That's what this bill brings across the province to all school boards in terms of establishing a provincial code of conduct and also giving them the discretion to set up local codes of conduct and to deal with the consequences of violating those specific codes.

I'm very pleased to have spoken on this bill in third reading. I'll now relinquish my time to the member from Guelph.

**Mrs Brenda Elliott (Guelph-Wellington):** I'm very pleased to have an opportunity to add my voice in support of this bill. The full title of the bill is An Act to increase respect and responsibility, to set standards for safe learning and safe teaching in schools and to amend the Teaching Profession Act.

When we were re-elected in 1999, many of my voters said, "I'm very pleased to add my support to you, Brenda," and one of the most important reasons they gave on a broad basis of issues was the fact that we kept our promises. It's very important to think back to the Blueprint. I turn to page 40, where it says, "We'll introduce a province-wide code of conduct for students that will set clear minimum standards for behaviour, and spell out the consequences for breaking the rules." We are keeping yet another promise and today we are debating the Safe Schools Act.

I was looking at a piece of information that I think is very important to remember. The Ontario Charter of Education Rights and Responsibilities notes the following three things: "Every student has the right to a safe learning environment; students have the responsibility to respect themselves and others within the education system; and teachers have the right to be able to maintain order in their classrooms"—three very sensible and straightforward parameters for good learning.

Although we are debating the bill called the Safe Schools Act, what we are really talking about is one more part of our very complex and far-reaching program of establishing the finest education system possible here in Ontario.

We have introduced fair, student-focused funding; we have required more resources to be directed to classroom learning; we have introduced and continue to introduce new rigorous curriculum; we have introduced regular testing to show how students are doing; and standard report cards, of course, have also been introduced.

This is yet another part of the program of making sure our students are able—

**Mr Rosario Marchese (Trinity-Spadina):** On a point of order: I apologize for the interruption, but there's absolutely no quorum in this place.

**The Acting Speaker (Mr Tony Martin):** Is a quorum present?

**Clerk at the Table (Ms Lisa Freedman):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** Mr Speaker, a quorum is now present.

**The Acting Speaker:** The member for Guelph-Wellington.

**Mrs Elliott:** I'm not sure how my colleagues across the way in both the Liberal Party and the NDP are going to react to this particular bill. If it's their usual pattern, they will of course oppose it. But I thought it might be very interesting to hear what people across the province are saying about this piece of legislation.

For instance, the Pickering News Advertiser said, "Youth must be taught that anti-social, selfish and illegal behaviour will not be tolerated in schools, just as it is not tolerated in society at large."

Perhaps we could turn to this one from the London Free Press: "In reality, the proposed code isn't far from standards of conduct many schools already enforce, but its clear-language, no-nonsense-approach enhancements for the disciplinary powers of school staff in a province-wide application represent a step forward for Ontario's education system for the most troublesome cases, for times when our best efforts fail."

Perhaps we would be interested in this one from the Ottawa Sun: "We welcome the standardization of a code of behaviour. What we're looking for is something that will ensure the dignity, respect and wellbeing of all the students and staff," said M.B., superintendent of corporate affairs at the Ottawa-Carleton Catholic School Board."

Here's another view of this act from a grade 6 student at Lawrence Heights middle school in Toronto: "They," meaning the rules, "give us more discipline. We realize that we have come here to learn."

Here's another one from Floyd Kennedy, a principal in Brant-Haldimand-Norfolk Catholic District School Board: "When you are dressed up, your behaviour mirrors the way you are dressed and it encourages school spirit. This way they are part of a team. It gives them a sense of belonging."

This one interested me, and I thought it was very important. From the Niagara Falls Review: "A school without rules or where rules are not enforced is a detriment to the community."

As my colleague and the minister said earlier, this code of conduct is all about setting province-wide standards. They speak to the issues of what is or is not allowed in schools. They speak to the issue of school councils, principals and school boards all having greater authority and an ability to speak with one voice about how our students are dressed in school, how they behave, the procedures for opening and closing exercises—the opportunity, for instance, to recite the pledge of allegiance—and many different parts that speak to our classrooms being safe.

As a former teacher myself and as the mother of four children who have gone through the school system—our last one is just finishing high school this year—we've often had dinner conversations in our household about what happens when a disruptive student is unable to be managed throughout the day and what then happens to the learning environment.

We speak a lot about students being safe, and that is certainly very important and an integral part of the various facets of this legislation. But for me the most important part is establishing a learning environment, a classroom environment where teachers are able to concentrate on what they are there to do, and that is to teach, and students are able to concentrate on what they want to do for the most part, and that is to learn.

This code of conduct allows the province to take leadership and allow all the partners, be they principals, teachers or school boards, to share in that ability to set a framework that is very clear and very orderly and, I think, that will be of assistance to both the parents, who expect that when their children go to school they will for the most part be in the kind of orderly environment they have at home, and to the students.

I'm very pleased to add my voice in support of this piece of legislation. My colleagues have gone through in detail what is actually in the legislation. The minister is allowed to establish a provincial code of conduct and to establish policies and guidelines about disciplining pupils and promoting their safety. The boards have the ability to do similar things, opening and closing exercises. Access to school premises is to be restricted under section 305, and principals may be allowed to determine who is allowed on school property. The minister also indicated that criminal checks will be undertaken for those who are

responsible for students. There are very clear rules about suspension and expulsion, appeal procedures and so on and so forth. These are very important in giving our students a sense of order, predictability and most importantly, as I said, every ingredient that we can do to create a safe learning environment.

As I said at the beginning, all the things we have undertaken—curriculum reform, standardized report cards, new focus funding models—are for naught if at the end of the day the classroom is chaos. Students need to feel safe. They need to feel secure and they need to be able, just as we need to be able to do here in this House, to focus their attention on the matter at hand so that they can learn.

I hope my colleagues across the way will consider that this is legislation that is being brought forward as the result of extensive consultation, and in fact was actually discussed during the election. All of those who voted for us across Ontario understood very clearly and appreciated what our plans would be. Here we are with the legislation exactly as we promised. I encourage my colleagues on all sides of the House to support this in the name of good education. I would like to allow my colleague from Perth-Middlesex a few moments to add his voice in support of this bill.

1630

**Mr Bert Johnson (Perth-Middlesex):** Respect and responsibility are important parts of ensuring that schools in our publicly funded education system are safe. With the introduction last week of the proposed Safe Schools Act, our government is taking the steps necessary to ensure that Ontario's school system is the safest and best it can be. I'd like to put on record that I support this bill wholeheartedly, even though it doesn't address the concerns of 98% of the students in Ontario.

As an example of that, I want to tell you that I got a note a few days ago from Doreen Hall telling me of the production tonight at the Toronto Heliconian Club of a young gal by the name of Sarah Pratt. She comes from my hometown, Listowel. Her mom's a teacher, her dad's a lawyer. This young gal graduated not very long ago from the faculty of music at the University of Toronto, in violin. Doreen Hall some years ago went to Japan to learn the Suzuki method of teaching violin and introduced that to the University of Toronto. Sarah Pratt, a talented young lady, has been accepted at Yale to proceed with her music career.

The reason I bring this up is that this bill isn't for the 98% of the students we find in our school system, like Sarah Pratt. This bill is for those in the system who can't abide by the rules that are set up for the students. I wanted to stand up today and say that I am supporting this bill. I hope others will do the same.

**Mr Gerard Kennedy (Parkdale-High Park):** It is my pleasure to have the opportunity to address this bill. It is of course the limited opportunity that this government deems fit these days to provide for any matter of public legislation. For some reason, we have this limited response, this inability of this government to let its poli-

cies stand up to the scrutiny of the day. I'm happy to also accord some time to the member for Kingston and the Islands and the member for St Paul's to be part of our response.

Several members opposite have stood up and proclaimed, "We said something about this in the election." There's the real clue to what we have today. We have something that none of the members opposite actually had anything to do with because it was cooked up in the backroom, the election boiler pot. We find out that this bill is one of the thinnest pieces of legislation that could possibly be there, a fundamental exercise in disrespect for the education system, for parents, for students, for anyone truly concerned with safe schools.

The disrespect starts with the lack of content. It begins essentially with the title that talks about providing respect and responsibility as if it is something, which too many of the members opposite are coming to believe, that can be determined by fiat, by executive order, by demand from Queen's Park, rather than having to be worked out in the daily struggle that individual schools and teachers have to provide a safe environment in this province.

Not one of the members opposite has so far mentioned visiting a troubled school, dealing with a problem student, doing the job we're sent here to do, which is to understand the problem before we have the audacity to take up the time of this chamber and pass laws. But no, that's not in evidence, and why isn't it in evidence? Because this is just an election ploy. This is just a pretend piece of legislation. What does it actually provide to the students of this province? What does it give to the troubled kids who might be in danger in future years, or in the months ahead, who would encounter those problems in the education system?

Does it offer some possibility of preventing a violent outbreak of behaviour? Does it do that? Does it even deal with any way of mitigating the behaviour that's starting to flare up, say, somewhere in the early grades? It doesn't. It doesn't even begin to address that. It shows, instead, some of the roots of the problems we do have in our schools.

Again, if they'd said, "This is the phony bill we're passing to meet our flimsy election promise," we probably wouldn't have a lot of trouble with it. But this bill instead is called the Safe Schools Act. They take a serious subject and corrupt it for their own purposes, their own threadbare election purposes, and they miss the real concern, the real empathy, the real need that the public is experiencing out there to see something done. They are using and exploiting the situations in places like Taber and Columbine to bring to the people of this province such empty action as to almost form the opposite of what its intent is.

When it comes to the safety of the children and the students who attend our schools, it is the Harris government that requires the code of conduct. Any examination, any fair-minded look, will show that what's happened in our schools in recent years has put children in additional jeopardy. We know that these things are not

to be taken lightly, a government that won't be held accountable for its actions, and we've seen in recent weeks the difficulty we've had in issues concerning the environment. I say to the members opposite, this is not just some election trivia that you're taking care of. This is, instead, our opportunity, perhaps the only opportunity this session, to deal with the serious matter of how safe our schools are and can be for the children now and in the future. This is our crack at it.

And what do we have? What did the best minds opposite, what did the \$14-billion machinery of the Ministry of Education churn out in response to this government's election promise to make our schools safer? Pieces of paper. They say in this proposed law that they will require schools to have written codes of conduct, written codes of conduct that a previous government required schools to have since 1994. Is there a difference? If there's any difference, it's the Soviet-style thinking that infects the people opposite. They want to have the same code of conduct in every darn school in the province. They're not happy to say that certain things should be there, they're not happy to set standards, but instead, they want to write the thing. Why? Because they want to take the easy part of this. They want to do the easy part of being seen to be proactive on behalf of children in difficulty and on behalf of the surrounding and the environment that we're trying to provide for our kids.

They use words—you've heard them already—like "orderly" and "tidy." Throughout history, we've heard those kinds of words from people who labour under the conceit of their big-government outlook—and that's where this government is today. This is a government that has combined school boards, has combined hospitals and now is rolling up, basically, the school boards that are left into one great big Ministry of Education-demanded, -controlled and -mandated activity. That's what they're doing to what used to be local community schools. Instead of delving into the problems of safety in our schools, we have what is effectively a hoax on the people of this province. To call this the Safe Schools Act is to perpetrate a misdirection, a hoax on the people who are actually interested in the well-being of our students.

This act purports to do something on behalf of students. Let's look at the only part of action there is. There's a lot of writing in here. There's a lot of things saying, "you shall" and "you might." There's no enforcement of that. There are just codes of conduct that should be there, and the government is basically shrugging at the problems. What it says it will actually make sure happens is that it will change the nature of power in the schools. It will force teachers to expel students if they happen to hit a certain list of behaviours. Here's the conceit. These men and women sitting in their chairs believe they can write a law to anticipate the situation faced every day by those teachers. For example, swearing—that student's out for the day. They will make sure that list goes up and down, exactly according to how they see it. They put no regard, no respect into the hands of those teachers.

**1640**

We hear the mealy-mouthed compliments that come from the members opposite. They say many teachers are good. They can't bring themselves to say that darn well nearly all of the teachers we have are dedicated and effective professionals working out of a fundamental base of concern for the well-being of students. They can't bring themselves to say that. This bill reflects that lack of respect. This bill says that teachers can't be trusted to determine what's the best environment for their students: "We won't let them do that because we're the big-government people. We're the Mike Harris government, we know better, and we've put this bill." And here we are today, third reading on a bill that was introduced a week ago, because this government couldn't be bothered. They couldn't be bothered changing—as I say, this is a bit of a scam, there's a bit of not very much going on in this bill and that is its principal sin.

But there is an impact here on two million kids, and that is your inaction, what you could have done, what you should have done. What did we hear from the people who would take this law, from the people who would actually operate in the real world as opposed to the panelled offices that most of these members sit in, the plush chairs that they want to push buttons from and control education around the province? What do the trustees, the supervisors, the directors of education, the teachers—the people who actually have to deal with kids in this province, who will be held accountable if something goes wrong in our schools, if we find ourselves facing the situations that fired off the propaganda machine opposite in the first place with its artificial concern—say to this government?

They say, in a letter that every single education organization in this province signed, that the need for changes proposed in Bill 81 has not been demonstrated. The organizations representing trustees, supervisory officers, principals and teachers are unanimously opposed to suspension by teachers and expulsion by principals. But that doesn't slow down this government one bit. That doesn't even cause this government to say, "We might want to understand how to keep our kids safe." I know the members opposite have children, they have concern for children, but they are caught up in this big-government design and this propaganda need they have. They think they are so clever that all they need to do is call something "safe schools" and that takes care of their obligation.

Your obligation, the obligation of all members of this House, ours included, is greater than that. Your obligation is to understand what goes wrong when a child acts up and violence hits our schools. That's our obligation. There is no alternative way to deal with that serious subject. Lives have been ruined and altered and amended and reduced as a result of things that have happened in our schools. No one can deny that. But what do those people say they want and need to have safe schools? Doesn't that concern you? Don't you want to know? It's not in your bill.

There are the people of this province to whom you would say: "Here are your walking orders. Here is the disdain we pass on to you. Here's the disrespect. Here's the lack of our responsibility. Now go implement it." They said to you: "Stop. This isn't right. You're missing the boat. You're not doing the right thing." And it wouldn't even slow you down. Instead, you sped up. Since that letter was written from the organization, you've actually accelerated the pace of this bill such that you'll pass it today no matter what else happens.

I think I will linger on this point, because the members opposite are not immune to appreciating, especially these days, that should something go wrong in our schools, should there be a problem, should we be faced with a tragedy, people will look at this day as the day we didn't adequately address our preparedness—this is the day, this is the bill and this is the government—where we should have said what we're really going to do to make our schools safer.

Let's look at what the people who actually deal with problem kids have to say about how to deal with the problem and let's measure that up against this government's actions so far. For example, I have a draft paper here from the late, very unfortunately departed Dr Paul Steinhauer, 38 years a child psychologist, a pre-eminent person in his field dealing with problem kids, who has probably saved more difficulty for society, for families and for individual kids than any other person in Ontario before his demise a few weeks ago. What did he say about this government's plan? He said in this draft paper that it was completely misdirected; that this is a government that is missing the primary strategies to be able to deal with violence and kids acting out; that instead, what he wants to see are actual actions to prevent behaviours that lead to violence and lack of safety in schools. Singing the national anthem is not preventing violence and acting out; that in fact shouldn't necessarily be part of a negative-based safe schools approach but rather a civics approach that this government should be approaching in a positive fashion.

Most important, Dr Steinhauer speaks about improving the management of kids' behaviours, that there are many proven ways to do that. None of them is contained in this bill. None of them is enhanced by what this bill purports to do. Instead of actually recognizing that there are opportunities, perhaps unique opportunities, for us to forestall the problems society is going to encounter from the behaviour of children, starting in the youngest grades possible—that's where we can actually make an intervention that could be meaningful, that could prevent problems for society for a long, long time—this government, according to Dr Steinhauer, has gone in the opposite direction. They have allowed child poverty to grow; they have cut special services and special education and social services and children's mental health; they have made subsidized child care harder to get at; they have cut recreation opportunities for kids; they have created a climate where things can only get worse. Instead of dealing with children as identified by

Dr Steinhauer, when they are hyperactive or distractible—some 72% of certain groups of identified kids can have antisocial, aggressive and disruptive behaviour later in life—this government has gone in the opposite direction.

Would that we were only debating and discussing what could be done, the missed opportunity this bill represents. Instead we are obliged, we are responsible—at least someone in this House needs to take the responsibility of making sure that on the record, attending this bill, are this government's own actions, which have reduced the safety of children in this province. The very things that Dr Steinhauer and the other professionals, the people who know and are trying on the rest of society's behalf to deal with violent incidents, to deal with safety in our schools—those very services have been reduced by this government. They've cut the number of child psychologists' hours in the Ottawa board by some 35%. They've reduced social workers by 26%. They've taken out up to 35% of special education in places like Durham, and in places like Halton that has been brought down by a large number. In boards like Brampton, there are now fewer assistants available. In each and every school, this government makes things worse. This government is the same government that would now put an additional load on individual teachers in high schools so they will no longer be as available for on-calls, for hall monitor duty, for making sure that kids are actually safe.

Let's keep in mind that this is not something that we need experts like Dr Steinhauer to tell us about. I think we each know deep down that if we don't accord enough staffing to our schools to deal with those individual situations—I think everybody in this Legislature and everybody watching has been exposed, if not to violence and lack of safety in schools, then to the seeds of it. We know, and we've seen those interventions happen in the past by the principal, by the vice-principal, by teachers and sometimes by specialized people from the board of education. Those people have acted to prevent things from getting worse. Those are the very people who are being pulled out of that position by this government.

We have had a doubling of the number of schools, for example in elementary, that no longer have vice-principals. We have had a huge increase in the schools that don't have full-time principals at all, that have part-time only. We have had a reduction in the amount of time that teachers can spend on the whole range of things in the interests of children's safety.

*Interjection.*

**Mr Kennedy:** The member opposite from Brampton is saying something about how that may not be true. He obviously is among the members who haven't visited their school to see what's actually wrong. Not very far from that member's riding is Thistletown school. I want to tell you what the principal of Thistletown school would say to this government: that it is completely wrong for them to take this particular tack, that singing the national anthem will add nothing to help her with the

burden that she has in keeping that school safe, where they have had 11 suspensions. Would that suspensions would solve the world in terms of student safety. Eleven suspensions took place in one week in that school and the principal, Carol Roslin, who runs that school, who is trying to make things safer for her kids, says that this government has it all wrong. But we're here, forced participants in a structured debate, a limited debate, on this hoax of a bill.

**1650**

The member opposite made this sign—the member for Brampton did this—to say he doesn't care, to say: "On behalf of this government, we wave away those concerns. We don't care what this bill does in the real world. What we care about is what the headlines are. We care about the propaganda, we care about the spin, we care about what our election backroom boys cooked up for us, but we don't actually care what happens to kids in schools."

The difficult thing is that there is no exemption for the members opposite, because they've been whipped—

**Mr Joseph Spina (Brampton Centre):** I'm the father of a student; I'm the husband of a teacher. I know what's going on, so don't hand me that shit.

**The Acting Speaker (Mr Michael A. Brown):** Order. The member for Brampton, you'll need to withdraw that last comment.

**Mr Spina:** I withdraw, Speaker.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I was shocked by the swearing that just took place. In view of the fact that this is debatable, throwing people out for swearing, my goodness, shouldn't there be some expulsions when you use that sort of profanity which shocks, I'm sure, everybody in this room?

**The Acting Speaker:** The member for Parkdale-High Park.

**Mr Kennedy:** It is to be noted that the member did swear in this House. He showed us the double standard this government actually has, that it's OK for behaviours to take place on their part, but it's not OK—from these plush leather chairs this government purchased for us to sit on at Queen's Park, there is supposed to be this omniscient view, and who indeed dares oppose that? How dare we stand in opposition to this phony, flim-flam bill? These members opposite don't take note of what Dr Steinhauer has said, they don't take note of what Dr Roslin has said, they don't take note of what students in successful programs like SALC in Etobicoke have done.

There is a publicly funded diversion program in Etobicoke—

**Mrs Marie Bountrogianni (Hamilton Mountain):** On a point of order, Mr Speaker: I ask the member opposite to apologize to the children in the Legislative Assembly for swearing in their presence.

**The Acting Speaker:** He has withdrawn. The member for Parkdale-High Park.

**Mr Kennedy:** There are programs like SALC in Etobicoke for the Toronto board that take 46 students and provide them with an education even though they've

been expelled or suspended, but those programs aren't funded adequately by this government. So what do they mean by this bill when they say automatic suspensions and expulsions? We've learned that part of what they've got in mind is they mean to send people to private boot-camp-type schools. That's what they're holding out to the public. But is there any funding for that? There's none provided by this government.

When they announced this bill in April, they took us to a place in Peel by the Peel board totally funded by private dollars, funded by what that board had to do on its own to deal with diversion programs because at the core of the hypocrisy of this bill is a government that has made—

**The Acting Speaker:** You might want to withdraw "hypocrisy."

**Mr Kennedy:** I withdraw "hypocrisy."

At the core of the contradictions in this bill, it speaks of respect and responsibility, and this government, if it ever paused long enough to talk to real people, would know that you've got to give some to get some, and instead they would provide for the people who are out there some measure of how these things could actually be made to work.

We've heard of the flagrant disdain for the public that this bill has. We know, for example, that hidden within this bill is yet another violation in this government's attack on the rights of private citizens. This government received a letter from the privacy commissioner and it said to this government: "We have great concerns with what you're doing in terms of this bill. We have concerns with the kind of information you're collecting on volunteers, employees and contractors and on the students themselves." You have not put in place safeguards for the average person. It shouldn't surprise, bother or, I suppose, concern us that this government would forget the average person in this bill.

The privacy commissioner has said that there are solutions to this, that you can define what you mean by safety, that you can make sure the brakes are on and you're not going crazy with this bill, but like other people who have those kinds of concerns, they've been dismissed, like the member did earlier with the back of his hand, because that's what this government is offering to the schools, to the students, to the communities.

We have solutions. We heard them derided a little bit by the parliamentary assistant. We say safe school zones are what need to happen, and they've said: "We won't even look at it. We think somebody else, probably the federal government, will have to do it, so we're not concerned to actually do what the Carol Roslins of this world said." Most of her safety concerns are coming from off the property, probably suspended kids from someplace else, and you want to increase that risk.

Make that school property sacrosanct. Increase the offences for that. Give us a safe school zone. Give teachers and principals something to work with. Don't just take away all the staff. This government has made every single staff person who's useful subject to be cut

because they're outside of the actual needs. The safe school teams we've talked about for the boards and for the schools are eminently doable. We challenge the members opposite: If you stand in your place and pass this bill today, you will be exposed as people who are not concerned about safety in the schools, and to the extent we experience those problems in the future, you will indeed be held responsible for your lack of respect.

**Mr Michael Bryant (St Paul's):** I'm obviously very pleased and honoured to follow the member for Parkdale-High Park. What I want to talk about is how this act not only is really an indictment of our public education system but frankly is typical of this government's approach to matters of discipline, crime and safety, in this case not the safety of our streets but the safety of our schools.

Generally speaking, when it comes to crime this government is all talk and no action. That means they're excellent at holding press conferences. They are excellent at floating issues that gather attention on the talk shows. But they are not excellent at bringing forth legislation which actually makes our streets safer, which actually ensures that people in our community are exposed to less in-your-face crime than they are exposed to right now. In particular, the concern is really a policy of public relations. As the member from High Park said, this is really more about public relations than about public education.

What am I talking about? Well, let's start with the most obvious and shameful part of this act, that we're going to make a difference in our schools by putting forth a code of conduct, which, by the way, already exists. I say "shameful" because the suggestion here is that codes of conduct don't exist—let me talk in a moment about the efficacy of a code of conduct. But we all know that codes of conduct do exist. All the schools I have been to in St Paul's has a code of conduct. All of them do. Has that code of conduct made a difference? I hope it does, and I hope it will. Do I expect it's going to make a great difference? In the absence of the resources to ensure you have the kind of supervision and attention from teachers, from administration, from support staff, in some cases the school psychologist and in some cases simply having somebody to supervise the kids—in the absence of that, obviously the code of conduct is hollow and just a piece of paper. There's no one there both to enforce the conduct, from a retribution point of view, and prevent the conduct as well.

We also have the infamous desire, through this legislation, to require a pledge of allegiance. The government backed down on that. But here was the ultimate PR moment. It obviously got a tremendous amount of media interest, this pledge of allegiance, obviously stolen—frankly mindlessly—from the pages of Gingrich and company south of the border, where pledges of allegiance are commonplace Republican politics. But it was taken out. It was quite an admission by this government to take out the pledge of allegiance. It was a recognition that they had not only gone too far on this one, but they had

gone so far that they had to retreat on that position—not an uncommon tactic for this government to undertake. Nonetheless they had to retreat on this one; along the same lines, mandating the singing of O Canada and having the option to recite the pledge. Obviously, we want everybody to participate in whatever patriotic moment we can have them participate in. There's no doubt about that. Having the national anthem sung in our schools is fabulous. Will it make a difference in terms of conduct? Of course not.

**1700**

This legislation is a smokescreen to hide their cuts to the classroom that have made our schools less safe. What in this act actually does something about the serious concern Ontarians have with respect to the safety of our schools? And there is a concern; there's no doubt about that. That's why the Ontario Liberals, among other things, proposed a safe school zone. Why? To control the campus, to provide an effective deterrent and to provide effective retribution in circumstances where the problem is coming from the outside. Safe school zones would do something about it.

The member for Brampton—no, it's not the member for Brampton Centre; I apologize. He's gone. Sorry, I'm not allowed to mention that either. The member for Brampton Centre before was making reference in this House to the speech of the member for Parkdale-High Park, and we all know he withdrew the comment when he swore. This is the problem: This government, in their conduct, is not meeting the codes of conduct they want to put in the schools of Ontario, which, again, are already in the schools of Ontario. Will they do something effective by putting in safe school zones? No, they won't do that. I don't know why there isn't an effort to actually put something substantive in bills of this nature, but there isn't. Is there anything preventive in this bill, other than—I guess the national anthem is an effort to be preventive. The code of conduct, as I said, is already in there. Is there any effort to control the campus during the day or afterwards? Is there any effort to ensure there is appropriate supervision and appropriate resources? No, there's nothing in this bill along those lines.

Is there anything in this bill which speaks to the very important efforts that exist in other jurisdictions with respect to youth mentoring, getting to problem kids before they turn to delinquency? In my riding there's an organization called Youth Assisting Youth, which has been extremely successful. It's a non-profit organization which has been extremely successful in matching troubled youth with mentors, young men and women in their teens and early 20s. These mentors are trained. They're given the skills to deal with troubled youth. What they would like to do is go into the schools of St Paul's and the schools of Toronto and have that mentoring program transferred across the province, because it has been so incredibly effective.

Is there going to be an appropriate investment in Youth Assisting Youth? I hope so. I hope similar programs get the appropriate investment. But does this

bill speak to those kinds of preventive efforts? Unfortunately not. Instead, this bill pays lip service to the idea of retribution by giving powers of suspension, but really does nothing about the more important issue of prevention. This would probably be the greatest divide between the approach of the Tory government and the approach of the Ontario Liberals. Their approach focuses exclusively on the crackdown, what to do once the crime has taken place—and much of that retribution and the principles behind it are shared by the Ontario Liberals. We have offered support in circumstances where that has been the case. But we see that there needs to be a greater investment in prevention. This act does none of that.

I would be remiss if I did not also add that one way we can deal with the problem of violence in our schools is by dealing with the problem of guns in our cities. In particular, I've put forward a private member's bill, for which the Premier of Ontario has expressed words of support for its intentions. This would stop all those weapons, which represent 40% of the guns collected by police in Toronto and Ottawa—the statistics are very high in Windsor, Niagara and other cities—from being sold, with no questions asked. Perhaps that would be a way to address what happened, for example, at Emery Collegiate, where phony guns were involved, starter's pistols that can be purchased like candy from a corner store.

We cannot support this lip service. We cannot support this moment of public relations. We hope that the day will soon come where we will see substantive legislation in which we can actually address the issue of safe schools in Ontario.

**Mr Dominic Agostino (Hamilton East):** I want to add to what my colleagues from Parkdale-High Park and St Paul's said in exposing this charade and this phony bill for exactly what it is. I guess what is most astonishing is the inconsistency. I'll use the word "inconsistency" because parliamentary decorum would not allow me to use the words I really want to use to describe what this government is pretending to do in this piece of legislation and in reality what this government has done to help make our schools and our kids safer. It is astonishing when you look at the action that they failed to take. Let's remember, they talk about safe schools. This is the same government that now allows, through its legislation, under Ontario law passed by the Mike Harris government, young people—as young as the pages who sit in front of you, Speaker; as early as grade 6, grade 7, grade 8—to use hunting rifles. It's legal in Ontario for 12-year-old kids to hunt under Mike Harris's government.

**Mr Spina:** Bill C-68 gave them that.

**Mr Agostino:** The member from Brampton is going to swear again. Speaker, the member from Brampton, who earlier in the House swore to express his views, is now justifying why he thinks 12-year-old kids should be able to carry guns. I don't agree with your view, sir, and most Ontarians don't.

This is the same government that has spent millions of dollars of taxpayers' money going to the Supreme Court

of Canada, hand in hand with Alberta and the gun lobby, to fight gun control in this province. This is the same government that talks about safe schools. You make schools safer by taking guns out of the hands of kids, not encouraging them through your action in the Supreme Court of Canada. That is the inconsistency in what they're trying to do.

This is the same government that fails to bring in legislation that stops kids from purchasing pellet guns and replica guns at any Canadian Tire Store or hardware store in this province, and yet they dare talk about safe schools.

This is the same neo-conservative, Republican government that has cut funding from social workers and psychologists and support services for kids in school, and they dare talk about safe schools.

Clearly this phony attempt by this government at trying to deal with a serious problem is an embarrassment, a disgrace and a disservice to young people in this province, to teachers and parents and educators. If you were serious, you would go to court to fight for stricter gun laws, not to fight against gun control in Ontario. Unfortunately, your agenda and that of folks such as the NRA in the United States is pretty consistent. You believe people should have access to guns, obviously, because your actions in the courts tell us that. You believe that a 12-, 13- or 14-year old child should be able to go into a Canadian Tire Store or a hardware store and purchase a pellet gun, because you've done nothing to change that legislation.

If this government was serious about safe schools, they would increase support services. They would ensure that when a young person is in trouble or needs help, we have social workers, we have counsellors, we have psychologists in the school. But you think that's a frill, you think that's a luxury. You obviously don't think that's important enough. Rather than trying to deal with preventing a problem, your agenda is usually coming down with a hammer after the problem. Somehow you think that's good. It makes you feel good. You pound your chest to show how tough you are instead of trying to make the effort. If you look at this bill, there's nothing in here that is preventive. It's all reactionary, after we've had a problem. That's what it's all about.

There isn't a teacher, there isn't a principal, there isn't a superintendent or a director education I've spoken to who supports the bill that's in front of you. Teachers don't want the power you're giving them, principals don't want that power you're giving them, but you're imposing it upon them.

This is a bad piece of legislation. It's a phony piece of legislation. I think the government should do the right thing. They should withdraw this bill if they're serious and bring in some real legislation with support and help for kids rather than taking the big, tough-guy approach. It has failed miserably and it's going to continue to fail.

1710

**Mrs Bountrogianni:** I'm happy to add to the debate, and I'd like to commend my colleagues from Parkdale-

High Park, St Paul's and Hamilton East for their comments.

Right now, if a student misbehaves in a classroom, the teacher can send that student to the office. The principal, in conjunction with the vice-principal, and perhaps the guidance counsellor, will dig up the student's background and make a judgment as to whether that student should be suspended or recommended for expulsion under their own safe schools policy. Every school in my riding has one. Both boards in Hamilton have one. This is really just a replication with a few pretty poorly thought-out additions.

I'll give my opinion as to why teachers should not be allowed to suspend. There are often personality differences between teachers and parents and students. Right now, with the control being centralized at the principal's office, you have a little bit of control or a safeguard against personalities. Because teachers are people, students of course are human, and sometimes what has happened in a teacher's life may interfere in the classroom.

I'll give an example that portrays what has happened since the last time I debated this in my own son's school. A teacher was obviously having an exceptionally bad time with her class that day and suspended eight students. The principal was not in the school at the time and she influenced the vice-principal to suspend eight students. None of the procedures were followed. The teacher had to apologize to the parents in the end. Letters of suspension weren't given out, so there were all sorts of apologies that had to be made, and this is right now where it isn't in law that they can suspend.

Given the stress a lot of teachers are under, both in their personal and their professional lives, these sorts of actions can occur. Having it centralized at the principal's office does control that. It doesn't happen very often, and most teachers would not do this, but some would, and that is one of the reasons I think teachers should not be allowed to suspend.

Another reason is for their own safety. In my former job, I used to do threat assessments and risk assessments for kids. I was very careful in how I worded my reports, where the reports went and the security in my office because of fear of a threat towards me. A teacher who's in the same classroom every day is a sitting duck for the kinds of students we all may be concerned about. I would hate to be in that teacher's position if she's on the hit list of some of the dangerous kids who do in fact exist in our system.

I would agree with the previous speakers that instead of having this sort of after-the-fact legislation, I'd prefer more preventive programs in the schools. There is a part right in this act that says, "The minister may require boards to establish and maintain specified programs, courses and services for pupils who are suspended." I would agree with that, but those programs are very expensive. We tried to institute one in our board about four years ago. We didn't even recommend it to the board because it was too expensive; we knew we didn't

have it in the budget. These students require a lot of resources, yes, but it's worth it because in the long run they will save us a lot more money by not being incarcerated later on. Of course, I'm speaking only of a very small percentage of students.

As well, the other reason why teachers shouldn't suspend is because that makes the principal Big Brother. According to section 306, the principal has a duty to suspend "a pupil who commits an infraction ... unless a teacher has already suspended the pupil." Are we going to have video cameras in schools now, being Big Brother to teachers, making sure they're suspending kids who deserve to be suspended? It's a ludicrous act. I think the member from Parkdale-High Park said it best, that probably its biggest sin is the fact that it doesn't add anything. But given my experience with some of the students, it may even put some of our teachers in danger, on certain children's hit lists, for suspending or recommending for expulsion.

Principals right now can suspend, and should be able to suspend of course, but they can't expel. There's a whole procedure for expulsion. For the same arguments that teachers shouldn't suspend, principals shouldn't expel. It's for their own safety, as well as for the safety of the teachers and the other students in the classroom. All of the killings that have occurred south of the border, if you look into the background of those students, they were in some way ostracized and thrown out of the school environment. This does not address that issue.

**Mr Kormos:** Mr Speaker, I'm going to share this time with the member from Trinity-Spadina, Mr Marchese.

**Mr Marchese:** Why would you do that?

**Mr Kormos:** Because you begged me to. You threatened, you cajoled; you told me, Mr Marchese, that you would become my worst nightmare if I didn't give you at least a few minutes of time. That's why I'm sharing it with you. Mr Marchese has been travelling this province dealing primarily with Bill 74, because of course the government hasn't permitted any hearings, but peripherally, in terms of consultations, with Bill 81.

I was going to use but a few minutes to use this opportunity to speak once again to the parliamentary assistant about the situation in Thorold Secondary School and the air cadet squadron, and I will, because I think it's important that that message be conveyed, as we're dealing with a deadline of July 1, as effectively as possible, with the hope that this Ministry of Education might see fit to intervene. It's very much relevant to this call for a code of conduct and so-called safe schools.

I was going to restrict my comments to that had it not been for the irony to which we were exposed but moments ago. I confess I was feigning shock in response to the swearing of the member for Brampton. I seized the opportunity, as a cheap political shot, to feign shock and indignation that the member for Brampton would use a swear word so audibly and in anger in this Legislature. It was one of George Carlin's seven, but it wasn't the big one. It wasn't the one that still remains somewhat unspeakable, the one that is both a verb and a noun and an

adjective and an adverb. It was the one that I usually preface with “bull” or “horse.”

**Mr Spina:** Oh, feathers.

**Mr Kormos:** Quite frankly, yes, the member should have learned from me that they can be so easily sanitized by simply saying “bull feathers” or “horse feathers.” Then it would no longer qualify as swearing.

Now, I understand. I’ve had occasion, I recall, over a dozen years now, to use my whole repertoire here at Queen’s Park. No two ways about it. I confess. I’ve gotten angry too, as the member for Brampton got angry, and as I say, I have exhausted, I’m sure, the full repertoire over the course of 12 years.

Let me tell you about the irony here. I had one of the pages bring down the Oxford English Dictionary, volume 9. This particular swear word dates back to the times of Chaucer. It was originally spelled with a “y” instead of an “i,” but I’m sure Hansard will record Mr Spina’s intervention currently spelled with an “i” as compared to the Chaucerian “y.”

The irony of it is—and please listen—that section 306 would make this a mandatory suspension. Take a look at the bill. There is no discretion on the part of a teacher. It is mandatory that a pupil be suspended for swearing.

**Mr Tascona:** At a teacher.

**Mr Kormos:** Well, who else are you going to be inclined from time to time—Mr Spina was upset with Mr Kennedy and exposed the member from High Park etc to that swear word. Mr Kennedy is a representative of the people of his riding. He’s one of only 103 people who have an opportunity to serve in this chamber at any given point in time. I would consider Mr Kennedy, as any of us, to be persons in authority in so many respects. That’s why I raise this.

I appreciate that the member withdrew it, as he should have, and I have no quarrel with it. I don’t even have that much quarrel with the fact that he said it but for the fact that, my God, he’s lauding this legislation: mandatory suspensions, no discretion, person in “authority.” Please, read the bill. You’ve got to read the bill before you vote on it, don’t you, guys? I suppose not when you have Coles Notes from the Premier’s office, the cheat sheets, the speedy reads. The only off-the-cuff comments today were in fact from Mr Spina. Unfortunately, those contained an obscenity.

1720

So, to Bill 81, I agree: bullfeathers. It’s what it is. It’s a con. It’s a scam. It’s just another pile of bull. It’s an effort, as has been noted so many times, to create an impression that “We’re going to get tough” on this mythology—because it is, by and large. You create this urban mythology of the Canadian and Ontario Columbins. Again, you create a crisis à la Snobelen, right? It’s historic with this government. You create a crisis and then you purport to solve it.

I have been in many high schools in this province. Unlike the member for Brampton, I haven’t spent 12 years in one. I don’t know what your academic problem was, Joe, but I tell you—

**Mr Spina:** On a point of order, Mr Speaker: What I said was that I spent 12 years in a classroom, not in a high school. Come on.

**The Acting Speaker:** That is not a point of order.

The member for Niagara Centre.

**Mr Kormos:** But it remains, member for Brampton, you exposed some of the frailties of the bill today, and I say that to you in all seriousness, by supporting this legislation which has zero tolerance for swearing. I understand there are certain areas for which there is probably zero tolerance in the Legislature too: weapons, violence. But clearly the Legislature doesn’t have zero tolerance for swearing. You didn’t get thrown out. But you see, the kid in the school doesn’t have a chance to say, “Teacher, I withdraw.”

*Interjection.*

**Mr Kormos:** Oh, please. Bullfeathers, Mr Runciman. But it was a delicious little bit, here in the afternoon at Queen’s Park, and it will go down as one of Mr Spina’s bons mots. Did I say that right, Mr Marchese?

**Mr Marchese:** “Bons mots.” C’est bien.

**Mr Kormos:** Let’s move from that. I’m glad the parliamentary assistant is here, as he has been. You know, Parliamentary Assistant, and I talked about this last week—again, you talk about your code of conduct. Down at Thorold Secondary School, the 128th air cadet squadron has been hosted by that school for 58 years now, in a partnership, since its origins back in 1942. Over the course of those 58 years, scores of young women and men annually have graduated from their ranks and participated at the junior levels of the air cadet corps. Thorold high school has an asphalted area that they use as a parade ground in good weather and for their annual parade, which I have attended for many years now. They use the gymnasium inside. Back in 1986, they actually built with their own materials and labour a squadron room and a storage room. They are welcome guests at the high school. They have become part of that high school culture. There’s an incredible level of volunteer participation, both in the uniformed and non-uniformed areas.

Two weeks ago, they got notice that they would now be required to pay almost \$12,000 a year rent to use Thorold Secondary School. Their annual budget is only some \$6,000, \$7,000 or \$8,000, which, trust me, they exhaust. It’s a modest budget to begin with. You’re talking about young women and men, almost all high school students, with the enthusiasm, discipline and commitment to meet twice a week and participate in any number of community events.

They compete with each other to get sent off to any number of locations for summer training, everything from pilot’s licence to air gliding and other sorts of training sponsored usually by the federal government—fair enough. They are now going to lose their historic home at Thorold Secondary School. Don Reilly, the chair of the District School Board of Niagara, is quoted as saying it’s a result of the changes in funding to the board, that they can no longer afford to absorb the maintenance

costs, the cleanup costs, and so on that are associated with having the air cadets there.

People in the city of Thorold have been rallying to try and find another home for the air cadets. I'm confident they will if they have to, but there's going to be nothing as suitable as Thorold Secondary School with its huge gymnasium to use as an indoor parade square and its huge outdoor asphalted area. It's right in the inner city so it's accessible to all the young people participating in the squadron.

Also it terminates a significant history. I think we, in this government, should be encouraging schools to form those types of partnerships, as they have for 58 years now, with the Royal Canadian Air Cadets and its squadrons.

It was a healthy, positive thing. It was good for Thorold Secondary School, it was good for the air cadet squadron, and most importantly, it was good for what now amounts to thousands of young women and men who have gone through that air cadet program, be it only for a season, but most of them until they reach the age of retirement from air cadets.

That squadron has produced some incredible leadership. Some of it has come back to Thorold and the Niagara region. Other young people who've gone on from the air cadet movement and into any other number of careers display that leadership and are renowned throughout the province. I say to you, Sir, code of conduct: I'll tell you, as I told you last time I spoke to Bill 81, we've got a code of conduct down in Niagara. Kids get suspended every day; kids get expelled.

I quite frankly feel uncomfortable because I haven't heard any teachers say yet that they want the power, least of all to mandatorily suspend. They appreciate the distancing, to be able to refer a problem kid to the principal. Those roles are being muddled as well. It's sort of a separate argument—the stress from the de-principalizing of schools, the absence of vice-principals and so on. It is, for a whole lot of reasons, very healthy for a teacher to send a student to the principal so that the principal can deal with it in a more objective way.

Teachers understand that they get caught up in the heat of the moment as well. They lose their tempers—of course they do. Heck, under these circumstances one understands that, with the pressure that's on teachers. Yes, I have concerns and I think most teachers have concerns about being obligated to mandatorily suspend, with having to assume that role of disciplinarian when that role has traditionally been the principal's, and that role has worked well—I guess it's almost a division of powers.

You talk about safe schools, code of conduct, doing things to straighten up kids and prevent them from falling by the wayside. I don't think there's a person in this chamber who isn't going to support that proposition, but I'll tell you, down in Thorold the 128 air cadet squadron has done that very thing in partnership with Thorold Secondary School as its home base. We should be, and this government should be, encouraging and facilitating

the utilization of school facilities by air cadet, sea cadet, army cadet programs, Boy Scouts, Girl Guides, all those other sorts of community-based programs, recreational programs.

Yet what we're witnessing is an accelerated increase in the imposition of user fees by boards on these various parties. I can only tell you what the board has said publicly: that they're compelled to do it down in Niagara, that they can no longer host the air cadet squadron because of the changes in funding by the government, that they simply do not have the budget any more for the maintenance upkeep that they say they would require and that means having to charge the air cadets \$12,000 a year which means the air cadets are out of there.

**1730**

I hate to see this. I don't want to sound like a doom-and-gloomer. I hope that doesn't mean the end of the 128th squadron. It would be so convenient, I suppose, for some people in Niagara to talk about merging some squadrons, like megacity sort of stuff. No. The 128th squadron, with its incredible history, deserves to keep its home. In my modest participation in this debate, I want to impress upon you the need for the Ministry of Education, this government, to intervene promptly down in Niagara to ensure that those young women and men in the 128th air cadet squadron are able to maintain their historic home of Thorold Secondary School. There's a great relationship between the two. The two supplement and benefit each other.

I don't think it stands alone, because I know of other schools which have been the host for any number of activities, as I talked about—youth activities, recreational activities, using the gymnasiums for basketball courts and so on—where the increasing utilization of user fees has forced especially young people out of those activities. I bet you that those activities that I listed, air cadets all the way on down, are a heck of a lot more effective, really, than codes of conduct by themselves, whether the codes of conduct we have now that have been implemented virtually across this province by any number of boards of education or the one that you propose. With those programs like air cadets, army cadets, navy cadets, Girl Guides, scouting and sports programs, you get a far better bang for your buck, no two ways about it.

To the parliamentary assistant, I ask you to help me and, more importantly, those young air cadets and their families deal with the board of education down there and I ask you to ensure that this government does what it has to do to keep that squadron in Thorold Secondary School.

**The Acting Speaker:** The member for Trinity-Spadina.

**Mr Marchese:** You see how, as good socialists, we share our time? I want to admit to another human frailty of mine, because I always aspire to some form of semi-divinity. Behold, human frailty.

First of all, I want to say hello to my niece Celina Marchese, who is watching this parliamentary channel. She's only five years old. She wanted to see her uncle today.

*Interjections.*

**Mr Marchese:** I wanted to say hello. Peter Kormos says hello, Celina. The government members say hello.

**Mr Kormos:** Aw, they're just being opportunists.

**Mr Marchese:** They're being nice. From time to time they're nice.

With respect to this bill, have you noticed that when they speak to this bill, they never make mention of the code of behaviour the New Democrats brought in in 1994? Have you made that observation? Most of you haven't spoken, because it's the same old crowd speaking in this place, at least from the government benches. When they speak to this bill, they don't say, "In 1994, the New Democratic Party brought in a code of behaviour," and that it was either good or bad or indifferent or that you're indifferent to it. There's no mention of the code of behaviour, not once. Why is that so? Good citizens of Ontario, why is it, do you think, that they never mention the code of behaviour? It doesn't matter who brought it in. It was our government who brought it in, right?

**Mr Kormos:** The government.

**Mr Marchese:** The government. It was an intelligent piece. It was comprehensive. As far as I know, every board in Ontario has a code of behaviour. I've not been disproven. I'm assuming that every board has a code of behaviour in place, as we had determined in 1994. Was that code of behaviour good or bad? Speak to it, members of government.

**Mr Spina:** It was good.

**Mr Marchese:** It was good, Joe Spina, member from Brampton? It was good. OK.

**Mr Spina:** Not enough.

**Mr Marchese:** Not enough. So this is the point I want to make: If the code of behaviour were good, member from Brampton, then why not just fix that? Why put into place something else that is very much similar? I'm not quite certain of the nuances. There are some, such as that parents can decide to have a dress code, so they'll have uniforms and the like. When the minister originally made the statement on April 24, I believe she said that everybody will sing—all immigrants will sing—a pledge to the Queen. That's why I was infuriated at the time, and that's why Mr Turnbull, the member for Don Valley West, got so angry at me. That's what the minister said at the time, that all the immigrants will sing a pledge to the Queen. It infuriated me because it made me feel that I, as an immigrant—that wasn't there when I came—am not a good Canadian, and the way to be one is to sing or recite a pledge to the Queen. I thought that was very odd because I didn't think to be a good Canadian I needed to recite an oath to the Queen, surely. I was incensed, infuriated, at the stupidity of the idea. Since then, the government and the minister have learned much and have now not made it mandatory any longer. Schools can, as an option, decide to do that still.

There are some things that are in this code of conduct that are slightly different. But to change the essentials of the code of behaviour—does it do that? It does not. I'll tell you what it does. Good citizens of Ontario, this is not

a debate we're having in this place. It's never a debate. The debate is between us and the public as to whether you believe us or you believe them. That's the debate. There's no genuine debate in this place. They have their bill, they carry their position—very dutifully, I would add—and they carry it through. They have the usual members who make the speeches, assisted by the Premier's office, no doubt, and they do what they are told to do.

I want to tell you the title of the bill. The title of the bill, as usual, is very instructive. It's called An Act to increase respect and responsibility—I don't know about that, but it doesn't matter. You don't have to read the bill; just read the title. It's about respect and responsibility, to set standards for safe learning—remember, we have the code of behaviour; I guess it's inadequate—and safe teaching in schools, meaning we're helping those poor teachers whom we are about to whack with Bill 74. We beat them around with a cane from here to the end of kingdom come and then we introduce a bill that says, "This is for you, teachers, because we think you need the help." Right? You've been chasing them around the block, all around Ontario, and then you say: "But we like you, if not love you, and we've got a bill for you because we want safe schools and we're going to give you the power to suspend. You've been asking for it, so here it is." As if it makes up for the—I was about to say "evil," but the ugliness of Bill 74, which many of us detest, not just teachers but students, trustees and parents, at least those who understand what goes on in the system.

As if the title—see, the point of it is, we need a new code of conduct. Why? Because we need to make people feel good, right? Give them the impression we're doing something different, that we're about to create a new discipline in the school system that has been lacking for decades and decades, and finally the king of lucidity, the Premier, and the other bright lights come with a code that when misbehaviour happens, it will be dealt with. That's what this title is all about.

I read inside the bill, page 2, and observe. Listen closely to what it says:

"301(2) The following are the purposes of the code of conduct."

When you read through this, you don't see the connection between the stated objective and the substance of the bill, but here it is:

"1. To ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity." Right? Because we love teachers and teachers are so badly treated, not by this government but by students, that 1 is intended to make sure that teachers are treated with respect. It's odd. It's a curious mix of contrasts. We beat up the teachers on a daily basis and then we say here in Bill 81, "To ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity." All along Bill 74, you're chasing them around the block with a big long cane, and

then you bring in number 1, that says they need to be respected. It's curious, no?

"2. To promote responsible citizenship by encouraging appropriate participation in the civic life of the school community." Oh, yes, that's why we're having no hearings on this bill. Isn't that what citizenship is all about? Citizenship is about silence. Citizenship is about making sure you stay at home relaxed. You don't even have to watch the parliamentary channel. You don't even have to read bills. You don't have to do a thing. Citizenship means the government does it all for you. It's an active process.

1740

**Mr Kormos:** And does it consult you?

**Mr Marchese:** They don't have to consult, because they did it already in 1995. They don't have to for three or four more years.

**Mr Spina:** Tell us about the hearings for the social contract.

**Mr Marchese:** I didn't know we were dealing with that bill. Are we? Wasn't that a long time ago? Joe, let me go on, will you? And no swearing allowed, all right? Just remember, the code of conduct prohibits you from swearing.

*Interjection.*

**Mr Marchese:** The member from Don Valley North, I'm continuing here with the purposes of the code of conduct.

"3. To maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility."

You really need glasses for that one, I tell you.

**Mr Kormos:** Is that the fine print?

**Mr Marchese:** It's very fine. "To maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility." It's the way this government operates on a daily basis: "We respect each other. We consult each other. We consult the public. We consult and respect the teachers." Right? All the while we came them from here to the other end of the world. I'm surprised they haven't brought in caning in the province. Scary thought.

**Mr Johnson:** Say that again?

**Mr Marchese:** I'm surprised you haven't brought in caning as a discipline idea.

"4. To encourage the use of non-violent means to resolve conflict."

"5. To promote the safety of people in the schools."

"6. To discourage the use of alcohol and illegal drugs."

OK, that's Bill 81, the objectives of the code of conduct. Then you read through the rest, it's got nothing to do with anything that deals with any of the purposes stated therein; nothing. The rest is all to do with punishing, how we punish those unruly young kids, making sure that as soon as they express any feelings that are contrary to the code, they get expelled or suspended immediately, because that's how, magically, we make it go away,

right? You just magically make it go away: You suspend them. It's beautiful.

*Interjection.*

**Mr Marchese:** Bullying? Mike Harris. That's how you spell it.

**Mr Brad Clark (Stoney Creek):** I'm talking about real bullying.

**Mr Marchese:** You asked me, "How do you spell 'bullying'?" and I said, "Mike Harris."

That's the bill. The code of conduct is nothing new. If the government was interested in doing something about real problems, they would deal with and tackle the problems that I think we need to speak to, and that is: We need early childhood education, learning dealing with children who have mental illness and making sure the services are there, services you have cut. Resources for schools are desperately required, those which you have cut. We need more, not fewer, teachers, which is what Bill 74 will do. It will fire 2,000 teachers, making supervision in our schools, by the way, much more complicated, because the fewer teachers there are, the fewer to do supervisory kind of roles during lunch, during other times when it may be required. Talk about safe schools: If teachers don't have the time to supervise because they're always in the classroom, our schools are not going to be much safer than they profess. Special needs professionals are needed. We have fewer than ever before, but we need more. If we want to deal with this problems that children will expose themselves to and therefore bring the problems into the school, we need to deal with issues of poverty and with issues of housing, many things that are desperately wanted but that they are cutting.

That's why I often refer to the billion-dollar boondoggle. To buy people's votes for 200 bucks is perverse. You're buying people's votes for 200 bucks. In the aggregate it's one whole billion dollars. Imagine what you could do with \$1 billion. All the while you have the government crying that we don't have any money and that we are not wasting money like previous governments, that we want to give our money for tax cuts and therefore we don't have any money for the services I have mentioned.

Speaking about other cuts, let me go through it again, because it's instructive. In Windsor-Essex, there are 1,000 children on the waiting list for mental health care. The rate of referral is a shocking 37% among these children. In Halton, teenagers wait six to 18 months to see a psychiatrist. In 1998 the Ontario child advocate estimated that 80% of youth in young offender facilities have mental health problems. In 1995 the Harris Conservatives eliminated funding for 64 community youth support programs serving young people between 15 and 20 years of age.

It was all to pay for the tax cut, and then they have no money. To help pay for the tax cut for the wealthy the Harris Conservatives eliminated funding for adult and family counselling in 118 programs. There were almost

30,000 more poor families in Ontario after one year of the Harris Conservative government.

This is a long list of cuts.

**Interjection:** That's an indictment.

**Mr Marchese:** It's a short list because we don't have time. It's an indictment of this government. Are you kidding? They create the crisis by cutting the services people need, and then to solve the problem, as you were saying, member for Niagara Centre, they then bring in Bill 81 that says as soon as we have misbehaviour they will either be expelled or suspended—a magical solution.

We don't prevent it by making sure money is put into those programs to make sure you have healthy families and healthy children who are able to come into a healthy environment where they can learn. We don't do that. We take the services away, making it harder on children, therefore bringing their discipline problems into the school, and to solve it we say they will be suspended or expelled when they misbehave.

It's brilliant. You create the crisis and you solve it through a discipline-related kind of bill. That's what this bill does. It's punitive. It has nothing to do with prevention, intervention or mediation initiatives whatsoever. There is not one initiative mentioned in this bill or anything they have done that mediates, that deals with intervention or that does prevention. The most perverse thing of all is that they know this. They know what they're doing. That's why I say it is insidious in nature. When they knowingly do something that doesn't solve the problem but compounds the problem, I say it's subhuman, it's insidious, it's perverse.

I know some members don't like to hear these things, but maybe they want to hear it from a person who has been an educator since 1960, a teacher, a curriculum coordinator, a principal, a superintendent and a director of education. He says that when Bill 74 is proclaimed he will resign. But he speaks—

**Mrs Elliott:** This is Bill 81.

**Mr Marchese:** I appreciate that this is Bill 81; I appreciate, former minister, what you are saying. I'll bring you back to 81.

The title of it is this: "Response to Ecker's Statement on School Code of Conduct." So here's a whole page on that and another page on Bill 74.

**Mr Kormos:** Now she understands.

**Mr Marchese:** Do you understand that? I see you nodding. Therefore we're on the right track. Here's what he said.

1750

*Interjections.*

**Mr Marchese:** S'il vous plaît, calmez-vous.

"Our province has suffered through some very traumatic events." This is not me speaking; it's the individual I will identify in a second. "It's disturbing to see the callousness of the Conservative caucus. It is of great concern to me that a government that denies its responsibilities in the Walkerton tragedy, is found in contempt of the Legislature for obstructing the investigation of the privacy commissioner and puts tax cuts ahead

of the protections and services that regular folks need is pretending to teach students how to behave." Powerful.

"It looks to me like the people most in need of a code of ethics are the members of the Conservative caucus, starting with the Premier. How can you possibly pretend to have lessons in respect and good conduct for the youth of this province? This code of conduct legislation is really a decoy for your real purpose: cutting the number of teachers and educational staff in our schools. A government that deliberately cut violence prevention from the school curriculum has no credibility when it comes to solving youth violence."

You remember that in my previous speeches I made mention of this, but he reminds me and reminds you, in case you good citizens don't believe me.

"No educator in the community asked you to give teachers the right to suspend, and principals the right to expel, students. Principals and vice-principals always played this role, providing fairness and accountability. Once a student is expelled, there are no existing strict-discipline schools the way you define them and few supports in place to help children who have been expelled. The problem will only be moved elsewhere.

"The Eagle project of the Peel District School Board program pointed to by the minister is completely supported by private funds." There is no public support for that. "Further, once the student is expelled, there will be no legal obligation for the student to attend the alternative program.

"This legislation is really about demonizing our young people for the sake of scoring political points and taking the public's attention away from your sinister education cuts."

Good citizens of Ontario, the person who wrote this is Mr John Borst, an educator since 1960, a teacher, curriculum coordinator, principal, superintendent and director of education. I think you need to listen to these voices, because if you don't believe politicians in opposition, you need to believe people like that.

I've got to tell you, there is actually no evidence that school violence is getting any worse, none whatsoever. By the way, boards of education, directors, are required to give you that information. If you have that information, and I assume you do, and it could be shown or proven that school violence was getting worse or out of hand, I have no doubt in my mind you would have published that. But the results are not like that. There is no evidence to show that school violence is any different than it was 10 years ago, but that's not your purpose, is it? The purpose is not to bring forth evidence; the purpose is to demonize young people. The purpose is to make them believe that you are dealing with violence problems in our schools and that Bill 81 will do it. That is your purpose. That's why I say it is perverse, because you know exactly what you're doing.

We've always had these problems. Under the current rules, you know that principals are required by law to call the police in the event that someone brings a weapon to school, is dealing with drugs, assaults another student

and/or teacher, and the like. These activities are being dealt with at the moment through the code of behaviour brought in by New Democrats in 1994, yet you make it appear like you're doing something radically different. You make it a very punishing and punitive agenda. Contrary to your stated purpose that I read out earlier on from the bill, it does nothing of the sort.

I have mentioned twice in my previous speeches Dr Steinhauer, who sadly died a couple of weeks ago. He was the one who alerted me to this. He says, "All the government cutbacks to schools and social services are causing a significant increase in the number of kids behaving in a negative and disruptive manner." He reminds us of this as a specialist in the field. He's saying, "You are causing greater problems, and you're not solving them by punishing them and throwing them out of the schools." The few teachers who are in your caucus ought to know that you don't just magically send the problem away; you don't magically suspend it. It comes back unless you deal with it. Unless you deal with a problem, the problem continues and you only aggravate it by suspending them. It's quite obvious, but you know that, don't you?

*Interjection.*

**Mr Marchese:** They do know that. What you also know is that this diverts attention from the cuts you have made, which I have mentioned. It diverts attention from the real problems, in this case the lack of help for kids at risk. The kids who are desperately reaching out for help don't know where else to turn. All they've got is a teacher and a school system that might reach out to them, and what you have given them are the tools to suspend them or to expel them. That's the only language you speak in this bill.

It's a pitiful way to do politics. It's sad and depressing. Placebo politics to make people feel you're doing something, when in fact you're doing the opposite. You're causing the erosion of our social system. You're causing an erosion, a diminishment of it, and then you solve it by punishing the very victims you have victimized. It's truly sad, depressing and pitiful. All I can hope is that the public won't take it much longer. Sadly, we've got three more years until their end, until their demise. Can't wait.

**The Acting Speaker (Mr Michael A. Brown):** First, I have an announcement. Notice of dissatisfaction: Pursuant to standing order 37(a), the member for Timmins-James Bay has given notice of dissatisfaction with the answer to his question given by the Minister of Natural Resources concerning 21-day camping. This matter will be debated at 6 pm.

Pursuant to the order of the House dated June 12, 2000, I'm now required to put the question.

Mrs Ecker has moved third reading of Bill 81. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

Opposed will say "nay."

In my opinion, the ayes have it.

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

I have a letter from the chief government whip which asks that the vote be deferred until routine proceedings tomorrow.

## ADJOURNMENT DEBATE

**The Acting Speaker (Mr Michael A. Brown):** The member for Timmins-James Bay has up to five minutes.

### CAMPING

**Mr Gilles Bisson (Timmins-James Bay):** Mr Speaker, I don't plan on taking five minutes. I just want to try to put this issue into some context to, I take it, the parliamentary assistant as I don't see the minister—actually, the minister has come in.

Earlier today, the minister responded to a question in the House from his own back bench saying he wanted to encourage people in Ontario to utilize provincial parks, something that I understand, and I agree philosophically that our provincial park system is a good one that we should be proud of. But when I listened to the answer unfold, it almost sounded as if the government and the minister were trying to put an emphasis that maybe that's the only way we should do camping within Ontario, and it brought me to raise in the House the question in regard to what's happening with the policy that MNR has started to enforce this year, which is to limit people's ability to camp on crown land to 21 days total.

Let me put this into context. There has been a policy within the Ministry of Natural Resources for some years that says you're not allowed to camp more than 21 days cumulative on crown land. No government up to this point has enforced that policy. I believe it was put in place by the Conservative government of Bill Davis and was not enforced either by the Peterson Liberal government, the Bob Rae government or in fact the first term of the Harris government, because we all understood that policy was meant to speak to those areas that have high concentrations of usage. Where there are places in Ontario where there is large competition to camp on crown land, that policy was there for MNR to utilize to try to give a bit of fairness as to how we deal with crown lands that have a lot of pressure on them.

### 1800

What we're talking about here in northern Ontario are not crowded pieces of crown land. We are talking about remote pieces of land in northern Ontario, in my riding of Timmins-James Bay, in Kenora-Rainy River, in Nickel Belt and others, where people are going out to camp on land. For example, I was talking to a gentleman just this afternoon who called after he saw my question in the House and said: "Gilles, I live in Kapuskasing. I go camping with my trailer on the Kapuskasing River. I'm the only camper in that area. I am not even up against the river; I'm about 200 feet away from it and I don't restrict access to the river. I'm not bothering anybody. I'm out on my own. I've been there for six years." MNR has

gone in and said to that person: "You're out of here after 21 days. You have no more right to camp in this particular area." I said to that gentleman, "That's wrong." The government, certainly to God, has to understand how we utilize this old policy: to only enforce it in those lands that have high pressure. But in the multitude of land in northern Ontario where we haven't got a big pressure on areas for camping, the ministry, in my opinion, should not enforce that policy and should allow people to camp and utilize the great outdoors for what it's meant to be.

I want to go back to the Minister, and the reason I re-raise this question by way of this late show question tonight, is to say to the Minister of Natural Resources: "Don't tell me it's a policy that's been there for a long time. We know that." Don't tell me, as you tried to tell me this afternoon, "Why didn't you deal with this when you were in government?" Listen, we never had a problem because we understood that policy was there for the MNR to utilize in cases where there was pressure on particular pieces of land. But what's happened now is that the ministry has decided to apply this policy across all crown lands. I think that's wrong. Certainly where there's a lot of pressure on a particular camping area, I could maybe understand why the MNR would want to do that, to promote fairness for campers to utilize and to get into those areas so that not all the same people are there all the time. That I think most people would accept as fair. But what you're doing in the case of this particular policy is applying a blanket policy now across the province, and it doesn't work that way.

I have a multitude of campers who have come to me from in and around my riding of Timmins-James Bay, from the Nickel Belt area, and I've had some calls from Kenora-Rainy River, from Thunder Bay area, from the Kenora area as well, who have said: "Listen. We are camping in an area where there isn't a large amount of pressure on the land. We are one or two campers. Other people are not restricted from getting access to those lands. We're not bothering anybody. There's no added pressure. We take out our garbage. We take good care of the area. We haven't had a problem up to now, but now the MNR is telling us we have to move." They're only allowed to park on that particular land for 21 days cumulative. So that means to say if I have a trailer and my good friend Peter Kormos is a part owner, we get a total of 21 days between the two of us to camp on that particular piece of land. That's unfair.

I question the Minister of Natural Resources. I know the minister is a fair-minded individual and I call on the Minister of Natural Resources to do the right thing and to tell the MNR officials to only enforce that policy in extreme cases where there is a large amount of pressure on the land and not enforce a blanket policy across northern Ontario that, in the end, is going to penalize people and push people into provincial parks and paid campsites.

**Hon John Snobelen (Minister of Natural Resources):** I thank the member opposite for the opportunity to address this question earlier today and again this

evening. I know the member opposite is familiar with the various regulations in the Ministry of Natural Resources, and he's also very familiar with the camping available at parks and the fees attached to that. He's probably very aware of the private recreational properties that are allowed under permit by the ministry under a land use permit, and there are many of those across Ontario—hunt camps and these sorts of things—basically permanent structures done under permit by the Ministry of Natural Resources.

What we address today, though, is a different situation. It's not the use of a park for camping, for which there is a fee, or the use of crown land on a long-term basis by use of a land use permit. Instead, it's the use of public land for camping on a regular basis. The ministry, as the member points out, has had for some time a 21-day limit to the amount of time any one person might occupy that land.

The member has correctly pointed out, and I think he agrees with this policy where it applies to particular camping sites that are very popular and that might have some demand. We have been asking the ministry as a result of the member opposite's inquiries—both today and prior to today, I might point out, he has made this inquiry to me—as to what the enforcement is on this policy, how we are going about enforcing it and what brings it to our attention. We will do that. I think the member opposite raises an issue that is an issue for his constituents.

I would like to point out, however, that there is another viewpoint in constituencies across northern Ontario. I'd like to read very briefly a letter to the Timmins Times on May 27 of this year. It goes like this:

"I for one ... am in favour of a 21-day camping limit. There are basically only 15 weekends in the summer for me and my family to enjoy. Both my wife and I work and therefore cannot get out during the week. Some weekends the yard work has to be done." I think that's a good point in the letter. "I am lucky to go out camping maybe 10 weeks in the summer, and on weekends only. That is well within the camping limit.

"Before I was transferred to Kapuskasing three years ago, I never had a problem finding a remote lake with an accessible boat landing. It was relatively easy to pitch a tent for the night, get firewood from a clear area along the way and generally have a good time.

"I moved back to Timmins last June. After a hectic move, we decided to get away and go camping. Well, that was a disaster! Every one of my 'secret spots' had a camper trailer set up, making it almost impossible to dock my boat, park or even turn around. And the trailer campers stand there and look at you like you're some kind of trespasser, invading their personal space. Other spots where there were no trailers set up were littered with garbage, nails, broken glass and half-built shelters. The forest is for all of us to enjoy. There are a lot of trailer campgrounds sanctioned. Put your trailers there, or haul them in every weekend. First come, first served."

To complete the letter: “Anyway, I will probably stay close to provincial parks from now on and let the freeloaders have the forest as there is no thrill in camping with strangers who don’t want you there. I am trying to get away from stress—not create it.”

That’s from Mr Robineau in Timmins, in a letter to the Timmins Times. I bring that up not to validate that point of view or another point of view, but merely to say that there are two issues here that need to be brought to balance. That’s the purpose of the Ministry of Natural

Resources. I will take the member’s concerns to the ministry—we already have—and hope that we can find a proper resolution. I thank him for bringing it up again today on behalf of his constituents.

**The Acting Speaker:** There being no further matters to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 6:45 of the clock this evening.

*The House adjourned at 1808.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
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		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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