



**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 26 September 2000

Mardi 26 septembre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 26 September 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 26 septembre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

GOVERNMENT

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I want to begin by saying what a privilege it is, after 215 days, to be here in this place and able to speak for the people of Ancaster-Dundas-Flamborough-Aldershot, the riding with the longest name, because its citizens have such big hearts and dreams.

I am pleased to join the many veterans in this place whose callused hands and feet lend evidence to our common goal of working together to build strong, just and healthy communities.

I want to quickly share some important lessons from the recent by-election, things that need to be said and—dare I say it?—heard.

First, people have lost trust in government in general, and in this government in particular. The people I represent today want to see government done differently. They want government that can point direction, not fingers. They want government that will drop the need for no-fault insurance, which the people of this province pay a heavy premium for. They want government that will tell them the truth on municipal restructuring, education, health care and the environment. Finally, they want to see a government that can work together and develop new approaches, approaches like those suggested by my good friend and colleague Brad Clark across the way, that will allow us to work together to achieve the common good.

In this regard, I pledge, as I'm sure Brad does, to do everything I can to walk, talk and work with your government when I can, and to stand strong against this government when I must.

GRAND RIVER
CONSERVATION AUTHORITY

Mrs Brenda Elliott (Guelph-Wellington): I rise today to congratulate some Ontarians who, while in Australia, have shown themselves to be among the best in the world. I'm not talking about wins in the Olympics, but at the Theiss Environmental Services Riverprize competition.

I am proud to inform the House that this year's Riverprize was awarded to our own Grand River Conservation Authority. The GRCA's chair, Peter Krause, and CEO, Paul Emerson, travelled to Brisbane, Australia, to receive the prize, along with \$100,000, on behalf of the authority earlier this year.

The Riverprize rewards international excellence and innovation in river management. It recognizes the expertise and hard work the authority has put into the management of the Grand River and its tributaries. But more than that, it recognizes that right in Ontario are being developed some of the best and most innovative river management techniques in the world. GRCA is now acknowledged as a world leader in watershed initiatives. This brings a great deal of international prestige to the GRCA, and there are other spinoffs including invitations about the possibility of doing consulting work around the world.

I would ask all members to join with me in congratulating the Grand River Conservation Authority for its wonderful accomplishments and for its wonderful work for our environment here in Ontario and in wishing them further successes in the years to come.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael Gravelle (Thunder Bay-Superior North): With the return of the Legislature after a long summer break, there are certainly many issues I look forward to addressing during this fall session, all of which will have a large impact on my constituents. However, as this is my first opportunity, I feel compelled to begin by reminding the Premier and the Minister of Health that the unfairness and inadequacy of the northern health travel grant program continues to be the number one issue for the constituents of Thunder Bay-Superior North.

Every day I hear more stories about the inadequacy of the program and how unfairly it is administered. For the past year, all my northern colleagues have been part of a campaign to get this government to acknowledge the discriminatory nature of this program.

Minister, last May you finally announced there would be a full review of this program. You also made it clear that the results of this review would be made public. In addition, you said the review would be completed by the end of the summer. Mr Speaker, the leaves are changing colour.

Minister, your government is keen on talking about promises made and promises kept, and indeed we are

desperate for you to come through on this promise. You recently signed a health care agreement with the federal government which will add billions of dollars to your health care budget. Surely you can use some of that to return fairness to northerners who have been forced to spend thousands of dollars of their own money to access care for themselves or their loved ones.

This is an issue that has defined the frustration people in my part of the province feel about this government. It is about nothing less than fairness, Minister, and I can promise you that I and all my colleagues will not rest until this fairness is restored.

CHIPPAWA SESQUICENTENNIAL

Mr Bart Maves (Niagara Falls): On Saturday, September 9, I had the wonderful opportunity and the great pleasure to participate in the Chippawa sesquicentennial parade and fall fair. This year, in celebration of Chippawa's 150th year, the village of Chippawa citizens' committee organized a fun-filled day for everyone, with antique cars, live music and historic displays.

Many organizations from the Niagara region participated with their floats in the parade. Travelling in style, the parade's king and queen were carried by a horse-drawn carriage. Thousands of people attended, and the event was a great success. I would like to offer my congratulations to Bill Manley, Don Ede and the village of Chippawa citizens' committee on a job extremely well done.

The village of Chippawa is truly a unique and wonderful community. I proudly bought a sesquicentennial T-shirt that day, but decorum in the House doesn't permit me to wear it as I make this speech or I would. Chippawa is a beautiful community with a beautiful waterfront sporting a new dock, and it's going to grow in the future. The community is best known for its wonderful people, who are very prideful of the community's past and, I know, look forward to its future.

Congratulations to the citizens of Chippawa on their sesquicentennial.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Gerard Kennedy (Parkdale-High Park): It is with some regret that I rise in the House to advise members that right now in Whitby, the parents of students in that area are occupying the school board offices as part of the turmoil this government visited upon the education system. It started there, it started in Durham, where for four years this government, its members, its minister who represents the area, its member on the cabinet committee for education who also represents the area, decided in their wisdom to inflict the staffing formula, the arrangements of Durham, on the whole province.

So right now there are police at the school board offices. Yesterday there were protests by students, but the

Durham disease has been exported deliberately by the government around the province. So what we see now is student protests in places like London, Stratford, Hamilton, Durham, Renfrew, Kingston and Kitchener-Waterloo. The students are unhappy because of the chaos this government has brought them.

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The voice this government will not listen to is the voice of students. As Jenny Pincombe in St Thomas says, "They're missing out on their scholarships, they're missing out on their quality education, they're missing out on their help room." They're not getting that because this government gave extra workload to teachers because they wouldn't put the value on children. Right now, today, we need to remember that that's where the tracks come back to, to this government. The only time the members of this government are willing to put kids first is where it matters to them—in their advertising—and that's it.

CANCER CARE

Ms Shelley Martel (Nickel Belt): The Harris government must end its discrimination against northern cancer patients. For almost 18 months now the Conservatives have paid 100% of the costs of southern Ontario cancer patients to access care in Buffalo, Detroit, Kingston, Sudbury and Thunder Bay; 100% of the cost of travel, accommodation, food and taxi fare. In contrast, northern cancer patients, who regularly travel far from home to access cancer care in Thunder Bay or Sudbury or Toronto and Ottawa, get only a small portion of their costs covered, 30 cents per kilometre one way, from home to the cancer treatment centre. There is nothing fair or reasonable about this second-class treatment of northern cancer patients.

In May the Minister of Health announced that she would review this inequity. Four months later, the government has still not released its findings on this important issue. I suspect that's because the review clearly shows the discrimination exists.

Last week I had to file a freedom-of-information request in the hope of finally getting this information made public. The Minister of Health has tried to say the funding is temporary, that it will end when the waiting list for cancer treatment for southern Ontario patients ends. But this program has already gone on 18 months now and it will go on a lot longer in the face of the seven-month waiting list for breast cancer treatment which has recently been confirmed.

No more delays, no more discrimination. Treat northern cancer patients like southern referral patients. Do it now.

INTERNATIONAL PLOWING MATCH

Mr Brian Coburn (Ottawa-Orléans): It's my pleasure to rise today to extend congratulations to my colleague from Waterloo-Wellington, Mr Ted Arnott, as

well as to the organizing committee led by Mr George Robinson and the hundreds of dedicated volunteers at this year's international plowing match in Elora. Last week's event proved to be an outstanding success, one of which the beautiful county of Wellington can be proud.

Plowing matches have been an integral part of Ontario's agricultural heritage. In fact, history shows that in 1846 the first provincial agricultural exhibition was held in the city of Toronto. Part of this event was the plowing match, which took place on a farm in the vicinity of Yonge and St Clair streets. It was an opportunity for farmers to show their skills at handling walking plows as well as showing their teams of horses. Over the years, the match has evolved into one of the finest agricultural showcases in North America.

This match is an opportunity for the agricultural community to come together to share new ideas, new technologies and best practices. All in all, it is a very worthwhile as well as an exciting annual event in a different part of Ontario each year. Next year, the 2001 plowing match will be held in the city of Cumberland, where I was mayor prior to being elected as an MPP. The chair of the 2001 plowing match, Mr Sam Dagg, along with up to 2,000 volunteers, has been working tirelessly to ensure that this match will be the best yet and is anticipating attendance of over 250,000 people at the first fully bilingual match sponsored by the Ontario Plowmen's Association.

It is with great pride, on behalf of my colleagues in the Ottawa area, that I extend an invitation to all members of this House to our community in the new city of Ottawa for next year's International Plowing Match, September 18 to 22.

VIOLENCE AGAINST WOMEN

Mrs Marie Bountrogianni (Hamilton Mountain): I rise in the House today to speak about an event which took place here at Queen's Park on Wednesday, September 20. Representatives on behalf of 81 women's groups from across the province held a press conference and meeting to ask for our united support for emergency measures to end violence against women in the province of Ontario. My leader, Dalton McGuinty, signed that commitment on behalf of the Liberal Party, but the Mike Harris Tories were unwilling to do so.

As Liberals, we believe that women have the right to safety and security of person, that children should grow up free from fear. We believe that an investment in emergency help lines and shelters will be a small step toward creating a better situation for women who suffer from domestic abuse.

There is a crisis in Ontario. It's a crisis that women and children across the province feel equally. Women are killed by their partners and former partners at alarming rates, and you are unwilling to stand up and commit to action to end violence against women.

I received a heart-wrenching letter from a resident in the Ottawa area. She says, "It doesn't matter to me where

you live or how much money you have, I want to know if you can get up after a night of grief and despair, weary and bruised to the bone and do what needs to be done for your family."

Violence against women affects all of us, and it scars our children for life. The law-and-order focus of the Tories does nothing to address the fundamental issues of inequality, lack of power, and the cycle of violence which traps women in these situations. Seventy-five per cent of victims still do not report their abuse to the police. Forty women were killed last year, Premier. Doesn't this figure make your blood run cold? When are you going to do something about it?

ADELMO MELECCI

Mrs Tina R. Molinari (Thornhill): It is an honour for me to rise today to talk about a very gifted musician by the name of Adelmo Melecci, who is a constituent in my riding of Thornhill.

Adelmo Melecci was born in 1899 in an Italian village just north of Venice. At the age of 12, he emigrated to the United States, where his serious music studies began. One of Adelmo's teachers at the New York School of Music urged the young musician-composer to move to a smaller community; that community was Toronto. Mr Melecci embarked on a lifelong association with the Royal Conservatory of Music, first as a student, then as a teacher, composer, examiner and musicologist.

Adelmo has had more than 100 pieces of music published world-wide, but it was "Hello, Bonjour," Walt Disney saluting the Canadian centennial, that gained him considerable notoriety. Recently he wrote "Meet Me at the Fountain," which was chosen as the theme song by the Canadian National Exhibition. He is now working on the music for a play, "Life's Highway," to be produced in the near future.

Adelmo Melecci also has three music scholarships in his name. At the age of 101, Mr Melecci was recently made a member of our Three Century Club and is one of our most valued treasures. On behalf of the people of Thornhill, I would like to congratulate and recognize Adelmo Melecci, who, with his family, is in the members' east gallery today. He is truly an inspiration to all of us.

MOTIONS

FORMAT OF PRINTED BILLS

Hon Frank Klees (Minister without Portfolio): I believe we have unanimous consent for a motion related to the format of bills in the House.

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

Hon Mr Klees: I move that, effective September 25, 2000, the format for printed bills of this assembly be

revised from the four-column, side-by-side bilingual format with marginal notes to the two-column, side-by-side bilingual format with paragraph notes.

The Speaker: 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. Carried.

VISITORS

The Speaker (Hon Gary Carr): Just before we get into question period, I'm pleased to inform the members of the Legislative Assembly that we have with us in the Speaker's gallery a parliamentary delegation from the Punjab in India. Please join me in welcoming our special guests.

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: Yesterday, I tabled a motion on the extremely urgent matter of stopping the Adams mine landfill project. I seek unanimous consent of this House to debate this motion today.

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

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ORAL QUESTIONS

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Premier. I believe that returning safe drinking water to the people of Walkerton has got to be your government's number one priority. Yesterday, your environment minister shocked families in Walkerton when he said they will not be receiving safe drinking water for at least another six weeks. They've been without drinking water during much of May; they've done without it during June; they've done without it during July and August when it was hot and the kids couldn't go under the sprinkler. They sure as heck couldn't go into a local wading pool. They are doing without it now. The kids are back in school, when they need baths every night, and they've got to resort to sponge baths. Apparently, they're not going to have the water back on now until November, and possibly even December.

Premier, why are you continuing to fail Walkerton families?

Hon Michael D. Harris (Premier): I appreciate the question and I want to say that for the first time in quite some time he and I agree unequivocally: returning safe drinking water to the people of Walkerton is this government's number one priority. The keyword is "safe." When the medical officer of health is satisfied that all of the resources and all of the engineers and all the

scientists and all the experts have 100% solved the problem and we can guarantee safe drinking water, then water will be restored—again, the key, operative word being "safe."

Mr McGuinty: Premier, you tell us that this is a priority for you and your government, but the facts speak otherwise. In the four months since six people were killed and 2,000 became seriously ill, you have spent \$6 million in a failed effort to clean up the water in Walkerton. But during the exact same period, you spent \$12 million on partisan political advertising: \$6 million to clean up the water; \$12 million to clean up your image. I would call that a very interesting study in contrasts and very telling when it comes to where your priorities lie today in Ontario. So let's be frank, Premier. Why don't you admit it? You are more interested in your political survival than you are in returning safe drinking water to the people of Walkerton.

Hon Mr Harris: Maybe I could respond to both expenditures. Any independent examination of the records of the amount of money we have spent notifying the public of government programs over my five-year record as Premier, when you account for inflation, is less money than the Liberal government spent and less money than the NDP government spent informing the public of the programs that we have.

Interjections.

The Speaker (Hon Gary Carr): Will the Premier take his seat. Order.

Sorry for the interruption. Premier.

Hon Mr Harris: Those are the facts when it comes to the amount of money that is spent on advertising—far less by our government.

The second fact is that we have allocated to Walkerton—

Interjection.

Hon Mr Harris: If the member for Windsor—wherever would like to listen, I'd be happy to explain. If she has the answer, go ahead.

Mrs Sandra Pupatello (Windsor West): On a point of order, Speaker: I'd be more than pleased to take your seat and any seat on that side of the House—

The Speaker: That's not a point of order. Would the member take her seat.

Final supplementary.

Hon Mr Harris: Mr Speaker, with respect, I was trying to answer.

The Speaker: Order. I think the Premier had finished. Final supplementary.

Mr McGuinty: The facts speak loudly here, Premier, and the fact is that you have decided it is acceptable for a family in Walkerton to wait from May until November, and possibly now until Christmas, until the taps are turned back on. Those are the facts.

Remember, you had a choice. You decided to spend \$6 million on investing in repairs in the water system and \$12 million in investing in the rehabilitation of your image. You had a choice, and that's the choice you made. Instead of concentrating on turning the water back on,

you decided to flood the province with self-serving advertising.

Now you tell us, and more importantly, you tell the families of Walkerton who are watching and waiting on your every word right now: how can you justify spending \$2 on partisan political advertising for every \$1 you've invested in the restoration of their daily lives?

Hon Mr Harris: I appreciate the opportunity. Since the members opposite don't want to listen, I will talk directly to the people of Walkerton. We spend less money on advertising than previous governments. We spend less money per capita; we spend less money of theirs.

Now, I can tell the people of Walkerton, we spent several billions on health care over the last four months. We spent \$1 billion on education. On Walkerton—Operation Clean Water—we are now up to \$12 million, and specifically on Walkerton we are spending, and will spend, every nickel requested by the experts who are going to ensure—

Interjections.

The Speaker: Premier, take his seat. I say to all members, we're not going to continue with this. There are numerous members, particularly on the Liberal benches, who are yelling. I say to all members—this is a warning to the entire bench—if it continues like this, I will pick members out and I will name them and they will be asked to leave for the day. We are not going to continue. Usually it's one or two; in this case it's eight or nine who are shouting across. That isn't going to happen. I will pick out people and I will name them and they will be removed.

The entire Liberal side is warned. In cases like this, I might not get the right person, but the entire side is warned. We're not going to continue the rest of the afternoon with that. If it continues, you'll be asked to leave. We'll continue without you being here.

Sorry for the interruption, Premier.

Hon Mr Harris: Since the Liberals don't want to listen and I was asked to speak directly to the people of Walkerton, let me assure the people of Walkerton that every nickel that has been requested has been made available. There is unlimited money to restore safe water to the people of Walkerton.

GOVERNMENT ADVERTISING

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier as well. If you honestly believe that the hard-working people of our province aren't outraged by your orgy of taxpayer dollars being spent on partisan political advertising, then you are much more out of touch than I thought was possible.

Let's put this into some real perspective here. In the last three years the Mike Harris government has spent \$185 million on partisan political advertising. That happens to be \$27 million more than this government is going to spend this year on the entire Ministry of the Environment budget. If that isn't a profoundly screwed-up sense of priorities, then I don't know what is.

Premier, how much longer are you going to put your political interests ahead of the public interests, especially when it comes to clean water and clean air?

Hon Michael D. Harris (Premier): Let me correct the record and say that the Liberals and the NDP spent more on government advertising over the five years than we have. Let me also put on the record that we have not spent, nor will we spend, one cent of government money on partisan political advertising.

Like all governments, we do bear an obligation to communicate with the taxpayers and be accountable for the reforms that we introduce. Since 1995 we've brought in many fundamental reforms which we have an obligation to explain to the citizens of this province.

Interjections.

Hon Mr Harris: Since the Liberals don't want to listen, I will talk directly to the people of the province. Our public information initiatives are an attempt to respond to our accountability to the public. That's why many of our communications include response cards to help foster a dialogue between government and the taxpayers.

So I repeat: not one cent, now or in the future, of partisan political advertising.

1400

Hon Janet Ecker (Minister of Education): On a point of order, Mr Speaker: I sit right behind the Premier and cannot hear his answers, and I would like some assistance on that.

The Speaker (Hon Gary Carr): Stop the clock. I said yesterday that I'm not going to entertain points of order during question period. I'm going to cut them off very quickly. It's sometimes a difficult task controlling, as it is in other situations. We will attempt to do that. I appreciate that the Minister of Education can't hear, but the Speaker will deal with it. I appreciate her input.

Start the clock. Supplementary?

Mr McGuinty: I always knew that the Premier had a good sense of humour, but he fully confirmed that today.

Here's an example of a bit of advertising, valued at \$2 million, I understand, that you sent to Ontario doors. Inside the front cover is a picture of you, Premier. Not a bad shot—you're smiling and looking relaxed, unlike the way we've seen you in this House in recent days.

There's a way we can deal with this in a responsible manner and I put that way on the table. I've introduced a bill. The bill would ban partisan political advertising. It would prevent all governments of all political stripes from ever again doing what you are doing at present and, in fairness, what some governments of other political stripes have done in the past.

It was wrong in the past; it's wrong today. We now have it within our means to bring this to an end. I want to stop it. Why don't you join me and support my bill?

Hon Mr Harris: I would agree with the member that a bill like that would be necessary if the Liberals were in office.

Interjections.

The Speaker: Would the Premier take his seat. Order. Sorry, Premier.

Hon Mr Harris: If the House wishes to hear, I'll repeat what I told the people back home: I would agree with the member that were the Liberals in office such a bill would be necessary. I'm happy to comment on the piece he refers to. It cost 0.04% of the operating budget of the Ministry of Education.

We think it's very important. If you look at the education sector, it's a good example. We've put in place a challenging new curriculum backed up by standardized testing for our students and new, easy-to-understand report cards. We've introduced many other initiatives. We're hearing from parents. They're interested in the new curriculum, they're interested in what's happening in their schools. Like all governments and public bodies, we feel it's important that we inform them of changes that are taking place. So the example the member uses is exactly the kind of thing government should be doing, not the blatant partisan advertising that is the legacy of your party and government.

Mr McGuinty: You're not informing the Ontario public; you're trying to spin the Ontario public and they want nothing to do with it. One hundred and eighty-five million dollars is a heck of a lot of money. We could have hired inspectors that you fired from the Ministry of the Environment. We could hire special education assistants to help our children in Ontario growing up with special learning needs. We could put back some of the hospital beds you so recklessly cut and which we so desperately need. Those are good uses for that \$185 million.

Premier, I've been talking to people across the province about this bill, and there is nothing more powerful than an idea whose time has come. It's time to stop partisan political advertising in Ontario. We can do it. Why don't you join me?

Hon Mr Harris: I appreciate the opportunity to respond to the question from the leader of the Liberal Party. Let me repeat to the public that we already ensure that our advertising is not political or partisan. It informs the public. It's sort of like the balanced budget legislation: we felt it was important to pass, not because we would ever violate the balanced budget provisions, but the record of the Liberals and NDP in opposition is such as that.

It has certainly been stopped. Let me say that a lot of our advertising is also an investment. We spent a modest few million dollars on health care ads over the share of health care funding from Ottawa. That few million dollars got us over \$4 billion in funding. Let me tell you, every Premier across the country will acknowledge that without Ontario's lead, we'd have got not a nickel from the Liberals in Ottawa.

The Speaker: New question.

ENVIRONMENTAL PROTECTION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier.

Interjections.

The Speaker (Hon Gary Carr): Order. Stop the clock.

Sorry for the interruption. The leader of the third party.

Mr Hampton: Premier, the question today is about your willingness to gamble with our environment and with our health just to provide tax cuts for the very wealthy. This is a report from the Ontario Centre for Sustainability, dated September of this year. It says that you've created a crisis in our province, a crisis of dirty air and poisoned water. The centre discovered, when it reviewed the ministries of your government, more than 60 separate items in 13 ministries where you'd failed to protect the environment—across your government.

Premier, have you learned nothing from Walkerton? Why do you continue to gamble with the environment and the health of Ontario citizens?

Hon Michael D. Harris (Premier): I am sure there are some specifics that will follow in the supplementaries, but let me, in general terms, point out the total inaccuracy of the member's statements.

For example, the preamble supposes that higher income earners in Ontario now pay less tax than they did before. The records from the Ministry of Finance clearly show that the top 1% of earners pay more and a higher percentage of income tax than they did under the NDP. The top 10% of earners in Ontario now pay more and a higher percentage of income tax than they did under the NDP.

So with all our tax cuts and all the jobs and all the economic activity and all the investment and all the new revenue we've brought in, the facts of the matter are that higher income earners are now paying more in both real dollars and in percentage terms than they did under the socialists, who seem to think that they are the only advocates for lower-income and middle-income Ontarians. The exact opposite is true.

Mr Hampton: I think the Premier has just proved my case. The Premier is becoming the Neville Chamberlain of environmental protection. You spend so much time trying to justify tax cuts for the wealthy and trying to appease people on where those tax cuts and the money to finance those tax cuts are coming from that you don't have the time to protect the environment.

This report goes through ministry after ministry. It points out the Adams mine disaster that awaits us. It points out your failure to protect the Oak Ridges moraine. It points out why Walkerton happened: that you laid off so many people in the Ministry of the Environment you can't possibly do the job of protecting our water any more. It goes on to the continuing problem of greenhouse gases and dirty air in the province that your government is doing nothing to fix.

Premier, why do you continue to ignore the environment and the health of Ontario citizens when report after report shows how much damage it's doing?

Hon Mr Harris: The Minister of the Environment could outline a litany of things we've done to dramat-

ically improve protection of the environment over the NDP in water, in air and in land. That is an undisputed fact. You can have all the rhetoric you want. You can try and state in question period—you can say things; you can even make them up if you want. But the facts are indisputable, that we are doing more than your government did in protection of the environment, in tougher standards in all these areas.

Since you rhymed off a whole bunch of things, let me talk about the Adams mine. The answer you had, as I understand it, for Toronto's garbage, that you put forward—you condemned the Liberals when they said they would abandon the EA process and they'd dump it in Whitevale. That was their solution. You campaigned against that, and then when you got elected, what did you come up with for Toronto's garbage? Whitevale. Right beside the Rouge Valley, an unwilling host. Is that still your position for Toronto's garbage? That's the question.

The Speaker: Final supplementary.

1410

Ms Marilyn Churley (Toronto-Danforth): Premier, stop being so silly. Nobody believes you for a moment when you stand up and say that you are actually protecting the environment. This is not rhetoric; this is yet again another report outlining the stress that your government is putting on our health and on our environment. I ask you, when are you going to stand up for our health instead of your friends' wealth?

This report discovered more than 100 items where environmental values were ignored or where government action could lead to significant harm to the environment. The cabinet submission, the leaked one which the NDP released, said that less than 10% of the pollutions that threaten health and the environment are actually being inspected.

Premier, all you've done is appoint a consultant to babysit your Minister of the Environment and put together a half-baked SWAT team. I ask you, when will you stop risking the lives of Ontarians?

Hon Mr Harris: I appreciate the fact that this member has taken one of the supplementaries, because we go right to the core. Not only are we setting new, tougher standards, not only are we bringing in new regulations in both air and water, not only are we out there protecting values, not only have we brought forward more parkland than your government, but let's get to the core of what seems to be the reason for your question, and that is Toronto's garbage.

Your solution to Toronto's garbage, after condemning the Liberals for exempting from an EA the Whitevale site in Durham, was to put Toronto's garbage, under the IWA, in the Oak Ridges moraine right beside the Rouge River. That was your position in government. I am asking you now, is this still your position, as opposed to the Adams mine that went through a full environmental assessment? Is that your position?

The Speaker: New question.

EDUCATION LEGISLATION

Mr Rosario Marchese (Trinity-Spadina): My question is to the honourable Minister of Education. You have created a climate of confrontation in our education system. Today, parents at Henry Street High School in Durham are angry. When they arrived at the school to voice their anger, the doors were barred and the police were called. These parents want 200 students who were suspended for protesting the lack of extracurricular activities readmitted to school.

You have caused the problem with Bill 74. You are now asking the board of education to take responsibility and fix the problem. When are you going to fix this mess that you have started so that the escalation of confrontation doesn't spread to the rest of Ontario?

Hon Janet Ecker (Minister of Education): I'm a little surprised that the honourable member, coming from the caucus that he comes from who frequently profess to speak for organized labour, would now be asking the Minister of Education to intervene in the negotiations that are currently taking place between the union and the public school boards. We have certainly seen across the province that locally negotiated solutions are the best solutions. We certainly recognize that in communities where this is not possible, the government and the school board will take appropriate steps.

I'd like to say to the honourable member that today as we speak, and he obviously doesn't recognize this, in literally thousands of schools across this province, thousands of teachers are putting the students first by going out there and not only doing what is required in classrooms, but are also out there doing what is required outside of classrooms: giving students extra help, doing extracurricular activities. Literally thousand of teachers are choosing to do that, and I think that is something the students and the parents very much respect.

The Speaker (Hon Gary Carr): Supplementary?

Mr Howard Hampton (Kenora-Rainy River): Yesterday, I gave the Minister of Education the opportunity to tell the parents, students and teachers of Ontario what her strategy was, what her plan was to resolve some of the difficulties out there. She declined, this minister who claims to know everything about education. Now we find out that the confrontation is developing across the province. Yesterday, in my own part of the province, students in communities like Ignace, Atikokan and Rainy River walked out in protest.

You are the Minister of Education. You forced Bill 74 through this House so you could make all the decisions. What's your strategy, Minister? What's your plan to resolve the kind of confrontation and conflict that you and you alone have created?

Hon Mrs Ecker: This government has been very clear, before both the 1995 election and the 1999 election, that the quality reforms that were required in education were going to require higher standards in a whole range of areas from curriculum to financial to report cards. A number of standards we said we would

set—a workload standard, an instructional time standard for teachers—we set two years ago. This is an old issue. We set it two years ago. We invested more money this fall to help school boards come to fair agreements with the teachers. We set that standard based on what other teachers across the province are doing.

I understand why some of those students are extremely frustrated. Those extracurricular activities are something that is part of their educational experience. There are thousands of teachers today who are choosing to provide those services for those students because they know it's important for those students. When those students see other teachers who are not choosing to do that, of course they're frustrated, and that's why we are continuing to work with the school boards to try to resolve—

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

WASTE DISPOSAL

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. We in our party believe that water is a very precious resource, and we feel we should all share a very heavy responsibility when it comes to protecting it. That brings me to the Adams mine.

So that Ontarians understand what we are talking about here, we're talking about an open-pit mine that is the size of 50 football fields. It is 55 stories deep. It is apparently going to hold more than 20 million tonnes of garbage. And of this there is simply no dispute: there are cracks in the bottom of this open-pit mine. The only thing that is going to stop the toxic liquid that is produced by garbage is an untried, untested pumping system that must run without fail for 100 years.

Given all that information, Premier, why are you insisting on continuing to gamble with the health and even the lives of Ontarians when it comes to protecting our water?

Hon Michael D. Harris (Premier): Nothing could be further from the truth. We in fact are a party that insisted, when finding a solution to Toronto's garbage, that any site be a willing host. Kirkland Lake had a referendum. They've had a significant number of votes over the last 11 years indicating a willing host, something the Liberals didn't adhere to when they tried to solve the problem in 1989. The second thing is that we subjected it to a full environmental assessment.

Here's the Liberal record. In 1990, Jim Bradley signed the order to exempt the Whitevale site in the Oak Ridges moraine from a full environmental assessment. The Liberal solution to Toronto's garbage was, "Don't worry." David Peterson said, "We will exempt the site, we'll fast-track it, no full EA required." Durham came forward and chose the site—unwilling host, I might add, from the residents—and the Liberals exempted the site. Maybe that's one of the reasons you lost the election and the NDP came in with their failed strategy for the garbage. That's the Liberal record.

Our record is full environment assessment and—

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

1420

Mr David Ramsay (Timiskaming-Cochrane): Premier, you know the Adams mine environmental assessment was a fraud. The fix was in from the very beginning when you took over government here, because you appointed the dump's lawyer, Robert Power, to your policy advisory committee to rewrite the Environmental Assessment Act. This gave you and the proponent the power to push this through in 15 days and deny intervenor funding to the critics. It was a hearing of high-priced experts versus a group of dedicated local citizens trying to protect their community.

This EA was bought and paid for. This deal stinks more than the 20 million tonnes of garbage ever will, and your fingerprints are all over this thing. When are you going to give us a full environmental assessment hearing on the Adams mine?

Hon Mr Harris: Contrary to what the member says, I think the record demonstrates very clearly—very clearly—that over the last 11 years there have been more studies, more referendums and more willing-host declarations by those close to the Adams mine, and there have been more assessments and a full environmental assessment.

The Liberal answer, as I pointed out, was to exempt the Oak Ridges moraine Whitevale site near the Rouge River from a full environmental assessment. That's your record.

Back in 1989, though, there was one member of the Liberal Party who was in favour of the Adams mine, and I quote now from John Barber, November 7, 1996. This is from 1989, the Liberals in power. It was David Ramsay who first brought Gordon McGuinty to Metro to promote the dump in 1989. "Without his encouragement, we never would have pursued it," Metro councillor Paul Christie said."

The Speaker: The member for Northumberland.

Interjections.

The Speaker: It is quiet enough to ask it now. There's not going to be total silence in here. The member has the floor. It's not going to be total silence for the question. There is going to be some heckling, and if you stand there we'll start the clock. I was perfectly willing to go under those circumstances.

HEALTH CARE

Mr Doug Galt (Northumberland): My apologies, Mr Speaker. I was unable to hear you recognize me.

My question is directed to the Minister of Health and Long-Term Care. I talked about this pamphlet yesterday that was distributed at an agricultural event, which turned out to be a political event as it was put under the wiper on my windshield—I'm only trying to help the Leader of the Opposition. Minister, the pamphlet clearly states that a Dalton McGuinty government will hire more nurses.

Minister, this is pretty wishy-washy—no specific numbers, just going to hire more. The last time I checked, it was our government's ongoing plan to invest in nursing services and to increase patient access to these services. Can you please inform this House of the action the Harris government has already taken to increase and improve nursing services?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member has rightly indicated, we did set up a nursing task force. We heard the concerns of nurses, recommendations were made in 1998, and we have responded to every one of the recommendations.

The key recommendation was that we invest approximately \$375 million. I want you to know that we have already hired over 6,000 nurses. We have hired a chief nursing officer for the province of Ontario, and we have indicated that each hospital is also to hire its own chief nursing officer.

We also now have nurse practitioners in the province. We're working with the Registered Nurses' Association in Ontario. They've been given a half million dollars to further recruit nurses to this province.

Mr Galt: Thank you very much for that excellent response. I hope the Leader of the Opposition was listening, because I expect that this was McGuinty-approved, and maybe in the future they can get a little more accuracy in it. It's clearly obvious that the Leader of the Opposition is flapping away with his wooden wings attempting to fly, but they just don't get it.

There is one concern I want to touch on, and I know that many in rural Ontario share this. Minister, can you please provide me with up-to-date information on what you are doing in the area of physician recruitment. As many in my riding are without a family doctor, can you assure my constituents that you, as Minister of Health, are doing your very best to encourage physicians to relocate in rural areas of this province?

Hon Mrs Witmer: Yes, our government has been working in partnership with our stakeholders such as the Ontario Medical Association, and we have introduced many initiatives to encourage physicians to go to northern and rural communities in Ontario. As you know, we provide a 70-hour sessional fee, we have community development officers, we have community-sponsored contracts, we have APPs. We've recently announced the increase in spots in medical schools by 40 positions, and we will be further increasing that number next year.

We're also making available to students free tuition if they're prepared to return service for three to four years in an underserved area, and we are anxiously awaiting the recommendations of the expert panel in order that we can make further progress. We've also doubled the number of international medical graduates who are available to practise in Ontario.

GASOLINE PRICES

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Economic

Development and Trade, and it concerns the tragic plight of hundreds and thousands of independent truckers in Ontario. Minister, you and I know, and all members of this House know, that independent truckers across the province are in a desperate situation that gets worse with each passing hour. For most of these people, diesel fuel prices have increased in the order of 60% to 70% in the last year.

My question to you today, on behalf of the independent truckers in my county and across the province, is, what specific measures are you and your colleagues in the Harris government prepared to announce today to provide the much-needed relief without which many of these hard-working independent business people are going to go out of business?

Hon Al Palladini (Minister of Economic Development and Trade): I certainly would like to thank the honourable member from Renfrew-Nipissing-Pembroke. I couldn't agree with him more that the independent owner-operators of this province are a vital part of our economy, and I believe they have been facing some challenges over the past year—challenges, I might add, that every Ontarian has also been facing throughout the year because of high fuel costs.

This government has certainly taken an active role by helping facilitate meetings within the industry itself and coming up with eventual answers that will address some of those concerns and some of those issues. I'm really pleased with the way that sectors of the industry have responded, and I think the surcharge rebate has been one of the highly rated topics, and many shippers have already come onside.

Mr Conway: There are independent truckers in Pembroke, Renfrew and Cobden watching this debate right now, and they want me to ask you on their behalf—and their situation is desperate—what measures have you taken that are going to provide immediate relief to those independent truckers in the places I mentioned? I could add Hawkesbury, North Bay, Cornwall and Kingston and so many others to that list. The rumours of what was being discussed between you and the national trucking association the other day, I'm told by my constituents, are completely irrelevant to their concern. They tell me this does not have anything to do with their reality. So they asked me to stand here today and ask you, Minister, what specific measures have you taken or will your government take to provide immediate relief to those independent truckers in communities like Pembroke and Renfrew who tell me that unless they get some help soon they're going to be out of business even sooner?

Hon Mr Palladini: I do believe that many shippers have already come forward and are making sure those surcharge rebates are being passed on to owner-operators. I said very clearly from the beginning that this government is going to lead by example, and we are also going to have to come to the table at one point or another once a forum has been developed. We're in the process of setting up a working group which will include people from the industry abroad throughout the province, which

includes shippers and carriers and also the federal government. We're going to be appointing an independent chairperson to make sure that these issues are going to be brought forward.

Within this working group we hope to come up with remedies that will answer the questions that we all want to ask ourselves and come up with answers that are going to make the situation better for all concerned. As I said earlier, the trucking industry is a very important part of this province and we're willing to work and help facilitate whatever meetings need to be taking place.

1430

HIGHWAY IMPROVEMENT

Mrs Julia Munro (York North): My question is to the Minister of Transportation. Many of my constituents, as you know, travel every day from the riding of York North. They commute every day from the communities of Georgina, Newmarket, Pefferlaw and Holland Landing and they must use the 400 series highways. They have to share them with a growing number of people who are commuting from Barrie, cottagers and so forth. It is in that context that there is growing concern about the amount of traffic that comes along on these highways.

My question is, what are you doing to make sure that the 400 series corridors in these areas continue to meet the needs of my commuters?

Hon David Turnbull (Minister of Transportation): I would certainly thank the member for York North, a very articulate spokesperson for the concerns of her community. Indeed, our government has demonstrated its concern with this issue. This year, we have a \$1-billion highway capital budget, far and away the largest highway capital budget in provincial history, 10% higher than last year, which in itself was a record.

Specifically, we are committed to improving and expanding these important corridors. Highway 401 corridor improvements include—and I announced the following three announcements in August—seven projects worth \$70 million, adding additional lanes at bottleneck locations. Highway 400, two projects worth \$40 million, including adding additional lanes in both directions. Highway 404, a \$37-million extension and widening, and a 2.7-kilometre extension. Roads are a high priority for our government.

Mrs Munro: Thank you, Minister. I'm sure you would agree that it is important that transportation needs are met, both today and in the future. What are the future plans for these corridors?

Hon Mr Turnbull: We're certainly committed to ensuring that future infrastructure needs are met. To this end, we've announced some planning studies. An eight-month Simcoe highway network assessment which will examine the whole of the long-term transportation needs of Simcoe county: this study will include a Barrie bypass, widening of the 400 through Barrie, improvements to Highway 11 north of Barrie and better access to Collingwood and the Georgian Bay area. I've also announced

two Highway 400 studies which cover the area of Major Mackenzie Drive to Barrie.

We're committed to enhancing the long-term, long-range planning of this government so that future transportation needs can be met.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have a question for the Premier. How is it that, in the face of all your rhetoric on early-years education, Ontario's child care system ranked average, mediocre, in a national study that was released today?

The study made it clear that governments could do three things to improve quality of care: (1) they could increase payments to those child care workers who deal with our kids every day; (2) we could improve training levels for all staff; and (3) we could increase operating funding to child care centres so that more money can go to resources for our kids. It's those kinds of investments made by Quebec and British Columbia that led those two to the top in terms of ranking of quality childcare.

My question is, how much new money is your government prepared to invest to ensure that Ontario moves to the top when it comes to regulated child care?

Hon Michael D. Harris (Premier): I think the Minister of Community and Social Services should respond.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): This government certainly understands the importance of child care to families trying to balance the challenges of family and work. That's why our government has increased supports to parents by well in excess of 25%, almost 30%, to help parents address these challenges.

We believe child care is an important resource, and we want to help parents make choices and assist parents in making those choices.

We also understand the importance of early childhood development. That's the reason why this Premier and this government commissioned the Early Years study. That's why this Premier and this government pushed the federal government to invest more money into early childhood development in the agreement that was recently reached in Ottawa.

Ms Martel: Well, the question was, how much new money is your government going to spend on regulated child care to improve the quality? Your record on child care is dismal. You have cut funding for regulated child care by 15% since 1995. You are now spending \$43.41 less per child in regulated child care than you were in 1995. It was your government that tried to cut the increases to daycare workers when you tried to cancel proxy pay equity. That's your track record on regulated child care.

You have an opportunity to invest in our kids, if you care about our kids. You will receive \$900 million from the federal government to support the national children's

agenda. How much of that \$900 million are you prepared to invest in regulated child care in Ontario?

Hon Mr Baird: I don't think this government has any apologies to make for the commitment we bring to helping children and the effect of early childhood development.

I will not be lectured by the member opposite. It's this government which has increased spending by more than 30% to what she spent. It's this government which commissioned the Early Years report. It's this government's Premier who brought this issue directly to the table of the first ministers. It's this government which once again this year increased spending for child care.

What is her party's record? If you look at her party's document from the last election campaign, not one single dollar promised for more child care. She's got a lot of nerve to come and hector this party.

EMERGENCY SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Two and a half years ago, in February 1998, you said you were taking immediate steps to resolve the emergency room backlog. The next year, in February 1999, you said you'd taken steps to ease the strain on hospital emergency doctors and nurses and reduce the number of times hospitals have to use redirect. In July, a year ago, you said you had fixed the emergency room problem once and for all. Last December, you came out with a 10-point plan to deal with the unprecedented chaos in emergency rooms in Toronto and the GTA. In August, with hospitals across the province continuing to turn away ambulances, you announced you were going to expand on the success of your Toronto plan.

Minister, what success? Yesterday again, every emergency room at every general hospital in Toronto was asking ambulances to stay away. All of Hamilton's emergency rooms were on critical care bypass. Joseph Brant in Burlington was on redirect. Two and a half years of non-solutions, and we still have chaos. Why is this crisis worse than ever?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): If the member opposite would take out some of the clippings from years past, she would see that during their tenure of 1985 to 1990, when Elinor Caplan was minister, there were similar situations when there were tremendous emergency room pressures. In fact, if she were to take a look at clippings from across Canada, the United States and elsewhere, she would see there have been emergency room pressures.

It is not a new situation. It is, however, a situation we are addressing. Unfortunately, those who have studied the problem tell us there is no single root cause. But I am pleased to say that we have been working with our colleagues, our stakeholders, we have been working with the Ontario Medical Association, our nurses, our hospitals and our ambulances, and we have embarked, as the member well knows, on the most comprehensive emer-

gency room strategy of any province in Canada. We are and have invested—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

1440

Mr George Smitherman (Toronto Centre-Rosedale): Last night, the only emergency ward in Toronto that was open was the Chicago Hope film set in the Ferguson Block on Grosvenor Street. To add insult to injury, this Sunday 20,000 emergency room visits will be lost when the Wellesley Hospital slams its doors shut, and soon Women's College Hospital, ironically located on Grosvenor Street, will slam its emergency ward shut.

Right now, we have a hearing going on, a coroner's inquest, where the family of Joshua Fleuelling is trying to get answers, is desperately seeking answers as to why their son lost his life, related to emergency room problems.

Madam Minister, what assurances can you provide to my constituents and to the people of the city of Toronto that when they need emergency services they will be available?

Hon Mrs Witmer: Maybe we should be fair and put on the record the fact that we all know there is a need for additional emergency room capacity. In fact, within the city of Toronto we are building and have already opened two new emergency rooms, and five others are under construction. I'm very pleased to say that, as a result, we will be increasing the capacity. If this was the type of reconstruction that had been undertaken by previous governments, we wouldn't be where we are today. But as you well know, we are undertaking a major restructuring of the hospital system. We are ensuring that the services will be there to respond to the needs of patients.

I'm pleased to say that also this year we are undertaking a comprehensive free flu vaccine. It's another measure to make sure we relieve the pressure on emergency rooms. We are the only jurisdiction to undertake a flu vaccine to make sure that we can reduce the pressure.

We've also invested more than \$600 million. We have 1,200 additional beds opening. We have 100 additional—

The Speaker: Order. I'm afraid the minister's time is up.

New question.

GOVERNMENT SERVICES

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I hope my guests are still here. I have three very important people in the gallery today. Sardar Avtar Singh Brar, MLA, Congress Party, from Punjab, India; Sardar Harmohinder Singh Pardhan, MLA, Congress Party; and an ex-MLA, Sardar Gurdeep Singh Bhaini. I would certainly like to welcome them, if they are still here, on behalf of everyone.

My question today is to my honourable colleague the Chair of Management Board. Minister, I've been reading with interest lately about your efforts to bring the Ontario government into the 21st century. In this day and age,

with personal time becoming more and more precious, what is Management Board doing to shorten those long, over-the-counter line-ups for government services?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): First of all, I'd like to thank the member for Bramalea-Gore-Malton-Springdale and welcome your friends to be part of the procedures today.

Let me say how strongly we on this side of the House believe that what we're doing to improve service to the people of Ontario is going forward through information and information technology to help improve the way government works. There are a lot of exciting initiatives underway. Electronic government, simply put, for those viewers who may be interested in this, is about applying information and information technology to improve all aspects of government and finding new ways of working with our partners and, most important, giving better service to the taxpayers of Ontario.

Already, we've transformed a government that offers public services only through over-the-counter transactions. There are numerous examples of improvements, but the most obvious is the driver's licence. Many in this House and many on TV will remember the day when you had to line up to get your driver's licence. Now you can do it at any one of our 60 kiosks right around the province.

Mr Gill: Thank you very much, Minister, for that enlightening answer.

I heard that you've asked the ministries to put forward plans to move the proverbial yardstick when it comes to electronic service delivery. Can you tell the House what your plans are and if we can meet those tight time frames?

Hon Mr Hodgson: Thank you for the question; it's a good question. Our ministry and our government, under the leadership of Mike Harris, have said that we want to be a world leader in the digital economy. To do that, we've asked that all ministries be electronic-service-delivery compatible by the year 2003. We want to be a world leader in this field and we're looking at all our services to the public and businesses and how we can improve that.

I've asked every ministry to submit their information technology plans by October of this year. We will take our time and review that by February. I've been meeting with IT people from around North America in particular over the last year. We want to make sure that our ideas are current, that we're progressing on the right track, and that at the end of the day we're a world leader, making sure that our government can deliver services electronically.

EDUCATION FUNDING

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Education. Some of the most important activities that go on in my community occur after regular school hours, programs run by community groups often involving young people. The

minister will know that in Toronto those programs are threatened because the Harris government, through its funding, its formula, its funding for school boards, provides nothing for community activities in our schools.

Many community groups are faced with enormous increases in costs. We have one soccer group in our area that will see its costs go from \$700 a year to \$13,000. Another community group is going from \$15 a night to \$200 a night. It's tragic. This is going to have a profound impact on our community.

The question is this: Knowing the impact your formula is having on these community groups, will you now reconsider the decision to provide no funding for community activities in our schools?

Hon Janet Ecker (Minister of Education): After-school-hours use of school buildings by community groups is a very good use of those buildings. It's certainly something that is very helpful for the community. Governments of Ontario have never funded that use of schools. School boards have set the policies around that.

We were very clear, both in 1995 and 1999, that our priority with educational dollars was to focus all those resources on classrooms and the related services around that, co-instructional activities, for example. The issue of cost is, how does a school board pay for after-school-hours use? School boards have continued to set those policies, as they have across this province. We have provided additional flexibility for boards on accommodation. I'm looking at funding in terms of accommodation for next year.

Mr Phillips: Let me try to clarify what I gather is your answer. You think it's extremely important that these things take place, but you're unwilling to provide any funding for them to take place. So you put the school boards in an impossible position. You say it's a good idea, you think the schools should be used, but you will provide no money for it. The people of Ontario should know Mike Harris controls every penny given to a school board.

So I say to you again, Minister: if it's a good idea, if our communities should be using those buildings that they've paid for out of their hard-earned tax dollars, why will you not provide the necessary funding to ensure that these terrific community groups, doing enormous good for our communities, looking after our young people, providing the programs that they should on a volunteer basis, working as hard as they can, aren't faced with an impossible financial situation because you and Mike Harris have decided you will provide no funding for them? Will you now reconsider that?

Hon Mrs Ecker: First of all, what the member states is not correct. We do provide funding to school boards and give them flexibility in how they allocate that for accommodations. Many school boards continue to have use of their schools by community groups. Many school boards continue to charge fees to community groups. That's not a new thing. That is something that boards have done before.

The honourable member is quite right. Taxpayers pay for these facilities. Taxpayers pay for the use of these facilities, whether it's during school hours or after school hours.

This school board in Toronto is wrestling with the difficult decision about how to set a policy for charging for the use of their building, as are all school boards. This is not a new issue for school boards. They've had this responsibility for many years. All boards set appropriate policies as they see fit. They can vary them from group to group if they wish. There's a lot of flexibility and ways they can deal with this difficult but important—

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

1450

CONSUMER PROTECTION

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Consumer and Commercial Relations. Ontario is enjoying one of the most prosperous periods ever in the history of the economy. I know constituents of Perth-Middlesex are enjoying the economic boom that has blessed our province in recent years. More money in people's pockets means more money for them to spend in ways of their own choosing.

Mr Dominic Agostino (Hamilton East): Bert, you don't get a supplementary. Do it all in one.

Mr Johnson: If the member for Hamilton East would be quiet, I'd continue.

However, with more money to spend it means consumers have to be more aware of the businesses and individuals looking to take advantage of good fortune.

Minister, could you share with the House what your ministry is doing to ensure the protection of Ontario's consumers?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I'd love to, and I want to thank the member for Perth-Middlesex for the question. As members know, a fair, safe and informed marketplace is basic to a healthy investment and business climate in our province.

Our current consumer statutes are aimed at ensuring that consumers receive accurate and adequate information from businesses so they do not fall victim to consumer scams. However, we're always looking for ways to improve our existing standards to make Ontario a better place for its citizens to work, live and raise a family. That's why the ministry is currently consulting the Ontario public through a paper entitled Consumer Protection for the 21st Century. We're taking a look at proposed new legislation that will address emerging issues such as telemarketing, time-shares and e-commerce. We're going to hopefully consolidate nine current consumer-protection statutes into two statutes, and we're moving on that front very aggressively.

VISITORS

The Speaker (Hon Gary Carr): Just before we get to petitions, I'd like to ask the members to welcome the 25th group of Ontario legislative interns to our assembly. Seated in the Speaker's gallery are Amy Dickieson, Ted Flett, Rebecca Gosevitz, Tyler Langlois, Michelle MacDonald, Daniel Malik, Nanda Purandare and Rachel Sheer.

LEGISLATIVE PAGES

The Speaker (Hon Gary Carr): I would like all members to welcome the pages for the first session of the 37th Parliament. We have Brian Agate from Stoney Creek, Stefani Alexopoulos from York North, Michael Cancilla from Mississauga Centre, Nadene Canhas from Brampton West-Mississauga, Ashton Chamney from Huron-Bruce, Cameron Dutchak from Sault Ste Marie, John Estabillo from York North, Daniel Fahrún from Bruce-Grey-Owen Sound, Mikhail Ferrara from Hamilton Mountain, Willy Heeman from Perth-Middlesex, Jeanie Hendrie from Windsor-St Clair, Christopher Huckabone from Renfrew-Nipissing-Pembroke, Virginia Kromkamp from St Paul's, Joanne Leung from Don Valley East, Amanda McIsaac from Simcoe North, Natasha Mroczek from Sarnia-Lambton, Raymond Persaud from Eglinton-Lawrence, Jill Quirt from Kingston and the Islands, Andrzej Samoraj from Toronto Centre-Rosedale and Tracey Saxon from Niagara Centre.

I'm sure all members join in welcoming our pages.

PETITIONS

DOCTORS' FEES

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

"Whereas, being the sole provider of obstetrical services in a rural community, Dr Gerry Rosenquist is allowed only one billing per client, although he may be asked to see this client more than once during her pregnancy, labour and delivery,

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

"We support Dr Gerry Rosenquist in his search for fair treatment for consultation billing allowances. We encourage you to look favourably on his request, so that the Winchester community can continue to provide obstetrical services."

This is signed by hundreds of my constituents, and I have also signed the petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Howard Hampton (Kenora-Rainy River): I have a petition to the Ontario Legislature entitled

“Northerners Demand Harris Government Eliminate Health Care Apartheid”:

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

This has been signed by a number of constituents and I am pleased to affix my signature to it as well.

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature and it concerns the northern health travel grant. It is the second hundred of the 51,000 we will be presenting until the government stops the health care apartheid which it is practising.

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

I affix my signature to this 100-name petition.

Ms Shelley Martel (Nickel Belt): I have a petition signed by a number of residents of my home town and people in my riding. I want to thank Gerry Lougheed Jr for all his work in gathering these 50,000 names. It reads as follows:

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

As you can guess, I fully agree with the petitioners.

EDUCATION FUNDING

Mr David Caplan (Don Valley East): This follows up on a question by my colleague from Scarborough-Agincourt. It's a petition to the Legislative Assembly of Ontario:

“Whereas Mike Harris promised in 1995 not to cut classroom spending, but has already cut at least \$1 billion from our schools and is now closing many classrooms completely; and

“Whereas community use of schools is necessary to preserve low-cost and easy access to community programming in our riding; and

“Whereas the Mike Harris funding formula is forcing boards of education to charge high fees to groups that require use of schools for their programming;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto school boards to ensure that they are able to continue to accommodate community use of schools at low or no cost to the community groups renting the facilities.”

This petition has been signed by a number of residents within Don Valley East. I wholeheartedly agree and affix my signature to it.

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SAFE DRINKING WATER LEGISLATION

Ms Marilyn Churley (Toronto-Danforth): I have the signatures of 666 residents of White River, Ontario, in support of the Safe Drinking Water Act, Bill 96, which will come up for second reading on Thursday morning at 10. It reads:

“To the Legislative Assembly of Ontario:

“Whereas the people of Ontario have the right to receive clean and safe drinking water; and

“Whereas clean, safe drinking water is a basic human entitlement and essential for the protection of public health; and

“Whereas the people of Ontario have the right to receive accurate and immediate information about the quality of water; and

“Whereas Mike Harris and the government of Ontario have failed to protect the quality of drinking water in Ontario; and

“Whereas Mike Harris and the government of Ontario have failed to provide the necessary financial resources to the Ministry of the Environment; and

“Whereas the policies of Mike Harris and the government of Ontario have endangered the environment and the health of the citizens of Ontario;

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

“(1) Immediately restore adequate funding and staffing to the Ministry of the Environment; and

“(2) Immediately pass into law Bill 96, the Safe Drinking Water Act, 2000.”

I will of course affix my signature to this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have again a petition signed by hundreds of my constituents to be added to the thousands of names.

“To the Legislative Assembly of Ontario:

“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 acknowledges 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 into 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

obviously 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 geographical locations;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature 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 their communities.”

I proudly affix my signature. This particular group is mostly from the city of Elliot Lake.

SNOWMOBILE LEGISLATION

Mr David Christopherson (Hamilton West): I present a petition on behalf of my colleague from Nickel Belt, who had to leave the chamber for an urgent matter. The petition reads as follows:

“Whereas Bill 101, An Act to promote snowmobile trail sustainability and enhance safety and enforcement, does not exempt trappers from driving a motorized snow vehicle upon a prescribed trail except under the authority of a trail permit for the motorized snow vehicle issued under subsection (2) or except on lands occupied by the owner of a motorized snow vehicle;

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

“That subsection 2.1(1) of Bill 101, 2000, should be amended to:

“No person except trappers with a valid trapper’s licence shall drive a motorized vehicle upon a prescribed trail except under the authority of a trail permit for the motorized snow vehicle issued under subsection (2) or except on lands occupied by the owner of a motorized snow vehicle.”

I add my name to those of the petitioners, as well as that of Shelley Martel.

ONTARIANS WITH DISABILITIES
LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): “Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

“Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

“Whereas Helen Johns, the minister responsible for persons with disabilities, has not made the commitment to the 11 principles outlined by the ODA committee; and

“Whereas Steve Peters, MPP, in his commitment to a strong and effective ODA, sponsored a resolution which was passed unanimously in the Ontario Legislature, calling for the passage of such an act in two years; and

“Whereas the vast majority of Ontario citizens believe there should be an ODA to remove the barriers facing the 1.5 million persons with disabilities in this province;

“Therefore we, the undersigned, petition the Ontario Legislature as follows:

“That the Ontario government pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing the 1.5 million persons with disabilities in the province of Ontario.”

This is signed by many individuals in my riding, including John Atkin, and I have affixed my signature hereto.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have further petitions from the CAW forwarded to me by Cathy Walker, who is the national health and safety director. All of these petitions are signed by members of CAW Local 199 in St Catharines.

The petition reads as follows:

“To the Legislative Assembly of Ontario

“Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances, known as carcinogens; and

“Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

“Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in the workplace; and

“Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

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

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

Again, on behalf of my NDP colleagues, I add my name to those of these petitioners.

FRAIS DE TRANSPORT AUX FINS MÉDICALES

M^{me} Claudette Boyer (Ottawa-Vanier): À l'Assemblée législative de l'Ontario :

« Attendu que le programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales a été créé en 1987 en reconnaissance

du fait que les résidents et les résidentes de l'Ontario sont souvent forcés de recevoir des traitements en dehors de leur communauté en raison du manque de services ;

« Attendu que le gouvernement de l'Ontario a reconnu que les coûts associés à ces déplacements ne devaient pas être entièrement assumés par ces résidents, et que le gouvernement de l'Ontario devait offrir une aide financière par l'intermédiaire du programme de subventions pour frais de transport ;

« Attendu que les coûts de déplacement, de logement et autres ont augmenté en flèche depuis la création du programme, particulièrement en ce qui a trait aux déplacements en avion ;

« Attendu que le gouvernement de l'Ontario a fourni des fonds pour couvrir toutes les dépenses des patients du sud de l'Ontario qui ont besoin de traitement au Centre régional de cancérologie du Nord-Ouest de l'Ontario, créant ici deux normes de traitement dans la province ;

« Attendu que les résidents et résidentes du nord de l'Ontario ne devraient pas recevoir un niveau différent de services ou être victimes de discrimination en raison de leur lieu de résidence ;

« Par conséquent nous, les soussignés citoyens et citoyennes de l'Ontario, demandons à l'Assemblée législative de l'Ontario de reconnaître l'inéquité et l'insuffisance du programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales, et de s'engager à réexaminer le programme avec pour but de financer 100 % des coûts de déplacement des résidents et des résidentes ayant besoin de soins en dehors de leur communauté jusqu'à ce que ces soins soient disponibles dans leur communauté. »

Je suis fière d'apposer ma signature à cette pétition.

1510

ORDERS OF THE DAY

McMICHAEL CANADIAN ART
COLLECTION AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI
SUR LA COLLECTION McMICHAEL
D'ART CANADIEN

Resuming the debate adjourned on September 25, 2000, on the motion for second reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act / Projet de loi 112, Loi modifiant la Loi sur la Collection McMichael d'art canadien.

The Acting Speaker (Mr Tony Martin): Resuming our debate on 112, the member for Trinity-Spadina.

Mr Rosario Marchese (Trinity-Spadina): I want to apologize to the taxpayers of Ontario because normally I have a little more pepper to offer in these debates, but I have an infection in my throat and it's going to make it tough to give the pepper that I want to put into it. I hope that I find it. But in the fine wisdom of the Ontario

electorate, they only elected nine New Democrats, as a result of which even those of us who are sick have got to be here and pitch in and help out. That's why I am here. But I did want to say to the taxpayers that you might not see the kind of flavour that you normally see.

I'm happy to be debating this bill—not unhappy, very happy—because there are a couple of points I want to make that I think should be of interest to the Ontario public. I want to begin by giving a bit of a history of the McMichael Canadian Art Collection so as to give you a sense of where we were and where Mike Harris, the Premier, has taken us.

Because I have a lot of time, I'm going to take my time to read it out so people can listen to it carefully without the speed that normally I do things.

The 1965 agreement re the McMichael Canadian Art Collection: McMichael gives land and premises of Tapawingo to the crown. In 1972, there was a change of law and it basically did the following: a crown corporation was created to run the gallery. A 1982 law: no change in this regard. A 1989 law: name changed to the McMichael Canadian Art Collection. Not a big deal. Bill 112, the bill that we are debating today: no change in this regard.

Moving down the list, going back again, 1965 in a different area in terms of its administration, we have a five-person advisory committee that was created at the time. The McMichaels have two votes. That's basically in a nutshell what we had in 1965.

In 1972 we have a board of trustees of nine members. They run the gallery. The McMichaels are trustees for life. Mr McMichael is named as the director and he's on a salary. God bless.

The 1982 law: McMichael loses the director's position, named founder-director emeritus pursuant to the October 1980 deal. The new director appointed by the board with minister's approval. In 1989, the board is expanded to 17 members, including both McMichaels. The board is to select their replacements. Board's approval of director is subject to minister's approval, and in brackets here we have, "A 1997 amendment removes this veto."

Bill 112, the current bill that we are debating: the board is expanded to 25 members, including both McMichaels, and we have the right of the McMichaels to name the replacements to board. The minister's power to veto board's selection of director is restored.

Going back again, in a different category altogether, 1965 agreement: mandate is limited to Group of Seven and three other named artists, plus others designated by the advisory committee who "have made contributions to the development of Canadian art." In 1970, the committee designates four more artists who are associated with the Group of Seven.

Moving on to 1972 in terms of changes that were made, the mandate is changed to specify that all artworks must not be "inconsistent with the general character of the collection" when gallery was created in 1965, but no specific mention of artists listed in 1965.

In 1982, there is again yet another law introduced and the mandate is changed to restore the list of 10 specified artists from 1965 and, in addition, art by indigenous peoples of Canada is to be collected and the work by other artists who have made contributions to the development of Canadian art, "and whose artworks and objects will be consistent with the general character of the collection." We read here that the italicized phrase, which I was reading, is added at the McMichaels' insistence—as a point that needs to be made—and in exchange he agrees to accept that the board of trustees runs the gallery.

In 1989 the mandate is changed to drop the italicized phrase from 1982 law and to allow the gallery to collect art by artists who make, as well as have made, contributions to the development of Canadian art. You can see, taxpayers of Ontario, the evolution that we have seen from 1965 to the present moment as, in my view, it ought to be.

Bill 112, introduced by this minister and this government, says that the original 1965 mandate is restored. Notice now that we're going back now to 1965; for the first time, the law acknowledges the existence of the 1965 agreement. The preamble reaffirms the commitment to agreement spirit and intent. The original five-person advisory committee is restored, with McMichael having two votes and, for the first time, the law will stipulate that board bylaws do not go into effect until the minister approves them. However, the minister loses his power on: (a) the day the minister declares that the gallery now conforms to its new mandate; and (b) on the third anniversary of this section going into effect, whichever is later.

That is the general history. I thought for the purposes of those who are watching and might be interested in it that it would be useful to give the evolution of the McMichael Canadian Art Collection. It's useful to see that there has been an evolutionary development of the gallery that everybody, in my humble view, suggests was a good thing for artists, for the gallery, for Ontarians, for everybody involved, except perhaps the McMichaels, who have never been happy from the moment that this gallery was given away to the Ontario government and thus to the Ontario public.

We've got a problem. As I read the statement made by the minister just yesterday, in her remarks she says: "The purpose of this bill is very clear." That stunned me. I wasn't quite sure how clear this bill is in terms of doing anything to restore the vitality or even to advance the vitality of this gallery. I don't see how clear it is except that she says it, and I guess if you say that the purpose of this bill is very clear, it must be so because she says it's clear. But if anything, it's more than confusing to anybody following this issue, because nothing in the debate of this bill presented by this minister is very clear. I'm going to try to tackle why it's not very clear and in fact makes the situation much more confusing and makes it worse. I hope to be able to get to that in due time.

1520

She says it is to restore the McMichael collection to sound financial health and to honour the intent of the gallery's original mandate. How this bill moves in a direction that will restore sound financial health is unclear to me. I know it's clear to the minister—for reasons known only to herself, I assume—but it isn't clear to me and it isn't clear to anybody involved that this bill will restore the financial kind of preoccupation that the McMichael collection has faced over the years.

In relation to funding, I should point out that the Ontario government, before this government came into power, used to give 80% of the operational dollars to run the McMichael collection. By the way, I as a social democrat believe that's the proper thing to do, because if governments are not there to support the arts, to support culture, to support galleries of this nature, we will not have the vitality in this sector that we deserve as Ontarians.

What this government is very proud of is that they're seeking out partners as a way of defunding the public support for these galleries. Their view is, find private sector individuals to give more. The point is that under New Democrats and the Liberals before us, we always had the support of private individuals to support galleries of this sort. We always did. Their view is the private sector has to do more because this government isn't willing to devote public dollars to institutions of this sort. I believe that's wrong. I firmly believe that unless governments put in the adequate supports that are necessary, these institutions will always be weak, and that when they force institutions to go out on their own to find the money, they will indeed be weakened.

It is inevitable that that is the case, because you can only go to the private sector so much before you exhaust their interest, their desire to give, even though they get a generous tax credit—and I suspect some of them would like a heftier tax credit for them to give more. I have to tell you, the more we go to the private sector to give more to the public sector, the more we as a government, through them, will be forced to give more generous tax contributions as a way of having rich people give to institutions of this sort. But we end up paying. One way or the other we will end up paying, because when you give tax credits for any contributions they make, where do you think that money comes from, except you, good taxpayers of Ontario, who pay for that? One way or the other, you, taxpayer, have to pay. The question is, how do you want to pay: by giving tax credits to the wealthy so they can make greater contributions, or that you as an Ontario taxpayer make a contribution and have these works of art in these public venues? One way or the other you have to pay, and I believe our way was a better way, where Ontario made the major contribution and then we went out to the private sector to ask them to give in whatever form they wanted. That's the directional change we've had from this government. The reason we are in a financial mess, the reason many of our institutions are in a financial mess, is that this government is giving less

and less and less every year, even though the economy has gotten better and better every other year that this government has been in power.

They will claim, of course, that this economy is better because of the tax cuts. It's the dumbest thing I've ever heard, but you hear the Premier continually saying it—because I suppose if you keep on saying it, somebody's going to believe it.

The newspapers connected to these Tories continue to say the same thing. The rich people want the tax breaks. The rich people own the Toronto Sun, the Financial Post, the Globe and Mail and the Liberal paper, the Toronto Star. They advocate these tax cuts. So of course they've got nothing to lose by having these Tories claim that tax cuts are the things that have created the boom in our economy. They've got nothing to do with it. It's a dumb argument. We've continually said to these Tories, "Show the evidence." There is no evidence. There is no economic evidence that the billions of dollars they're pouring into that hole, wasted billions of taxpayers' dollars, is doing anything for our economy. I say to the ministers, prove it, bring evidence, bring evidence in this Legislature. The only evidence they bring, Minister, is that the Premier of Ontario says it is so, and the other MPPs, echoing the same thing, say, "It is so because we say it is."

We are losing billions of dollars in these tax cuts, as a result of which we don't have the few dollars to support our public institutions. That's why many of them are in financial trouble. Those that are surviving, like the ROM, the gallery that is in my riding, are surviving because, yes, they are fine institutions. Because they are great institutions, there are a lot of wealthy people willing to make contributions to keep them sound. Because they are fine institutions, yes, people will pay the big bucks to go and see the works of art that will permit those institutions to be financially sound. But so many other institutions will not be in the same boat without government help. They will not be able to sustain themselves. That's where governments need to step in to support those public institutions that belong to us, without which we would be impoverished.

The minister continued to say in her remarks yesterday that, "This bill addresses a specific situation at a specific institution, the very serious financial management and mandate issues at the McMichael." I made the argument moments ago as a way of saying to taxpayers that, yes, there have always been problems. But to believe that you can go back to the 1965 mandate as a way of somehow restoring its financial footing is fundamentally stupid and fundamentally unsound. There is no basis for that argument. I am profoundly worried that the argument they're advancing will turn against them and against us, because ultimately the Ontario public will lose. That's the second point this minister makes.

She goes on to say, on page 4147 of Hansard, "The McMichaels' gift was honourable and it was generous. Unfortunately, over the years the spirit of the collection has been violated." Interesting argument. The minister

says—and the Premier—“the spirit of the collection has been violated.”

McMichael took the government to court many years ago now. They've done it on several occasions. “Frustrated by the McMichaels' inability to persuade the government of the day to act, the McMichaels eventually launched a lawsuit claiming that the 1965 gift agreement was still binding on the McMichaels' Canadian art collection and that the institution was in breach of it.

“In November 1996, the Ontario court ruled in favour of the McMichaels. Judge Peter Grossi rejected the crown's contention that the legislation passed in 1972 superseded the 1965 gift agreement which had been enacted into law. The judge ruled that none of the 1972, 1982 and 1989 acts specifically invalidated the 1965 agreement. Therefore it was still in effect. Those artworks added to the collection since the 1960s which violated the 1965 mandate would have to be removed.”

I'm giving you a bit of history as a way of getting to the argument the minister makes that the spirit of the collection has been violated.

1530

This ruling, of course, was welcomed by the McMichaels. It caused an uproar in the professional arts community. “Board members of the gallery, as well as many professional art administrators, pointed out that the court's judgment, if applied vigorously, would require the gallery to divest itself of hundreds of thousands of artworks.” I'll get back to this point shortly. “Not only would this cause administrative turmoil at the gallery, but it would undoubtedly harm the gallery's image in the eyes of donors and corporate sponsors and might even expose the board of trustees to legal action if the donors whose works were returned to them consequently encountered unexpected tax liabilities.”

Therefore, in December 1996, Marilyn Mushinski, then the Minister of Citizenship, Culture and Recreation, announced that the crown would appeal Judge Grossi's decision. So I ask myself: if this minister and the Premier believe, as the minister said, that the spirit of the collection has been violated, why would M^{me} Mushinski at the time and her government—she was not then the minister—and the Premier and the cabinet and this caucus support an appeal? Because, I argue, the points I just read made it very difficult for the government not to make an appeal on the basis of Judge Grossi's decision. It would have been very difficult for them not to have appealed it, and they appealed it on good grounds.

I ask myself, what happened in 1996-97 that these people were convinced they were doing the right thing in appealing Judge Grossi's decision and then changed their minds in the year 2000 by the introduction of this bill that leads them to conclude that the spirit of the collection that was written up in 1965 had been violated? Why didn't they think that in 1996 when they appealed the decision to a higher court? Why? You've got to ask yourself these questions, because something is wrong, something is happening that we need to get to the bottom

of. Hopefully, I'll make some suggestions and comments about why the Premier, M. Harris, has done this.

I am making these points as a way of showing the inconsistencies of this government, that it seems they don't know what they're doing. Why would they have appealed it in 1996 if they didn't think they were doing the right thing? By appealing, of course, they won. I would think that Mushinski, the then-minister, would have been happy, that this minister would have been happy and that this government would have been happy to have known they won the appeal.

In November 1997, the Court of Appeal reversed the lower court and ruled in favour of the gallery. Since the 1965 agreement had never been written into law—the minister should listen to me on this—

Mr David Tilson (Dufferin-Peel-Wellington-Grey): She is.

Mr Marchese: No, she's not. She's talking to a few other members.

Since the 1965 agreement had never been written into law, Ms Jones, the various statutes reviewed above, and in particular the 1980 law, superseded the original agreement. I know Ms Jones isn't interested in these things because—

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): The name is Johns.

Mr Marchese: Ms Johns. Did I say Jones? My apologies.

Hon Mrs Johns: I've been here five years. At least get my name right.

Mr Marchese: My apologies to you, Ms Johns, absolutely.

Interjection.

Mr Marchese: OK, Frances, thanks for the help.

It is worth noting the Court of Appeal's comment on the dispute between the McMichaels and the gallery, in light of the government's subsequent decisions to legislate a return to the 1965 mandate in the form of Bill 112. “As noted above, in 1981, the Davis government granted the board of trustees a clear legislative mandate to run the gallery after Mr McMichael reversed himself in June of that year and repudiated the October 1980 retirement agreement.”

The Court of Appeal suggested that Mr McMichael presented his list of demands in June when it became clear to him that the new director did not want to be bound by the 1965 agreement. In the court's opinion, his list of demands “would have effectively given Mr McMichael personal authority over acquisitions.”

According to the court, “The McMichaels apparently believed that under the 1965 agreement they had absolute control over acquisitions. They undoubtedly came to this belief because Mr McMichael's advice and direction were invariably followed in the early years. Yet the McMichaels were never in a majority on the advisory committee. Even under the terms of the 1965 agreement, a determined gallery administration could have imposed its will on the institution. This is how we see it.”

You see the problem. So when Ms Johns, the minister, says, "The McMichaels's gift was honourable and it was generous. Unfortunately, over the years the spirit of the collection has been violated," I say something is wrong, profoundly, because what I just read to you disputes the opinion that the minister makes, that the McMichaels have made since 1965. It's disputed, and the Court of Appeals that ruled in 1997 said as much in what I have just read.

Yet after they win this appeal, the government decides—out of where, I don't know—that the Court of Appeals decision must be wrong and they, the government, must have been wrong to have appealed it, because they introduce a new bill, Bill 112, that not only restores but entrenches what had not been entrenched in 1965.

Speaker, do you see how dumb this is? I know you see it. But how do we convince the Ontario taxpayers that what this government is doing is not smart, it's dumb? They try to manufacture a reason for their dumbness.

A whole lot of people have a whole lot of concerns about this. I think the minister has to listen carefully to what arguments have been made.

I want to read, for greater clarity, what Judge Grossi stated in paragraph 97. "The only way that I can sensibly read this agreement is that the board of trustees has ultimate control of acquisitions. The new director has the responsibility for implementing the policies and directions of the board with respect to acquisitions, and that Mr McMichael's role is to provide counsel and advice on acquisitions. This is totally inconsistent with an advisory committee that was, as Mr McMichael saw it at the time of its operations, under his influence and control."

It's obvious to me that Mr Harris has intervened and has intervened in a way that is wrong. I would rather use a different word to express his intervention, and that is that he meddled. He meddled in this situation unnecessarily and wrongly. Mr Harris, after winning the appeal they made, should not have meddled politically in this process, in this collection, now setting into motion, assuming these people are going to pass this bill, a direction that I believe will cause greater problems down the line.

The problems are many. "If Bill 112 is passed, the board of trustees will be under legal obligation to divest the gallery of thousands of works of arts, but without any clear statutory criteria to guide them." With no criteria to guide them, they will have to divest themselves of thousands of works of art. By the way, the bill is quite clear on this; I will find the reference in the bill that speaks to this—eventually. But it's in the bill. They've collected thousands of works of art "without any clear statutory criteria to guide them."

1540

On June 23, a day after Bill 112 received first reading, the McMichaels told the Globe and Mail that in addition to the 10 artists specifically named in Bill 112, he expects the new advisory committee to approve the four artists he and the original advisory committee designated in 1970

under the 1965 gift agreement mandate: Morrice, Clarence Gagnon, Albert Robinson and Thoreau MacDonald.

However, other than these 14 artists—by the way, it also includes aboriginal works, I believe; that's protected and that's good. But other than that, the bill is silent on whose work among the hundreds of other artists represented in the collection should be sold or given away.

The legal implications of giving away artworks for which the donor received tax credits are unclear. Moreover, giving away art donated in the memory of a loved one raises moral questions. These are the questions that this minister has not answered. The bill is silent on these questions. We are worried about what will happen to these collections, and I argue they ought to be concerned about what happens to these collections because legal questions are being raised, will be raised and will have to be dealt with if this bill is passed.

Everybody recognizes the contribution the McMichaels have made to this gallery, and they have been praised for their contribution ever since 1965. In 1965 they didn't get any tax break, it is true, but they got their tax break in 1968, the value of which exceeds \$1 million. I believe it's in the area of \$1.5 million or \$1.7 million. They did OK, I think.

In addition to all of the praise they have gotten for the contribution they have made, they have received financial contributions that shouldn't indicate to anybody that they're starving. In this regard, they've done OK. They lived in the building for many years, tax-free.

Mr Tilson: It was their home.

Mr Marchese: It was their home, no problem.

At some point, when the renovations of the building had to be done, a financial contribution was made for that home to the tune of \$300,000. I think they did OK. When it closed for renovations—yes, in 1981 the new home was bought for them at public expense, and after Parliament amended the Income Tax Act in 1968, that's when they received the tax credit, as I've said. The McMichaels have never understood that as a matter of law the gallery ceased to be their private collection in 1965 but instead became a publicly funded enterprise, subject to the direction of the Legislature and the board of trustees appointed by the elected government of the day. That's the problem.

As much as we praise the McMichaels for initiating this and giving the artworks, theirs, and making it possible for other people to give—it was a wonderful thing—they never wanted to let go of the control. They wanted absolute control of this gallery, and I don't think that's right. Once you've given away what was, yes, legitimately yours, you've got to leave it in the hands of administrators who presumably have the knowledge.

I can't doubt the people who have been hired have the knowledge to be able to make the selection on the kinds of works that are or were consistent with what the McMichaels wanted. Those decisions have been made for years and for years they were consistent, and for years that group of people who had the knowledge was

permitted to be able to buy or to receive objects of art that were consistent with what the McMichaels wanted since the very beginning.

The gallery accepts donations of contemporary art after receiving advice from its professional staff, who exercise their best judgment about whether the works make a meaningful contribution. That ought to be enough for politicians. It ought to be enough for this minister. It ought to be enough for this Premier. But, for some reason, it isn't. For some reason, they have retroactively changed the rules, the understandings and the law that put into a 1965 agreement what was not written in the 1965 agreement. That's what this minister and this government have done. They have politically intervened and manipulated this process in a way that is unacceptable to many people.

One individual writes the following—it was written to our leader. It's typical of many letters that have been read out loud already, but it gives you flavour of the opposition:

"I'm appalled by the intent of Bill 112 concerning the McMichael Canadian Art Collection. I urge you to use your influence to kill this obnoxious bill." In the view of this person it's an obnoxious bill.

"Hundreds of volunteers and financial contributors have supported the gallery over the years because of the mandate as it then existed. Now the government is unilaterally changing the mandate to place effective control back in the hands of its founders. Their announced intention is to take the gallery back to square one.

"The government claims that it is necessary to pass Bill 112 to solve the gallery's financial problems. What financial adviser has suggested that present owners and sponsors be dumped in order to, hopefully, get new ones? Yet that is the risk that will be exposed by this bill. The gallery is owned by the people of Ontario. The gallery has become an important focus for the wide community it serves. The traditional volunteers and supporters deserve to be consulted about such radical changes."

What this individual is saying is that the bill is obnoxious, that you are thinking you're solving a financial problem by creating another one, on which she says, "What financial adviser has suggested that present owners and sponsors be dumped in order to, hopefully, get new ones?" We don't know. She raises an important question. This individual, Ann Henderson, raises important questions. You're going to be dumping some with the hope you're going to get others. I don't know. You're hoping to get others, but you may lose a whole lot of people who have made a contribution. I don't know. You may end up in a revenue-neutral situation or it might get worse. Important questions she asks.

"The traditional volunteers and supporters deserve to be consulted about such radical changes" was the last point. You didn't consult the volunteers, the other donors, those who have donated, those who might want to donate. You haven't consulted them. You brought this bill into this Legislature unilaterally, without talking to anybody, without having any sense of whether you think

you're right or wrong. You just did it and you did it on the basis of having won an appeal that you initiated in 1996-97. You won the appeal, and then you changed the law. Good taxpayers of Ontario, it's dumb, don't you think? I think it is.

I think retroactivity, as my good colleague Mr Conway raised yesterday, is wrong, but doing something retroactively doesn't have to be wrong. It could be right, but in this case it's wrong and it's dumb. Normally when we win appeals, we say "God bless" and we move on. We move on to make that institution, in this case the McMichael Canadian Art Collection, a better one. We do our best as a government to make sure that happens. Yet you've initiated a whole troublesome direction of which you know not the result. The result could be detrimental to you, to the gallery and to the Ontario public. You don't know.

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You had a gallery that worked—yes, with the conflict of the McMichaels and its administrators which went on for 30 years, but do you think you've solved it with this bill? Do you think you've solved the questions that have been asked? I say to you, no.

Is this advisory committee appointed by Tory individuals—and, by the way, all the appointments are Tories. And, by the way, this government said it was going to be different, and they're all Tories. God bless the Tories for being different. But this group has to make the decision about what to do with those works of art that it has to get rid of. Are they going to dump these works of art into the market? Are they just going to dump them into the market and devalue works of art, which is potentially the case, which has happened before and could happen again if you do that? What are they going to do with the works of art? What happens to them? Under Bill 112, only those works of art that McMichael said should be included—Group of Seven and a few others named and aboriginal works of art—are the ones we can now, under this bill, hold or have. What happens to the rest of them, the 5,000 works of art?

By the way—and this point has been raised—these people have gotten a tax contribution for donating their works of art and unless those works of art have been held for 10 years by the gallery, they lose their tax credit. Nobody has raised this as a point, but they lose their tax credit if a work of art is disposed of before a 10-year period. As a matter of raising another question, is it right to do that? Those people, quite willingly and happily, donated a work of art and you folks now say, "Sorry, we've got to give it back or give it away or dump it on the market to be sold."

There's no legislative wording, nothing within this framework, that says, "This is how these works of art will be disposed of." Nothing. There's no guidance.

I'm not even sure some of the people we appointed have the experience or knowledge or art background to be able to make the right decision as to what to do with the works of art, or at least what is good art, because the people you're appointing—the only credentials they need

to have is that they're Tories, Conservatives. That's all. And they've got to have a few bucks, by the way. They've got to have a few bucks; otherwise, they won't get appointed. But is simply having money a sufficient criterion to put them on an advisory committee that is going to rule as to what works of art are acceptable or not? Dumb, don't you think, you taxpayers of Ontario? I think it is.

The problem with these bills is that they get presented in a hurry. They're usually drafted in a hurry. Very little thought goes into these bills. That's why these bills are usually full of problems that need to be corrected by other bills, to correct the problems that are in these bills that they haven't vetted very carefully, because they haven't consulted very carefully with the public or the people involved. Usually they make mistakes. So they're introduced and, where they think that the bills they introduce have great public support, they have hearings for a couple of days—not weeks, as we used to do when we were in government, but a couple of days.

Hon Mrs Johns: You were perfect.

Mr Marchese: No, Ms Johns, I don't say we were perfect. I say we were consulting. I say we were engaged in a democratic process of involvement, because democracy means that you involve its citizenry. That's really what democracy is. You people are not consulting anybody. These bills don't go out for debate. They're hardly debated here except for a day or two or three, and then you don't even have the accountability kind of framework to be able to take it out to committee and then take it out for debate to the public for more than just one afternoon, for more than just one day, as you do with most bills.

How is the public to know what is contained in your bills? Some 99.9% or more of the public doesn't read bills. Why would they? Ninety-nine per cent of the public has no clue what is contained in these bills, and then they have to live with your propaganda that you sell to the public using taxpayers' dollars to manufacture consent. How do you expect the public to be knowledgeable about what you're doing or involved? You don't, because you spend their money to convince them that what you're doing is right.

Ms Johns, you spend my money, the taxpayers' money, the people that you think are on your side, to convince them that all these bills are right. You've got the machinery of the state to do what you like. M. Harris said today in question period something to the effect—I'm paraphrasing—"No. The kinds of dollars we're spending for public relations is above-board, is clean. It's just for the purposes of information. Good god, we Tories wouldn't publish anything that doesn't simply contain information. It's non-partisan, you understand."

He had such a serious face. Did you see him, Speaker? He was so serious today when he said that. I cracked up. I was cracking up, but controllably, because I didn't want to take away our time from our caucus. As you know, we could lose a question. We only have four questions here—the Liberals have six—and if you cause a

commotion on this side of the House, you end up losing a question. So I cracked up, but silently, laughing at the Premier in terms of his remarks. He was cloaked in oil and said it comfortably, without any compunction about what he said. I couldn't believe it.

He says, "Oh, no, nothing we publish here is partisan." And he adds, "We spend less than any other previous government on public relations." He says that; with a straight face he says that. I'm convinced you fine seniors over there, taxpayers, think that the Premier is right and honest and decent in all the things that he does and says. I'm convinced you believe him. How would you think differently? I wouldn't be able to know the difference. It's either a question—I speak to you directly—of believing the Premier or believing the opposition, because you have no way of knowing any differently.

I read to you, because you were here in the beginning, the historical analysis of what happened from 1965 to the present moment, so you might have gotten a fine sense of what happened. But if you weren't sitting here today listening to these things, how would you know the difference between what we're saying and what this minister has said or what the Premier said? You wouldn't know. So you've got to believe them. They're using your money, your taxpayers' money, to manufacture an opinion or to manufacture a belief as to what it is they are saying with respect to any of the bills they pass.

I have to tell you, I am profoundly worried about where our democracy is heading under this government when they can use millions and millions of dollars of the state's money, the apparatus of the state, to convince me and you differently of what we might believe or to convince you of what it is they want you to believe, and you have no way of fighting back. None. That's what I find profoundly worrisome about what this government is doing.

For me, having an active citizenry is important. It's how it holds me accountable; it's how it holds them accountable. As much as they use this word "accountability," they don't do anything in this House to make sure they hold themselves accountable. How do you hold yourself accountable as a politician? There aren't too many ways.

You could put one of them in a straitjacket but that wouldn't help. The only way to hold politicians accountable is for them to present their bills in this House with adequate debate, without moving closure motions every other moment; and after there has been plenty of debate in this House, if they haven't consulted the public first, what they need to do to hold themselves accountable is that they've got to take these bills out to the Ontario electorate for them to have an opportunity to get hold of the bill, to read it and, for themselves, decide whether this government is right or wrong. Minister, what are you shaking your head about?

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Hon Mrs Johns: You should be talking about the McMichael.

Mr Marchese: Good taxpayers of Ontario, she said I should be talking about the McMichael. Am I talking about spinach or carrots? What is it I'm talking about?

Hon Mrs Johns: You're talking about process.

Mr Marchese: Isn't that connected to what we're doing? Good taxpayers of Ontario, what I'm talking about in terms of the political process, the democratic process that permits you to hold them accountable, is not part of the McMichael art collection? I don't know, Ms Johns; sometimes I worry about you folks out there.

She laughs. I wish I could laugh as heartily in opposition as she does in government. My laughter is out of tears and desperation at my inability to do anything to control that laughter. I'd love to be able to laugh that way, but in opposition you don't have that luxury. Our laughter is tragic laughter. It isn't laughter of a nature that says, "I am happy in this place"; it's laughter that says, "Good God, how can Harris stand up there and say that when he spends millions and millions and millions of your dollars, it's not partisan?" You want to laugh with joy, but you can't; it's tragic that the Premier could stand up and say stupidities of that kind. You want to just explode with laughter. But it isn't laughter of contentment; it's laughter of desperation. It reflects—

Mrs Brenda Elliott (Guelph-Wellington): Spend, spend, spend.

Mr Marchese: "Spend and spend," this other former minister says. Talk about spend and spend. Let me take a sip of water and then get back to you in a second.

The government members have helped to restore some of the pepper that I've got to find inside, deep inside, because the voice isn't helping, but I'm finding it. This former minister says, "Spend and spend."

Interjection.

Mr Marchese: Give me a chance to explain. Give me a couple of seconds.

Hon Mrs Johns: You've got seven minutes.

Mr Marchese: OK. I've got seven minutes. All right.

You, David, you personally—

Interjection.

Mr Marchese: No, no, you're a member of this government and you personally have a hand in this. You give away \$1 billion so that we can get \$200 in our pockets. The Premier just said yesterday, "It's my money; it's your money. You should have the \$200"—it's \$1 billion just thrown away, just gone. The former Minister of the Environment says, "You," the NDP, "just spend, spend and spend," yet this government has \$5 billion of my money to give away to the corporate sector. Do you see how tragic it is? Do you see me laughing with joy when I say that? These people have given \$7 billion in income tax cuts, they announced in the last budget \$5 billion in income tax cuts to the corporate sector, and this former Minister of the Environment said we New Democrats wasted money and threw money away. What is \$1 billion to give me \$200 in my pocket if not waste, and egregious waste?

If only 30% of the public could watch these debates, they would have a fairly good sense of what we're

dealing with in this place. I tell you, my laughter is tragic; theirs is laughter of mockery. They mock us. That's why it hurts, because we are disabled, as opposition members, from doing very much, completely rendered disabled. We ask questions; they never answer them. They never answer questions. We debate bills for a couple of days; they move closure soon after. We say we need a couple of weeks of debate to take the bills out to Ontario; they say, "We'll give you an afternoon." That is the extent of democracy in Ontario.

The Minister of Citizenship says, "Discuss the McMichael. Process has nothing to do with this"? Process has everything to do with this; it's very much interconnected. You people changed the law. You went back to a 1965 law and changed the terms, even, to give the McMichaels what they never had. I think the McMichaels have been very well remunerated. We have thanked them forever, we thank them eternally, but for your government to retroactively go back and put into law what was never put into law in 1965 is dumb. It's dumb politics. It's dumb governance. It's dumb, dumb governance.

Those five people will now have to dispose of 5,000 works of art or more, and you don't even know what they're going to do with it. You don't even know what liabilities you have as a government or that the McMichaels will have once you pass this. If those works of art are dumped into the marketplace, it will devalue works of art in general, and that's not good for artists. You know that. Artists only earn \$12,000 on average in terms of the work they produce—\$12,000. Imagine, sending thousands of these works of art into the public to be sold. Imagine what would happen to those works of art. They would be devalued no end. To the artists it would have no value whatsoever, or very little value. To the donors who gave in all good conscience, what happens to them? How do you deal with those donors who have given, in good conscience, to the McMichaels? Are you going to say, "Send them back"? What about the tax receipt? Do they get it still, if they haven't been in possession for 10 years? What happens to that?

There are legal obligations that I think you have, and I don't see in the bill how you're going to deal with those obligations. You don't raise that. Not the minister, not the members who have spoken, and I suspect the members who will speak won't speak to this either. The people who have their two minutes after me, or their 20 minutes, should speak to why it is that you appealed Judge Grossi's decision in the first place. The people who speak after me should speak to the fact that once you won the appeal and spent millions of dollars on that appeal to defend the original agreement that has been made over the years, with all the changes of laws from 1965 to 1972 to 1982 to 1999—you should be able to tell me and explain why it is that after winning that appeal you would change the law again, change it in ways that I cannot comprehend, in ways that people who have written to us cannot comprehend, in ways that people

believe is a negative way, in a way that will not bring positive fruit to the McMichael art collection.

They're raising questions; we raise questions. We want a full debate on this. We need and deserve a debate. You didn't have to bring a bill into this place. We could have gone to other discussions, other issues that you think are important. Yet to be debating this bill after winning this appeal and after so much clarity in all of the laws that have been passed since 1965, to then confuse it with a new bill is poor, poor governance, poor administration, poor politics, dumb politics. For that, I think we need to take this bill out for discussion, for debate, so the citizenry will have the opportunity it never got before you introduced this bill.

I am convinced there are a lot of Ontarians who would want to participate, who would want to come to committee to depute, not just here in Toronto but beyond. It is your duty as government people, as politicians, to make yourselves accountable. The only way politicians can hold themselves accountable in this place is to make sure bills are taken out for debate. There isn't much more you can do to hold yourself accountable, because people don't know what you're doing in here and often they don't know what you're doing in your own ridings.

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That's why I say to the public, you need to make us accountable on a daily basis, and the way to do so is to be informed, not to be convinced by this government that's spending millions of your dollars to manufacture a different kind of opinion that's suitable to itself and not right for Ontarians. I expect that of this government, and I expect we will see hearings. We will be participating in them, and I look forward to the response.

The Acting Speaker: Questions or comments?

Hon Mrs Johns: I have been asked a couple of questions over the last couple of days which I would like to respond to.

Both the Liberal and the NDP speakers have basically talked about how the government is meddling in a situation of a crown corporation or an agency close to the government. Let me say that change has to happen all the time to be able to keep things going as a going concern, to make sure that things happen. We know the system isn't working now because we know that the agency needs more money. They didn't know exactly how much.

But let me say to you that the original mandate, as the member opposite has pointed out, has changed. The original intent of the bill changed as a result of some work that was done by governments in 1989. In fact, what happened in 1989 was that the government of the day—which happened to be Liberal at that time—reneged on the original deal with the McMichaels and set in motion an eventual court challenge, and that's what happened.

When you talk about the court challenge being a Conservative court challenge, let's be very fair about that. The Liberals reneged on the deal, and because of that, the McMichaels took the government to court.

Because we became government, we then had the obligation to follow through on that court case.

The lower court decision in November 1996 was appealed because art acquisitions would be subject to legal challenges. We challenged the original court decision because we didn't want the question of "What is art?" left to a judge, just as we do not want "What is art?" left to politicians.

I want to remind you that the judge at the time said that the honour of the crown is engaged in these proceedings. It accepted a gift it was under no obligation to receive. The conditions accompanying the gift were not onerous, yet previous governments have changed that. We're going back because we made a promise and we should keep a promise.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I congratulate the member from Trinity-Spadina for his speech and I think he's essentially right in his charge. In the last 24 hours, I have been talking to people who are very closely associated with the minister's department, with the McMichael gallery. All of these people in the last few years—they are horrified about this bill, absolutely horrified. Their argument is the basic argument: this bill is beyond all reasonable measure for the kinds of problems the minister says she has. This bill represents an absolute outrage against the hundreds of donors who have made contributions, mostly tax-supported, between 1965 and the year 2000 to that public institution.

I think any self-respecting Legislature has to be deeply concerned about this kind of legislation. I said yesterday, how did this bill get through cabinet? I think I've found out in the last 12 hours. This bill probably didn't get to cabinet. In fairness to our friend the minister, she had little or nothing to do with it. This work, apparently, is the handiwork of the Premier's office.

I don't know whether that's true, but I'm hearing it from pretty authoritative sources. People who are very sympathetic and well-disposed to the Harris government are outraged by this bill. They are outraged. If this thing gets as far as committee—I'm hoping it's withdrawn—then I'm going to want to hear from some of these people.

I repeat: look at this bill. The minister is right to say she may have problems that are administrative and financial. If that be the truth, she does not need the instruments contained in Bill 112. Marchese is right. This bill is a grotesque breach of faith with those people by the hundreds who made those donations between 1965 and the year 2000. To that extent, it is immoral and should be rejected by this Legislature.

Ms Frances Lankin (Beaches-East York): I appreciate the remarks of my colleague from Trinity-Spadina. I think there is something very serious to be concerned about contained within this bill. My colleague from Renfrew talked about the effect this will have and the breach of trust with the hundreds and hundreds of donors. I want to suggest to you that there is also an issue about how we structure tax receipts for public gifts and

what it means. The McMichael—the very generous gift that was made—has over the years come with some incredible strings attached, and there is a chill in the arts community.

Minister, I hope you understand that there isn't an ideological debate going on here. There is a question about whether or not, when we accept a gift from the public and we compensate with tax relief for that gift, we continue to allow individuals to have artistic control over the future direction. That is what is going on in terms of this debate with the McMichaels. I believe that all of us want to see the continuation of the incredible focus on the works of the Group of Seven. But what has happened over the years has been an opportunity to bring contemporary Canadian works to a central focus, to a Canadian gallery that is renowned.

The way in which we are allowing the vision of an individual, who gave away and received compensation for giving away those gifts, to continue to control the direction on their own artistic decision-making, as opposed to a broader group from the artistic community having an opportunity to direct the future and continue to bring a centre of excellence for Canadians to attend to see good Canadian works—I am very dismayed by what I'm hearing from people in the arts community, people involved on the board over the years, about the continuation of interference by the direct donors, and in this case by a government whose about-face is stunning. I can only believe that my friend from Renfrew is right: this has been directed from the Premier's office. I hope the minister at some point finds a way to convince him to withdraw.

Mrs Elliott: I couldn't disagree more with my colleagues across the way from the Liberals and the NDP. I listened closely to the comments, particularly from the Liberal member yesterday, and I disagree entirely with his premise, which seemed to be that changing the function of a crown agency was not in the purview of the government. In fact an arm's-length agency responsible to the minister, responsible to the crown—surely it's the function of government to respond to needed changes. How this bill is slightly different in some of the changes that would have occurred or would have been brought forward to the House with regard to an arm's-length agency or crown agency is that in this particular instance we are returning to the original mandate that was given to the McMichael collection and that was the original intent of the whole institution.

I quote paragraph 2 of section 1.1 from the bill that is before the House right now: "The art collection, now known as the McMichael Canadian Art Collection, was to display distinctively Canadian art reflecting the cultural heritage of Canada and the images and the spirit of the nation, focusing on those artists known as the Group of Seven and their contemporaries." This is about working to restore a trust, working to restore the intent of a project, of a labour of love. The crown became involved in the formalization of the process, and this is going back to the mandate, trying to restore financial

health to an institution that has obviously been struggling. I think this bill is most appropriate in the best interests of the people of Ontario and in preserving the cultural integrity of this particular institution. I think it is significant in that it is unique, as is the very institution to which it is addressed.

The Acting Speaker: Response?

Mr Marchese: It's not a happy response, Speaker. What I hear from the government is pitiful. It's like these poor members have to try to fit a square into a circle or a circle into a square. It's just pitiful to hear them trying to make arguments in defence of this bill. What is it exactly that they're responding to? The minister said in the comments she made yesterday, "Few doubt that the McMichael collection has lost its direction over the last few years." What is she talking about? What direction?

We had the agreement of 1965 and, yes, laws have been made ever since. No one doubts that governments should be involved. They've been involved since the beginning. In 1972 they made changes, and McMichael was part of that. In 1982 the government—your government—made changes, and McMichael was part of that. In 1989, we made changes. Of course governments are involved.

But the dumb thing that you people did was that you went back to 1965 and added some. You undid. The whole thing has been undone by you people. You didn't have to. You had a good institution that was modern, had modernized, included Canadian contemporaries in a way that we think is fit for our artists.

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What the hell are you people doing? You don't know what you're doing. So you poor people, you poor members of Parliament, have to put up some stupid, lame defence for this bill to defend this Premier who has come up with a decision on his own, after meeting with the McMichaels, that somehow he's got to bring in a law to restore and add to the original 1965 agreement. Speak up. It's dumb. These people are not very intelligent in their governance. I hope the people of Ontario will see that as they take this out for debate.

The Acting Speaker: Further debate?

Mr Tilson: I would like to speak to the House for some time with respect to Bill 112.

All of us know—and if we don't know, we should—what the McMichael gallery is. It's in Kleinburg. It's had a reputation of honouring the Group of Seven and artists of that genre. What happened since 1965 is that there developed through time—and the last speaker, the member from Trinity-Spadina, referred to it. I don't profess to be a connoisseur of art, but I do know, having read the news clippings and the papers, that there was clearly a battle that developed between supporters of two different types of art, contemporary art versus that of the McMichael gallery, and that was alluded to by the last speaker.

Clearly, if you go back and look at the history of how the McMichael gallery got started, the McMichaels

didn't walk in with contemporary art to set up this gallery.

Mr Marchese: Yes, they did.

Mr Tilson: They did not. The member from Trinity-Spadina was having his final shot as he left, but that is not what they did. They wanted to preserve, they wanted to enshrine something in this country that we're proud of. Members of the opposition who have spoken in the past have said—I heard one of the members of the New Democratic caucus just a few minutes ago heckle, "Oh, you're going to put this into a time capsule." That isn't the intent.

There are galleries all over the world that specialize in certain types of art. There's the Musée d'Orsay in Paris, which concentrates on the artistic creations of the western world between 1848 and 1914. That's all it does. It doesn't get into other things. There's the Musée National Picasso, which is also in Paris, which prides itself on being the largest and most complete collection in the world for getting to know this painter. There's the Van Gogh Museum in Amsterdam, which attracts art lovers from around the world with its priceless collection of works by Vincent van Gogh. There's the Norman Rockwell Museum in Stockbridge, Massachusetts, which takes pride in presenting works of art that help to define the American identity through the 20th century. I could go on. So this isn't unusual.

The McMichaels came to the government of Ontario, they spoke to the Premier of the day, John Robarts, and they said what they wanted to do. They wanted to develop a gallery that emphasized that type of painting, something that we as Canadians are proud of, and God bless them.

We go through what happened in the 1980s, what happened with the Peterson government in 1989 and what's happened since, and the battle—and clearly there was a battle. The Liberal critic stood in her place yesterday and read a bunch of letters saying how terrible what the government was doing was, that it was getting away from the new philosophy of the McMichael gallery.

I can tell you that that isn't the way it was in the 1960s, that isn't the way it was in the 1970s. Something happened. It changed. That wasn't the philosophy of the McMichaels, as to why they went out of their way to start that type of art gallery. What's wrong with their doing that? What's wrong with preserving some of the greatest artists this country has ever seen and may indeed ever see? What's wrong with doing that?

Our opponents in the Liberal and NDP benches will say, "What's wrong with bringing in contemporary art?" One thing was, it darned near put the gallery in bankruptcy. We had a Provincial Auditor go in this year and it said there's a deficit of \$1.6 million. That's one thing. Revenues are down, attendance is down. I'm not competent enough to start debating what type of art is better than another type of art, but I am competent to say that something was terribly wrong. There are statistics out that showed when the Group of Seven and its genre was in its heyday there was a far better attendance. Now you

drive into the grounds of the McMichael gallery and see something—I don't profess to understand it. It's called Babylon. Some of the supporters of the McMichaels and people who support the philosophy they put forward are just horrified. That isn't the philosophy that was put forward in 1965.

This basic purpose of this bill, Bill 112, is to repeal the 1989 philosophy that was put forward by David Peterson and his political party. It's being revoked. We believe on this side that that legislation violated the terms under which Bob and Signe McMichael gave their invaluable Group of Seven collection to the province. Essentially, it made the director all-powerful in acquisitions, and it was at that point in time that the philosophy changed.

I don't intend to get into the argument as to whether contemporary art is better than some other type of art. I have no intention of getting into that. I am saying that the original intent of setting up the McMichael gallery clearly isn't where it is now. My friends from the opposition start talking about what has been acquired since then, and that may be a point for debate. But I will say that the original intent of the McMichael gallery—they named it after them, for heaven's sake. They named the gallery after the McMichaels. It was their property, and clearly the acquisition has grown since then.

That's the purpose of the legislation; in other words, to preserve the Group of Seven and to showcase in Ontario and indeed Canada the Group of Seven and that type of art. I've listed off other galleries around the world that do that, and quite frankly, I'm proud as a Canadian to see that type of gallery.

Another reason this legislation is being brought forward—and I expect this will provoke particularly the Liberal caucus—the purpose of it, is to honour the commitment of the province of Ontario and return the McMichael gallery to its original mandate. I believe that changed in 1989 and we're trying to rectify that.

We stand in our place on all sides of the House and start saying that members of the public should make donations to hospitals, to charities, to art galleries, to whatever. We need those donations, and people do that for different reasons. They do it to preserve things, they do it out of charity, they do it out of need, they do it for all kinds of reasons. Some have no conditions whatsoever, but some do. The McMichaels had a condition, to preserve the heritage and the style of painting that was put forward by the Group of Seven. Somewhere along the line—I submit 1989—that stopped.

1630

Ms Lankin: It's still being done.

Mr Tilson: Well, then how come we have all this contemporary art that we didn't have prior to that time? The whole philosophy of the gallery has changed. If members on the opposite side don't admit that, there's something wrong, because the whole philosophy of the gallery has changed. It's not the same type of gallery it was. The members may say, "Oh, but it's better." I'm not going to get into that either, although I will say that something went wrong, because somehow we have a

\$1.6-million deficit. Somehow the philosophy is different from what the McMichaels originally intended. The legislation intends to deal with that.

Yes, the government of Ontario is concerned about the \$1.6-million deficit—it's a crown corporation—and intends to deal with that. Revenues are down. People have stopped visiting the gallery. I don't know why. I suspect it's because the philosophy of the gallery hasn't gone the way the public wants. We can talk about art, we can talk about business and we can talk about a whole slew of things, but the point is that the way the gallery was going, it was going to go bankrupt. Something has to be done.

The government also intends to make repairs to the facility. Other government speakers, the minister and the parliamentary assistant, have spoken to that. They've also spoken about getting rid of the unnecessary bureaucracy. I think the people who ran the gallery when it first started was something like 16 and it's mushroomed today to 50. Maybe it's gotten bigger. The point is that there does appear to be more bureaucracy than is needed. That may be debated. Maybe someone's going to stand up from the opposite side and say, "You need all that bureaucracy." The salaries that were being paid—the salary of the former director I think was \$112,000, which is more than what ministers in this place make. The opposition may have fun with that one too. I don't know. Does the director of the gallery require a salary of \$112,000? It was somewhere in that range. The gallery was going into decline and we intend to rectify that problem.

Mr McMichael has written a wonderful book. It's called *One Man's Obsession*. It talks about the history of the McMichael gallery. Obviously it's a personal account of the McMichaels and their involvement in the art world. It's got some wonderful personal accounts of Canadian artists, the Group of Seven. It's the story of two great Canadians, and I'd recommend it.

I want to talk about the intent of how the gallery started, because everybody seems to be forgetting about that. Mr McMichael, in his book, refers to that. He talks about a conversation he had with the late Premier John Robarts. He said at page 150:

"Over several years, Signe and I have built this place and the collection of some of Canada's finest national art. It may seem an unusual idea for a public art gallery, but that's the way we have always thought of it: a centre for distinctively Canadian art and heritage in an equally distinctive Canadian building and setting. The area is rural but close to the centres of population and main highways. It is a short drive from the city, but has no parking or pollution problems. It's beautiful, but it's also practical. We believe it could become a major centre of Canadian culture everyone could enjoy as much as we do.

"Signe and I want to give the land, buildings and collection to the people of Ontario and Canada. We have only one major stipulation and a few other provisions. The major one is an absolute assurance that Tapawingo—which is what they called it—"will be maintained in the future, and the grounds and the buildings

and the collection will retain the spirit we have set for all time."

"The collection will retain the spirit we have set for all time." That was the deal. That's why they did it. They wanted to enshrine the philosophy, the type of art, of the Group of Seven and that genre, and that has changed. That has changed to the degree that the McMichael gallery is on the edge of bankruptcy. When you look at the agreement which was made by the province and which is quoted in the book—because he goes through how all this started, how he entered into an agreement with the province, and his conversations with the then Premier and other politicians of the day. He refers specifically to section 13:

"The crown shall, with the advice and assistance of Robert McMichael and Signe McMichael, establish, develop and maintain in perpetuity at Tapawingo a collection of art reflecting the cultural heritage of Canada; the said collection shall be known as the 'McMichael Conservation Collection of Art,' and shall be comprised of paintings by Tom Thomson, Emily Carr, David Milne, A.Y. Jackson, Lawren Harris, A.J. Casson, Frederick Varley, Arthur Lismer, J.E.H. MacDonald, Franklin Carmichael and other artists as designated by the advisory committee who have made contributions to the development of Canadian art."

Somewhere along the line, in 1989 specifically, that changed the direction and that's what happened. That's why the whole philosophy of the McMichael gallery changed. This bill is going to correct that.

Mr McMichael, in his book, says:

"The clear intent of this section was to limit the scope of the collection for all time to the artists named, with provision for the addition of a few others whom the advisory committee might decide were complementary to the original group and whose work had been produced mainly during the first half of the twentieth century. We also intended to include, at a later date, the art of our aboriginal peoples, the Indians and Inuit, whose work we considered to be basic to our theme"—and I emphasize the words "to our theme."

That's why he did it. He wasn't setting up for the type of dowry that's envisioned by the opposition; he was setting up a very specific gallery. "We agreed to include the right to designate other artists beyond those named because the collection did not, at the time, own works by three of the Group of Seven and other very closely related painters."

On all sides we could read letters, we could read editorials; there's been a wonderful battle going on between the contemporary art and the art that this gallery originally put forward. I think it's quite clear that you go back—and you know, you can talk to whoever you want to talk to, but this book tells you why it was set up.

For all of you who are going to stand up in the House and say how terrible it is, how obnoxious it is that it's changed, what they're proposing wasn't the original intent and why this gallery was set up. There are other galleries for contemporary art. I think contemporary art is

important. We all have an interest in all kinds of art. I say, what's wrong with what the McMichaels did? In fact, I find what some members have said about the McMichaels very offensive, because they have made a major contribution to the art world, to this country, to this province. I think it's shameful the way certain members of this House said some very derogatory things about those two people. However, that's what politics is all about, unfortunately.

I intend to simply conclude that, as was said in a press release by Minister Johns, we're trying to right a wrong. I don't if those are the exact words, but it's pretty close.

1640

We're trying to right a wrong; we're trying to correct something that's gone askew in the art world in this province and this country. It's the only art gallery the province of Ontario owns, a crown corporation. We took this on in 1965. I think that was the date of the agreement, and I think it was finalized in 1966. I could be wrong, but it was the mid-1960s. We should honour our commitment to the McMichaels and to that type of art.

I would encourage all those in the House, particularly the opposition, to reconsider some of their opposition to this bill and I would encourage them to support the philosophy of Bill 112 and the philosophy of the McMichaels and the major contribution that they have made to this province.

Mrs Lyn McLeod (Thunder Bay-Atikokan): Notwithstanding the honourable member's attempt to mount a defence of this legislation with an historical perspective, I'm still absolutely bemused by this government presenting this bill. First of all, I'm bemused by the fact that, again, setting aside earlier histories that the honourable member has talked about, the most recent history on the McMichael gallery is for this very government to have gone to court in order to defend the right of the board to make current decisions about what is within the mandate and the vision of the McMichael gallery. The government won. And now we have a piece of legislation which is essentially reversing the very case that the government won in court. That's one reason for being totally bemused by this legislation coming forward.

The second reason that I'm amazed by this is because I actually don't think that there is any disagreement in the House about the importance of the McMichael gallery. Whatever opposition we are offering to this particular legislation, I want to make it clear I happen to consider the McMichael gallery to be one of the most important galleries in the country, if not, in my view, the most important gallery because it is a showcase for Canadian art. I've often wished that every schoolchild in Ontario, in fact in Canada—I'm not realistic of course—could tour the McMichael gallery because it gives such a wonderful sense of Canada. It is a showcase for Canadian art and therefore for Canada itself.

But I think the Group of Seven themselves and the landscape artists of that period of 1920 to 1930 would be the first to decry any intention to freeze the showcasing of Canadian art to be contained within the decade of

1920 to 1930. They were pioneers. They were breaking new ground. They wanted to open up Canadian art to new styles and new approaches. It's because they were successful in doing that that we admire them so much. That's why I think it is totally contrary to the whole intent of the Group of Seven that this legislation would be in front of us.

Finally, with chaos in emergency rooms, turmoil in schools, people afraid to drink their water, I'm not sure why we're spending an entire week on this legislation.

Ms Lankin: I appreciate the comments of the member for Dufferin-Peel. I think he has a particular constituent relationship with this gallery and with some of the people who have been involved with it. I think his remarks are important and that they add value to our understanding of the bill.

But I have to say again that this is not an ideological debate. I believe that over time previous governments came to a determination with respect to the future of that gallery, through the advice of boards that had been brought together, the best people who could be found, that it was in the spirit of showcasing groundbreaking Canadian art to continue to do that. That doesn't take away from the collection that is there and that will continue to be showcased. It has been such an incredible gift to the people for that to be open for us to see.

I agree with my friend from Thunder Bay that it would be wonderful if every schoolchild could visit this gallery and could see it. But to freeze in time that collection and the contemporary aboriginal collection of that time is something that is worthy of a public debate, not to be rammed through and not to be shrouded in the comments—and I have to say to the member for Dufferin-Peel, I don't believe I've said anything derogatory about the McMichaels; I believe that I pay tribute to them. But I do believe it is wrong when donors who are compensated for that donation attempt, and continue to attempt, to control all future destiny with respect to that, and in this bill not just in their lifetime but in perpetuity by being able to name their successors to the board.

I believe they should have influence, and they always have. I believe they should be part of the creative debate and discussion, and they always will be. I do not believe they should control the direction. I think there is a form of censorship there that is dangerous in the form of donation of artwork.

Mr Brad Clark (Stoney Creek): It's a little bit baffling for me. I have about 12 years of experience in the charitable and cultural sector and in that time I've raised tens of millions of dollars and I've seen, many times, donors make a bequest, make a donation to a charitable organization and with it comes conditions, with it comes terms. I've seen many donor agreements and during that time frame I have staunchly supported the integrity of those donor agreements. It is imperative. As far as I'm concerned, there is nothing more sacrosanct, more precious, than honouring the commitment of a donor to any charity, to any art gallery in Canada. All of my col-

leagues in the charitable community used to pride themselves on honouring those things. There were codes of ethics involved.

In this case, somewhere along the line you had a board of directors that started to veer from that course. The original donor agreement was not being adhered to and we find ourselves in a situation now where we have pros and cons, supporters on either side, saying it should be wide open, saying it should be just for the Group of Seven.

I have to argue we go back to the beginning, we go back to the original donor. I have to believe that we have an obligation to do that—a fiduciary responsibility to the donors who made this gallery, a responsibility, an opportunity for the province of Ontario.

I have to say also that any of the other donations that come in, we have to work with those donors and the board of directors must work with them to make sure that those artworks, those donations, are divested appropriately to other art galleries, to other charities.

With all of that being said, we must maintain the original agreement.

Mr Mario Sergio (York West): Just to comment on the presentation by the member from Dufferin-Peel-Wellington-Grey, I think he has said very clearly what's not in the bill, what's not in writing in the bill. I think what he's saying on behalf of the government and the minister, Minister Johns, and the Premier—he's saying, "Really, we don't like all the other paintings that are now in the McMichael collection which have been collected over the years," which people have donated and with which they tried to honour not only the gallery itself but also the province of Ontario. I have to agree with the member wholeheartedly that it's a great honour, it's a privilege. It is great for our country, for Canada, for Ontario, for Toronto to have the McMichael collection where it is. I think it's a wonderful location.

But it is not very honourable for this government to have taken Mr McMichael to court in September 1997 on exactly the same point that they are bringing to this legislation today to reverse that court decision. I think it's totally a flip-flop, to be kind to Mr Harris. Why would they bring in today legislation to try and overturn what the Ontario Court of Appeal decided in September 1997? I think the member has said very clearly, "We want to go back to the original roots," which were the McMichael collection, the collection of Seven. They are saying there are other galleries in which to put the rest of the paintings or whatever we have in there.

I think this is totally wrong. I think the government will be forced to go back, to retrieve this bill from its roots, because it is wrong. I think the people of Ontario will never forgive the province of Ontario, this government and this Premier for introducing this bill and saying to all the other donors or contributors, "Get out of the McMichael gallery. Take them somewhere else; they don't belong here."

It's not an honourable thing for the province of Ontario.

The Acting Speaker (Mr Michael A. Brown): Response?

Mr Tilson: To the member for York West, the government has never been critical of the type of art that you refer to. That's not what's at debate in this House. No one on this side, in the press clippings and interviews and debates in this House, has ever criticized the type of art that you're speaking of. What the government is saying is that type of art was never intended to be in this gallery. Somewhere along the line it got in here. Maybe that was the cause of the lack of attendance; I don't know. But I certainly want to make that perfectly clear.

1650

There's no question that the original intent of this gallery was for a specific purpose. I refer again to Mr McMichael's book, where he quotes almost in its entirety the speech made by the then Premier, John Robarts, at the opening, the ribbon-cutting, of the McMichael gallery. Just one sentence: "The establishment of the McMichael conservation collection of art may very well inspire the creation of similar galleries and treasuries of Canadiana elsewhere in this province and nation." In other words, this is a gallery of specific intent, not the broad tenure that developed after the 1989 legislation of then-Premier Peterson. We want to return to that.

As far as donors are concerned, I again emphasize, if there are people like Mr and Mrs McMichael who want to form a similar type of gallery for a specific intent, if we didn't pass this legislation they wouldn't do it because they know the province of Ontario's word couldn't be kept, and we're going to keep our word.

The Acting Speaker: Further debate?

Mr Michael Gravelle (Thunder Bay-Superior North): I'd like to also, as I say, share my time with the member for Windsor West. If I may say before beginning my remarks, one of the most important elements in terms of arts policy in our province—and everybody should support this—is the importance of the separation, the arm's-length agreement between arts organizations and government. Government should not be in the business, in any sense, of making a determination of what is appropriate or not appropriate to go into an art collection. That's what we've heard a defence of today. The member for Dufferin-Peel-Wellington-Grey in essence was talking somewhat favourably in terms of censorship of pieces of art that perhaps he didn't approve of. That I find very offensive.

What I will say is that during the 36th Parliament, from 1995 to 1999, I had the honour and privilege of being the critic for culture and heritage for the Liberal Party. It was a wonderful experience that brought me close to the people who work hard and passionately to bring arts and cultural opportunities into communities right across Ontario. It also brought me close to the issues that strike at the heart of our arts and heritage sectors, things like the need for increased government respect for the arts, the importance of the arm's-length separation between arts organizations and government

and the absolute necessity for arts and education in our schools.

But of all the battles I fought, whether it was another attack by the government on the Ontario Arts Council, which was devastating, or a move to cut off provincial support to our public library partners, which we actually were successful in getting the bill withdrawn on, or continued government threats to privatize TVO, I think very few are as important as the battle we're fighting on this side of the House today.

Rarely have I seen a more calculated, destructive and regressive attack on the arts community than I am seeing today with Bill 112, An Act to amend the McMichael Canadian Art Collection Act. I join my colleagues, especially our hard-working critic for culture from Sarnia-Lambton, in urging this government to immediately withdraw this bill. I would ask the government, and I would in fact plead with the government, to please tell us who is benefiting from Bill 112. Certainly it's not the people of Ontario, who will lose access to nearly 3,000 pieces of art, nearly half of the McMichael Canadian Art Collection. It's not the board of trustees of the McMichael, whose hands are being shackled by this legislation that we're going forward with now. It's certainly not Vincent Varga, the new CEO of the McMichael Canadian Art Collection, who was on the job a mere two weeks before the government dropped Bill 112 on our laps. And it's not the hundreds and thousands of donors whose gifts will now be deemed non-conforming to the original focus of the gallery. Nor do I believe the Canadian art community is in any way benefiting from Bill 112.

The government can't answer who benefits, mostly because it simply is true they're proposing a legislative framework that defies precedent: a bill couched in the language of fiscal accountability and sentimental obligation that has been designed to benefit the McMichael family, Signe and Robert McMichael, and Premier Harris, in terms of controlling the decisions that are happening there.

As it happens, the beneficiary of that, Mr McMichael, is the original founder of the McMichael Canadian Art Collection, whose land and property and 150 pieces of art by members of the Group of Seven and select contemporaries were donated to the province in 1965. It was a remarkable contribution to this province. No one on this side of the House wishes to diminish Mr McMichael's extraordinary contribution. His gift and vision served as the basis by which the McMichael was guided in its formative years, and successive governments of all stripes have recognized, celebrated and paid tribute to his generosity.

But 35 years after the fact, this government is preparing to roll back the clock in a most extraordinary and unprecedented way. They are ignoring judicial history and rewriting the intention of the original 1965 agreement between Mr McMichael and the province. They are denying the intent of the 1972 bill that ushered in the gallery as a crown agency to be governed by a

board of trustees. They are oblivious to the intent of the 1982 amendments to the McMichael Canadian Art Collection Act which my colleague the member from Renfrew spoke about so passionately yesterday. They are even misrepresenting the intentions of the Bill Davis government, the Bill Davis Tories, by quoting only select excerpts from the debates of that time.

I would like to add, for the record, that the government's intention with Bill 175 at that time, as written by Mr Davis himself, was to "agree that the role of founder-director emeritus is an advisory one, and that an equally important objective is to clarify the full and unequivocal responsibility and authority of the board of trustees in pursuing the objectives of the gallery." Mostly this government is categorically rejecting the fact that both the Ontario court and the Supreme Court have rendered decisions, in 1997 and 1999 respectively, that rejected Mr McMichael's argument that he should have veto power over all aspects of the collection, including the policy of who ultimately decides what work shows and what work does not show. At stake in the Bill 112 debate is nothing less than the ability of an autonomous cultural institution to exist beyond a narrow, government-imposed definition of what constitutes Canadian art, period. It is not, as the government suggests, about addressing ongoing financial difficulties at the gallery.

I say to the government members that your Minister of Culture was already well aware of the financial situation at the McMichael prior to this bill's introduction. These are not new financial difficulties. These are difficulties that have arisen due to flattened and diminished support from the province, the difficulty with fundraising that has taken place as a result of the omnipresent threat of legal challenges hanging overhead and the need for immediate capital dollars to address long-standing facility deficiencies.

It's incredible to me, and I know to the entire arts and heritage community, that this government would suggest that the financial problems at the McMichael are a direct result of the gallery's collection policies, as has been suggested by various members. It's a ludicrous suggestion and a mere smokescreen for what is really intended by this legislation. I refer members to point 3 in the explanatory notes of the bill: "The board's powers to make bylaws and establish committees and its power to appoint or remove the director are made subject to the minister's approval until the day three years following royal assent to this bill." Any suggestion by this government that they are not interfering in the day-to-day operations of the gallery is shattered by this sweeping new power being granted to the Minister of Culture.

I refer members also to point 4 in the explanatory notes: "The board is required to establish an art advisory committee." The art advisory "committee will consist of Robert McMichael and Signe McMichael, the chair and vice-chair" and one other appointment from the board. "The art advisory committee will make recommendations to the board with respect to the acquisition and disposal of artworks.... The art advisory committee is also

empowered to designate the artists who have made contributions to the development of Canadian art.”

This represents more than a disturbing chapter in the annals of Canadian art history. This is a fundamentally flawed precedent. It's a precedent that sweeps aside the role of the cultural professional in the operations of a gallery. It's a precedent that ignores the contributions of hundreds of other donors to the McMichael Canadian Art Collection whose tax-funded gifts may be deemed non-reflective of the Canadian cultural heritage. It's a precedent that suggests a serious breach in the role between philanthropist donors and the organizations that receive the benefit of their gifts. It's a precedent that threatens the artistic credibility of the cultural organizations and the art world at large.

It's a well-known fact that the Group of Seven are as united in the belief that “an art must grow and flower in the land before the country will be a real home for its people.” I would suggest the same applies to our cultural institutions in this country.

1700

This bill does not help grow or flower anything. It does not build on the collective passions and contributions of past curators, including Michael Bell and the wonderful Barbara Tyler, whom I had the pleasure of meeting on several occasions. It does not honour the contributions made by other professional staff, trusting donors, boards of trustees, artists, volunteers and taxpayers, who over the 35-year history of the gallery have helped the McMichael Canadian Art Collection become a dynamic, engaging and interactive institution with representative works from a wide range of notable Canadian artists. It seeks only to limit, restrict and censor the kind of works Ontarians and the world will see on the walls of one of our country's best-loved and most respected art institutions. It effectively will turn the McMichael Canadian Art Collection into a private art gallery while continuing to fund it as if it were public.

I have an enormous difficulty on a personal level when someone has the power to dictate what I can and cannot see. I have even greater difficulty when someone attempts to tell me what qualifies as good art and justifies that as being a reason to deny me the opportunity to see what they consider to be bad art. The government should not make those decisions.

With the greatest respect to Mr McMichael, he has already made it clear in media reports that he intends to significantly reduce the existing collection. In fact, he has said that with the powers the government has divested to him through Bill 112 he will remove up to 3,000 pieces of artwork from the collection because they do not suit his taste. Where is the respect for the sensibility and imagination of the individual art lover in that?

I urge this government to withdraw Bill 112. It's very important that there be a clear understanding that this is extremely regressive. It must be withdrawn, and I pray and hope that members on the government side will understand that. I now defer to my colleague from Windsor West.

Mrs Sandra Pupatello (Windsor West): I just want to open with one quick question. I have to ask the government how we ended up coming back to the House after a three-month furlough to this gripping issue of the McMichael Canadian Art Collection Amendment Act. I want to ask you, were your phones ringing off the hook in Leeds-Grenville? Were the people calling you, Mr Minister, and saying, “Bob, run back to the House and talk about the McMichael gallery for me. This is important to me”? Not that the McMichael gallery isn't important; it certainly is. It's a wonderful tribute to a wonderful collection. Having been there in the terrific town of Kleinburg, I have the utmost respect for it.

I have to ask the government the question: Whose idea in the Premier's office was it that we spend the first two days back in the Legislature dealing with this piece of legislation? We have issues that are real life-and-death issues for the people, not just in Windsor West, but across the board in Ontario. The people of Ontario, through the Ontario government, only a couple of years ago spent our tax dollars defending themselves and winning in a court of law exactly the opposite of what is in this bill before the House today.

I ask these people in the House, why? Why did you spend our money, the tax dollars of the people who live on Marentette Avenue and Elsmere Avenue and Parent Avenue, on legal fees to win the case in court, only to bring this bill into the House now in a completely reversed position? Why did you do it? Is there any backbencher in this House today who can answer the question? Have any of you called the Premier's office to say, “What on earth were we doing?” That's a very polite question to ask. What on earth were you doing two years ago spending our money, only to arrive in here with this bill today? It is nonsensical to do that.

I talked in the House yesterday about Eva, who's 85 years old. Eva went to her family doctor and a recurring issue was a degenerative disc. She knows she's going to have surgery, which her CAT scan's already identified. In the wait she had to go to her neurosurgeon, she thought four months was a terribly long time. So did her daughter Nancy, when she took her to her neurosurgeon appointment four months later, only to discover that it was in the wrong year. Her appointment with the neurosurgeon isn't until next September, fully a year and four months away from when they tried to book the appointment in the first place.

My health critic here, Lyn McLeod, will attest that this is happening across the board to many, many people in the province of Ontario. That is a critical issue. Eva may well be in a wheelchair by the time she gets to the neurosurgeon for the consultation, never mind for the actual surgery that will be required.

And here I am at Queen's Park, after three months away, talking about the McMichael Canadian Art Collection Amendment Act. You should be embarrassed that we are doing this today. You should be embarrassed that you took the taxpayers' money to go to court on a case and you won the case, only to come back through

the Premier's office with this bill that is exactly the opposite. No one can understand why you've done it.

Wherever you are on the issue of the McMichael Gallery, I have to ask the question about the priorities of the government. In Essex county we have just spent the last several weeks with a portion of our county under a boil-water advisory, just like 100 other communities over the last three months have had to deal with. Do you not have a priority to provide clean water for the people of Ontario? My leader, Dalton McGuinty, asked the Premier today time and time again, "How long will it be before we get clean, safe drinking water in Ontario?" Instead, we're here in the afternoon, the second afternoon, the second day, after having been away for three months, and we're talking about the McMichael Canadian Art Collection Amendment Act.

That is infuriating, and not just for me. It's infuriating for Eva, who is 85 and demands to know why, after a lifetime of paying taxes to this government, she doesn't have a health system she can depend on; why, after a lifetime of paying taxes, she is waiting a year and four months for the consultation to see a neurosurgeon in my riding because we don't have enough doctors there. Why is it that the government can make announcement after announcement to attempt to deal with the shortage of doctors, so that we call the media and say, "Please remember this is just a reannouncement. The money hasn't actually flowed," that the number of spots that they've announced isn't nearly adequate, nor will it be.

Yesterday in this House that health minister stood on her feet and told us that she wasn't aware of what those wait lists were for radiation treatment. That was an outright—she was clearly confused. I remember that same health minister last year launching the worldwide search for radiologists. Do you remember that? They were going to scour the world to find the technicians so that we could clear the backlogs because people were waiting too long. You don't remember that? There are people in your riding who are waiting for treatment. So when our health critic stood and said that we're waiting seven months out of Princess Margaret for breast cancer patients to have radiation, which one of you in this House thinks that's acceptable?

Today, in the afternoon, on the second day of this House after being away three months, we're talking about the McMichael Canadian Art Collection Amendment Act. Do any of you see that there might be something wrong with that, that we have major health issues that mean the difference to people, that there are people who need to have the help, need to have some kind of guidance, need to have money funded in the right places?

Today in the House, when Dalton McGuinty was talking about health care and talking about emergency rooms, everyone on critical bypass, it's the same story that the Fleuelling inquest was about, and that happened a year and a half ago. I remember the health minister then saying, "We will not let this happen again" and making yet another reannouncement of something. Our health

critic made a list today of all the announcements to deal with the emergency crisis in Ontario, announcement after announcement after announcement, yet nothing has changed. It's worse.

All I can say is that this government has been here for five years. There is no time for you to blame previous governments, because you've had five years to make change. Eva instead is waiting a year and a half for an appointment just for consultation.

This bill is on the docket again for discussion on Thursday afternoon. We will have spent three full sessional days dealing with this bill of the McMichael art gallery when we are dealing with radiation treatment delays for people who have cancer and we are dealing with people who are in an ambulance who don't have a place for that ambulance to go, not just in the city of Toronto but in the nearby big city of Hamilton. They are all on critical bypass right now. Those people don't have a place to go.

How many other Fleuelling cases do we need to have for the government to call something, some kind of crisis meeting in the Premier's office to redress what it considers its priorities? I know what the priorities are for Windsor West. I know that those people insist on having good care. I can't imagine sitting here and watching our Premier in this House, with that smug look on his face, tell me, "If the member from Windsor West wants to answer the question." Not only do I want to answer the question; I want that entire front bench cleared out of here. I don't know how we're going to wait through three more years of smugness before we can go to the polls so the situations of people like Eva will never be repeated again in Ontario because a priority actually will be health care.

1710

I don't know what more example we have to bring to this House to say the priorities of this government are all screwed up than that you would take three days of the first week we are back to talk about this bill. Everything else the government has wanted to do they've done behind closed doors, through a regulation change, through order in council. You've done whatever you wanted as quickly as you wanted it. If you wanted this to happen for McMichael, you could have done it behind closed doors. You could have done it by order in council. You gave yourselves all the power in the world to do that. Instead, in this House we should be addressing real life-and-death issues, which I'm embarrassed to say is a part of Ontario culture today, because six people died in Walkerton under our watch, which I can't believe, one of those people being a two-year-old child. That makes it a priority that we should be discussing in this House.

If there's anything I can say to further this debate, it's get this off this docket. Don't bring this back into this House for a vote. It's insulting to the people of Ontario.

The Acting Speaker: Questions and comments?

Ms Lankin: In response to the member from Windsor West and the two presenters from the official opposition, I want to say that I understand and agree completely with

the passion and the frustration she expresses about the priorities of the government. We see this on a continuing basis. It is a travesty that we in this Legislature are not, at this point in time, focusing on issues like Walkerton, the crisis in health care and the impending confrontation in the education system, that those public issues are not getting full debate.

I disagree with her, however, when she says that a bill such as the McMichael bill should be pulled and that it's an insult. I think there are very important issues at stake in terms of the cultural sector here. It's a bill I disagree with the government bringing forward. There are significant problems when we see a large segment of the arts community very concerned about the principle of a donor. It's not respecting the initial desires of the donor or a lack of respect for that. I believe that has been respected and continues to be respected, even in how the gallery is operated today. It is allowing a donor, who has been compensated for that donation in a very generous way on the part of the people, and admittedly it was a very generous donation, to continue to have control and to essentially run it as though it were still a private collection. It is either a private collection or a public collection. I think there is an issue of importance to the arts community. There is an issue of importance in terms of an ongoing focus of Canadian art and the excellence of that gallery.

The member's frustration is well noted and is certainly a frustration I share. I wish all our bills could have the public attention that is required, and I wish this debate could be more meaningful in this place, because I suspect no one is listening on the other side.

Mr John O'Toole (Durham): I want to make sure I represent Minister Johns' intention with this very important piece of legislation from the perspective of re-establishing what existed. I think the bill addresses a specific situation in a specific institution. One would have to recognize there were financial concerns that kept recurring, and I believe the bill itself has no further implications.

But respectfully, if one looks at Canadian art history—and I would qualify myself as not knowing very much about the topic, except to say that each of us here has some relationship or vision of what the Group of Seven really represents from the perspective of maintaining our wonderful, beautiful province and country in the vision of an artist. I am very fortunate; I happen to have a couple of artist's proofs. I don't have any originals of the Group of Seven, but I'm somewhat familiar with them. I do want to be on record that my personalized licence plate says the Group of Seven. My kids gave it to me. I'm not an art aficionado, but there's one group that certainly relates to it, and I think it's A.J. Casson, Lawren Harris, A.Y. Jackson, Arthur Lismer, J.G. Macdonald and, of course, Varley, and there are other names that are thought to be close associates. A lot of people mistakenly refer to Tom Thomson as a member. Of course, he's not. I look at other Canadian artists who need to be celebrated

as well. This summer I met Alex Colville from Wolfville, Nova Scotia.

I think this is a precious gift and legacy that's been left to this province. I believe that serious questions have been raised over the last number of years, and one should know that the litigation issues that came up, came up in the times of other governments. So I think the minister has a specific issue and, I believe, a specific solution.

Mr Sergio: I think our colleague, the member for Thunder Bay-Superior North, described the content of the bill extremely well and brought to this House more knowledge as to the real content of the bill. I have to agree totally with his content and his knowledge.

I think the member for Windsor West is quite right when she says this bill shouldn't be here, shouldn't belong in the House. I think that as usual the government—the minister, the Premier—does it behind closed doors. They could have handled this in a much different way. But now we know. Now I think their real intent as to why they want to do it is very clear to us, and it's most unfortunate. By doing that, by bringing this piece of legislation into the House, not only are they reverting to their former position, since the Premier has taken Mr McMichael to court, indeed to fight the very same issues, but they have introduced this piece of legislation for what? To accomplish something they will really resent later on, because it's not the right thing to do. I believe the people of Ontario will find out it's the wrong way to go about it.

With all due respect to Mr McMichael—I think we are grateful, we are honoured for his contribution to the McMichael gallery. But what are the real roots? It is our culture, and there is other culture in that gallery as well that is making us proud. I think it is making Ontario proud—our culture—and even contributing to the McMichael collection.

I really don't know what has happened behind closed doors. But if I didn't have the explanation by the members today, I would say that the intent of the bill is something very sinister, almost shady, if I could say that, Mr Speaker. I think the members, the Premier and the minister would do well to take another good look at the bill.

Mrs Elliott: I listened very intently to my colleagues across the way, particularly the Liberal member who was speaking on this bill, and I had to wonder if he has been reading the same bill we have been presenting and debating here in the House.

What he just didn't seem to get or doesn't seem to understand is that this is a bill addressing a very specific institution, the McMichael gallery; addressing a very specific situation, a serious financial difficulty; addressing a very specific concern, which is a controversy that has raged over the years as to what the original mandate was and how the collection has changed from that mandate over the years.

This is a government bill that is coming in response to concerns that have been raised. We believe it is a reasonable bill. We believe it is fair. We believe it is the

right thing to do, and it is aimed specifically at this particular institution.

When my colleague across the way said he felt the government was, and I'm paraphrasing here—something about trying to determine what the people of Ontario can and cannot see, implying that somehow we were going to be interfering in deciding what art people can view and where. I mean, it's absolute and utter nonsense. What we are doing is honouring the original intent of the agreement between the McMichaels and their great gift to the province and following along on what they believed was going to happen to that collection, to that property, to that land.

It was a Liberal government that originally started us veering off track, going down a wrong road that clearly led to controversy and has certainly contributed to the financial instability of the institution. What we're doing now is introducing legislation that honours that commitment, that we believe is going to get it back on track and, like so many other galleries across the world, will allow the gallery to focus on a very specific type of collection, that type of collection to be determined by the art advisory committee.

1720

The Acting Speaker: The member for Windsor West in response.

Mrs Pupatello: I find it interesting that even now, even with the various comments allowed by all sides of the House, no one has yet answered the question: why did you defend yourselves in court, at the taxpayers' expense, and win, only to bring this bill in, which is exactly the reverse of what you won in court? Why don't you answer that question? Did anyone tell you the answer in your room there on the second floor? Are you too embarrassed to answer that question? It's very simple. I don't know why you're doing it and no one's explained it and you should, because the result is that we're spending three days of the first week in this House discussing this bill.

As far as the people in Windsor West and most places in Ontario—this is an important issue to these people related to the gallery, admittedly. It doesn't compare, however, with some of the most significant issues that have faced Ontario for as long as I can remember. There are people who have died as a result of things that have happened in this province, which the government of Ontario may well have had a hand in preventing. There is nothing more significant than that.

After three months of having been away, for me to come here to discuss this bill when there are issues like consultations with doctors that people in Windsor can't access, after listening to the litany of announcements all summer long about what you were supposedly doing to improve the health system—you're flush with cash and throwing the money around, but the money never actually arrives to make a difference in people's lives. Here I am facing the McMichael Canadian Art Collection Amendment Act, and the people of Windsor West want to know why. I would suggest that the members opposite

go back and ask your Premier's office why. Is this what you've been reduced to, that no one will answer your questions? That's about all I can say to this entire bill.

The Acting Speaker: Further debate?

Mr Joseph Spina (Brampton Centre): You know, when the member from Windsor West talks about being flush with cash, I remind her that her federal colleagues who run that big toilet in Ottawa are absolutely full of cash that could be flushed into the system.

Mrs Pupatello: Answer the question, Joe.

Mr Spina: And the reality is that the health care issues that you want resolved can be resolved in regulation and in policy. They don't have to be resolved in legislation. This piece of legislation was started last spring. We are about to finish it. We make a commitment; we follow it through. That's why we're debating this bill right now. Let's be clear about what the issues are before the House today.

Mrs Pupatello: Why don't you answer the question?

The Acting Speaker: The member for Windsor West will come to order. As we all know, this place works much better when only one member speaks at a time.

Mr Spina: Let me be clear about what the issues are before the House today. We continue the second reading of Bill 112, An Act to amend the McMichael Canadian Art Collection Act. The bill seeks to restore the intent of the original mandate that created the McMichael Canadian Art Collection and bring that collection back to financial health and prosperity. We're honouring a commitment that was made by Premier John Robarts on behalf of this province three and a half decades ago. Our government believes in commitments, in doing what we said we will do. This is the next stage of the bill, a bill that was introduced last spring.

I don't know what the member from Windsor West did for three months. It sounds like she did nothing, because I can tell you, as a member of this Legislature, along with a lot of other members of this Legislature in all three parties, we did a heck of a lot of work in our ridings, in addition to going to committee hearings and so on, and Speaker, I know you were well involved with some of those activities, as was I.

Robert and Signe McMichael gave this province their art collection, their home and their property in 1965. Last Thursday night, the McMichael collection hosted the Woodchoppers' Ball. The Woodchoppers' Ball is the single largest fundraiser that the McMichael collection has, and I was honoured to represent our minister and our government at that particular function as a major sponsor and supporter of the McMichael collection. The interesting thing is I didn't see, out of 300 supporters there, for all the rhetoric that I heard from the opposition bench, one Liberal member there to support what they say is a wonderful jewel.

Robert and Signe McMichael were personally there, wonderful people, happy to see that their prize is now being returned to its original intent. They donated their collection, their home and their property in 1965 for the purpose of creating a permanent and lasting tribute to the

work of the Group of Seven and other artists who contributed to the development of Canadian art. They did it so that Canadians far into the future, beyond our generation, our children, our grandchildren, can enjoy the art left behind by that remarkably gifted group of young people who comprised the Group of Seven and their circle. They had a vision of art, a vision that captured and celebrated the very spirit of our great land, art that was distinctly and proudly Canadian.

We all know how important the Group of Seven and their contemporaries were in creating Canada's national identity, an identity that we often walk around and search for, but this was really the essence of that identity. They were the major stepping stone in the ascent of Canadian culture. It's the heart of it. When we seek a Canadian identity, when we seek a Canadian culture, that's a place where we can find the true seed, the true appreciation for what we as Canadians are about.

That 1965 agreement was very explicit. It was explicit that the collection was to become crown property so as to protect this vital Canadian heritage. This bill redresses the injury inflicted by the drifting away from that original mandate over recent years. Even the 1972 reorganization of the McMichael collection, which made it a crown corporation, stayed within the limits set by the original gift. The legislation was amended again in 1982, but, again, it did not stray significantly beyond the general orbit of that 1965 agreement.

I quote the minister of the day, the honourable Reuben Baetz, during second reading debate in November 1981. Minister Baetz said: "This bill will continue and enhance the vision that the McMichaels had when they gave their collection, their home and land to the crown in 1965.... Nothing can ensure the integrity of the collection more thoroughly than the law itself."

Then, during the 10 lost years when so much in this province went wrong under two wayward governments, that mandate was changed. The 1989 legislation significantly changed the focus of the collection. The Liberal government of the day made the importance of the Group of Seven secondary to other collecting imperatives. It deprived the gallery of the uniqueness that had set it aside in the first place. This bill redresses that injury perpetrated by that change of direction, that drift away from the original vision of John Robarts and the wonderful couple known as the McMichaels.

We seek in Bill 112 to recognize, to preserve and to protect this unique chapter in our history.

1730

How much of the controversy and conflict surrounding the McMichael collection in recent years has been the result of that change of mandate? How many of the financial difficulties of the McMichaels have flown directly and indirectly from the attempt to distort the original intent of that collection? It's time for a change. It's time to bring fiscal health back to the McMichael collection.

I'm pleased that one of the elements of that really was another gentleman who I had the pleasure to meet and sit

and have dinner with last Thursday night at the Woodchoppers' Ball, their new director and CEO, Vincent Varga. Vince not only brings a good base of administrative skills and financial abilities to the operations of the McMichael collection, but he also brings what is just as important to any administrator of a cultural venue, and that is the appreciation of and the training and background for art.

One way to bring fiscal health to this collection is to restore the original vision of the McMichaels in the modified form found in this bill. It is supportive of the McMichael family; it is supportive of the new director. It gives them the tools with which they have a clear mandate to carry out the direction that the original donors wanted. Bill 112 honours that spirit. It honours that commitment of the government's 1965 agreement with the McMichael family and it restores the integrity of this generous gift that they made to us, the people of this province.

As my colleagues have said, it redefines the nature of the collection to reflect Canada's cultural heritage. Let me repeat what the legislation specifies. It specifies that the collection will "be comprised of artworks, objects and related documentary material created by or about Tom Thomson, Emily Carr, David Milne, A.Y. Jackson, Lawren Harris, A.J. Casson, Frederick Varley, Arthur Lismer, J.H. MacDonald and Franklin Carmichael." Let us not forget it also allows for the inclusion in the collection of other artists, including the much-loved aboriginal artists of our country who have made wonderful contributions to the development of Canadian art and have contributed greatly toward that wonderful thing we now have been able to begin to define far more clearly: the Canadian culture, the Canadian identity.

These artists will be designated by an art advisory committee on which Robert and Signe McMichael, as well as three others, will sit. They will have input into a collection that reflects their life's passion, their expertise and their commitment to leaving a memorial to art for the benefit of future generations. Having a new CEO like Vincent Varga just goes that much further toward contributing to the development of a wonderful collection for the future.

Let me be clear: our government believes it is honouring a commitment made by several Ontario governments that the McMichael Canadian Art Collection should reflect the artistic vision of its founders. We also believe that failure to do this has contributed substantially to the fiscal problems faced by the McMichael in recent years, and particularly the \$1.6-million deficit of this year alone. It is our duty to manage the province's considerable investment in this public institution so as to revitalize and rebuild it. That's why our plan to get the gallery back on track includes a number of steps that would improve the operations, improve the finances and the governance of this collection. The appointment of Hamilton philanthropist and industrialist David Braley was an important step in this regard, another individual with whom I had the pleasure

of sharing the table at this Woodchoppers' Ball. In speaking with Mr Braley, I was most impressed about the focus and the direction that he was pleased at being able to get and to bring forward to the board of directors, to make sure that the McMichael gallery becomes again what it was intended to be and what we would all love it to be in the future.

This government is also providing \$2 million to fix the roof, windows and mechanical systems of the building that houses that collection.

The government is confident that with better financial management—which we are confident will come from Mr Varga—improved facilities and, most importantly, a clear sense of direction and mandate, the McMichael will rebound in public sentiment.

We sometimes wonder, as some people describe, where it is. That's a question a lot of people I've known over the years have asked: "Where is this McMichael collection and what is it all about?" When they ask, they ask with a little bit of awe in their voice, and that's wonderful, because when people have heard something about the McMichael collection, it's not an institution. Without deriding the Royal Ontario Museum or the Art Gallery of Ontario, they sound fairly institutional. But when you talk about the McMichael collection, it becomes personal. It feels personal because it is personal. It was a personal gift from a private couple who had a lifelong passion and as they got on in years wanted to be able to share that passion with the people of not only our country but of course guests who visit.

Being in the Ministry of Tourism, we get many requests to see various kinds of attractions and venues that people can come and visit. We have something that virtually no other country in this world has, and it's called the Group of Seven. The artists that I listed earlier are absolutely unique to this country. Yes, I've been to other countries where certain artists are identified. I look at the country of my own heritage, Italy, with many artists and sculptors—"sculptists" I guess is the word. I look to my colleague across the floor, the member from Hamilton—

Mrs Marie Bountrogianni (Hamilton Mountain): Hamilton Mountain.

Mr Spina: Hamilton Mountain. Thank you. I know she, of Greek heritage, is proud of some of the artists and artisans who come from her culture. Those people have contributed so much to the arts and culture of our world that we appreciate, but they never had a Group of Seven. They painted many things, they sculpted many items, that depicted religion, they depicted the countryside. But, in essence, the Group of Seven had something very unique. It depicted something that is dear to all of us: it depicted Canada. That's why it will attract art lovers from around the world and become a magnet for those who admire this most Canadian of painting schools.

Let me also repeat what my colleagues and Minister Johns have already said about this bill: it is a unique response to a unique situation. It has nothing to do with any other institution in the province, any other museum

or art gallery. I'll repeat that. It has nothing to do with any other institution in this province, any other museum or art gallery, because, as I said, it is a personal gift, it is a personal prize, it is a personal treasure.

1740

There is no intention to challenge the artistic freedom of the arm's-length relationship the government maintains with its agencies. It is not our job to dictate artistic tastes or to make decisions about what is or is not good art.

Can it be any clearer? I don't think so. We're ensuring an agreement made by the province in 1965, adhered to in its essentials until 1989, is honoured in good faith. In the process, we are trying to protect the interests of Ontario taxpayers who want a gallery that will attract visitors and partners, rather than repel them by controversy and conflict.

At the Woodchoppers' Ball it was amazing to see the personalities, the private sector partners who were so generous and willing to contribute to this wonderful treasure. I have no idea how much money they raised, but I do know that it was substantial. It was certainly within the six-figure range. I do know that if anyone chooses to participate in this event next year—because it is annual; this is the sixth one they've had—it is a truly enjoyable event. I ask members of the opposition, if you have the opportunity, please go. It's a lot of fun. You mix denim with black tie and they have some wonderful contributors there who lead and build up to the warmth of the moment around that collection.

By passing Bill 112, the Legislature will have fulfilled its role of restoring the integrity and financial health of a unique art collection that reminds us all of what it means to be, most importantly of all, Canadian.

The Acting Speaker: Questions and comments?

Mr Ernie Parsons (Prince Edward-Hastings): We're now on the second day of Bill 112. Last Thursday afternoon I had the pleasure of meeting with Carrie Guy and Kendra Banfield. They're the president and vice-president of the student council at Prince Edward Collegiate Institute in Picton. They wanted to talk to me because they had concerns: their teachers are now teaching four classes out of four, and when they need to talk to a teacher during the day, that teacher is in class, not available. They would like to talk to the teacher after school, but they are predominantly a rural community and they have no late bus, so they take the bus to get home.

They said to me, "Go to Toronto. We know a priority with this government will be the education system. Take our message to Toronto." The priority isn't the education system. The priority is the bill for the McMichael gallery.

A gentleman called me Sunday evening. His mother-in-law, who's 87 years of age, fell and broke her hip. She was air-ambulanced to a hospital. Obviously, the fact that she was air-ambulanced indicates it's a priority. She was air-ambulanced Friday evening and was operated on late Sunday afternoon. He said to me, "This government has made commitments to fix health care. Go and use my

example, because you will be talking about that when you get back to the Legislature.”

We're not talking about it; we're talking about a bill that has the lowest priority, to the point that it shouldn't be before the House. This is a bill to fix a problem that doesn't exist. The province made an arrangement that provided funding for many years and is now giving back to a couple far more than they ever donated to the province. This is a bill that says, “I'm going to help out Mike Harris's friends.” That is offensive to the people of Ontario. When we consider what the priorities are facing us, whether it be law and order, whether it be education, whether it be health, whether it be safe drinking water—and we are now in our second day debating a bill about paintings.

Ms Lankin: I appreciate the remarks of the member from Brampton Centre. I'm trying to understand what the nub of the disagreement is that we're having, because all of us agree on the importance of the very cherished gift of the McMichael donation, and particularly the Group of Seven, the amazing work that's there.

I don't see anything that has happened over time that has taken away from that centrepiece of the McMichael. I have seen decisions by the board and by governments who have looked at the structuring legislation that says, “How do we keep this gallery alive and living and into the future?” Part of that has been a decision to bring in more contemporary Canadian works to showcase alongside the groundbreaking work of the Group of Seven, but it doesn't take away from the Group of Seven. So there's a dispute and disagreement around, “Does it take away or not?” but is that worthy of this kind of bill or legislative debate?

I'm trying to look behind it, and one of the themes from a number of members of the government who have spoken is the issue around the financial viability of the gallery. In fact, that was at the core of the very reason decisions were taken in the past by the board of directors and the advisory committee and governments to allow an expanded and ever-living mandate for the gallery. Yes, there is need for public support, ongoing public subsidization. That will continue.

If the issue is about financial viability, I would suggest to you that this bill is going to make it much more difficult to sustain that gallery financially. Perhaps we should have an airing of that issue. I fail to understand why this has been done behind closed doors. Let's have public hearings and let's hear from people and let's examine this issue, because surely all of us want this important collection and gallery to remain financially viable into the future.

Mrs Julia Munro (York North): I think that part of the debate we are hearing today should also include something to respond to the fact that we're talking here about an issue of national identity. There are always issues with regard to events that take place or contributions that individuals make that identify us. I think that in the same way that many look at events like the Canadians at Vimy Ridge during World War I as a

turning point, a recognition of Canadian identity, so also in works of art that the Group of Seven provided do people see a turning point.

It was certainly an opportunity to recognize a very unique Canadian art form. It was something that in its time created a certain controversy, and it was in the spirit of that recognition that this gallery was set up. I think that is easily overlooked. Generations of students have been able to take advantage of this unique experience, and it is important, obviously, for us to be able to continue to make sure that this unique step in the art history and the identity of this country are maintained.

It's certainly fitting that we should be looking at returning this gallery to its original mandate, recognizing the fact that this is part of that Canadian identity, and it will certainly help then to have this collection, have the restoration of its financial health and preserve these valuable pieces.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): First, perhaps I'd like to make a comment with regard to the observation made by the member from Brampton Centre. He talked about attending the Woodchoppers' Ball and he noted that there were no Liberals there. I just asked my colleagues who are sitting here with me, and you know what? None of us got invited. I think it would be a wonderful experience and I would suggest that maybe if you would like to add the entire Liberal caucus to the list, you might be surprised at who would show up at the ball next year. It certainly sounds like a wonderful event. I thank the member opposite for bringing it to our attention. We'll look for that in the mail.

I just want to make a comment about a term, and I think the people watching must wonder why the government is involved with the McMichael collection anyway. How did that happen? We are certainly aware that the McMichaels provided the opportunity for the collection to become a provincial resource, in fact a national resource. But I think it's important as well to mention that the McMichaels, while we call it a gift, were compensated for that. The gift had a value of about \$800,000 and they received a tax receipt for that amount. They were also given the right to live in the house from about 1965 to 1983, and they were given a car and a housekeeper at the province's expense. Mr McMichael was given a salary of \$400,000 for four years, and the government purchased another house for them for \$300,000. So it's important for the record that people understand the people of Ontario have a vested interest in the collection.

The Acting Speaker: In response, the member for Brampton Centre.

Mr Spina: Thank you, to the members: my colleague from York North, my colleagues from Prince Edward-Hastings, Hastings-Frontenac-Lennox and Addington—did I get that right, Leona? Hey, good—and of course the member from Beaches-East York.

To try to address a couple of questions, to the member from Beaches-East York, I think the difference was that

when the original collection was donated, the context was that it should be Canadian contemporary art, and the board, in its expanded mandate, made it into contemporary art in general. Partly as a result of those decisions, part of the problem that impacted them financially was that they made some substantial purchases which shot the deficit up from about \$300,000 to \$1.6 million in about a year, because of some contemporary purchases that we understand were made. What we've done is obviously tightened that back to Canadian contemporary art.

That's more a matter of explanation to your question. I'm not sure whether there's still a disagreement in terms of your support of the bill.

In response to the member from Hastings-Frontenac-Lennox and Addington—almost as bad as Bramalea-Gore-Malton-Springdale—I'd be happy to refer you to my friend—Sergio's friend also—from the city of Vaughan. Councillor Joyce Frustaglio is the chair of the Woodchoppers' Ball, and it is not the provincial government that invites people; it is the volunteer committee that's a subsection of the board of directors. We'd be happy to let them know.

The Acting Speaker: It being very close to 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1753.

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Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Davenport	Ruprecht, Tony (L)		
Don Valley East / -Est	Caplan, David (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London West / -Ouest	Wood, Bob (PC)
Durham	O'Toole, John R. (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Eglinton-Lawrence	Colle, Mike (L)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	Mississauga East / -Est	DeFaria, Carl (PC)
Essex	Crozier, Bruce (L)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	Coburn, Brian (PC)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Hon / L'hon Ernie (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

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

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Gilles Bisson, Alvin Curling, Gerard Kennedy,
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Vice-Chair / Vice-Président: Brad Clark
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Garfield Dunlop, Raminder Gill, Pat Hoy,
Frances Lankin, Bill Murdoch
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