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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 19 October 2000**

**Jedi 19 octobre 2000**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 19 October 2000

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 19 octobre 2000

*The House met at 1000.*

*Prayers.*

**PRIVATE MEMBERS' PUBLIC BUSINESS**

ONTARIO WATER RESOURCES  
AMENDMENT ACT  
(WATER TAKING PERMIT  
NOTIFICATION), 2000

LOI DE 2000 MODIFIANT LA LOI  
SUR LES RESSOURCES EN EAU  
DE L'ONTARIO  
(AVIS RELATIFS AUX PERMIS  
DE PRÉLÈVEMENT D'EAU)

Mrs Dombrowsky moved second reading of the following bill:

Bill 121, An Act to amend the Ontario Water Resources Act with respect to water taking permit notification / Projet de loi 121, Loi modifiant la Loi sur les ressources en eau de l'Ontario à l'égard des avis relatifs aux permis de prélèvement d'eau.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes to make her presentation.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I am honoured this morning that I have an opportunity to address a bill that I've brought forward for consideration. I think it's a very important bill. It's certainly important within my riding. From what I've come to understand since we embarked on the journey of a private member's bill, there are many municipalities, communities and agencies across Ontario that believe this is an important first step to establishing a plan to manage the water resources of this province.

I'll just take a few minutes to talk a bit more about the genesis of this bill. Within my riding, residents in the community of Centre Hastings became aware that a permit had been issued to take 1.3 million litres of water a day out of the springhead of a stream that fed many local communities. Understandably, the residents in the area were most concerned. They were concerned for a couple of reasons. Of course they worry very much about their water source. Historically, there have been issues of wells going dry during the summer months, and with the removal of that much water at the springhead, there was

the very real, and I think justifiable, concern that that condition would probably worsen.

The other issue was the fact they had not been notified, that there had not been any kind of notification to the community, either to the municipality or to the conservation authority, prior to the issuing of the permit. So they were most surprised that a community water resource could be impacted in this way without an opportunity for the community to provide input on that. So the concern came to me.

As we investigated the issue of water-taking permits, we came to understand, with regard to notification, that when a permit to take water is applied for in Ontario, it is a part of the regulation that the director of the Ministry of the Environment, upon reviewing the application, may contact municipalities and conservation authorities or community agencies, but there is no requirement that says the director must. What we've come to understand and what we've come to determine in our research is that it rarely happens, if at all.

In fairness to the ministry, there is the EBR Web site and permits to take water are published on the EBR Web site, but not all permits. I think it's important for members of this House and the people of Ontario to understand that any permit that would be for a period of less than one year, or any renewal, would not be posted on the EBR Web site. We are aware, as well, of cases where requests for permits that should have been put on the Web site were not. It was an oversight, and that certainly happens. But the reality is that a community did not have appropriate notification. The other problem with the Web site, of course, is that not all communities or people within communities in the province would have access to that technology. So we don't believe that is the best way to ensure notification.

When we thought about how this might indeed happen, we have the bill before us this morning. It's very short and very simple. It is the result of some consultations I've had with people in my riding, with constituents who are very concerned about this issue. I've had an opportunity to talk with my colleagues about the best way to deal with this important issue within the province in the most expeditious fashion. So we've brought to the Legislature today a very short and concise piece of legislation that we believe is a first step to the responsible management of water resources in Ontario. It's very simple, and it's something that can be implemented almost immediately. Certainly, with regard to the people

who have contacted me in support of this, that is what they would say we need.

At this time, I'd like to make reference to a letter on this bill, which I have received from the Credit Valley Conservation Authority. They say:

"The Credit Valley Conservation Authority has long been advocating reform to this ineffective permit process, and we believe that your bill provides a first step in this direction.

"We trust that all members of the provincial Parliament will support this bill and the modest change in the process that it represents."

This is one of the agencies that have offered support to this bill.

It's also important to note that the Association of Municipalities of Ontario wrote to the Minister of the Environment in May 2000 to indicate that the regulation should be changed. The AMO recommended that rather than reading "the director may ensure that governmental authorities are notified," the word "may" should be changed to "will be notified." Consequently, and I'm sure you won't be surprised when I share it with you, on October 16 I received a letter from the president of the Association of Municipalities of Ontario, and I'll quote from the letter: "The amendment to the Ontario Water Resources Act that is proposed in the bill would be a step in the right direction toward better consultation and better coordination with regard to water-taking permits."

I think it certainly is important for all of us to understand that those constituent agencies feel very strongly that this is a first step in the right direction, and I appreciate very much that it is a first step. I appreciate there are many other issues that relate to our water resource and water-taking permits that need to be considered, certainly issues around permit categories. We know that at the present time there are three permit categories. We know there are issues around possible fees for water-taking permits, particularly in those cases when the water that would be taken from a water source would be sold, especially outside of the province.

#### 1010

There are issues with regard to the self-monitoring of the permits. For example, in my riding, when the permit was issued, there was an expectation that the proponent would monitor water flows themselves. People within the community have some concern about how appropriate it is to rely on the reports the person who is dependent upon the permit would bring to the ministry in terms of the integrity of the water source. There certainly are other issues that relate to water-taking permits that I believe require comprehensive review and consultation. I look forward, at one point in the future, to having the opportunity to address those important issues.

But right now, today, this is a very simple, small step we can take in the right direction that is going to have a significant impact within the community. It will allow municipalities and conservation authorities to begin to catalogue the use of water sources within their area. It's something we need to take as soon as possible. I think it

would not be prudent for us to look to include this in something that would be much more far-reaching and would require, and would deserve, some significant time and consideration. This is very simple. It's to the point. It's necessary. It is needed immediately.

For all these reasons, and because I know that the many constituent agencies that would be impacted by this bill support it, I bring this bill to the House today for your consideration. It is my sincere hope that you will be able to appreciate how very much we need this kind of legislation as soon as possible.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I would first like to thank the member for Hastings-Frontenac-Lennox and Addington for her concern about this very important issue of water. The Ontario government shares her concern about water-takings that will or are likely to affect our water supplies.

While we support the proposed bill in principle, we do not believe it is necessary. It is not needed. The existing legislation currently addresses, and in most cases surpasses, what is being proposed by the honourable member.

I would like to turn to some of the key proposals being made in this private member's bill.

The bill proposes that if a director of the Ministry of the Environment receives an application for a permit to take water, then the director must notify the responsible municipality or conservation authority if that undertaking will affect or is likely to affect the water supply. Please allow me to point out that the Ontario Water Resources Act currently does not allow the granting of a permit that would interfere with existing uses.

While, among other things, the permit to take water program, the PTTW program, is designed to prevent interference with existing users in the area, that is not the only consideration. Applications are carefully reviewed not only to prevent interference, but also to ensure that proposed water-takings are sustainable and will have no adverse affect on the environment.

This government has shown international leadership on the issue of water-taking. In 1999 we brought into force the water-taking and transfer regulation. Under this regulation, MOE directors, when reviewing permit applications, must take several issues into account: first, protection of the natural functions of ecosystems; secondly, the effects of ground and surface water-takings on other source uses; thirdly, the interests of others in the permit to take water; and finally, the Great Lakes charter.

Last year the ministry improved its procedures for reviewing permits to take both ground and surface water. Our government was involved in holding a series of focus discussion groups with stakeholders to address low-water issues, and we're all aware of the drought of two and three years ago.

As a result, applications are now subjected to increased scrutiny and will only be approved where the sustainability of the resource can be assured. As an example, during the summer of 1999, the issuance of permits was curtailed in light of anticipated drought.

Conditions were placed on permits to take water, which may include the restriction that takers may not withdraw more than 10% of the stream flow in order to protect the natural stream functions.

For intensely farmed regions in Ontario, the ministry has encouraged farmers to consider off-line pond storage in order to take water into storage at less critical times during the year. We have also imposed conditions that require permit holders to gauge the available stream flow in order to comply with their permit conditions.

MOE's regional operations—I'm thinking of the Hamilton office, for example—to their credit were involved in a number of case-by-case stakeholder consultations and have partnered on local water management solutions that arose as a result of individual permit applications. Most recently, as I mentioned, the partnership of MOE, MNR and OMAFRA, along with the Ontario Federation of Agriculture and the local conservation authority, was formed to address water-taking issues during potential shortage from Big Creek, which flows through the Norfolk sand plain in my riding.

This private member's bill also proposes that where a conservation authority or municipality is to be notified, 30 days' notice is to be provided, and that the director must take into account their observations in deciding whether to issue the permit.

I would advise the honourable members that all water-taking permits of a significant amount are posted on the Environmental Bill of Rights registry, providing for a 30-day comment period. The comments received must be taken into account by the issuing director.

As well, in the spring of this year, the minister sent a letter to the municipality of Centre Hastings assuring them that MOE will notify municipalities of any significant takings in their area. Subsequently, the ministry has sent the same reassurances to over 25 municipalities that had similar concerns.

I have addressed two key proposals included in the private member's bill we are debating today.

Again, I would like to express our appreciation to the member from Hastings-Frontenac-Lennox and Addington for her concern and her efforts in the vital area of protecting Ontario's water resources. I would also like to advise the Legislature that the government does not see the need for this bill.

**Mr Dalton McGuinty (Leader of the Opposition):** I want to tell you that it's with a great deal of pride that I am speaking in support of this private member's bill. I do so for a number of good reasons.

First of all, I'm very proud of the work my colleague has done on this matter. I had the opportunity to visit a community inside her riding that was very upset and very disturbed by the fact that the government had proceeded to issue a water-taking permit, unbeknownst to the people who benefited from the water in their very own community. I know that served as a very strong motivating factor in the member's decision to move forward on this bill.

I am proud of the fact that she is putting forward a positive idea. I can tell you that she is working very hard to make a positive difference for people. We are determined to oppose this government whenever it is wrong, and believe me, there is no shortage of material to work with on that front, but we also take seriously our responsibility to propose positive policy alternatives, and that's exactly what the member is doing here today.

The other reason I'm so pleased to speak in support of this bill is because this bill speaks to the need to protect and conserve our water. I think that as a result of Walkerton and people's growing feelings for and desire to protect our natural environment, we have a collective responsibility now to move forward in any possible way to help all of us better understand the need to protect our water.

**1020**

We have been asking the government to introduce a comprehensive groundwater strategy now for years; to put it another way, simply a plan to protect our water. In 1996, the Provincial Auditor urged the Ministry of the Environment to come up with just such a plan. I can tell you we're still waiting for that plan, still waiting for that strategy years after the auditor sounded the alarm, years after the Environmental Commissioner repeated that alarm and months after the alarming reality of Walkerton.

Finally, I am pleased to speak in favour of this bill because quite simply it's good legislation. As the member put it, it's a good step forward. It's simply going to require that the provincial government give notice to a community that somebody has an interest in taking some of their water. Surely if anybody can lay claim to water, which is a common resource, it has to be the community that benefits from that water on an ongoing basis. It highlights a very important perspective that we should consider on this issue, which is, what do we think of communities? Are they resources to be tapped or obstacles to be overcome?

It seems to me that in the fight to protect and conserve our water, we should not be denying a community knowledge of a prospective water-taking permit; we should be inviting them into the process, seeking their opinion, getting their input, understanding that nobody has more energy and more goodwill and more dedication to the preservation of that natural resource than the very people in whose community the water can be found.

I ask members, who could be opposed to letting a community know that somebody is about to take some of their water? If anybody's got a claim on water, as I said, it has to be the community itself. If Walkerton taught us anything, it's that we can't take our groundwater for granted. But here in Ontario the government is literally letting company after company take our groundwater, no questions asked, this at a time when we don't know how much groundwater we actually have, when we don't know how safe that water really is, when we don't know—and this is the critical point—how the community itself feels about losing that water.

So I ask all members, should we not at the very least—and surely this is a minimalist obligation on the

part of the provincial government—notify the people in the area when water is being removed from their communities? Don't people have a right to know? This is a good step forward. The member could have brought forward much more, and she made reference to some of the things that she might have done. But she knows, as we know, that this government has failed to act on a much broader action plan that we have put forward when it comes to protecting our drinking water, just as we put forward a broad action plan when it comes to addressing the emergency room crisis found in our province today.

Rather than bring forward a sweeping action plan, the member has brought forward a good first step. So I ask again, how could any member fail to support this? How could any one of us go back home to our ridings and tell our constituents, "I don't think you people have a right to know that someone wants to suck water out of your backyard. That information is of no value to you, and you, in terms of your input, are of no value to us"? I can't see any member in this Legislature wanting to go home and deliver that kind of news to their constituents.

This is a good first step toward the comprehensive groundwater strategy that should have been in place in this province some years ago. It's a comprehensive groundwater strategy that may even have helped us avoid the Walkerton tragedy. I urge all members to support this good first step and then, once we take this first step, let's all take a few more and let's start a march forward toward a groundwater strategy, a real plan, a comprehensive plan to protect our water, toward clean water and toward clean air, toward a province that protects our environment and, by so doing, protects the health of all Ontarians.

This, to say it one more time, is a good first step, and if we fail to take it we're standing still, and we are standing still at a time and on an issue which demands that we move forward.

**Mr Gilles Bisson (Timmins-James Bay):** It's with pleasure that I get an opportunity to speak in favour of this bill. Basically, the purpose of the bill is, as it says here in explanatory notes, "to require the director to notify a municipality or conservation authority of an application for a permit to take water that, if granted, will affect or is likely to affect its water supply."

You have to ask yourself the question why it is that the member comes forward with this bill. I think most of us who've been around here for a while understand what this is all about. It's that over the past number of years we have seen a lessening of the standards when it comes to both law and regulation and also by way of programs when it comes to the programs and regulations that the provincial government utilized to safeguard our drinking water.

Unfortunately, a big part of that has been the focus around Walkerton where we've seen what happens when a provincial government decides that it doesn't have to take its responsibility in the way that governments did in the past when it comes to ensuring the quality of safe drinking water. In the case of Walkerton, what we've

seen was a move first of all by the provincial government to reduce the staffing at the Ministry of the Environment by 1,000, which meant they didn't have the staff necessary to process all of the internal documents and all of the internal monitoring programs that are there not only to safeguard our drinking water but a number of other issues around the environment.

Then again you saw a provincial government—and this is a fact that hasn't been said loud enough or often enough for people to comprehend just how big it is—make a 60% cut in total funding to the Ministry of the Environment between the operating budgets and the capital budgets. It means the provincial government, since 1995, reduced by 60% the amount of money that it spends on the Ministry of the Environment.

A big part of that was the money that used to go to the Ontario Clean Water Agency, OCWA, as we used to call it, which was responsible to help municipalities build, maintain and improve on water filtration plants and sewer treatment systems. If I remember correctly, and I'm just going by memory here—and I might be correct and I might be a little bit off in my numbers—there used to be somewhere around \$200 million that was earmarked from the provincial budget to that particular ministry and through the Ontario Clean Water Agency to help flow dollars to municipalities to upgrade water and sewer systems to make sure that we weren't polluting our environment by way of our sewer systems and, number two, to make sure that we had good, clean drinking water when it came to the water that people took out of their taps. One of the unfortunate things that happened is that this government reduced that funding significantly, as I said at the outset, by a 60% total cut to the Ministry of the Environment budget.

The unfortunate lesson we've learned here is what can happen when a government decides it's not going to take its responsibility vis-à-vis ensuring the public safety when it comes to the environment. I, for one, along with the rest of my NDP colleagues and other members from the other party, have been pointing out since 1995 that the government is wrong and is going completely in the wrong direction when it comes to its whole approach about trying to diminish government and do all of these things by way of those red tape bills that they've passed where they get rid of what they call pesky regulation that gets in the way of economic development.

The other part of the story is that the government, by way of red tape bills and by way of amendment to other acts, has done a number of changes that have weakened environmental standards within the province of Ontario, and we have now quite frankly started on a road backwards from where we were in 1995, certainly by way of actions of this government. What Mrs Dombrowsky is trying to do with Bill 121 is put in place at least one regulation by way of law that would make it mandatory that if there is a permit application to draw water, the affected parties would at least be notified so that they know what is going on.

I had an opportunity not too long ago, I believe about three or four weeks ago in the work that I was doing

around the Adams mine, to meet with Ministry of the Environment officials across the region, not only in northeastern Ontario but also in Toronto. One of the scary things, and this is directly to the point of Bill 121, one of the things I was told by ministry officials, is that the ministry goes in on sites and does testing of water. I'm not talking about drinking water at this point. I'm talking about discharge of water from plants. If you operate a papermill, a mine, a car plant, whatever type of industry, and you discharge water from your plant or mill, the Ministry of the Environment on a regular basis, I believe every quarter, goes in and tests the water being discharged to monitor the water going out into our environment. The reason for that is very simple. We need to safeguard, to make sure we're not putting toxic chemicals and toxic substances into our environment and into the water that eventually comes into our water systems.

**1030**

The thing I was told by a couple of Ministry of the Environment officials—and they said, “Gilles, you can quote us on this”—is that now, to even look at the data collected in the quarterly inspections, it's backlogged by as much as eight months. That means that if, for whatever reason, there is a fault within the discharge system in a mill, which may not even be a fault the operator knows about—something broke down and they don't realize they're discharging some sort of toxic chemical into our environment—the Ministry of the Environment will be there at least within three months to do the inspection, but it will take up to another eight months before they look at the results of the inspection. That means it will be over a year after the point of discharge that the Ministry of the Environment even knows there's a problem. These are officials within the Ministry of the Environment.

I would think, when I hear the Minister of the Environment and the Premier stand up and boast about their good environmental record and the leadership job they're doing—in the words of the Premier yesterday, he said, “We are marching forward.” I would say your troops are marching backward, Premier. The reality is that your record when it comes to the environment has been abysmal. Quite frankly, what your government has done is to take Ontario, in its legislation, regulations, programs and policies, and do a 180-degree about-face and march it backwards to before 1995. I would argue that in some of the regulatory changes you've made, you've marched us back into the 1970s.

We forget why it is that governments before us made changes to environmental legislation. It's because of the disasters that happened within the province of Ontario that we swore as legislators we would not let happen again.

I remember, as Mr Bradley would—he was the Minister of the Environment at the time—the Hagersville tire fire.

**Interjection:** Those were the good old days.

**Mr Bisson:** Well, they weren't so good, because that didn't last. Anyway, that's another story.

The Minister of the Environment at the time was Mr Bradley. If you remember, the Hagersville tire fire was not only an environmental disaster; it was also a question of public safety. At that time, the official opposition, Bob Rae's New Democrats, and Mike Harris's third-party Conservatives supported your government when it came to making changes to legislation to allow that we don't pile tires on to one big site, the way it was done in Hagersville. We made changes to legislation for reason and for cause. What bothers me about the Conservatives is that they seem to forget that legislation built in this Legislature to protect the environment was done for a reason. It was done because of a disaster. In the case of the Hagersville tire fire, we said as legislators that we are not going to allow that type of concentration of old tires into a dump, not only for public safety but because if there is a fire, the leachates will end up going back into the groundwater, with the impact on the environment. So we put in place regulatory changes to safeguard against that happening again.

Well, the Harris government gets elected in 1995 and says, “Hell, we're smart. We don't have to take into account what happened in the past. We don't have to take a look at what's best for the public. We are concerned with what is”—in their view—“a hindrance to economic development.”

I watched the member Raminder Gill—I forget which riding he's from; if I knew, I would name it—the other day in a debate on the environment say, “If it comes down to who I should trust about making an environmental decision, a person who's the proponent of a project or the government, I would trust the proponent of the project.” I couldn't believe my ears. I know that's their agenda, but I never believed for a second that a Conservative would be stupid enough to admit it in this Legislature. But in fact he did. The cat's out of the bag. I think somebody should talk to Mr Gill and tell him to keep quiet, because he's leaking your caucus discussions and possibly cabinet discussions. What your government's agenda is about, quite frankly, is putting the power, when it comes to environmental regulation, in the hands of the developers and the proponents of projects.

I say that's wrong. It's not that we should be trying to hinder development, it's not that we should be trying to build roadblocks to prevent these people from investing in the province of Ontario, but we need to make sure we have rules and regulations that safeguard our environment and, yes, at times say that if something cannot be sustained environmentally, maybe it's an action that shouldn't be taken.

I want to give you an example that happened in my community. An operator of a gold mine at the time—I believe it was just before Royal Oak, the gold mine at the McIntyre mine in Timmins. At the time a project was proposed, called the ERG project, which was basically going to reclaim the old tailings in the McIntyre mine and the Hollinger mine to take the gold out of tailings

and extract that for a profit, with the promise that at the end of the project they would rehabilitate the entire site to at least its former state, which was a tailings dam, which is not very nice, but to a better state.

At the time, I was not a member of this Legislature or municipal government. I remember at the time some of the people of the community said, "That project shouldn't go forward." I remember some of my own friends said, "Gilles, how can you do that? It's going to prevent the creation of some 50 jobs in our community." I said, "They have not put the financial assurances in place to make sure that if they go bankrupt, we're not left with an environmental disaster that we, the taxpayers of the city of Timmins, will end up picking up to cover the damage they'll create in the environment." At the time, the then provincial government—and I'm not going to start pointing fingers; I'll say it was in the late 1980s and you can figure out who it was from there—allowed the project to go on without the assurances, and so did the city of Timmins. As a result, that operator went into operation, started the gold mine operation which was the extraction of gold out of the tailings, and guess what happened after a couple of years? It went bankrupt.

We are now left, in the middle of the city of Timmins, with a fence around what used to be a park run by the Lions Club, called the Pearl Lake Park. It's now a great big hole of slime in the middle of the city of Timmins, with a fence around it. We drive by it every day as we drive between Schumacher and Timmins. People who don't know the history of that, because they've come to our community since then, say, "What the heck is that all about?" Well, at one time it was a park.

My point is this: At times, yes, government has to step in and say, "OK, you have an economic project you want to put forward." Put together some environmental protection, by way of legislation, to make sure we don't adversely affect the environment. If there is a danger, such as there was with the ERG project, put in place financial assurances to make sure the taxpayers are not left holding the bill when the company goes bankrupt and we're left with a problem. For what was the creation of 50 jobs for two years, the price tag on cleaning that thing up is astronomical. We have examples like that across the province in all of our ridings.

I say to the member in regard to Bill 121, it's certainly not a comprehensive bill in the sense of covering off all the issues we could be talking about in the environment. I think she understands that, but Mrs Dombrowsky also understands that there need to be some steps forward to try to safeguard what was in place to protect our environment. At the very least, what we should do by way of Bill 121 is to make sure that if anybody does try to get a permit to draw water from whatever source within the province of Ontario, those affected—the residents, whoever it might be—need to be informed so they can find out what's going on and if there's a problem they're able to raise it.

This is the point I want to end on. This is the part that really bugs the government, why I think this bill, if it

does pass, will never get past the committee level. This government does not like the idea of the public being informed. If you take a look at all the changes they've made in the red tape bills, it's all about taking voice away from the public when it comes to its ability to question projects at the Ontario Municipal Board. Both through changes they've made to the Planning Act and to other acts that affect municipalities and through a number of other changes they've made in red tape bills, they've taken away the ability we have as the public to, first of all, be informed that there is something going on that may adversely affect our community in terms of the environment or for whatever other reason, and second, to intervene through the courts and various bodies such as the Ontario Municipal Board. They've put in place legislation that very much weakens our ability to do so.

I want to say to Mrs Dombrowsky that I, along with other New Democrats, will be voting in favour of this bill. We see this as a good step forward. But we want to remind the government that it has an abysmal record when it comes to environmental protection. I, for one, as an Ontario citizen, am really bitter—I shouldn't say bitter, but upset—when I see the government get up and talk about how it's a world leader on environmental protection. If that's leading, boy, have we gone completely in the wrong direction.

1040

**Mr Doug Galt (Northumberland):** It's certainly a pleasure for me to have an opportunity to respond to part of the debate on Bill 121, the Ontario Water Resources Amendment Act, put forward by a member from a neighbouring riding, Hastings-Frontenac-Lennox and Addington. I agree with her and compliment her on being concerned about clean water, especially in a province—and a country—that has so much fresh water in the world. It's a privilege to have that quantity of water.

I look at her bill, I read it and the bottom line is it's just not necessary. This kind of thing is being done that she is requesting. It's in place; it's happening. We already heard from the parliamentary assistant, the member for Haldimand-Norfolk-Brant, who mentioned that this proposed bill doesn't go further than our present legislation. I think I heard the Premier say the other day that maybe she should have been putting more into it than she really is. It's something that this government's been responding to, this particular issue. We've been responding in a very proactive way.

I'm a little concerned for the member for Hastings-Frontenac-Lennox and Addington that her leader would come in to give her support. She does a pretty good job. I'm embarrassed for her that the leader would actually come into the House to give her support. Other members would be able to support her, like a past Minister of the Environment who waived things like environmental assessments, thought those weren't necessary. Maybe that's why the leader came in, because of the concern that he had for previous Ministers of the Environment and how they screwed up. Maybe it's understandable why he'd be here.

I wanted to speak for a moment as chair of the water resources management committee. Some eight parliamentary assistants formed this committee for the Minister of Natural Resources back in April and met several times with stakeholders across this province, very extensive numbers of stakeholders. Just to name a few that might be of assistance to the member who's brought forward this bill: Trout Unlimited, the Canadian Environmental Law Association, Ducks Unlimited, the Canadian Water Resources Association, the Ontario Society of Environmental Management, the Soil and Water Conservation Authority, the Canadian Institute for Environmental Law, Conservation Ontario, the Ontario Municipal Water Association, and the list goes on and on.

The objective of the committee was to seek input from stakeholders from across Ontario to promote water conservation through public and private sector activities focused particularly on education and awareness-building and ways to better use Ontario's water resources to minimize wastage and optimize use for public and private benefits.

We sought opinions on ways of guiding local decision-making regarding water allocation in areas that may be threatened with water supply problems. As you look at some of the states—I happened to be in Wyoming to notice what goes on there: first come, first served. If you're upstream and you have the right to take water, you can take it all if you want. Those are some of the ways it operates in other jurisdictions. I'm proud of the steps that we've taken on water-taking permits. I'm positive at the end we will end up with a long-term strategy that will address those particulars. We're putting out monitoring wells for groundwater.

We hear the opposition screaming. It's always too late. They come in after the fact, like Dalton McGuinty coming in to Peterborough-Northumberland riding about intensive agricultural operations after we've been doing quite extensive studies. Finally he gets involved. Here we have the member bringing forth this bill, finally getting involved. Too little, too late, but at least they are getting involved.

I was pretty embarrassed for McGuinty coming in, finally taking an interest in intensive agriculture. Why he didn't invite the member from next door, who has an environmental interest, I don't know. It's sort of like jumping up and down on someone's head and then complaining, "My foot's hurting." That's about what's going on here.

The member for Hastings-Frontenac-Lennox and Addington should stop jumping all over this government and realize that we're already taking action. This bill doesn't do anything more, but rather less, than what's already being done.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to join in the debate on private member's Bill 121, the Ontario Water Resources Amendment Act. One can appreciate the concern of the member from Hastings-Frontenac-Lennox and Addington about what is obviously an important issue.

It has been stated by other members that they support the bill in principle, but I want to comment on the bill in terms of its factual content.

The key policy proposals in what she's trying to get into this bill—she's looking at one section which proposes, "If the director receives an application for a permit to take water that, if granted"—and I emphasize the wording "if granted"—"will affect or is likely to affect the water supply of a municipality or conservation authority," only those two bodies, "the director shall give it notice of the application."

It behooves me to wonder why anyone would be granting a permit if it's likely to or will affect the water supply. To me, it's almost nonsense. When you look at it, the Ontario Water Resources Act does not allow the granting of a permit that would interfere with existing uses. Therefore, consideration of such proposals would be contrary to the Ontario Water Resources Act. What is the member talking about?

While, among other things, the permit to take water program is designed to prevent interference with existing users in the area, that is not the only consideration. Applications are carefully reviewed to prevent not only interference but to see that they are sustainable and will have no adverse impact on the environment. What the member is asking for here is to give notice in a situation that would never happen.

The other proposal she's looking at is, where a conservation authority or municipality is to be notified, that 30 days' notice is to be provided, and that the director must take into account their observations in deciding whether to issue the permit. Why is it being restricted to conservation authorities and municipalities? What about the neighbouring residents? What about other organizations that might have an impact within the community or the surrounding area? Her approach here is very narrow in terms of the right to know. The right to know what? About something that would never happen?

I want to refer to a regulation called the "Water Takings and Transfer Regulation," Ontario Regulation 285/99, which stipulates the following. Under subsection 2(2), "A director who is considering an application under section 34 of the act for a permit to take water shall"—and I emphasize the word "shall"—"consider the interests of persons who have an interest in the taking, to the extent that those interests are relevant."

Then under subsection 2(6), "A director who is considering an application under section 34 of the act for a permit to take water may require the applicant to,

"(a) consult with the other persons who have an interest in the taking, including government authorities for other jurisdictions."

Also, I'd note, in the spring of this year the minister sent a letter to the municipality of Centre Hastings assuring them that the Ministry of the Environment will notify municipalities of any significant takings in their area. Subsequently, the ministry has sent the same reassurances to over 20 other municipalities with similar concerns.

The bottom line is, what's the impact of this legislation being proposed? Quite frankly, the government has been acting proactively. The measures are already in legislation, and it exceeds what the private member's bill is asking for. The right to know is already out there.

**1050**

**Mr James J. Bradley (St Catharines):** Speaking in support of the member's bill, I think it's an exceedingly important step. Obviously, she has chosen a modest step because it's very difficult to get this government to move in an expanded area. Members in the opposition tend, if they wish to have something actually pass, to choose a relatively straightforward and modest step that they hope will elicit support from everybody in the House. Instead of approaching this as a private member's bill, which I think it is, and a concern locally, members of the government have decided to dump on it and simply read what the Office of the Premier has to say about it.

I want to share with members of this Legislature what the Environmental Commissioner has to say about it.

The Environmental Commissioner is, of course, a two-time Progressive Conservative candidate provincially. He was president of the Progressive Conservative Association federally in Nipissing riding, yet here's what he says. This is Gordon Miller, and this is what he has to say. I attended the press conference he had on July 27, 2000. This is his press release and report. This is not a paraphrasing; this is precisely what he had to say about this government's water-taking permit policy and its record. He says:

"Moreover, the quality of groundwater is as important as quantity. Sensitive aquifers and groundwater recharge areas need to be identified and protected.

"Yet the Ministry of the Environment, which clearly has the legislative mandate to protect our groundwater under the Ontario Water Resources Act, seems unwilling or unable to act decisively.

"The ministry continues to approve permits for potentially massive takings of groundwater without adequate technical analysis. At best, this may result in an inappropriate private allocation of a public resource. At worst, it may threaten the sustainability of the water supply of hundreds of people drawing on the same aquifer."

Remember who's saying this. This is the Environmental Commissioner, who was appointed by the majority in this House, that is, the government. He says this:

"In addition, on at least two occasions, the Ministry of the Environment has appeared to deliberately mislead the public by announcing management measures that were not carried out. Such actions are entirely contrary to the ministry's Statement of Environmental Values and to the purposes of the Environmental Bill of Rights."

That's Mr Gordon Miller at his press conference, commenting on his concern about water taking in this province.

By the way, I was up in Walkerton to hear Dr Murray McQuigge's presentation on October 10. I must say, the man did an excellent job of presenting to a public

meeting. There were people there who were from Flesherton, Ontario, who have some grave concerns about potential water-taking in the area of Flesherton as well. That is something that we hope the ministry will look at extremely carefully and deny.

Here is a magazine called *In the Hills*, a magazine of country living in Erin, Caledon, Mono and Mulmer. Nicola Ross, in her story, "Water Woes," says the following:

"Headwaters Country is so named because of its robust supply of water. Four significant rivers—the Grand, Credit, Humber and Nottawasaga—rise up in these hills before branching out in all directions. Streams and rivers, ponds and lakes dot the countryside. The region is doubly blessed by the water-cleansing properties of the Niagara Escarpment, the Oak Ridges moraine, and numerous other moraines. However, the past few years have proven once again that, even in an area where water seems abundant, it can be fickle. Too much or too little rain can spell disaster for farm crops, wells, roads, rivers and aquatic life. Now, in the aftermath of the e coli deaths in nearby Walkerton, the quality of our drinking water has come into question.

"So what is the state of water in our hills, and who is minding the shop?" she asks.

Of course, that's a very valid question for her to ask. She goes on to say, "[B]oth the Credit Valley Conservation Authority ... and the Toronto and Region Conservation Authority ... responsible for the Humber River watershed ... have raised red flags. They're calling for an end to urban sprawl, the development of a sustainable water management strategy, and the adoption of watershed management tools that promote sustainability.

"CVC, TRCA, Grand River Conservation Authority ... and Nottawasaga Valley Conservation Authority have all identified the absence of a coordinated approach to water management in Ontario as the major problem facing the region's water quality and supply.

"If you think someone is looking after the shop, then you are naïve," says Vicki Barron, general manager of CVC.

"While the 38 conservation authorities across the province manage their respective watersheds, it is the Ministry of the Environment which issues water-taking permits to municipalities, golf courses, water bottlers, farmers and the like.

"However, there are no processes in place for determining the total amount of water that is available in a watershed, for assessing the combined impacts of all water-taking permits or for allocating water fairly among competing users.

"But even if these processes were in place, they wouldn't do much good because the actual consumption by the permit holders is not monitored. The ministry does not consult the conservation authorities before it issues permits"—I'll repeat that. "The ministry does not consult the conservation authorities before it issues permits, even though they are responsible for managing the watersheds.

“When the Credit Valley Conservation Authority staff added up all the permits the ministry had handed out, they discovered the total water given away exceeded the Credit River’s supply. Fortunately, not all permit holders use their full allocation. Long before the Walkerton tragedy, CVC was actively issuing warnings that the resource was in jeopardy from increased demand, declining supply and inadequate management.”

What Ms Dombrowsky has done is brought forward a bill which is one step in the process. If you bring one that’s too comprehensive, the fear is the government will find a thousand things wrong with it and not support it. In this particular case, there’s an individual member with a real problem in her specific area, one that can be found across the province. She has brought forward, at the request, I’m sure, of people in her area, conservation authorities, the Association of Municipalities of Ontario and others, all this information, has brought forth their concerns and put it in a bill for consideration of the members of this House.

This is truly what private members’ hour should be about. This is not some bill that’s firing cannons at the government. It is simply a bill which is identifying what has been brought to her attention as a specific problem that exists and she has a simple, straightforward solution for that specific problem. If the government wishes to expand upon that, if the government wishes to bring in other initiatives, that certainly is acceptable, and this House will consider the value of those particular measures when they come before the House. But for members to use the arguments that have been given by the Premier’s office for members to read in this House as an excuse for either defeating this bill, or sending it into oblivion if they happen to approve it, I think would be unacceptable and would certainly be a denial of the rights of individual members in this House.

**The Acting Speaker:** The member for Hastings-Frontenac-Lennox and Addington has two minutes.

**Mrs Dombrowsky:** I’d like to thank the member from Ottawa Centre and my leader. I was proud that Dalton McGuinty was able to join us this morning. I think it reflects really how important this issue is. I’d also like to thank the member from St Catharines, the member from Timmins-James Bay, the member from Northumberland, the member from Barrie-Simcoe-Bradford, and the member from Haldimand-Norfolk-Brant for participating in the debate this morning.

I want to leave everyone with this comment. It has been presented by members of the government that this bill is unnecessary. You are wrong. It’s important for the people of Ontario to understand who has asked for this change: 167 municipalities have written in support of this change; over 900 individuals have signed petitions; 325 people have written letters.

I can’t believe it has been suggested by members of the government that this is happening. Only this week, one of the first presenters at the Walkerton inquiry, Dr Kenneth Howard, said with regard to permits to take water in this province, “It’s like you’re writing cheques

and you don’t know how much money is in the account.” That’s what came out at the Walkerton inquiry. It’s important that we remember this.

For the members of the government to suggest that it’s happening, don’t you understand that’s the reason we’re talking about it here today? In fact it hasn’t been happening. Notification has not been getting to the communities where permits have been granted. This is an opportunity for all of us in this Legislature, in a very simple step, to have a significant impact and provide some real comfort to people in the communities of Ontario.

**The Acting Speaker:** This completes the time allotted for this ballot item. The question will be put at 12 o’clock noon.

1100

HIGHWAY TRAFFIC AMENDMENT ACT  
(IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT  
LE CODE DE LA ROUTE  
(DISPOSITIF DE VERROUILLAGE  
DU SYSTÈME DE DÉMARRAGE)

Mr Dunlop moved second reading of the following bill:

Bill 120, An Act to amend the Highway Traffic Act to establish an ignition interlock device program / Projet de loi 120, Loi modifiant le Code de la route afin d’établir un programme d’utilisation de dispositifs de verrouillage du système de démarrage.

**The Acting Speaker (Mr Michael A. Brown):** The member has 10 minutes for his presentation.

**Mr Garfield Dunlop (Simcoe North):** I appreciate the opportunity to speak this morning on my first private member’s bill, Bill 120, the Highway Traffic Amendment (Ignition Interlock Device), 2000.

I could begin by explaining to those present what an alcohol interlock actually is. An interlock is a small, breath-testing unit that is connected to an engine to prevent a vehicle from being driven if the driver’s blood alcohol content is above a low, pre-set blood alcohol content, which is usually set at 0.02% or 0.04%. The driver must blow into the instrument to provide the breath sample from which his or her blood alcohol content is determined. If the sample is below the pre-set level, the driver will be able to start the vehicle. If the sample is above, the vehicle will not start.

The level should be set at 0.02% to reinforce the importance of separating drinking and driving. Setting the level at 0.04% may be interpreted as approval for any drinking and driving whatsoever, a message that is not appropriate, particularly for those convicted of at least one drinking and driving offence.

The current devices are quite sophisticated and contain various anti-circumvention features. Interlocks contain data logs that record all attempts to drive the vehicle. They contain the driver’s blood alcohol content, and any

efforts to tamper with the device are also recorded. Research indicates that impaired driving offenders with interlocks on their vehicles had a significantly lower recidivism rate than offenders who did not.

Interlocks should not be used as an alternative to existing federal or provincial sanctions, nor to shorten the length of an offender's suspension or disqualification of his or her licence. Rather, they should be a mandatory component of a prescribed remedial program for all impaired driving offenders. The driver should bear the cost of installing and maintaining the interlock, and in Alberta that's set at about \$120 for the installation and \$90 for the monthly charge.

Many times it has been said, not only in this House but in all Parliaments and council chambers across our country, that everyone should feel safe in their homes, their communities and on our streets and highways. Certainly I've said this many times myself as we have debated different pieces of legislation. Our Attorney General, our Solicitor General, our Minister of Correctional Services, our Premier and our Minister of Transportation have repeatedly referred to a safe society. This piece of legislation, this bill, will help us achieve more safety, more security and more credibility on our streets and on our highways.

A constituent of mine, Mr Doug Abernethy, who is president of Orillia Against Drunk Driving, lost his brother Tim in 1981 when Tim was killed by a drunk driver north of Orillia. Doug was also seriously injured in that accident. Since that time, Doug has been an advocate of anti-drinking and driving. Doug first approached me about a year ago and asked how he could go about having alcohol ignition interlock used in the province of Ontario. He had a supplier of interlock demonstrate the technology to me in my office in Orillia.

I felt very confident that there was a use for this technology here in the province. I made a commitment to Mr Abernethy that I would pursue alcohol ignition interlock through a private member's bill. I didn't realize at that point how complex it would be and how much work would be required to get the bill to second reading, and I have a number of people to thank. First of all, besides Mr Doug Abernethy, I want to thank my assistant, Dallas Saunders, for the dedication he has shown in having this bill drafted. Dallas has worked very hard on it, and in fact having more amendments and more drafts of the bill, which we introduced yesterday.

I'd like to also thank Mr Gerry Martiniuk for introducing the resolution last June that allowed me to explain to this assembly my intention to introduce this bill when my private member's time came up. I would like to thank Pat Hoy, Mike Gravelle and Michael Bryant, from the Liberal caucus, and Gilles Bisson, from the NDP caucus, and all the members of the PC caucus, who have supported my efforts on this bill.

And many thanks to all of the interested stakeholder groups that have helped and provided encouragement to see this legislation drafted. We have with us today in the gallery representatives from MADD: Carol Swanson is

the national president of Mothers Against Drunk Driving. We have Brian Mitchel and Janetta Lavery from the Ontario Community Council on Impaired Driving, and we have Ian Marples from Guardian Interlock. I would just ask you people to nod your heads.

As well, I'd like to thank the MTO staff and legislative counsel staff for their hard work on the bill as well. Particularly I would like to thank Minister Turnbull and all of his staff at the ministry who have provided assistance in analyzing the details included in this bill, and also for putting up with the persistence of myself and my friend and assistant, Dallas Saunders.

This bill is not about the policies of a political party or about federal or municipal jurisdiction. This bill is about safety and accountability of the operation of vehicles on the streets and highways in the province of Ontario.

Let's look at our history, and yes, we have come a long way. I can remember in the early 1970s, just after I was a teenager, when it was a big joke, or cool, if someone was pulled over and warned about being drunk. Rarely was anyone actually charged with being impaired. That began to change when lives were lost and people were disabled as a result of impaired driving.

In the 1980s a number of changes were made: one, two and three-year license suspensions for convicted first, second and subsequent offenders; 12-hour roadside suspensions for above 0.05% blood alcohol content or refusal to use the breathalyzer; province-wide RIDE programs; and public education and community awareness programs.

In the early 1990s came graduated licensing, meaning zero blood alcohol content for novice drivers. In 1995 the government doubled dedicated RIDE funding. In 1996 the government introduced 90-day administrative licence suspensions, and the government, again in 1996, introduced community-based road safety marketing, focusing on drinking and driving. In 1997, fines were increased for drivers who drove vehicles while their licence was suspended, and also in 1997 the government increased resources for court and police enforcement. In 1998 the mandatory remedial measure program prior to re-licencing began, and also increased licence suspension periods to three years and lifetime for convicted second and subsequent offenders.

Also in 1998 we had the first thought of interlock happening in Ontario, but not until after a 10-year period, until the year 2008, would it have taken effect. In 1999 came the vehicle impoundment program for drivers caught while suspended for Criminal Code offences, and additional funding for the RIDE program.

It is now the year 2000. Driving while under the influence of alcohol is not accepted whatsoever. Today it is embarrassing and very expensive, and yet MTO statistics will tell you that 42% of the traffic accidents today are alcohol-related. In my own riding, only a month ago, two young people lost their lives on Highway 12 as a result of drunk driving. Every day we hear of impaired driving as a factor in an accident.

As a government and as parliamentarians we must continue to make our roads safer. Alcohol ignition inter-

lock as a mandatory requirement for first-time offenders and for subsequent convictions is a reasonable and responsible way to proceed into the next century. The bill, if passed, will confirm the province of Ontario as the leader in the war against drinking and driving, not only in all of our country, but perhaps throughout the continent. I would appreciate the support of all parties in seeing this bill proceed. The people of our province expect no less from us, their elected representatives.

I really appreciate the opportunity to be here today. I appreciate all the support I've received from the Liberal caucus—we don't always agree on everything—and from the NDP caucus as well. This is a very important step in our battle against a major problem that we have in the province of Ontario and I really do appreciate the fact that the people who have come here today have shown up, and the stakeholders who have made an appearance as well. Thank you very much, and I'll wrap up later.

1110

**Mr Rick Bartolucci (Sudbury):** I'd like to thank the member for Simcoe North for bringing forth this bill. Certainly this is a good bill and this is a bill that I'll be supporting. There are some alarming statistics that I believe are important for the people of Ontario to know and why the whole House should be supporting this bill.

Every 24 hours more than four people are killed, more than 125 people are injured because of impaired drivers. That's 4.5 people killed, 125 people injured every 24 hours, 52 weeks of the year. That's an alarming figure. Drinking and driving is the largest single criminal cause of death in Canada. Take all your biker wars, take those who rob banks, take those who are hired to assassinate people, and when you put it all together the largest single cause of criminal death in the province of Ontario and in Canada is impaired driving.

The message has got to get out to the people of Ontario, and rules like this, laws like this one and certainly a law that I've introduced—and I may spend a few seconds later on in my presentation talking about it. We have to get the message out that drinking and driving is no accident; it's a choice. The stakeholders involved in this are trying to get the message out to people in Ontario and in Canada. It is an important message.

Any young person out there has to understand that it is not an accident that you drink and drive; it's a choice. It's a choice that you should not make because of the new rules and new laws that are taking place in municipalities, in this province hopefully, and in Canada.

Every four hours someone is killed by a drunk driver—every four hours. Understand that between now and 3 o'clock someone will die because of a drunk driver, which is even more alarming. This debate will take approximately 60 minutes. You should know that every 20 minutes someone is injured because of a drunk driver. Clearly, this is unacceptable and this is why we should be passing the member from Simcoe North's bill into law—which is frightening. Why we have to have these types of laws in place is that 30,000 people are charged with impaired driving every year in Ontario—

30,000 people. So although we may have done some work in this area there is much to do, because 30,000 is far too many people to be charged, and one person every 17½ minutes is charged with impaired driving—one person every 17½ minutes. I reinforce each one of these statistics because I believe they're alarming.

Another alarming statistic that we have, and I think it's the latest statistic that we have, is that the average age of impaired drivers is 34 years. That's why it's important that we speak to a targeted audience, and that's why I commend the stakeholders who are putting these ads on television that clearly put an emphasis on informing the young—our young drivers, our young Ontarians, our young Canadians—that you can and will make the difference by making sure that these statistics fall over the course of the next one, two, five, 10 and 15 years.

The member from Simcoe North noted the past and compared the past with the present. And it's true. As all of us could stand in this place, we can realize where we were wrong in the approach that we used at some point in our life, and we should not be afraid to admit it.

The message is that we look to the future and we look to strong legislation to ensure that the present and the future are much more secure and much safer for those who will be (1) driving, (2) pedestrians, and (3) the general public at large.

Every year, 40% of all traffic collisions involve alcohol. It's an important statistic to reinforce. The member for Simcoe North said that. It's a very important statistic for our young drivers to understand.

You know, at the end of all of this it doesn't only cost us lives but it costs millions and millions of taxpayers' dollars through the court system, through our health care system, through our rehabilitation system. All of those can be avoided.

This is very strong legislation. I commend the member for his strong legislation. I also commend groups, some of which are in the audience.

But I want to talk locally about my group in Sudbury, and the people who are in the audience know my group only too well. It's called Action Sudbury and I'm very, very proud of Action Sudbury. It was founded about 17 years ago by the late regional chair, Peter Wong, along with Rolly Mousseau and Reggie Caverson. Reggie and Rolly are still very much involved in it. It does excellent, excellent work in our community.

Let me tell you about Operation Lookout, because I think it's unique to our community. Others have adopted it but it really is a very, very important one because it's a community initiative, a year-round, public-awareness campaign encouraging people and businesses to report impaired drivers to the police. Want to get them off the road? You can do it through legislation, but you know what? If you see a drunk driver you should be contacting the police and you say, "Get this driver off the road," because he or she is a potential disaster waiting to happen.

Do you know we have in our city, in our region, signs at each of the major intersections saying that we are an

Operation Lookout community and that if you're drinking and driving, if you're impaired, we're not afraid to call the police and say get them off the road?

Of course, we have the Red Ribbon program at Christmas time, which is certainly successful. It is very successful in Sudbury and you see red ribbons on cars and you see them on lapels, and I'm proud. I'm proud of Action Sudbury. I commend Action Sudbury. It's present chair is Ron Roy, who does an excellent job.

I am going to sit down and sum up by simply saying I will be supporting this legislation. This is excellent legislation.

**Mr John Hastings (Etobicoke North):** I'm very delighted to join in the private members' hour regarding the ignition interlock technology presented in the bill by the member for Simcoe North.

I think the member's initiative reflects a widespread concern and consensus, not only in this House but throughout our society, throughout the province of Ontario. There is a history from the member for Mississauga South and the member for Cambridge, who have been urging us to get on with this particular initiative.

I'd like to commend the member for presenting this particular bill today because what it reflects is not only his concern and this government's concern about road safety, which has been, is and will continue to be a number priority. You can see it in our Blueprint, put out in 1999. You can see it in our efforts since our election in 1995 and, despite the member for Sudbury's concerns about where the drinking and driving index is of people still doing this, we have made some significant progress.

For example, we have been able to reduce by 36%, between 1995 and 1999, the impaired driving people who have been on the roads. That needs to be set into the record to indicate that we have made some progress. I'm not disagreeing with the member for Sudbury that we need to do a lot more. Along with the whole set of initiatives from Reduced Impaired Driving Everywhere, which was initially an Etobicoke initiative back in the 1970s, it reflects very well on the actions taken in a number of communities across southern and northern Ontario where they saw a concern, particularly focused on our young people. It's too bad some of young people didn't stay to see the completion of the debate on this significant issue.

**1120**

As well, as a government, we've undertaken the administrative driver's licence suspension proposal and made that law. It has, in itself, helped to remove impaired drivers for 90 days from Ontario highways, also recognizing due process of law in that exercise.

In addition to the enforcement side of this whole issue, we have also undertaken significant education and prevention measures. While you may want to throw me out of the House for showing this, Mr Speaker, I think this particular issue of road safety groups across Ontario, through MTO, is one of the ways to get that message out. People wearing this sort of stuff certainly send the message again.

It's also important that we see that these remedial measures, consisting of education, assessment and treatment, are instituted as well. What is significant about that is it's at the cost of the user, the impaired driver, not at the general expense of the taxpayer.

We've also increased the suspension periods for repeat offenders. Unfortunately, we still have a lot of people out there in this mindset that you can drink and drive and there's little consequence. Well, there is a big consequence.

We've also introduced the vehicle impoundment program to stop those who drive while their licence is suspended, under the Criminal Code. For the really bad and aggressive drivers who just can't seem to get the message, whatever their problem is—it doesn't matter what the gender—those convicted of drinking and driving for a third time will lose their driving privileges for life, with no option for a reduction for 10 years.

As I said, we've made some real progress, but I think the member for Simcoe North presents another option that needs to be examined. We need to keep sending this message home: that this government, and I think the opposition parties to a great extent as well, supports a whole set of broad-based initiatives, from RIDE to the administrative driver's licence suspension program to education, assessment and treatment. These things have to be ongoing, and it's not only through the government's efforts but also through local initiative.

So I'm very happy to join in the debate and recognize the member for Simcoe North for his great initiative today.

**Mr Michael Bryant (St Paul's):** I'm pleased to join the debate. Obviously, Dalton McGuinty and the Ontario Liberals support this bill. In particular, we support any measure that attempts to take a serious look at how we can exercise retribution at the same time as exercising prevention. That's what this bill is about. There is obviously a moment of retribution in having to engage this device every time an offender steps into a vehicle. The rest of society, which is not engaged in that culpable behaviour and has not been convicted, will not have to use this device.

But at the same time, in addition to there being that retribution, which has to be a goal of our criminal justice system, there is also a measure of prevention. I commend the member from Simcoe North for producing a preventive measure from the side of the House he's sending it from. He spoke for a time on how this is consistent with the policies and practices of the government of Ontario. I'm going to have something to say about that in a moment, but I want to reserve most of my comments for the private member's bill.

More often than not the criminal justice system has to carry a fairly blunt tool. It's either jail or no jail. Sometimes it works and sometimes it doesn't. We have the highest prison population in the province of Ontario for any jurisdiction in North America. We have a huge prison population. While we obviously have to continue to seek prison terms for anybody who is convicted of an

offence for drinking and driving causing injury, harm, death—yes, we have to do that—we have to do more than that, because that's not good enough.

We know, as we've been taught by Mothers Against Drunk Driving and others, that for many of these repeat offenders jail time just isn't enough. The disease of alcoholism is not one we're going to be able to discuss in four minutes or less, but it's sufficiently complicated that the deterrents out there don't always work, so there are times when there is a role for the state to play in the motor vehicles of our nation. Here's an opportunity for that to happen.

There are other things the government can be doing. This is private members' business, and I applaud the member for bringing this bill forward. All of us who have brought private members' bills, and I assume that's just about everybody in the Legislature, understand the amount of work that goes into it. This bill in particular was quite complicated. Thank goodness for the folks working in the member's office, for the assistance he received from Mothers Against Drunk Driving and others, and for legislative counsel, who perform their magic day in and day out.

Be that as it may, we have had this topic before this House before and we have had this topic in the public arena for some time. It's not the member for Simcoe North's fault, but it is the government of Ontario's fault that we are now dealing with this as a private member's bill in the year 2000 instead of having it as a government bill years before.

Bill 183 at one time was up for debate. At that time, Mothers Against Drunk Driving appeared before the standing committee on social development, on June 17, 1997. John Bates made the presentation on behalf of MADD. He said that everyone was calling his office asking the question, "Why are we waiting with respect to these interlock devices? Why are we waiting? The interlock is a proven and reliable device. There's no reason to wait to start implementing its use, even on a first offence, when we find a high-blood-alcohol-content driver. The recidivist is most likely to be found in this group." We've had a resolution on which we spoke to this as well.

We support the bill, but in a nutshell the government, as a priority, should have put a priority on this far earlier than today. As the member from Sudbury said, this is the largest single criminal cause of death—drunk driving, not squeegees. The squeegee bill, of course, was the flagship bill of this government in 1999.

I applaud Mothers Against Drunk Driving. This is an organization which, in addition to educating the public, works within our legislative system to get things done, and not just with the governing parties. It has a very good understanding that sometimes opposition parties need to blow wind into the sails of government to get things done.

We've done that together before. Mothers Against Drunk Driving representatives and victims and I called on the Attorney General on April 13 as a matter of policy

always to seek jail time in circumstances of drunk driving causing death or harm. "We need to send a loud message to Ontarians," I said at the time, "that drunk driving is a serious crime and won't be tolerated." Then on April 24, lo and behold, the Attorney General announced that the zero tolerance policy we called for would be implemented.

This was a way to get the result that was the right result and the just result. I am pleased to see representatives of Mothers Against Drunk Driving here in this House. None of us care what side of the gallery they're sitting on. They are to be commended for all the work they do.

This member is to be commended for the work he has done to bring this bill forward. I would just urge all members, in addition to supporting it, to get this passed and get these devices into the vehicles of Ontario because the reality is, if we can end up preventing just one accident, one injury, one death, it's going to be a success, but it's going to be a far greater success than that.

1130

**Mr Gerry Martiniuk (Cambridge):** It's my privilege and honour to support the initiative shown by the member from Simcoe North.

Yes, we have made progress, and it's interesting in our democracy because I believe this progress has been made by government reflecting the initiatives shown by individuals and organizations. Mothers Against Drunk Driving comes to mind, first and foremost. In my riding, it is a very strong organization, and nationally and in Ontario. It's not an organization; it's a group of thousands of dedicated volunteers, working very hard to ensure that the tragedies that have been suffered in the past are not repeated. I should also mention the Ontario Community Council on Impaired Driving, who also have shown great initiative in bringing it to the forefront and, in effect, forcing governments to act to save lives.

I don't want to talk about statistics because I think we all in this House have supported the initiatives in the past, and we have all been touched by tragedies. I personally was greatly affected by the loss of a young man, a son of a very good friend of mine. When I attended the funeral as a result of his death arising out of a drunk-driving incident, I saw first hand the grieving and the effects of this tragedy.

So, though we have made progress, that is not good enough. We must work with these organizations as a government to eradicate this blemish from our society.

In June 2000, a resolution was passed unanimously by this House that I moved. If I just may read two parts of it, the House wished to "encourage the Ministry of Transportation to examine ignition interlock initiatives in other jurisdictions" and "to continue consultations with stakeholders working to eradicate drunk driving." Lastly, and I think this is the aim of us all, was to "resolve that the province of Ontario must continue to ensure the safety of motorists travelling our highways by continuing to strengthen and enforce drinking and driving laws."

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** As many of my colleagues may know, I worked for the Addiction Research Foundation for a number of years, and I know the member from Niagara Centre was associated with that organization as well. During my first year of employment there—it was 25 years ago—I attended the sixth international conference on drinking and driving. It was hosted by our executive director, H. David Archibald, and attended by people like Marc Lalonde and Mel Lastman.

Today, I'm pleased to speak on behalf of Bill 120, to establish an ignition interlock device program. Tougher laws, strict enforcement and media ads, and rehabilitation programs have all helped to reduce drinking and driving in our province and across the country over the past 20 years. In fact, since 1995, drinking and driving fatalities have declined by 36.6% in this province.

Despite these positive measures, I feel further change is needed to tighten the Highway Traffic Act and to address this problem. Technology does play a major role in everyone's life, and therefore it's no surprise we're debating this device today.

In 1990, Alberta became the first province to introduce a pilot alcohol ignition interlock program for those convicted of a second or subsequent DWI offence. Over the past 10 years, the use of alcohol ignition interlock devices for those convicted of impaired driving has expanded significantly. Today there are over 30 jurisdictions in the United States—California, for example—that have legislative authority to install ignition interlock devices in vehicles of persons convicted.

Results from an initial study in the west indicate that the ignition interlock has had a positive effect on recidivism. These results not only point to the fact that the program should be continued in Alberta, where that study was done, but they also encourage support from other provinces, such as Ontario. In the state of California, officials are currently performing a study on the effectiveness of the ignition device, and a report is forthcoming to their Legislature in January 2002.

The ignition interlock device is not new. In fact, it was developed in the 1960s. It has been considerably improved. Devices now are highly sophisticated and provide accurate samples as well as resistance to circumvention. Along with sophistication and technology, however, come high prices. My concern with the interlock device is that some offenders may feel they cannot afford what's estimated to be an \$80-a-month fee. We must also avoid the temptation to substitute this device for licence suspensions or any other remedial programs.

I encourage the ministry to examine this program, and I call on all members in the House to support this legislation.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join the debate from my colleague from Simcoe North dealing with Bill 120, An Act to amend the Highway Traffic Act to establish an ignition interlock device program.

I think we've heard from the other speakers in terms of the necessity and the measures that need to be taken, but quite frankly, there were some comments made by the member from St Paul's that were just totally silly. He made a comment about: "The criminal justice system has to carry a fairly blunt tool. It's either jail or no jail." Anyone with any sense and any knowledge of the criminal justice system knows there's a wide range of sentencing options, and that is essentially what this bill is about in terms of an alternative to dealing with an offender. Specifically:

"The bill amends the Highway Traffic Act to provide for the implementation of an ignition interlock program in Ontario for persons who violate laws related to drinking and driving. First, it requires a two-year interlock order for first offenders whose blood-alcohol concentration was in excess of 0.16 per cent at the time of the offence, or who refused to provide breath or blood samples without a reasonable excuse. It also stipulates an indefinite interlock order for second offenders, which can be reduced to five years if the registrar of motor vehicles feels that it is no longer necessary for the safety of the public. The interlock order for third offenders is permanent."

Also, the member from St Paul made a strange comment about the blame approach. Drinking and driving is something that unfortunately has been out there for many years, something that all governments and all of us share that has to be addressed. From what I understand from the member from Simcoe North, this technology was available back in 1985, yet they make the comment about governments making this a priority. Certainly our record with respect to Ontario drinking and driving initiatives, which has been outlined by the member from Etobicoke, is significant. We have road safety plan accomplishments. We have the vehicle impoundment program for drivers caught driving while suspended for Criminal Code offences. We have a mandatory remedial measures program prior to being relicensed, and increased licence suspensions.

To cast aspersions on a bill that is trying to help people—when the Liberals were in government between 1985 and 1990 they did nothing with respect to drinking and driving. And the federal government—these initiatives are being taken by the provincial government—has chosen to do nothing, as usual. I support the member from Simcoe North, and I think the bill is in order.

**1140**

**Mr Peter Kormos (Niagara Centre):** First, the New Democrats support this proposition and are eager to see it go to committee. I think it's compulsory that it go to committee. The sponsor may well have some amendments he wants to move in committee. That's entirely possible. As well, though, let me put this to you—and I don't want to get involved in this partisan wrangling that's been going on, lawyers attacking lawyers. That's what happens when you get two lawyers in a room. There was one over here and one over here, and they were criticizing each other.

I'll tell you right now that one of the things I'm eager to ask in committee is, why aren't motor vehicles being manufactured with this kind of device, regardless of whether there's a statute compelling the device to be put into vehicles of convicted drunk drivers? One would think that consumers, the motor vehicle industry and the insurance industry would have a strong interest in having interlock devices in vehicles so you can't drive a motor vehicle when you're drunk. What a simple proposition. What a modest proposal.

I suspect that provincially one of the answers will be that the federal government has responsibility for mandating what's contained in a motor vehicle as it's manufactured. But I as a consumer would like to find out, during the course of committee hearings, what the cost would be to install this sort of device. I'd be more than pleased to enjoy what I anticipate would be a significant insurance discount for buying a motor vehicle that can't be driven by a drunk driver. I would think the insurance industry would have a strong interest in providing that discount because of, in this one crass, mercenary perspective, the incredible cost drunk driving imposes on all of us in monetary terms, in dollars and cents, as payers of insurance premiums and on the insurance industry as the provider—I wish they were—of effective insurance coverage. I'd like to put that question.

I was skeptical about the technology. My Luddite response to high-tech and new-tech prevailed once again. But I understand that in Alberta and Quebec the technology is a proven reality, and Mr Barrett makes reference to some 30 American jurisdictions that I presume use the same or similar technology, not necessarily the same manufacturer.

I think it warrants that discussion. People have been citing statistics and reference was made to the fact that probably not one of us or our families haven't been scathed by the horrible consequences, the great human consequences of drunk drivers. I don't think there's any us. I certainly fall into the same class as some of the other participants in this conversation this morning. We have a strong societal interest in not just reducing drunk driving but eliminating it. A drunk driver is as dangerous and as criminal as a madman with a loaded military rifle.

Comment has been made about the transition or the change in attitude perspective. I don't believe we have accomplished enough in terms of identifying drunk driving as the reprehensible criminal activity it is, and that the drunk driver is as criminal as any other inmate of a reformatory or penitentiary. It isn't somehow more pristine or one of those accidental offences, like going through a stop sign when you're momentarily distracted—please. We've got to overcome what still remains as some element of trivialization of the crime of drunk driving.

I was very pleased, on Tuesday morning, to be invited to join students over at Don Bosco Secondary School, at Islington and Dixon here in Toronto. It was the kickoff by Ontario Students Against Impaired Driving, OSAID. Young Jenni Rowe, now a Guelph university psychology

student, was, some six years ago at the age of 16, crippled by a drunk driver. She lives in Woodstock. She's the spokesperson for Students Against Impaired Driving, and was there. The students at that school were incredibly impressive in their commitment to this campaign of students influencing other students not to drink and drive. The president of the student group based at Don Bosco, Dilaila Longo, was impressive, as were the faculty there, the teaching staff. Edna Bennett is the teacher adviser to this group.

Not only was I terribly impressed at the commitment of these young people to using peer influence to encourage their colleagues not to drink and drive, but I was pleased that in this instance the operation, the campaign, was being supported by Co-operators insurance. They of course used the opportunity to advertise their company's participation, the big banners with "Co-operators." I confess that I'm not a fan of insurance companies, but if you're going to deal with an insurance company, I suppose Co-operators has to be among the better ones, just by nature of the type of company it is and the people involved in its ownership.

Having said all that, though, yesterday morning, I, along with the parliamentary assistant to the Solicitor General, joined the Minister of Transportation downstairs in the media room, where the same organization, Students Against Impaired Driving, held a press conference announcing a very clever CD-ROM they've developed about drunk driving. It involves all these interactive, computer-type things young people are so tuned into. I was equally pleased about that, but for the fact that what did I see on the packaging of that CD-ROM but the Labatt's Blue logo of one of the corporate sponsors.

Sorry, friends: we've got a lot of thinking to do about what's going on in the beer and spirits industry, when so much effort is being put forward by so many people across the board—across this province, across this country and internationally—to deal with drunk driving, to respond to what has been identified as the crisis of binge drinking by students on university and college campuses. We've matured enough to understand that tobacco manufacturers have no social interest at heart. Their job is to manufacture tobacco, which kills people, and sell it to as many people as possible and encourage as many people as possible to smoke it, notwithstanding their glib efforts to somehow disguise the real interest of the tobacco industry, which is to make profits. Similarly, we've got to take a look, for instance, at the breweries and who they market their product to. They don't market it to middle-aged, grey-haired, overweight members of the Legislature. They market it to young people.

Take a look at what's going on. Take a look at the incredibly clever, expensive and skilful advertising the beer industry does—incredibly powerful stuff. The quality is exceptional; there's no two ways about it. One can't help but stop clicking and continue watching because of the incredibly skilful production of beer ads, and it's all about convincing young people to drink. I'm not

suggesting that the spirits, wine and beer industries be outlawed. I am suggesting that some serious attention should be paid to whether they should be permitted to advertise, or certainly whether they should be permitted to advertise in the manner they do. They will argue, "Oh, it's all about brand identification." Horsefeathers. Breweries don't make money on people who drink one beer a week. That's not their interest. If beer drinkers across the board drank one bottle of beer a week, the breweries would go out of business. They're interested not in selling beer a bottle at a time, but in selling it a case at a time, and two and three cases and keg after keg at a time.

1150

I call upon this government, if it's serious—and I think it is serious about this initiative—to start talking about curtailing the type of advertising engaged in, particularly by the beer industry, that targets young people and encourages them in a very persuasive way to drink, and drink more and not less, notwithstanding the modest participation by breweries in anti-drunk-driving campaigns and in so-called drinking responsibly campaigns.

I also all upon this government to end any policy of collaborating with the beer or spirits industry in any of the government-sponsored promotions against drunk driving. It is repugnant that the CD-ROM by Ontario Students Against Impaired Driving, sponsored in part by the province of Ontario—and I'm pleased to see my tax dollars invested in that—should also have on it a brewery's logo, again, which is designed to familiarize consumers, beer drinkers, with that particular brewery.

I think we have to start getting tough with the beer and spirits industry which, we have to understand, is motivated far more by profit than it is by any genuine interest in promoting responsible drinking or in advocating against drunk driving. So I put that to you.

I would like this government to adopt a policy that it won't permit the beer and spirits industry to participate with logos or other advertising interests in the efforts that this government engages in directly or indirectly through sponsorship against drunk driving. The first speaker was quite right. He spoke about the importance of separating drinking and driving. You do that not just in word, but in deed as well.

Speaking about young people, I think it's important to understand—I obtained this data over at Don Bosco school on Tuesday morning—that the rate of drunk driving among young people has dropped at a significantly faster pace than it has among their parents. That's an interesting observation in its own right. It indicates, among other things, that peer influence groups like Ontario Students Against Impaired Driving are very effective. I want to praise MADD, along with all the other speakers, because I've had a long relationship with MADD and particularly with John Bates, who served MADD in an exemplary way for so many years, and who had an almost permanent presence here at Queen's Park ensuring that he was lobbying, on behalf of MADD and its sister organization, for better legislation.

I share MADD's disappointment, and the disappointment of a whole lot of people that—it was Bill 138 in 1997—the Comprehensive Road Safety Act did not contain the interlock legislation. I also share this concern. I don't fault the author of this bill, the sponsor of this bill, but let's understand that this bill, as a private member's bill, may never get to committee. You see, friends, it's the rule that a private member's bill has to defer to government bills in the committee. And we have seen far too many times private members' bills, week after week, slip by the wayside as there's yet another government bill put before the committee. No amount of enthusiasm on the part of opposition members can change that.

With respect, this bill should have been a government bill, and no disrespect to its sponsor or author. I applaud him and his commitment and I understand that commitment. But with the greatest of respect, this should have been a government bill. There are some games being played here that leave me a little bit apprehensive. I'm not sure what the game is yet. We're going to find out. I'm going to do everything I can to get this to committee in a speedy way. Because there are questions and there are issues—I've already related some of them—that I want to see discussed in the context of this bill. I think there are meaningful things that all of us can contribute to the committee process, including that fundamental question of, why can't car manufacturers build cars with these devices in them so you as a consumer can choose to buy one? I think most consumers would recognize the distinct benefits and the enhanced value in making that investment.

New Democrats are supporting this proposition. New Democrats will press for the government to formalize its support of it and ensure that it receives appropriate debate, discussion and passage.

**The Acting Speaker:** There are far too many private conversations occurring. Would members take private conversations outside. Order.

The member for Simcoe North has two minutes.

**Mr Dunlop:** I want everyone to know that, with the Speaker's permission, I have an actual interlock here that I can show everyone after. I know Mr Bisson had shown one a little earlier, last June.

I want to thank all those who supported the second reading here this morning: the words from the parliamentary assistant, Mr Martiniuk, who put a personal touch on it, the case of someone he actually knew who had been hurt by an impaired driver; my colleague from Barrie-Simcoe-Bradford, my neighbour Joe Tascona; and Mr Barrett. As well, Mr Bartolucci brought some very interesting points up, talking about Action Sudbury. It's very similar to the organization that Mr Abernethy represents in the city of Orillia, Orillia Against Drunk Driving.

It's funny. I want to share a very quick story. I was in Barrie last year, in a car wash with my car, and a gentleman ahead of me backed into my car in the car wash. I put the brakes on and that stopped the car wash, and this guy drove out through it. I got to the other end.

The attendant came over and I said, "What happened?" He said, "The guy was drunk and he took off." I said, "Why didn't you stop him?" The guy was going out on Bayfield Street in Barrie, and there are six lanes of traffic. There are thousands of people and little kids out there. Anyhow, he got away. That's the kind of case we want people to report. It's unacceptable that the guy backs into you inside a car wash.

He brought some other points up also about the health care system and the importance of keeping impaired drivers off the road as a result of our health care system.

I also thank Mr Kormos for his comments and Mr Bryant as well. I hope we can somehow work this legislation through so that we have something possibly by Christmas. Thank you very much.

**The Acting Speaker:** This completes the time allotted for this ballot item.

ONTARIO WATER RESOURCES  
AMENDMENT ACT  
(WATER TAKING PERMIT  
NOTIFICATION), 2000

LOI DE 2000 MODIFIANT LA LOI  
SUR LES RESSOURCES EN EAU  
DE L'ONTARIO  
(AVIS RELATIFS AUX PERMIS  
DE PRÉLÈVEMENT D'EAU)

**The Acting Speaker (Mr Michael A. Brown):** We will now revert to ballot item number 41. Mrs Dombrowsky has moved second reading of Bill 121. Is it the pleasure of the House that the motion carry? Carried.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** On a point of order, Mr Speaker: I move unanimous consent for immediate third reading of Bill 121, given the clarity and conciseness of this bill and given the immediate need for notification.

**The Acting Speaker:** I'm afraid that request is out of order. You may request referral to committee. No, I stand corrected. You may ask for unanimous consent to have it referred for third reading.

**Mrs Dombrowsky:** I ask unanimous consent that it would be referred for third reading.

**The Acting Speaker:** Agreed? Consent is not granted.

**Mrs Dombrowsky:** I move that the bill would be directed to the standing committee on general government.

**The Acting Speaker:** Mrs Dombrowsky has asked that the bill be referred to the committee on general government.

All in favour of having the bill referred to the standing committee on general government will please stand.

All those opposed will please stand.

A majority is not in favour. The bill will be referred to the committee of the whole House.

HIGHWAY TRAFFIC AMENDMENT ACT  
(IGNITION INTERLOCK DEVICE), 2000

LOI DE 2000 MODIFIANT  
LE CODE DE LA ROUTE  
(DISPOSITIF DE VERROUILLAGE  
DU SYSTÈME DE DÉMARRAGE)

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 42. Mr Dunlop has moved second reading of Bill 120. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, the bill will be referred to the committee of the whole House.

All matters before the House this morning being completed, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1201 to 1330.*

MEMBERS' STATEMENTS

TRUCKING INDUSTRY

**Mr Monte Kwinter (York Centre):** The independent truckers in Ontario are under severe financial pressure that could result in total disruption of commercial activity in this province. The price of diesel fuel has risen 75% since July 1999. Truckers want a regulated fuel surcharge of 24%. This would provide independent truckers an additional 24 cents per mile to pay fuel costs. Many of the major carriers have exacted fuel surcharges to cover the rising cost of fuel, but a share of those surcharges has not always been passed on to the truckers.

The Minister of Economic Development and Trade has tried to broker a deal that has been called by Bill Wellman, the president of the national trucking association, "ridiculous and meaningless." Wellman said that he and other truckers would end up making less money under the provincial deal than was worked out with the companies that ship freight. Compounding the problem is that major associations in northern Ontario and in Ottawa are not even at the table.

Dwayne Mosley, head of the Greater Ottawa Truckers Association, said that his group will continue protesting until the province enacts legislation forcing shippers to share surcharges for fuel costs. All truckers agree that any deal must have guarantees supported by government regulation as to when and how the surcharges are to be distributed.

Unfortunately, the Premier and the minister are at odds as to the solution. The minister is on record saying that, if forced, he will intervene and regulate the trucking industry. The Premier, on the other hand, maintains that the industry is telling him that what he is negotiating and doing is far better than any provincial-only regulation. Clearly we have a case of the minister not listening and the Premier not understanding.

### WELFARE REFORM

**Mr Doug Galt (Northumberland):** Our government's welfare reforms are helping more and more people get off welfare and find a job. When the Harris government first took office in 1995, Northumberland county's welfare caseload was more than 2,500. But just last month, only 724 cases received welfare assistance. In neighbouring Hastings county, the welfare rolls were almost as high as 8,000 cases. But last month, this figure was as low as 3,700.

The opposition constantly criticizes our work for welfare reform. I've got a success story for the members across the House and one that they should hear. Just a few weeks ago, I attended an open house at the Trenton Resource Centre for the Community Partners for Success. This is an organization that works with many partners to benefit the children, families and residents of Trenton, Frankford and Stirling. Two individuals involved with this organization were not able to attend the open house because they had just found jobs. They found jobs through their workfare placement that turned into full-time employment, a perfect example of how work for welfare is producing.

We've come a long way in Ontario. We've helped thousands of people escape welfare dependency and realize the benefits of having a job, but there's still more to do. I assure the people of Northumberland and Hastings that we, as the government of Ontario, will continue with those welfare reforms.

### PRIVATE UNIVERSITIES

**Mrs Marie Bountrogianni (Hamilton Mountain):** I'm responding to this morning's reannouncement of private universities. The ministerial statement in a little while will be made six months after this was announced in the spring of 2000. It was announced on a Friday afternoon while most students were writing their exams.

The fundamental issue facing universities in this province is not fear of competition, as the government would have us believe. Ontario universities provide an excellent education to our students. It is this government's consistent and ongoing lack of funding which is eroding our universities' excellence.

The Tories claim to support our post-secondary education system but fail to invest the necessary resources to enable them to meet the increased demands upon the system. The government plans to introduce private universities to make up for their lack of a comprehensive plan.

Private universities seeking to establish themselves in the province may be able to do so as early as September 2001. Private universities will be eligible to administer OSAP funds. These are taxpayers' dollars. Private universities, under the NAFTA agreement, will be eligible for research dollars. These are taxpayers' dollars.

Every time the government denies this, they are clouding the facts. Private institutions already have the

highest default rates, at 30%. They are willing to pour already scarce dollars down a black hole rather than invest in our excellent public institutions. They cut \$400 million to post-secondary funding in 1995. Private universities cannot and will not make up for the shortfall of spaces.

### SMALL BUSINESS ENTERPRISE CENTRES

**Mr John O'Toole (Durham):** I'm pleased to rise in the House today to let people in Ontario know about the launch of the small business enterprise centre in the beautiful town of Whitby—which, by the way, is the home of Attorney General Jim Flaherty—on Tuesday this week. This is the 14th enterprise centre to open across the province and a perfect way to mark our Salute to Small Business Month.

As everyone knows, small business is the engine that drives our economy. In fact, the small business community accounts for no less than 80% of all the new job creation. The small business enterprise centre in Whitby will make an important contribution to the economy of Durham region. It also provides entrepreneurs with consultation services, information and advice about small business planning and management to ensure success over the years. I'd like to thank Terry Bainbridge and the organizing committee.

In my constituency of Durham, the centre will also build on the leadership shown over the years by members of the Scugog Chamber of Commerce, for instance, and its president, Les Gower; by members of the Clarington Board of Trade and its president, Adrian Foster; and by people like Sandy Archibald, who have really made a commitment.

This government respects the enormous contribution made by small business to our economy. Since 1995, we have cut taxes, reduced red tape and removed barriers to growth. With the creation of these small business enterprise centres across Ontario, we have now added an additional resource that allows entrepreneurs to build, grow and expand in the growing economy.

On behalf of my constituents of Durham, I want to commend members of the business community for their ingenuity and tireless effort, but I'd also like to thank Minister Palladini for being a constant champion of small business.

### COMMUNITY SAFETY

**Mrs Sandra Pupatello (Windsor West):** Today Minister Runciman crowed at a press conference about building safer communities. He was doing that to release a report on a summit that was held in March, fully seven months ago, to ask for recommendations to build safer communities. So after all the fanfare today, there was nothing to report on action, nothing to show that the government was actually dealing with raves and booze cans, which were the focus of the discussion at the March 14 summit. Instead, today we have a bonanza in Ontario.

We have what bootleggers say is the wild, wild west right here in Ontario, and why is that? Because the word is out that the task force on illegal alcohol under the LCBO is being disbanded and its duties are not being assigned anywhere.

When asked today about this at the press conference, what did the minister have to say? "I don't know anything about that. You'd better ask Duncan Brown; maybe he's got the answer." Over to the Alcohol and Gaming Commission. Are they up and running? Who has the expertise to look after the store? At the moment, no one is minding the store, and all we can say to the people of Ontario is that if you're a bootlegger, it's a bonanza out there.

Instead, we're calling for real action to deal with issues like booze cans and raves. We put a raves bill on the table right here in this House and it passed twice. It still hasn't come forward for action by this government. Shame on Bob Runciman for that performance this morning.

#### ANN MORTIMER

**Mrs Julia Munro (York North):** I rise today to talk about a resident of my riding of York North, Ann Mortimer. Ann Mortimer has spent decades fighting for more support of Canadian artists, and now the Newmarket artisan has opened the door for artists to be recognized in a big way by being named to the Order of Canada, Canada's highest honour for lifetime achievement.

As past president and a board member of the Canadian Guild of Potters, the Canadian Crafts Council and the Ontario Crafts Council, Mortimer has been committed to the growth of the craft community and has encouraged international recognition of Canadian artists. Mortimer's own handcrafted ceramics are featured in exhibitions and collections around the world, and she was elected to the International Academy of Ceramics in 1998.

She has just returned from an eight-week stay in China, where she worked in a factory with other artists to create a large sculpture for a sculpture park. She is also currently on the advisory board for the International Museum of Ceramic Art in Alfred, New York.

In countries such as China and Japan, ceramic art is revered. Mortimer hopes to build more momentum for the craft in Canada. Locally she has juried for the Newmarket Artisans Festival and lectured all over the region of York.

My congratulations to Ann Mortimer for receiving this great honour.

#### MINISTERIAL CONDUCT

**Mr Gerry Phillips (Scarborough-Agincourt):** On Tuesday this week, we experienced in the Legislature one of the most extraordinary examples of ministerial incompetence that we've seen in some time.

The Minister of Health appeared at the estimates committee with numbers that were grossly inaccurate and wrong. It's important for the public to recognize that it is at estimates that the minister is supposed to come and explain his or her priorities and numbers, and the minister was incompetent. The numbers were wrong by \$2.5 billion. The minister was asked about it. Remember, she has been preparing for weeks for this meeting. She showed up and was forced to adjourn the session immediately. Her very first comments were, "I think our preference would be to adjourn, get the appropriate numbers. I guess we could resume next Tuesday." The minister had to adjourn for an entire week because of this gross incompetence.

No wonder the public have concerns about the health care system when the minister doesn't understand the numbers and is out by \$2.5 billion. It points to a bigger problem, and that is, in my opinion, the government is now cooking the books. The bureaucracy has so many separate numbers they no longer are able to report on the accurate numbers. So we will find over the next few weeks that the variety of numbers we've had on education and health care now have so confused the ministry they don't know what the right numbers are any longer.

1340

#### SCHOOL CLOSURES

**The Speaker (Hon Gary Carr):** The member for Hamilton West.

**Mr David Christopherson (Hamilton West):** Thank you very—

*Interjections.*

**The Speaker:** The member for Stoney Creek, come to order, please.

**Mr Christopherson:** Thank you very much, Mr Speaker. I wish the government benches were as animated about the potential closure of schools in our inner cities as they are in the small politics crossing the floor here.

I rise today to bring to the attention of the government members that all across Ontario, parents, student councils, teachers and communities at large are fighting among themselves over your school funding formula that is forcing the closure of far too many inner schools. Last evening, in the gymnasium at Allenby public school, there were presentations made on behalf of the community to trustees imploring them to keep Allenby open. It's just one example of a lot of inner-city schools that need to stay open. If I had the time, I'd go into the figures surrounding the lack of funding that is causing these closures.

Historically, we have had public school closures. What we have not had in the past is closures because of underfunding. We've had closures because of demographics alone. This is the first government that has forced school trustees to close these valuable community assets. It's not just bricks and mortar; in many cases in these inner communities, it's the focal point, it's the heart

of the community. Without it there is no open space, no recreation space. This is far too important to be left to the whims of your bottom-line endeavours.

#### NIAGARA REGION

**Mr Bart Maves (Niagara Falls):** While I'd like to talk about the Liberal member from Scarborough's statement about the Minister of Health, which was totally erroneous, I won't.

The Mike Harris government has always shown a keen interest in and commitment to the Niagara region. Just this week it was announced that Roberts Street in Niagara Falls will be given a \$14-million makeover, transforming the roadway into a beautiful gateway into the city. Our government is allocating \$9 million for the project.

We've previously paid for the widening and improvement of the Queen Elizabeth Way from Fort Erie to St Catharines, and we've committed over \$500,000 to a study of the transportation needs facing the Niagara Peninsula, as well as other million-dollar projects like Thorold Stone Road overpass.

So it was with great interest that I read comments this week by Liberal leader Dalton McGuinty following his visit to my riding. An article in the St Catharines Standard read, "McGuinty said the mid-peninsula corridor is a key project to protect Niagara's ... markets." Yet it appears Mr. McGuinty held a different view of the proposed highway in July, when he stated, "Well, you know, we would insist on a full environmental assessment, and we'd want to look at the alternatives." Do the Liberals want the project to proceed? Do they want more studies? Just what do they want?

I'm proud to say our government is taking action on behalf of the Niagara region. Important roads are being upgraded and detailed studies are underway which will assist in determining how best to address the future needs of the region.

#### INTRODUCTION OF BILLS

##### MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES STATUTE LAW AMENDMENT ACT, 2000

##### LOI DE 2000 MODIFIANT DES LOIS EN CE QUI A TRAIT AU MINISTÈRE DE LA FORMATION ET DES COLLÈGES ET UNIVERSITÉS

Mrs Cunningham moved first reading of the following bill:

Bill 132, An Act to enact the Post-secondary Education Choice and Excellence Act, 2000, repeal the Degree Granting Act and change the title of and make amendments to the Ministry of Colleges and Universities Act/ Projet de loi 132, Loi édictant la Loi de 2000

favorisant le choix et l'excellence au niveau post-secondaire, abrogeant la Loi sur l'attribution de grades universitaires et modifiant le titre et le texte de la Loi sur le ministère des Collèges et Universités.

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

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1345 to 1350.*

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

#### Ayes

Arnott, Ted	Gilchrist, Steve	Mushinski, Marilyn
Baird, John R.	Gill, Raminder	O'Toole, John
Barrett, Toby	Guzzo, Garry J.	Palladini, Al
Chudleigh, Ted	Hardeman, Ernie	Runciman, Robert W.
Clark, Brad	Hastings, John	Sampson, Rob
Coburn, Brian	Hudak, Tim	Spina, Joseph
Cunningham, Dianne	Johns, Helen	Sterling, Norman W.
DeFaria, Carl	Johnson, Bert	Stockwell, Chris
Dunlop, Garfield	Klees, Frank	Tascona, Joseph N.
Ecker, Janet	Marland, Margaret	Turnbull, David
Elliott, Brenda	Maves, Bart	Wilson, Jim
Eves, Ernie L.	Mazzilli, Frank	Witmer, Elizabeth
Flaherty, Jim	Molinari, Tina R.	Wood, Bob
Galt, Doug	Munro, Julia	Young, David

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

#### Nays

Bartolucci, Rick	Cordiano, Joseph	Lankin, Frances
Bisson, Gilles	Crozier, Bruce	Marchese, Rosario
Bountrogianni, Marie	Curling, Alvin	Martel, Shelley
Boyer, Claudette	Di Cocco, Caroline	McLeod, Lyn
Bradley, James J.	Dombrowsky, Leona	McMeekin, Ted
Brown, Michael A.	Duncan, Dwight	Peters, Steve
Caplan, David	Kennedy, Gerard	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwinter, Monte	Smitherman, George
Cleary, John C.	Lalonde, Jean-Marc	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 42; the nays are 29.

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

The member for a short statement?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** I'll make a proper statement in ministers' statements.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### POST-SECONDARY EDUCATION

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** For some time now,

students, parents and employers have asked the Ontario government to allow greater flexibility in the educational opportunities available to students so that they can acquire the marketable skills they need to prosper in today's world.

They have been asking for more flexibility in the way they can learn; they want new combinations of skills and expertise; and they want greater collaboration between our post-secondary institutions. And they are right. We need to increase the range of choices available to Ontario students to earn a degree. Students need more opportunities, not fewer, and we must ensure that the post-secondary system provides them with the full range of choices that they require to succeed.

In April, I announced the government's intention of giving Ontario students an exciting new range of opportunities to earn a top-quality post-secondary education. Today, I'm introducing legislation which, if passed, would allow us to meet that goal. The Ministry of Training, Colleges and Universities Statute Law Amendment Act, 2000, would make amendments to the Ministry of Colleges and Universities Act and would replace the Degree Granting Act with the new Post-secondary Education Choice and Excellence Act, 2000.

The new act would make it possible for Ontario's colleges of applied arts and technology to grant applied degrees and would pave the way for more private post-secondary institutions to establish themselves in Ontario.

Over 35 years ago, the province proposed controversial changes to post-secondary education with the creation of community colleges. We know today's announcement is also necessary to make the system more responsive to the needs of today's students no matter where they live. It's part of our plan to address lifelong learning.

By increasing the range of options available to students in Ontario, we would be promoting excellence in our degree-granting institutions and making Ontario's education system the envy of the world by ensuring that our institutions are responding directly to the changing needs of our students, as well as to the requirements of those who need to upgrade their education.

To ensure the quality of new post-secondary programs, the act would enshrine in law the Post-secondary Education Quality Assessment Board. This independent body would assess new degree program proposals submitted by Ontario colleges, out-of-province degree-granting institutions and new degree-granting institutions in Ontario, including privately funded institutions.

Using rigorous criteria established in accordance with recognized educational standards, the board would then make recommendations to the Minister of Training, Colleges and Universities about whether proposals should be approved based on the quality of the program and the institution's ability to provide it.

Proposed amendments to the Ministry of Colleges and Universities Act would include permitting the Minister of Training, Colleges and Universities to appoint inspectors to ensure that institutions are administering the Ontario

student assistance program properly. This change would help us ensure both the viability of private institutions and the protection of both the taxpayers and the consumers.

We are also proposing to create new provincial offences to prevent OSAP abuse. The act proposes that an individual convicted of any one of the offences could be subject to a fine of not more than \$25,000 and/or a term of imprisonment of not more than one year. The act proposes that a corporation convicted of an offence could be subject to a fine of not more than \$100,000. We believe that these measures, if passed by the Legislature, would send a strong message that the Ontario government will not tolerate misuse of taxpayers' dollars.

My ministry has consulted extensively with stakeholders on these issues, and the legislation I am introducing today reflects much of what was heard in those consultations.

This legislation is intended to give Ontario students more choices while protecting and strengthening the quality of our education system. If passed, it will create opportunities for students to pursue new fields of study, to attend programs that may not currently be offered in their home communities and to pursue part-time or distance education that may not at present be available to them.

I believe this legislation will be a key part of our plan to ensure the continued success of Ontario's students.

**1400**

**Mr Dalton McGuinty (Leader of the Opposition):** I guess in the final analysis, the minister's statement today is not surprising and all too predictable. There's no secret that the Harris approach to our public institutions, whether you're talking about primary and secondary education, the health care system or now our public universities, is that first you starve them until they are broken and you undermine public confidence. Next you claim that the problems are too big for government alone to fix. Finally, you bring in your big business friends to profit from the mess. That's what this is all about.

As John Snobelen himself once said, first you've got to create the crisis. Let there be no doubt that because of Harris's cuts to our university sector, they find themselves today in a state of crisis. After \$400 million in cuts to our colleges and universities, Ontario—and this is shameful—now ranks 59th out of 60 in North America when it comes to public investment in post-secondary education. At 19 to 1, Ontario universities now have the highest faculty-to-staff ratio in Canada. In fact, when it comes to investment in our young people on a per capita basis, no group of adults, no single province, invests less in its young people than we do in this province, and that is exceeding shameful. At the same time, I can also tell you that because of this government's insistence that tuition fees be bumped by 60%, no families in our country are paying more than Ontario families when it comes to fulfilling the dreams of their children.

This government's deregulation of professional programs has resulted in a two- to threefold increase in the

cost of becoming a doctor, a lawyer or an engineer. Average student debt is now over \$25,000. Let me tell you what this means in real terms. When the cost of medical school tuition at Western recently went from \$4,000 to \$10,000 a year, it changed the type of student who went there in a very pernicious way. The mean family income of our medical students has gone from \$90,000 to over \$120,000.

I think it is entirely wrong, if not immoral, for we who have arrived and found success here in Ontario to shut the door to generations behind us. We played by some very good and fair rules that were handed down to us on a silver platter by our parents and our grandparents. Those rules simply said, "If you grow up in Ontario, if you work hard and you get good marks, you get to go on to university." What this government is all about—they are changing the rules. They are changing the rules that you and I benefited by. They are changing the rules by which everyone on the government side benefited. The new rules are, "If you work hard and you get good marks and your parents are rich, you get to go on to university." That's what's happening in Ontario today.

The minister likes to say—and this is a very seductive argument; it's made by Republicans south of the border all the time—"I'm simply increasing choice available to Ontario students and to Ontario families." If the minister was bent on helping our students have greater choices, she would focus on making the ability for them to choose a university education a real thing.

What I expected from this minister today, given the record and given the state of crisis in which our universities find themselves, was that she would have announced that she was reducing tuitions. She might have announced that she was going to increase student assistance. She might have announced that she was going to better fund our public universities. Those are the kinds of things that I expected this minister would announce, given the state of the province and our public universities. Our universities today are struggling when they should be flourishing. They are languishing when they should be excelling. We are supposed to be working here together, in a highly competitive, knowledge-based economy, to do the very best for our universities and our young people. This minister is taking us in the opposite direction. Private universities will do nothing for our struggling middle class, they will do nothing for our poor, but they will give much more choice to our rich, and we are against that.

**Mr Rosario Marchese (Trinity-Spadina):** I want to tell the minister and this government that they're very good. How else would you explain the title of this bill, which is called An Act to enact the Post-secondary Education Choice and Excellence Act, so reminiscent of a few other bills, for example, the Tenant Protection Act, which whacked tenants from one end of the room to the other? How else would you explain the sinister connection to another bill called an act to protect social housing, another beautifully named bill that dumps housing down to the municipality? And who gets stiffed with the property tax bill? The homeowner and the tenant.

You guys are good, I keep on telling you, but eventually people will catch up to it, and they have, in my humble view, as I have as I read the titles. The only benefits conferred on these people are the titles, and nothing else. There are no other benefits, except the title of the bill.

A couple of months ago the minister had consultations on this very bill she introduced today. I announced at the time that it was consultation by stealth, government by stealth, because she brought a few people together, a couple of her friends, and said, "Look, private universities are not up for debate. Private universities are what we're all about. If you've got some other ideas, we can talk about it." But essentially, the framework was set by this minister. So we asked her, "Who are you consulting with? Why are you consulting in private? Give us the names. Open the doors. Why are you consulting by stealth and in stealth?" She didn't have an answer. Why? Because that's the way this government operates: behind closed doors, with people obviously she can trust, and with nobody else in the room.

You guys are good. Eventually the public will catch up, but in the meantime, you're doing it well. I remember your Blueprint for Learning in 1992. Do you remember that? It was called New Directions. You said that our post-secondary education system was outdated and underfunded. You then proceeded, Minister, and M. Harris, to cut post-secondary education by \$500 million, and you proceeded to cut, in a cumulative way, \$1.4 billion in capital costs, in operating funds, essentially. Yet in your 1992 Blueprint you said it was underfunded. Presumably you meant you were going to put money into the system, not take more out.

Machiavelli would have been proud of you, Minister, and proud of this government, because you, Minister, serve the prince well. That's why I say to you that you've got good teachers: Machiavelli was a good one and Bismarck was another good teacher for you as well.

What do you do? You do what Bismarck did: you create a crisis. You create a crisis as a way of introducing your agenda. In this particular case, you have underfunded the system in a way that threatens our institutions and in a way that you can begin to suggest privatization is the answer, as you did, by the way, when you brought a couple of people together here a couple of weeks ago to support charter schools.

I am convinced that you sat down with those people—the other Minister of Education—and the minister said to those people, "I can't be seen to be supporting charter schools, but you folks go to Queen's Park and rumble and demand charter schools and demand money so that you can have your private schools. I can't be seen to be supporting it just yet, but you keep on screaming because in a short little while we're going to support you." You're doing the same thing with private universities. You starve them, you underfund them and then you say, "They need choice, thus we need private universities."

They're good. In March we warned the public that some of the worst for-profit American franchises were

lobbying your government to open up Ontario for business. The University of Phoenix, for example, had to pay the US education department a \$6-million fine for fraud. That's the kind of stuff we are getting in this place.

You dissemble by saying that private universities are not getting public funding, but students who go to these schools will get OSAP student loans. These loans come from public funds and will subsidize private universities. The private sector is drooling for this. They're drooling because they know the money is coming, so they can make money out of education. Is this what we want? Nobody is asking for this. Nobody is asking for this except this minister and her private friends who want to make money out of education by privatizing our education system. Shame on you, Minister, and the government.

1410

#### VISITOR

**The Speaker (Hon Gary Carr):** Just before we begin question period, in the members' gallery east is Mr Bill Saunderson, the former member for Eglinton and a member of the 36th Parliament. Would all the members join in welcoming our former member.

#### ORAL QUESTIONS

##### POST-SECONDARY EDUCATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Training, Colleges and Universities. Today you introduced a breathtaking change in the way we provide post-secondary education to our young people in our province. You did this proclaiming that this somehow will be of benefit to our struggling middle class and our poor. Our universities today are struggling at a time when they should be flourishing. They should be centres of excellence. Our young people today are faced with the highest costs in the country and the lowest levels of investment on the part of their province in the country.

Can you tell us, Minister, quite simply, why you have given up on our public universities and why you've given up on Ontario's youth.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** I was extremely disappointed with the leader of the official opposition and the information he gave out to young people today. He should know that under our government we have the highest participation rate in our post-secondary institutions in Ontario's history. Under the NDP 25.5% were enrolled, under the Liberals we had 23.3% enrolled and under our government it's 35% of young people between the ages of 18 and 24, and rising. The legislation we introduced today is to make that even better, to give more students choices and to allow them through lifelong

learning to enter our colleges and universities and have the most excellent system in the world, not just in Ontario or Canada.

**Mr McGuinty:** Here are the facts on universities in Ontario. Our students are averaging debt levels of \$25,000. They are paying more for their post-secondary studies than any students in other parts of this country, and we are investing less in our young people than in any other province in this country.

You tell us you want to lead. Well, it's pretty tough to lead from the back of the pack. Minister, I'm appealing to you as a parent, don't you feel some sense of responsibility to maintain that wonderful system that has been handed down to us on a silver platter by our ancestors, who worked so hard to ensure that all of our children would have accessibility to universities, regardless of how much family wealth they might happen to have? Isn't that what we're supposed to be all about, making sure our children have continuing access to universities, not on the basis of how much money they've got but solely on the basis of how hard they work?

**Hon Mrs Cunningham:** We should know that in this province we are able to attract the best and the brightest. Last week at the invitation of Dr Birgeneau at the University of Toronto, who chose to come here from an American system to make his province and his country even better—he was extremely flattering toward the quality of our post-secondary institutions right here in Ontario and in Canada.

This member tells us that students cannot go to our universities. We've never had a higher participation rate. I will say to this member that the hopes of this generation are very much greater than when I went to school, when 5% of young people went on to post-secondary. I am tired of this number. Twenty-five thousand dollars is the average across the country. He knows it and his friends the Canadian Federation of Students know it. I will tell you that we want to do better in Ontario. Our average debt is \$13,000—

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

**Mr McGuinty:** This minister can accuse me of being friends with students any day of the year. I plead guilty on that count. I am a friend of students. I am a friend of Ontario's youth, and I will do everything I possibly can to ensure they've got access to public universities.

I can tell you, on the basis of international experience, that if you show me a private university, I will show you public dollars. These private universities are going to come at the expense of public funding for our public universities, notwithstanding your commitment to the contrary.

You tell me, for example, that any student who makes application to attend a private university in Ontario will not be receiving public assistance. Our students in public universities are already malnourished when it comes to assistance funding. Tell me that we will not be using Ontario tax dollars to subsidize students who are attending private universities. Tell me that now.

**Hon Mrs Cunningham:** I would be happy. I thought I just heard the member say he was the friend of students. Every student has a right to a choice, and if they qualify for OSAP when they go on to private universities in this province, they will get it.

We have never supported our young people who need assistance to go on to post-secondary education as much as we have in the past year. We will spend an estimated \$698 million this year, the most in Ontario's history. Some of the ways we are helping our young people are increasing the funding for OSAP and increasing the number of Ontario graduate scholarships. Students can earn from bursaries and part-time work. We're working with our colleges and universities so they can have jobs that we support. The list goes on. This member should get himself educated.

#### DRINKING AND DRIVING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Correctional Services. I believe that drinking and driving is a very serious crime and, in keeping with the law, I believe second-time offenders should be doing time. Do the crime, do the time. The crime has to be stamped out. Education can help our children act responsibly, RIDE programs can get drunk drivers off the road and treatment programs can help our alcoholics.

I think we should punish repeat drinking and driving offences with time in jail. Do you agree, Minister?

**Hon Rob Sampson (Minister of Correctional Services):** I thank the honourable Leader of the Opposition for the question, but he's a johnny-come-lately to having tough sentences for people convicted of drunk driving. Indeed, he and his party did not support the bill of the honourable member from Mississauga South when it was presented. So this is a new vision of his.

If you're asking whether people should serve their sentences, yes, indeed, they should be serving their sentences. If you're asking—

*Interjection.*

**The Speaker (Hon Gary Carr):** Order. Minister, take your seat.

I didn't hear that, but we're all honourable members. If the member said something, she can withdraw it. I'll give her a chance. If she said something, she wants to—

**Mrs Sandra Papatello (Windsor West):** I withdraw.

**The Speaker:** Start the clock, please.

**Hon Mr Sampson:** If you're asking whether people should be serving their sentences, yes, indeed, they should be serving their sentences, whether that be a combination of community sentencing and institutional sentencing.

We have said many times—I have said many times—there are things that need to be changed in Ontario corrections, and I'm trying to do that. Perhaps, when you're asking your supplementary, you might confirm whether you believe the statement of your member from Brant, who says that Ontario corrections is a model for other jurisdictions to follow.

1420

**Mr McGuinty:** You are failing us, and I'll tell you why. Judges are sending people to jail in Ontario to serve intermittent sentences to be served on weekends. It turns out that every Friday at the Mimico Correctional Centre right here in Toronto, over 100 criminals arrive, sign a temporary absence plan and get out of jail instantly.

You are complaining about the federal government's laxity when it comes to inmates serving easy time in jails. I'm talking about your system, on your watch, where you are taking people who have been sentenced to do time in jail and allowing them to serve time at home. Under the Mike Harris get-tough, law-and-order regime, we're talking about people who have weekend sentences being sent home. How do you justify that, Minister?

**Hon Mr Sampson:** I'm quite prepared to talk about corrections under our watch. I'm also quite prepared to compare that to corrections under your watch. That would be an appropriate comparison, would it not? If we did that, we would find that under their watch, the Liberals issued 25,000 temporary passes out of jail—25,000. When we were elected, we said temporary passes should be used only where people are serving their sentences in the community and, where there should be exceptions, to attend funerals and the like, so we've taken that number down to 4,000. I'm quite prepared to stand in my place and say that under the Mike Harris government we are getting tough in corrections. You believe inmates should be prancing around in evening gowns and having pool tables and pools built. You believe that's corrections in Ontario; we don't.

**Mr McGuinty:** Once again we've proven that when it comes to crime this government is all talk and no action. You are so tough on talk. You know, you've got me shaking in my boots. They tell us they're going to be really hard on criminals; they're going to crack down. Here we've got a specific instance: in Ontario today, if you are sentenced to an intermittent sentence and you are required to do time on weekends, all you've got to do is show up and sign yourself out. You get to go home for the weekend, you get to cut the grass, do a bit of shopping and God knows what else, and this is the new, tough, law-and-order regime of the Mike Harris government. I guess the criminals are just heading for other provinces, Minister.

Can you tell us once again, because we didn't get it in the last answer, how can you justify allowing criminals who have been sentenced for drinking and driving, in some cases drug trafficking and in some cases assault—how do you justify sending them away from jail and allowing them to spend the weekend at home?

**Hon Mr Sampson:** The only party around here that's all talk and no action is yours and your federal colleagues'. The Attorney General went to a ministers' conference about a month ago, and I was there a year ago. We demanded that the federal Liberals get rid of intermittent sentencing. What did they do? Nothing. What are they prepared to do in the upcoming election? Nothing. But to the point that the member is raising, I want to tell him—

*Interjections.*

**Hon Mr Sampson:** —if they're prepared to listen.

*Interjections.*

**Hon Mr Sampson:** Would you like the answer, or do you just want to heckle and not have the answer?

**The Speaker:** Minister, take a seat. Order. The minister has the floor.

**Hon Mr Sampson:** The Liberals don't believe that inmates should be paying back society. That indeed is what these individuals did when they reported to Mimico Correctional Centre. They went to help out EGRESS, which is a voluntary group in Etobicoke; they went to help out St Bernards Convalescent Hospital; they attended drug rehabilitation programs in the community, including anger management courses. You don't like that?

**The Speaker:** The minister's time is up. New question?

#### AFFORDABLE HOUSING

**Ms Marilyn Churley (Toronto-Danforth):** To the Acting Premier: tomorrow, the Premier and his—

*Interjections.*

**The Speaker (Hon Gary Carr):** The member for Toronto-Danforth has the floor. Order.

**Ms Churley:** To the Acting Premier: tomorrow, Acting Premier, the Premier and his buddies Jean Chrétien and Mel Lastman will be announcing their big waterfront plan. We're told that they plan to put up \$1.5 billion. The question is whether there will be any money for affordable housing.

The people of Ontario and Toronto don't want a waterfront just for the wealthy and they don't want vague promises that will be overturned if the Olympics get into financial trouble. Minister, will you commit today that you will provide funding for at least 1,000 units of rent-geared-to-income housing on the Toronto waterfront?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** Obviously I don't have any knowledge of what's going to be in the statement tomorrow. Jean Chrétien is not my best friend.

The report on the waterfront that Mr Robert Fung has done I believe includes affordable housing in its submission. Let me just state very clearly and unequivocally that this government is in favour of Mr Fung's plan. I think it's a dynamic new plan for growth on the Toronto waterfront that will stand not only the city of Toronto but the province of Ontario and the country of Canada in good stead for many, many decades to come. If she's against it, I guess she should stand up and say so.

**Ms Churley:** I apologize to the member. I got him mixed up with Paul Martin. I confused you for a moment.

Minister, we've got a really serious housing crisis in Toronto, and your government and Jean Chrétien's Liberals are like two peas in a pod. We saw in yesterday's budget where their priorities lie when we know that we have a housing crisis. They did the same things that you did: massive tax cuts but not one cent for affordable housing, not one cent.

Minister, you can show some leadership here and break this mould. One way of ensuring affordable housing on the waterfront is to pass my leader Howard Hampton's private member's bill, the Toronto Waterfront Fair Housing Act. It would require that any money raised through selling off of public lands be put into affordable housing.

Will you commit today to pass the NDP housing bill so that we'll be assured of having affordable housing on the waterfront, no matter what else happens?

**Hon Mr Eves:** No. Obviously I can't commit for all the other members of the Legislature to pass a private member's bill sponsored by her leader. However, I can reassure her that Mr Fung does indeed call for affordable housing in his waterfront redevelopment plan. We are fully supportive of that, the federal government is and the city of Toronto is. I don't know why you can't take yes for an answer.

**The Speaker:** Final supplementary.

**Mr Rosario Marchese (Trinity-Spadina):** I'll tell you why, Minister, because clearly I don't think you understand it.

*Interjections.*

**Mr Marchese:** Give me a second, please. You're so loud today. Quieten down.

Minister, I want to tell you why. You say it's in Mr Fung's plan, and you support that. Happy to hear it. The Canada Mortgage and Housing Corp says we will have needed 81,000 units by 2001. We will have only built 6,000. Previous governments helped to construct housing. The Liberals are out of the housing field and they devolved to you. You devolved to the municipality and put it on the shoulders of the property tax person. You haven't built any housing. The private sector is not building any housing. You, nonchalantly with your smile over there, say, "I don't know what part you don't understand about my answer." I'm telling you what I don't understand. You haven't built any housing and neither have your private friends. That's why.

I'm looking for your commitment, right? I'd want you to tell me. In addition to what Mr Fung said, I'd like to know what you plan to do, yourself.

1430

**Hon Mr Eves:** There is obviously a very serious difference of opinion here as to how housing gets built and how you help people in the province of Ontario. Your government helped people by raising taxes some 37 times and putting 10,000 people out of work in the province. Our government has helped people by lowering taxes 166 times, and as a result, almost 800,000 people today have jobs who didn't have jobs thanks to you under your great regime.

**The Speaker:** New question.

#### POST-SECONDARY EDUCATION

**Mr Rosario Marchese (Trinity-Spadina):** He kills me. He does kill me. I was about to say, "He's good," but he wasn't very good today.

Speaker, not to him anymore; I'm tired of him. Minister of universities, you're planning to divert public housing dollars from our university system so that your corporate buddies can make a profit by bringing in, in my view, second-rate American private universities. Nobody wants this scheme. I say to you, as Mel, who is your buddy, would say to you, "Nobody wants this scheme," except the big-box US universities and their well-paid lobbyists. They want it, but education stakeholders don't want it. They told us months ago that your scheme will lower the quality of education and increase the costs to students.

The problems in post-secondary education are real; they're not invented. Institutions are starved for funds. Tuition fees have increased by 60%. Even though there is OSAP, these people still have to pay. My daughter in university will, by the next year or two, be paying about \$20,000 or \$25,000. That's a real person.

Why are you selling out students with a plan that nobody wants except for your corporate friends?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** Clearly the legislation that was tabled today is something that the students both at our colleges and our universities have been asking for, that employers have been asking for. Students want more choice, and that's what this is all about.

The member talks about tuition. During his tenure in government, the NDP's short tenure, they increased university tuition by 50%. Even the colleges, one of which he and I were at today, would confirm that his government—during their short tenure, thank goodness—only increased fees by 36%.

We have a five-year plan for tuition: a 2% increase per year. This is far better for students. It's responsible; it's reasonable. After all their government did to dissuade our young people from going on to post-secondary, this is the wrong member to ask us questions about accessibility.

**Mr Marchese:** I don't know. This minister says students want a private university. I haven't met one. "Students want choice," meaning they want a private university? Please bring them in the room. We wanted to ask you the last time, where are these people you are consulting with, and who are these people who support a private university? I say, bring them forward so we can chat with them. You invent this mythological individual, this student, who wants a private university. They're not there.

You have decreased operating funds. Ours were twice as high as yours. In a recession, our operating funds were twice as high as yours in a good economy. Tuition was 60% lower: 60% lower in a recession than in a good economy under you. I'm telling you, when the minister says they are only increasing tuition fees 2%, we're talking about students.

Will you promise students you won't sell them out for the sake of your corporate profits, Minister? Can you do that?

**Hon Mrs Cunningham:** I didn't hear the exact question, but I think the member is concerned about access-

ibility to our universities. I will say that a group of people that this member purports to represent are people who are having difficulty—

**Mr Marchese:** Mr Speaker, on a point of order—

**The Speaker (Hon Gary Carr):** Point of order. Just so you know, you didn't get your question yesterday. We're on time to get it.

Point of order for the member for Trinity-Spadina, and don't blame me about not getting to it if you want to argue back and forth.

Now we've wasted the time. Quite frankly, the member had over a minute on both his questions.

Minister of Training, Colleges and Universities.

**Hon Mrs Cunningham:** I think the member was talking about accessibility. It's very important to note that we have more students in our colleges and universities. The accessibility of 18- to 24-year-olds has never been higher. Thirty-five per cent of our population is choosing to go to school at our colleges and universities, and we're very proud of that.

In order to help them, I would like to advise the member that he should be telling the people he represents that this government, more than any government, will spend an estimated \$698 million this year to help our young people access universities. In many ways, OSAP is higher than ever before, \$556 million, an increase of \$326.5 million over when this member was in government. Just think of that. Increasing our number of Ontario graduate scholarships—

**The Speaker:** Answer.

**Hon Mrs Cunningham:** The private sector and the public sector have set up \$600 million—\$300 million coming from us—for young people's student opportunity trust fund, where 185,000—

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

#### HEALTH CARE FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is to the Minister of Health. Yesterday our leader, Dalton McGuinty, asked you about the underfunding of hospitals. He pointed to a confidential Ministry of Health document that clearly indicates Toronto area hospitals are receiving \$100 million less this year than last year. He asked you to explain why you would be cutting funding from hospitals when people are on stretchers in emergency rooms and having their surgeries cancelled. When you don't give hospitals enough money, they can't keep the hospital beds open and people don't get the care they need.

There's another part to that confidential ministry document. It shows that Toronto area hospitals have lost over 1,000 beds since 1995, when your government took office. What is incredible is that there are actually fewer acute care beds in Toronto today than there are supposed to be at the end of your restructuring process. In fact, the Toronto Hospital Association says Toronto needs 1,100 more acute care beds just to reach the standard set by your own commission.

Minister, I ask you, why have you cut funding for hospitals and forced them to close beds, and how can you explain that there are fewer acute care beds in Toronto hospitals today than your own commission says there should be?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** The member opposite needs to remember there is only one government that has cut health funding, and it is the federal government. In fact, I am disappointed to acknowledge, despite the fact that there was a health agreement reached in September of this year, that we have not yet seen one cent from the federal government and the CHST will not be restored until April 1 of next year. If there's any shame, shame on the federal government for cutting health funding.

In the meantime, our government has increased health funding each and every year. This year, we are spending approximately \$22 billion and we are funding our hospitals at \$7.7 billion. That is up from \$6.8 billion in 1998 and 1999. We have added to our emergency room investments approximately \$725 million.

**Mrs McLeod:** You were disappointed yesterday too when our leader asked you the question. You were disappointed about the \$2.5-billion error—an administrative error you called it—that your ministry officials had made. We have no reason to believe that any of the numbers you read into the record in this House about health care funding are in any way accurate. We have absolutely no reason to believe that the hospitals are actually receiving any of the dollars you've announced over the past year. We don't even know which of two sets of books you're quoting from.

We know for sure, Minister—and this is fact, documented—that hospitals do not have the beds they are supposed to have. We know for a fact that that is true not just in Toronto, but across the rest of the province. We know for a fact that every single region of this province has fewer acute care beds today than were supposed to be left when you finished closing hospitals. We know that Ontario hospitals have fewer acute care beds per capita than any other province in this country. In fact, only the Yukon has squeezed hospitals more than your government has. Minister, we know you are holding back money that hospitals need while surgeries are cancelled and emergency rooms are closed.

I ask you, will you immediately give hospitals enough funding to reopen at least as many beds as your own commission says are needed?

1440

**Hon Mrs Witmer:** I think the member forgets the fact that when they were in power and the NDP were in power, there was a closure of 10,000 beds. In fact, it wasn't until our government came to office in 1995 that we recognized that you can't continue to close beds and not open long-term-care beds and not provide community services.

Our government has been restructuring. We are expanding 57 emergency rooms throughout the province of Ontario. We are increasing the capacity. We are

building new hospitals, in fact in the member's own riding—Thunder Bay is getting a brand new hospital. We are building 20,000 long-term-care beds because the Liberals stopped building them. The NDP did not build any at all. Finally, we are making sure that the needs of the people in this province are going to be met.

## WELFARE REFORM

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Community and Social Services. In 1995, our government promised to keep welfare rates 10% above the average of the nine other provinces in Canada. I've recently seen media reports which claim that your cuts to welfare have had a devastating effect on the poor in the province of Ontario. They claim that welfare rates are simply too low.

I find this hard to believe. We're a government that stands for promises made, promises kept. Have you, as Minister of Community and Social Services, kept our government's promise to keep welfare rates at a respectable level?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** Indeed, in 1995 we committed to keep welfare rates in Ontario 10% higher than the average of the other nine provinces. In fact, we have not done that. Ontario Works rates are up to 34% higher than the average of the other nine provinces. Ontario disability support program rates are as much as 46% higher than the average of the other nine provinces.

We have the most generous earn-back program in the country. We have upwards of 60,000 people on welfare working, with a part-time job as their first step out of the welfare system. In addition to the 768,000 net new jobs that have been created in Ontario, we have more than 549,000 fewer people on our welfare rolls.

Ontario is once again the economic engine of Canada. We're once again a magnet for jobs, investment and opportunity. But we must recommit ourselves to ensuring that those still on the system get the supports they need to move from welfare to work.

**Mr Galt:** Thank you very much, Minister, for that response. I must say, however, that providing adequate support to welfare recipients is only one piece of the puzzle. As I mentioned in my statement earlier this afternoon, the other part of the puzzle is helping recipients move off the welfare rolls and discover the benefits of having a job. That's why one of our government's commitments is to help people escape the welfare trap and not end up with a hand out.

Minister, I'd like to hear more success stories like the one I mentioned today that took place in Quinte West. What are you doing to ensure that the people still stuck in the welfare trap have a way of getting out and into a job? Also, could you explain to the member from Trinity-Spadina how the NDP government raised tuition?

**Hon Mr Baird:** My colleague is right. The New Democratic members of the Legislature did raise tuition.

They had promised to abolish it, but in fact they did raise it for students when they were in government.

We've expanded the number of programs available to those on social assistance in Ontario. The Learning, Earning and Parenting program gives additional support to young parents to help them get parenting skills and supports so they can get their high school diploma and be able to realize the dignity that comes with a paid job and the pride that comes with being economically self-sufficient.

We brought in the most generous earn-back program in the country. We've also done a lot for the working poor. This Minister of Finance has taken literally hundreds of thousands of low- and modest-income Ontarians right off the tax rolls, making it more attractive to move into work.

Through the design of the national child benefit supplement, we've made it another advantage to go from welfare to work. With the establishment of the Ontario child care supplement for working families, we've given even more support to make it more advantageous to move from welfare to work.

We're going to continue to provide those supports so that everyone who wants to work can work in the province of Ontario.

#### WALKERTON TRAGEDY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Deputy Premier. In September 1996 your government shut down all the Ministry of the Environment labs. Responsibility for 400,000 annual water quality tests was transferred to the private sector. Only eight weeks' notice was given to municipalities. The municipalities were not consulted. There was no requirement that municipalities use accredited or certified labs. There was no requirement that those labs report results of those tests, either to the ministry or to the medical officer of health. Yesterday we heard, through testimony delivered at the Walkerton inquiry, that this resulted in nothing less than chaos. Samples of water tested went missing; other samples were mislabelled; forms weren't filled out.

Deputy Premier, you were warned time and time again by officials like the Environment Commissioner and the Provincial Auditor about this issue. Seven have died, thousands were ill, dozens are stricken with permanent kidney disease. Why did you fail the people of Walkerton when you had all of those warnings?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** Obviously, the leader of the official opposition is aware—everybody in the province is aware—that there is a very serious inquiry going on into the Walkerton matter right now. The government takes this matter very seriously. We will await the findings of the public inquiry, we will be guided by them and we will abide by the facts that are found.

In the meantime, the Minister of the Environment obviously has set in place required testing for water

supplies in the province of Ontario. You will know that in 1993, when an amount was charged for testing water supplies, about 60% of municipalities decided to go to private labs to have their water tested.

I can tell you the government takes this matter very seriously. We will do everything in our control to make sure that it is remedied and that another Walkerton never occurs. But I think the leader of the official opposition may do well to find out the results of the inquiry before he starts—

**The Speaker (Hon Gary Carr):** The Deputy Premier's time is up.

**Mr McGuinty:** My concern is that you didn't take this matter seriously from the outset. It's easy to say that you're going to take it seriously now once the inquiry is underway. But you didn't take it seriously up front when you should have. This is what the Environment Commissioner said about your decision to transfer responsibility for water testing away from the ministry into the private sector. She said, in 1996, "The Ministry of the Environment and Energy did not check if drinking water testing is now being done properly." Clearly, here is a situation where some smaller communities around the province are at substantial risk as a result of a decision by the ministry. She put her finger directly on this point and this issue back in 1996.

You ignored the Environment Commissioner at that time. You ignored the Provincial Auditor, who issued the same kind of warning in 1996. I'm very much looking forward to the recommendations to tell us what we should do going forward as a result of this tragedy. What I want some accounting for is your responsibility for actions taken in the past. Why did you ignore that warning?

**Hon Mr Eves:** The inquiry will indeed, I'm sure, come to some conclusions of fact as to whether what the leader of the official opposition is alleging is true or not. The reality is that the tragedy in Walkerton certainly has made everybody in the Ontario more aware of things that we have, perhaps all of us, taken for granted in the past, such as water supply. Some good at least will come of this terrible tragedy that happened in Walkerton.

Everybody is always smarter after the fact. The reality is that there is an independent public inquiry going on. A very competent individual is in charge of that inquiry. We will await the results of the inquiry and we will act responsibly on them.

1450

#### ORGANIZED CRIME

**Mrs Julia Munro (York North):** My question is for the Attorney General. Recently, there have been several news items in the media about the actions of organized criminals. For example, there recently was a widely reported story about a group plotting to blow up an elementary school. They were trying to create a diversion so that they could blow up the wall of a prison cell in order to free their crime leader. The Globe and Mail

reports that, when arrested, these people were in possession of two handguns, two assault rifle and 26 tubes of powerful explosives, not to mention that they were also in possession of drugs and other stolen goods, including a police uniform.

Serious gang violence is no longer something that just happens in the movies. This is happening in our communities and around our children. I ask the Attorney General to please tell us what he and the government are doing to reduce the level of organized crime in Ontario.

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** I thank the member for York North for her question. Organized crime is a serious concern for Ontario, for Canada and internationally. It's a problem which is growing in scope and in magnitude. The National Post today reports that gang-related murders have more than doubled since the mid-1990s. This is a serious issue and it is getting worse. Earlier this summer, we had the shooting of a reporter in Quebec which was allegedly associated with organized crime.

Ontario has taken a leadership role in combating organized crime. We had the international summit in Toronto in August. We also had earlier this week, hosted by the Ontario Association of Chiefs of Police, another conference on organized crime. We've called on Ottawa to implement those facets, those amendments to the Criminal Code that are within their control relating to organized crime. They've failed to do that, just as they've failed to act on conditional sentences, on intermittent sentences and on the Young Offenders Act.

**Mrs Munro:** I find it regrettable that Ottawa does not see this as a problem. It was not that long ago that a reporter from Montreal was gunned down by individuals believed to be linked to organized crime. As recently as last week, we saw the head of the Hell's Angels being arrested in connection to the murder of two prison guards. Another news item from Alberta is calling on the federal government to improve their anti-gang legislation.

Minister, it seems clear that the federal government is not interested in listening to what Ontario's elected representatives have to say. Given the possible early election call, they have no interest or time to hear anyone at all. I ask the minister, what can the Ontario government do to fight organized crime?

**Hon Mr Flaherty:** I thank the member again for the question. Property laws fall under the jurisdiction of the province. We intend to be the first jurisdiction in Canada to introduce legislation that is specifically designed to go after the proceeds of organized crime, the profits of organized crime, in this jurisdiction.

Our legislation proposes to hit criminals in the pocketbook. This term we do intend to introduce legislation that will allow us to freeze and seize unlawful proceeds of organized crime in Ontario. Stock market fraud costs Canada more than \$3 billion a year. Cellular phone fraud costs our nation \$650 million a year. Tele-marketing fraud, mainly against seniors, costs Canada \$4 billion a year. While the federal government ignores its

responsibilities, we intend to take action and lead Canada.

## HEALTH CARE REFORM

**Ms Frances Lankin (Beaches-East York):** My question is to the Minister of Health. Minister, I want to ask you when you will take the emergency steps necessary to deal with the emergency room crisis that you have created.

On Monday, I reported that 17 out of 22 hospitals in the GTA were turning away ambulances. On Tuesday, I warned the Premier that the situation was worsening. At noon that day, again, 17 hospitals were turning away ambulances, but by 5 pm that afternoon 20 out of the 22 hospitals in the GTA were turning ambulances away.

Let me remind you of how serious this is. On November 9 last year, at the start of the flu season, the newspaper headlines were screaming, "Emergency Rooms Overflowing." You were scrambling to answer and to explain. At that time, 17 hospitals were on redirect, turning away ambulances. Tuesday of this week, 20 were. Only two hospitals in the GTA were accepting emergency patients.

Minister, your patchwork of fix-it announcements for the last two years aren't working. Will you take some real steps that display the urgency of this crisis? Will you reopen the Wellesley ER and promise not to close any more emergency rooms in the GTA?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Let's at least put this in perspective. I'll quote Harold Fisher, the assistant director of the emergency department at Mount Sinai on September 27 of this year, referring to emergency room pressures: "This is a very old problem. It is at least 10 years old. This is not a new issue." I guess the difference is that for the first time our government is addressing this issue.

In 1998, we set up the emergency room task force and we have adopted a comprehensive emergency room pressure plan. Part of that plan is to expand the community services, part of that plan is to build the 20,000 long-term-care beds that had not been built by the NDP or the Liberals, and part of that plan involves the primary care networks, to increase the access to physicians to 24 hours a day, seven days a week, and of course we are moving forward with a \$725-million investment in emergency room services for more doctors—

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

**Ms Lankin:** You like to, over and over again, point to 10 years and 15 years. You want to put it in perspective? Let me put it in perspective for you, Minister. In 1995, the total number of hours that GTA hospitals were turning away ambulances was 12,700; in 1996, it was 17,000; in 1997, it was 25,000; in 1998, it was 39,000; last year, in 1999, it was 47,700. You have created this crisis. This is not 10 years old; this is not 15 years old.

For two years you've been promising to take immediate steps. Your smoke-and-mirror announcements and all

of your dollar announcements, like the latest one, means there will be fewer nurses in the hospitals when hospitals have to dip into their operating budgets to come up with the \$90,000 to participate in your new plan.

I'm telling you, this week you've got 20 out of 22 hospitals turning away ambulances. You've got ERs backed up. You've got ambulances backed up. You've got dispatchers' calls, emergency calls, backed up. We need an emergency response. Your long-term solutions, if they ever kick in, we'll look for them. Right now we've got people whose lives are at risk.

Will you promise, commit today, to reopen the Wellesley ER and to stop the closure of any further emergency rooms until you fix this problem?

**Hon Mrs Witmer:** The member knows, although she refuses to acknowledge it, that there is throughout Canada increasing utilization and pressure on our emergency rooms. In fact, it was Mr Allan Rock, at our most recent meeting of federal, provincial and territorial ministers, who raised it as an issue and said, "What are we going to do to deal with it?"

In this province, since 1998, we have developed a comprehensive plan. I'm very pleased to say that we are moving forward. There is an acknowledgement that there is improvement within the system. The steps are being taken. There is additional money; there are more discharge planners; there is more co-operation among all of the stakeholders; there are new emergency rooms being built; there are going to be more spaces as well.

I just would like to indicate to you that you need to remember we have a growing and aging population and we are going to continue to need to respond to the needs of those individuals and we're doing so. At no time is a hospital—

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

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is for the Minister of Community and Social Services. Four Sarnia-Lambton agencies—the Lambton County Association for the Mentally Handicapped, the Sarnia and District Association for Community Living, St Francis Advocates and Christian Horizons—asked your ministry for \$2.7 million to meet the basic needs of people with developmental disabilities. These organizations asked only for what they needed. Your ministry gave these four agencies \$106,000; \$106,000 is just enough to help a single high-risk client. The agencies have begun turning families away. Group homes are full. There are no beds for respite care. When families go to these agencies today, the agencies call the local ministry office, and do you know what the response from the ministry is? "We don't have the money."

Minister, more than 100 developmentally disabled will be turned away or have existing services withdrawn unless there is an immediate infusion of \$670,000 and another \$2 million over two years. Where are these

people with disabilities to go, and who can these families turn to?

**1500**

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** This government takes its responsibilities to provide support to people with developmental disabilities and their families incredibly seriously. Last year, the previous minister increased funding in this sector by more than \$35 million, and this year we increased support by more than \$50 million.

I'm not the one who's going to stand in this place and suggest that that's going to meet or come close to meeting every need out there, but it was the biggest increase in more than a decade. It demonstrates our commitment to do more to protect and provide support for people with developmental disabilities and their families.

We recognize that more can be done. We're undertaking a process to review the situation, to look at plans and ways we can help meet these growing needs, because it's an important responsibility of government.

**Ms Di Cocco:** Minister, I want to give you a real-life example. Diana Huybers, for example, is a 45-year-old developmentally disabled woman who has been a client with the agencies for years. Her mother is now 76 years old. There is no room available in a group home for Diana.

Her dad is 72 years old, and do you know what he said? "We've always looked after her. But what are we going to do now?"

Families like the Huybers have raised their children at home and have saved government millions of dollars. Now they need help, and it's not there. These families are only asking for what they need. These agencies have been dealing with restructuring over the last couple of years, and they keep saying, "We can't do any more with any less." They asked for \$2.7 million. You only gave them \$106,000. These are 120 people who are being put at risk today in Sarnia-Lambton.

Minister, will you at least take some responsibility here and restore to these agencies the funding to help these people, because they cannot help themselves?

**Hon Mr Baird:** For this member to come in the House and use the word "restore" leaves the impression with those people watching on television that that funding has been reduced. The member is wrong. She has not done her homework, and she should have done it before she came in here.

Let's look at the facts. In 1997-98, \$91 million went to the southwestern region; in 1998-99, more than \$101 million; in 1999-2000, rising to \$108 million; this year, rising to more than \$112 million. This government has made substantial increases to provide additional support for these people who were most vulnerable.

For the member opposite to use words like "restore" suggests and would leave the impression that cuts have been made, and that is simply not the case.

Let's look at the advocates in this community. June Chiu, the president of the Toronto Association for Com-

munity Living: "It is reassuring to have a minister who understands the needs of people with developmental disabilities and their families."

Let's look at the president of the Ontario Association for Community Living. "The minister should take full credit for listening and responding to the concerns that families and their associations have expressed."

This government has—

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

#### ONTARIO YOUTH COUNCIL

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is to my colleague the honourable minister responsible for children.

I recently received a package of information from your office on the Ontario Youth Council. I was pleased to see that we are bringing the bright young people of the province of Ontario to the table to get involved in provincial government. I regularly work with the teens in my riding of Bramalea-Gore-Malton-Springdale, and both my daughters are teenagers. I know what a tremendous contribution they can make.

Minister, what will be the role of the youth councillors and how will they work with our government?

**Hon Margaret Marland (Minister without Portfolio [Children]):** I am very excited about this initiative, which will bring teenagers from all over the province to share their ideas, discuss subjects of importance to them and their peers, and to provide advice to the government on issues of provincial significance.

As the chair of the Ontario Youth Council, I will work directly with the members, listening to their opinions, participating in their discussions and using their advice to support me at cabinet as the advocate for Ontario's children and youth.

The council will meet three times a year in Toronto and once a year outside of Toronto, and will be made up of teenagers representing both rural and urban interests and of all different backgrounds and circumstances.

**Mr Gill:** As part of the package sent to me by your office, I received a poster, which is right here, that I have put up in my constituency office to get young people involved.

I see that the application deadline of October 27 is fast approaching and know that teens in my community will not want to miss out on this opportunity to participate. I think it will be a great experience for them, not to mention an excellent activity on their resumé.

Minister, I want to make sure that all the young people of my riding and all over Ontario know about this new council. Where else can they get information on this great initiative?

**Hon Mrs Marland:** I am pleased to hear that our youth council poster is up in my colleague's constituency office. I actually sent the same poster and the same package to every member in this House, all 103 ridings. Every secondary school in this province received a

package. The information is on our children's secretariat Web site, and we encourage all secondary-school-age students to contact our office if they are interested in serving on our Ontario Youth Council.

Additionally, we've sent packages to the YM-YWCAs, Junior Achievement, Boys and Girls Clubs, scouts and guides organizations, community centres, and townships throughout this province.

You can see that we are very committed to getting these teens together from a variety of backgrounds to represent the youth of Ontario at Queen's Park. I look forward to meeting with our new councillors and reporting back to you on their insight.

#### TRANSPORTATION FOR THE DISABLED

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Citizenship, Culture and Recreation. This month, Mobility Niagara, a transportation service for the physically disabled in the Niagara Peninsula, shut down its operations because of lack of funding.

Mobility Niagara was operated by a non-profit organization and provided transportation for disabled people on a subsidized basis, to get to school, work, and to medical appointments. It was an essential service that allowed disabled individuals to reach destinations within Niagara, and to lead a life with fewer impediments to their mobility.

Minister, I was looking at the directory of services for the government. Your mandate includes, "support equal opportunity for all Ontarians." Will you fulfill that mandate by ensuring that your government provides funding to re-establish this essential transportation service for disabled people in Niagara?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I want every member in this House to know that I am always pleased to work with any member who wants to provide services for people with disabilities.

Let me say that we provide a number of services for people with disabilities all across this great province. We fund, through my colleague the Ministry of Community and Social Services, partnerships with the Ontario March of Dimes to ensure that home and vehicle modifications happen across this province. We work with the Ministry of Health to ensure that we have an Alzheimer's strategy. We work with housing spaces with the Ministry of Municipal Affairs and Housing. We certainly work in a number of different areas. I work with the Ministry of Education to ensure that we have special education dollars for people with disabilities or special needs. You can see that we work with a number of areas. I also work with my colleague at the Ministry of Transportation to ensure that we provide services.

But let me remind you—and I know I don't need to remind the member opposite because he has a vast amount of political experience—that municipalities have

responsibilities too to provide services in their community. We have funded—

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

**Mr Bradley:** I know that the Harris government has completely abandoned public transportation in this province in terms of its financing. It has just gotten right out the business of public transportation completely.

You say that they should go to the municipalities. Well, the municipalities, because of downloading, have a lot more financial commitments and have a difficult time meeting these obligations.

Mobility Niagara has provided a unique transportation service, one which served the disabled and permitted them to reach places such as work, schools and medical appointments. This is not a general service; it's a specific, unique service. Over 450 people in Niagara need this service. It is not a luxury; it is not a frill. Disabled people need this service genuinely.

Your government has spent close to \$200 million on self-serving, blatantly political advertising. Will you, as minister responsible for the disabled, go to bat for Mobility Niagara and provide the funding to re-establish and operate this essential service?

It's a specific question. I enjoyed your answer previously about all the services you provide. This is a specific question; I'm looking for a specific answer, along with all my colleagues in Niagara.

**Hon Mrs Johns:** Thank you very much for the question. Let me remind the member opposite, and I know he needs no reminding, that the welfare rates are down in Ontario, 50% in the region of Niagara, which gives them extra room to be able to provide different services for people with disabilities. So let me remind him of that.

Let me also remind you that this group met with my colleague the MPP for Erie-Lincoln. He suggested that there were a number of community organizations that they should work with, look for, and if they needed extra help after that, he's certainly be happy to help them. My congratulations to the MPP from Erie-Lincoln. I look forward to working with him on anything that disabled people across the province might need.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Point of order, Mr Speaker: I would ask you to rule on this as a point of order. You'll be aware that over the last two days there have been repeated references from both the Premier and the Minister of Health to the decline in visits to emergency rooms in the Toronto area. I would like the House to consider as evidence of factual record the OHA report that shows that in fact there has been an 8.8% decline in the number of emergency room visits since 1994-95. Therefore, that's not the cause of the crisis we're facing.

**The Speaker:** That's not a point of order. The member for Brampton Centre.

**Mr Joseph Spina (Brampton Centre):** My question is to the Minister of Education. Minister—

**The Speaker:** Further to the point of order, the Minister of Health?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Point of order, Speaker: There was no reference made to declining visits. In fact, I spoke today about the increasing utilization of our emergency rooms.

**The Speaker:** New question?

#### STUDENTS WITH SPECIAL NEEDS

**Mr Joseph Spina (Brampton Centre):** No more points of order? Good.

My question is to the Minister of Education. I recently had meetings with the associate director and director of one of our boards locally. We know that boards across this province, not just in Niagara, are working to serve the growing number of special-needs students within their community and the challenges that come with servicing these students. I understand that yesterday you released province-wide standards for individual education plans for these special-needs students. Minister, can you tell us what these standards are, how these new standards will help the students in my riding and others across the province with our boards?

**Hon Janet Ecker (Minister of Education):** Serving the needs of those students with certain exceptionalities, our special-needs students, is a very important priority of the ministry and school boards. We've been able to increase funding to boards for special needs for three years in a row, but we recognize that simply spending more money is not necessarily going to provide better quality services for these children unless we also pay attention to how we are providing that money.

One of the steps that was recommended to us by our education partners was to have clear standards, expectations for the kind of programming that students should be receiving from school boards. One of the sets of standards we released yesterday had to do with what we call "individual education plans," where what a student needs is planned individually every year to make sure they're getting the support. Those individual education plans make sure that parents are more involved, that they have a clear voice, and that we can all be more accountable for those services. So those plans—

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

#### PETITIONS

##### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael A. Brown (Algoma-Manitoulin):** I have even more petitions to the Legislative Assembly concerning the northern health travel grant.

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

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

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

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their 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 our communities.”

These particular petitions are mostly from the north shore of Lake Huron.

**The Deputy Speaker (Mr Bert Johnson):** Further petitions.

**Mr Ted Arnott (Waterloo-Wellington):** I have a petition that's signed by 52 people who either live in my riding or live nearby. It asks that the Ontario Legislature 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.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition 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 acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

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

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

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their 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 our communities.”

This has been signed by another 100 concerned constituents, who join me in hoping that the indication that there may be some increased funding for the northern health travel grant program is in fact going to be realized in the near future.

**Ms Shelley Martel (Nickel Belt):** I have another petition about the government's ongoing discrimination against northern cancer patients. It reads as follows:

“Whereas the northern health travel grant offers a reimbursement of partial 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 of 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; 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 agree with the petitioners. I have signed my name, and I'd like to thank Gerry Lougheed Jr for all his efforts.

KARLA HOMOLKA

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** This petition reads:

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

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

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

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

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

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

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

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

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

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

I sign this petition.

1520

#### McMICHAEL CANADIAN ART COLLECTION

**Ms Caroline Di Cocco (Sarnia-Lambton):** “To the Legislative Assembly of Ontario:

“Whereas the government of Ontario has introduced Bill 112, An Act to amend the McMichael Canadian Art Collection Act;

“Whereas the McMichael Canadian Art Collection has grown and evolved into one of Canada’s best-loved and most important art gallery collections of 20th-century Canadian art;

“Whereas the passage of Bill 112 would: constitute a breach of trust made with hundreds of other donors to the McMichael Canadian Art Collection; vest too much power in the hands of the founders, who have been more than compensated for their generosity; diminish the authority and responsibility of the board of trustees; limit the focus of the art collection and hamper the gallery to raise private funds, thereby increasing its dependency on the taxpayers; and significantly reduce its capacity and strength as an educational resource;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to withdraw Bill 112.”

I affix my signature to this petition.

#### NORTHERN HEALTH TRAVEL GRANT

**Ms Shelley Martel (Nickel Belt):** I have another petition regarding this government’s discrimination against northern cancer patients. 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 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.”

This is signed by a number of residents of my community. I agree with it, I affix my signature to it, and I’d like to thank Gerry Lougheed Jr for his efforts.

#### REGISTRATION OF VINTAGE CARS

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** “To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John R. O’Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles.”

Many people have signed this, including a Wesley Parker, and I’m happy to sign my name to it.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael A. Brown (Algoma-Manitoulin):** I have more of the thousands of petitions I’ve presented.

“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 acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial

support should be provided by the Ontario government through the travel grant program; and

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

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

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

This is signed by a large number of my constituents in the Spanish area.

#### LORD'S PRAYER

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a number of petitions from people who are concerned that we continue to maintain prayer in the Legislative Assembly.

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

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

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

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

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

I affix my signature to this petition.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker, that I think you might be able to help me with: Having just listened to the petition which was presented by the member for Norfolk and other places, are you aware of anybody who has suggested in this House that there's not going to be prayer? Are you aware of that at all, sir?

**The Deputy Speaker (Mr Bert Johnson):** It's not a point of order. The member's from Haldimand-Norfolk-

Brant and question period is over, I'm sorry. So are petitions.

#### BUSINESS OF THE HOUSE

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I have a statement of business of the House for next week.

On Monday afternoon we will have a Liberal opposition day. On Monday evening we will continue debate on Bill 124, the Toughest Environmental Penalties Act.

On Tuesday afternoon we will continue debate on Bill 124, the Toughest Environmental Penalties Act. On Tuesday evening we will begin debate on the Ministry of Training, Colleges and Universities Statute Law Amendment Act.

On Wednesday afternoon we will continue with Bill 94, the Ontario Racing Commission. On Wednesday evening we will continue debate on the Ministry of Training, Colleges and Universities Statute Law Amendment Act.

On Thursday morning, during private members' business, we will discuss ballot items number 43 and 44, and on Thursday afternoon we will continue debate on the Ministry of Training, Colleges and Universities Statute Law Amendment Act.

**The Deputy Speaker (Mr Bert Johnson):** That's very formal business, quite necessary, and I thank you for it, but it's not a point of order.

#### ORDERS OF THE DAY

##### TOUGHEST ENVIRONMENTAL PENALTIES ACT, 2000

##### LOI DE 2000 SANCTIONNANT PAR LES PEINES LES PLUS SÉVÈRES DES INFRACTIONS DE NATURE ENVIRONNEMENTALE

Resuming the debate adjourned on October 18, 2000, on the motion for second reading of Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.

**Ms Marilyn Churley (Toronto-Danforth):** I have 11 minutes or so left to wrap up from my leadoff speech for the NDP on the so-called Toughest Environmental Penalties Act. It seems to me the Tories think that if they say it enough, loud enough—great title—that people will really believe they are protecting the environment.

I outlined yesterday many of the problems with this act before us today and I want to spend a few minutes

now talking about my disappointment that there's absolutely nothing in the bill before us about air quality.

I found it interesting that, I guess in the wake of Walkerton, which is why I believe we have this act before us, there is a hodgepodge of things tacked on about the protection of our drinking water, but there is nothing about air quality. I want to remind the government that it's been well documented now that thousands of people in Ontario die prematurely directly as a result of smog and air pollution. That too is an issue that desperately needs to be addressed, yet we had the Minister of the Environment go to a national conference on reducing pollutants that cause climate change who was the only minister not to sign on to the deal. We had every other province, every territory and the federal government all sign on to this agreement to reduce the emissions that cause climate change, and the Minister of the Environment here in Ontario didn't do it. It's a disgrace.

This is a very serious problem. The minister had an opportunity to finally show some leadership. I was told that the minister actually showed up at the meeting with pre-prepared boards—the big boards for a press conference after, to explain his position—already written, already pre-prepared, giving the reasons why they were not going to sign on to this deal. It's very clear the minister went into this meeting knowing already that they weren't going to sign on and had the boards ready in advance to show why they weren't going to do it.

**1530**

One of their excuses was that they wanted all the provinces to sign on to the vehicle emissions program we have here in Ontario. That's absolute nonsense, to look at that as the main goal of reducing greenhouse emissions and others that cause climate changes. To suggest that to set up vehicle emissions programs in rural PEI is going to make any difference is ludicrous. That is not the answer for rural areas, and it's such a tiny percentage of what has to be done to deal with these emissions.

We have an example of what this government has done, or should I say hasn't done, to improve air quality here in Ontario and do its bit. Did you know, and we've said it in this House, that Ontario is the only jurisdiction, not only in North America but in most of the world, that has a public transportation system which does not provide one cent of funding? This government, when it came into office in 1995, immediately cancelled all of that funding and left it on the backs of the ratepayers, the municipal taxpayers.

**Mr James J. Bradley (St Catharines):** Every penny of it.

**Ms Churley:** Every penny of it. Zero dollars are going now from the provincial government into providing public transportation. I think that's about—I don't know—\$1 billion or something from the provincial investment into transit. Then when the government stands up and says, "Oh, well, we're going to reduce all these emissions because we have a vehicle emissions program," let me tell you, it's a tiny piece, but not only that,

cancelling the funding for public transportation absolutely wipes out any benefit whatsoever from the vehicle emissions testing program. It not only wipes out any benefit, but it cancels it out, and our air quality is actually getting worse.

To stand up and brag about a program that would have been so beneficial—it's something the NDP pushed for. We had started a pilot program when we were in government and pushed for a vehicle emissions program that was supposed to go along with funding for public transportation, which was supposed to go along with a proper green Planning Act that discouraged urban sprawl and built on the public transportation system, that was supposed to go along with converting dirty coal-fired plants to cleaner gas. All of these things were supposed to work together. That was supposed to go along with energy efficiency programs and the green communities programs that the NDP put into place. All of these things were supposed to work together to help reduce pollutants in this province, to try to deal with this very dangerous situation that we're walking blindly into under this government's watch.

The whole scientific community now agrees that climate change is a problem. We have to act in as non-partisan a way as we possibly can to do something about it, and here we have a government that stands up and tries to defend its pathetic record on environmental protection in this province. The minister went to this conference and refused to sign and came back talking about, "We are leaders, we are doing better than any other province," when every document, even their own, shows that they're the opposite, that they're a disgrace and are doing less than any other government.

We had the Premier laugh at the government of Alberta and say, "All they're doing is putting in money to retrofit schools so they're more energy-efficient. What's the point of that?" Under our government, that program was already in place.

**Mr Doug Galt (Northumberland):** It was a failure.

**Ms Churley:** You're a failure. You're a disgrace. You stand up there and try to justify your pathetic record.

*Interjections.*

**The Deputy Speaker (Mr Bert Johnson):** Order. I ask the member to speak to me, and I ask other members to act like they'd like to stay with us a little longer.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I realize the debate is emotional and the member feels passionately about this. She made a personal reference to another member of this House in a derogatory way. I ask her to withdraw that.

**Ms Churley:** Sit down and give me my time.

**The Deputy Speaker:** If you feel that you should, you can withdraw it. I'll make sure you get a proper allotment of time.

**Ms Churley:** I have nothing to withdraw. I think the government members are trying to sit me down because they don't want to hear what I have to say. Just sit down and let me have my few minutes.

**The Deputy Speaker:** Order. I'd ask you to do that. I'll look after the time.

*Interjections.*

**The Deputy Speaker:** If two of us are standing, one of us is out of order and it's not me.

*Interjections.*

**The Deputy Speaker:** I didn't hear anything that has to be withdrawn. I asked her to do it if she wanted. That will suffice.

**Hon Mr Klees:** On a point of order, Mr Speaker: I'm fully in support of vigorous debate. What I don't believe is appropriate under the standing orders of this place is that one member refer to another member in a derogatory way. Hansard will show that is what happened. I would ask the member to do the honourable thing and withdraw it.

*Interjections.*

**The Deputy Speaker:** In terms of my prior ruling, that is not a point of order.

**Mr John Hastings (Etobicoke North):** On a point of order, Mr Speaker: While you were having your interchange with the member for Oak Ridges, the member for Toronto-Danforth, in an exchange privately with one of our colleagues, said "Shut up." I know you didn't hear it, and I may be ruled out of order, but it does reflect a sort of insensitivity to the rights of members in this Legislature.

**The Deputy Speaker:** That is not a point of order. Would you put three more minutes on the clock, please.

**Ms Churley:** Thank you very much, Mr Speaker. I certainly will withdraw the comment to the honourable member across the floor asking her to shut up. I find it really distressing, when I'm trying to speak in this House, that members start yelling and laughing and pretending that this is not a serious issue we're talking about.

I would say to the members that I believe the interjections are a thinly veiled attempt to take time off the clock so I won't have the opportunity to hold them to the fire and tell the public about their pathetic environmental record. I believe that is my job. Somebody has to do that. I find the honourable members across the floor sometimes take the position that only they know what they're talking about, and how could I, a member of the New Democratic Party, possibly know these facts?

Let me assure you that I do, and that I came into politics as an environmentalist. Yes, I have what some might consider an extreme passion for the issue, because in my riding of Riverdale, which it was called at the time, I had children who were affected by lead poisoning and who had brain damage and, to this day, learning disabilities. They were never compensated, and it took years and years for governments of the day to even listen to the community that there was a problem. Then, when it was finally determined that we were in fact telling the truth and the blood tests were done, it was too late for a lot of those kids. That's why it's so important that when we, and others who know the issues and understand what's going on, stand here and give warnings to any government of the day, we shouldn't be laughed at and cast

aside and our credibility constantly undermined. We know what we're talking about, and we're trying to make a difference.

**1540**

We heard the Deputy Premier today, the finance minister, try gently to blame the NDP for what happened in Walkerton by bringing up the fact that it was the NDP that allowed private labs to do some of the water testing. Indeed, and nobody has ever denied that. But the NDP kept four labs open across the province, so any municipality that couldn't afford to go to a private lab or didn't have a good accredited lab in their community, or for whatever reason, continued to have access to a reliable government lab. That access was still there. Furthermore, the reporting structure was still the same. Any negative effects had to be reported to the Ministry of the Environment and the medical officer of health.

Under this government, in 1995 and 1996—and it's well documented—all that changed. The government labs were shut down, and municipalities had eight piddly weeks to find a private lab in their district. That's what happened. Reporting structures were changed. We have news stories in the media about the testimony from one of the private labs that did the first testing in Walkerton. He said very clearly that those laws had changed in 1995-96 and that he would have contravened corporate policy, which is to maintain the confidentiality of a client's test results. That's why he didn't tell anybody but the town water manager. That's well documented. That happened.

We had discussions about Walkerton before in this Legislature. I read Hansard back as far as 1992, 1993, 1994 and 1995, when I, my leader Howard Hampton, the previous Environmental Commissioner and others warned this government repeatedly that there was going to be a disaster in our communities somewhere in the province in the water area because of the specific changes in policy and the massive cuts to the environment and to the staff. We're talking about 60% over four or five years.

It goes without saying that those policy changes and those massive cuts had a massive and huge impact on the government's ability to protect our health and the environment. I warned the government before and nobody listened; so did others. I'm trying to warn the government again that there are good grounds here for a massive restructuring of the Ministry of the Environment, and they just won't listen.

**The Deputy Speaker:** Comments and questions?

**Ms Marilyn Mushinski (Scarborough Centre):** I suppose it's unfortunate that in my attempt to perhaps elicit some truthful statements from the member opposite, I encouraged her to—

**Ms Churley:** On a point of order, Mr Speaker: The member accused me of being untruthful, and that is unparliamentary. I would ask her to withdraw.

**The Deputy Speaker:** It is a point of order. I want to say to everybody here that when we say things about people opposite, even though we don't call them a certain name, it's almost as inflammatory. So I would caution

and I would ask the members to keep that in the back of their minds when they're making their comments.

When you're addressing others, I think you should assume that they're in this Legislature with the same authority and backing of their constituents as you are, even though they may belong to a different party and sit on a different side of the House.

The member for Scarborough Centre has about a minute and a half.

**Ms Mushinski:** I would say to the member for Toronto-Danforth, who seems to know so much about this issue, that I can certainly recall when I was a member of Scarborough council how the NDP were quite willing to put Toronto's garbage in the backyard of Scarborough. Just for the record, she's not so pure.

**Hon Mr Klees:** What about the Oak Ridges moraine?

**Ms Mushinski:** The Oak Ridges moraine is another issue, but I would suggest that her track record on protecting the environment is not as pure as she contends.

The issue that's in front of us is the Toughest Penalties Act, 2000. What this bill is all about is getting tough on polluters, something that she fails to understand because they never did it. It's unfortunate that they don't think about things like that. In fact, we need to be on record as saying that we now have the toughest fines in all of Canada for major polluters. It's unfortunate that the NDP didn't think about that when they were driving up the deficit and driving jobs out of this province—something that also has to do with a good environment, I might add.

**The Deputy Speaker:** Comments and questions.

**Mr Dwight Duncan (Windsor-St Clair):** I am pleased to respond to the member for Toronto-Danforth, who does bring real passion to this issue, and I think that should be respected by members opposite. Even though from time to time we differ on issues in here, some of us feel particularly passionate.

I would say that I agree with the member's assertion that there are flaws in this government's environmental policy that this bill doesn't address and, in the absence of addressing those problems, one can only conclude that in fact this government, as it is with victims of crime, is really all talk and no action. I think that's unfortunate.

You will not be able to enforce these fines given what you've done to the ministry's ability to inspect, lay charges and prosecute. Members opposite are no doubt aware that under the Harris Conservative government, the number of fines levied has dropped precipitously in the last five years.

I would have preferred to have seen a more comprehensive initiative on the part of the government, one that perhaps addressed the cuts they made to the ministry, the fact that they can't enforce these penalties and they can't in fact—

*Interjection.*

**Mr Duncan:** It'll be like anything else. I'll predict today that we will not see an increase in the number of fines collected over the next five years. We won't see that. It's unfortunate that they don't address that.

I would be remiss if I didn't comment that yes, higher penalties are great. I look forward, as I'm sure the member from Toronto-Danforth does, to seeing the results. In my view, the results will be the same: the kind of embarrassment we saw in Quebec City on air quality by this government, out of sync, not only with the other nine provinces and three territories, but out of sync with the international environmental community and other governments. It's most unfortunate, most sad. I wish there had been a lot more with this bill.

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

**Mr Rosario Marchese (Trinity-Spadina):** I want to congratulate, most sincerely, my colleague from Toronto-Danforth for her diligence, vigilance, tenacity and as a person who I think has been an active promoter and defender of good environmental policies. I think we are fortunate to have members like that. She made her leadoff speech and has covered so much ground.

I would remind people of some of the things she touched on. You will recall that a couple of months ago my colleague from Toronto-Danforth had leaked a cabinet document wherein it said, "There is a growing public perception that the government is not protecting the air, water and land." It goes on to say, "This is partly the result of a perception that Ontario is not enforcing its environmental laws." No kidding.

1550

Our member from Toronto-Danforth has on a repeated, continual basis pointed out that the government has decimated the ministry budget and shed some 900 environmental staff. So it should be no surprise when people's perception is that we're not protecting our environment. It said, "Fewer than 10% of pollution sources in the province are inspected each year." No kidding.

It continues to add that 500 of the staff would have to be hired back to do an adequate job of enforcement, and they just recommended 65 staff to be hired, I think on a part-time basis, to do the job that 900 people used to do before. So they come up with a title that says Toughest Environmental Penalties Act, which in my view speaks to the deficit of what they've been doing. It's an admission of the failure of this government to treat and protect our environment properly.

I congratulate our member from Toronto-Danforth.

**Mr Galt:** I congratulate the member from Toronto-Danforth on her performance, but the content seemed to be lacking quite a bit. She was talking about a lack of coverage on air. That just exposes the fact that she didn't read the bill. She's here more for a photo op and to speak than to really address seriously this bill. I suggest that, even though she's spoken for an hour on it, she go home and read the bill prior to making a lot of other comments.

She talked about the Minister of the Environment leaving a meeting. She talks first about tough laws and then she talks about a wishy-washy plan that the minister should have signed. Certainly he was very disappointed as the feds refused to introduce national standards for landfills, for electricity, for vehicle emissions. They're

not ready to commit to a comprehensive plan to get tough on air pollution at home or abroad. That's the way it is; that's the record. She seemed to think that our minister should sign a wishy-washy plan when in fact we're doing far more. It's obvious that she's consistent with this, because she says, "Why should you have vehicle emissions programs in PEI?"

Are you not concerned about all the air that surrounds this earth or are you only concerned about the air in Toronto? Is that the only air that matters to you? Well, let me tell you, there's more air in this world than in Toronto. There's the rest of it across Canada and internationally around the world. There should be vehicle emissions programs right across this great nation of ours, not to mention other states.

You also go on to talk about municipal transportation and why aren't the provincial government and federal and all the rest involved municipally. Should somebody on lot 15, concession 4, of a township in Ontario be paying for your transportation in Toronto? I think not. There's only one taxpayer out there, and let the taxpayer who's responsible for it pay for it.

**The Deputy Speaker:** We'll just wait a moment. Just before they leave I wanted to inform the House that Dr Peter Trainor and his wife, Sara, are in the west gallery. We want to welcome them to Toronto. My smile can attest to his dedication, skill and experience.

The member for Toronto-Danforth has two minutes to respond.

**Ms Churley:** While I would say thank you to all of the members who responded to my speech, I say to the member for Northumberland that his comments were too silly to even respond to. Obviously, people know that I'm talking—

**Mr Marchese:** And shallow.

**Ms Churley:** And shallow—about more than the air in Toronto. It's very clear to any intelligent person listening out there exactly what I was saying around the need for policies more than vehicle emissions programs, particularly in rural areas, but all across the province.

The member for Scarborough Centre—garbage. Well, you know, the NDP wasn't dumping millions of tonnes of garbage into a lake, into rock which has cracks and fissures in it—fractured rock. The issue of garbage: we were in the process of starting a real environmental assessment which would have looked at alternatives. This government watered down the EA act so that you don't even have to look at alternatives any more. Had we gone ahead with that process back then, if they had taken up the torch and gone ahead, we would have composting and other really new technologies around the 3Rs in place now. But they cancelled all that, because all they wanted to do was throw garbage in a lake, where it's going to leak and cause untold damage to our environment and health down the road.

To the member for Windsor-St Clair, thank you very much for your comments. I would like to add that I speak with much more than passion about the environment. I come to this issue with—

**Ms Mushinski:** With venom.

**Ms Churley:** Yes, with venom sometimes—with a fair amount of knowledge, and that's what these members continue to dismiss.

To my colleague, thank you for bringing out that fines have actually gone down instead of up under this government.

**The Deputy Speaker:** Further debate?

**Mr Galt:** Thank you very much for the opportunity to address the second reading debate on Bill 124, the Toughest Environmental Penalties Act, 2000. I don't think there is any question that this bill is properly named. It couldn't have a better name. It's An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties. We're going to have, once this is passed—provided the opposition and all the members in this House, at least a majority, look favourably on passing it—some of the toughest fines and some of the longest jail terms in Canada for major environmental offences.

I was a little embarrassed this morning at the debate we had between 10 and 11, when the member for Hastings-Frontenac-Lennox and Addington introduced a bill about water-taking permits. Lo and behold, her leader came into the House. I felt sorry for her, that he would come in and take away from her in a private member's bill. This is the kind of thing that is going on in that party. Here is a newly elected member trying to do her part in ensuring quality of water—

**Mr Duncan:** On a point of order, Mr Speaker: The member cited by the member opposite in fact invited her leader to come and speak on the bill and, I should add, was very delighted that he did so.

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

**Mr Galt:** Thank you very much, Mr Speaker. I thought that was an excellent ruling.

It's interesting that he did come, whether invited or not. I felt embarrassed for her that she needed that kind of support. Maybe he did come on his own volition, maybe she invited—

**Mr Duncan:** On a point of order, Mr Speaker: I would ask you to rule—and I'm referencing particularly the standing orders—on what can be attributed to a member by another member. The member has suggested that my colleague, who is not here, should have been embarrassed, when in fact I know that she wasn't. He is attributing an emotion to her, in much the way he might play around with the words.

I just think, sir, in fairness to the member, who is not here—and I can say unequivocally that she was not embarrassed. In fact, we're all very proud of Dalton McGuinty. We want Dalton McGuinty to be Premier, to put an end to the kind of nonsense we see emanating from that side of the House.

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

**Mr Galt:** On a point of order, Mr Speaker: I wonder if I could have two minutes replaced, as that was not a point of order?

**The Deputy Speaker:** I will do everything in my power to make sure that things are run fairly.

**Mr Galt:** So I don't get the two minutes back?

**The Deputy Speaker:** I think you should take me at my word.

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

As I was saying about the situation, which obviously really bothers the honourable member across the House—he's getting a little irritated over some of the truth that I'm talking about.

**1600**

Maybe I'll remind him about his leader coming into my riding on an environmental issue related to this. On August 18, he rode into the Peterborough riding and then into mine—it was on the hog farm issue at Trent River. He finally he took an interest after we had been out consulting for the previous six to seven months. He took an interest and finally came for a photo op to the Trent River. I didn't know at that time why he wouldn't have invited the member in the next riding to come and join him because she has such an interest in the environment. As I say about the party across the House, just too little, too late, looking for a photo op rather than real concerns that our government has been bringing about, like tough fines and the longest jail terms for serious environmental infractions. That's really what we're doing.

As they say, if you can't do the time, don't do the crime. I think this is indeed what this bill is about. We need to get tough on those people who flaunt our environmental laws. Nobody—and I stress nobody—has the right to pollute, and if they do, stiff penalties should be in place to send a message to serious offenders.

We came into office in 1995. I hear what the members from the NDP are saying, but what we found were wimpy laws and wimpy regulations that were left by a socialist government. It was interesting, being the parliamentary assistant to environment at that time, to go with the then minister, the member from Guelph-Wellington, and tour where the previous NDP minister had his office and his staff. Do you know, there were some 40 workstations in that area. Forty staff were there to support that minister. The two ministers I've worked with had less than 10. I am left thinking, they should have been four times as good to have four times the number of political staff in the minister's office. For the life of me, I can't imagine what they did for the last year. It was a do-nothing government for that last year in particular. What were those 40 people doing in Minister Wildman's office? I have no idea. Maybe because they had 40 on staff, that made them think they were doing something.

When we came into office and saw things like environmental assessments being waived by the Minister of the Environment for the Liberal government, it seemed a standard during that lost decade. He'd waive environmental assessments, and so did the NDP government waive environmental assessments, waive assessments on three landfills—not just one but three landfills—on the Oak Ridges moraine. The Oak Ridges moraine that they

have talked so much about protecting, their Minister of the Environment waived environmental assessments. It was this Interim Waste Authority that was really going to do something, and they were so proud of it. She talked about not putting it in a lake. They were putting it into the underground water directly, should one of those landfills tend to leak.

This bill is really about keeping promises. That's sort of the theme that I see here. Certainly, if it's passed, it's going to have maximum fines for some of these major offences. I look at some of these fines and, wow, it should wake up corporations, should wake up individuals. A first offence for a corporation will go from a maximum of \$1 million per day up to \$6 million per day, and on subsequent offences it could go up from \$2 million per day up to \$10 million per day. I think corporations will think twice before they pollute in the future. For individuals on first offences it will go from \$100,000 max up to \$4 million per day. You'd probably have to be a Liberal or a New Democrat to have that kind of money to pay. But that's the kind of increase that's going to be there. Then for subsequent offences the fine is going to be from \$200,000 per day up to \$6 million per day.

We're also increasing the maximum jail term. In Bill 124 we're considering increasing it and it will move, if it's passed, from a maximum of two years to a maximum of five years. As well, administrative penalties will be moved from a cap of \$5,000 up to a cap of \$10,000 per day.

I mentioned earlier about keeping promises. I'm sure you will remember back on September 25, in our fall action plan, the Premier made the comment vowing to keep Ontario strong by continuing the Common Sense Revolution and also committing to this bill. As well, it was made reference to in the Blueprint back in 1999.

The Premier, on behalf of this government, made a promise to take strong steps to protect Ontario's environment. Certainly, Bill 124 is part of the government's promise.

We've kept a lot of other promises—promises made, promises kept—a promise like cutting taxes and, wow, look how it stimulated this economy. We promised to cut red tape and create jobs, get rid of job-killing regulations, and certainly that has happened in this province with the kinds of jobs that you're seeing being created. We also promised that we'd create a government that costs less and does a better job and is more efficient. Again, that is what's happening here in the province. I can tell you, there are many other promises that have been kept, and we have a reputation for promises made, promises kept.

I bring to your attention Mr Robert Service, a Canadian poet, who once said that a promise made is a debt unpaid. It doesn't matter how you look at deficits, adding to a debt each year. Debt is a deferred tax. I feel sorry for our young people who are coming into the workforce today. If you divide up the federal debt, each person in this country owes something like \$20,000—\$20,000 for every man, woman and child in Canada,

\$20,000 in federal debt for every Ontarian. From the province it's somewhere in the neighbourhood of \$10,000, and, as a guesstimate, with crown corporations and municipal debt, there's probably another \$5,000. That's a total of \$35,000. So for a family of mom and dad and two children, that works out to a debt of about \$140,000 that family would owe. That's the kind of debt that's laid on this province. But a promise made is indeed a debt unpaid, and if a promise made is a debt unpaid, well then, that's why our government keeps its promises.

If you noticed the debate on Tuesday night between the presidential hopefuls, they were using this promises made, promises kept. It's the same phrase. The greatest form of flattery is to be quoted and imitated, and that's happening at the level of the presidential debates in the US.

Tougher penalties were first promised in our government's election platform, the Blueprint. With our platform, we were honest, the same in 1995 as in 1999. We were upfront, we were honest with voters as to what we planned to do. We laid it out for them, and we're now carrying it out, just the same as we did in the first term with what we laid out in the spring of 1995.

On September 21, this fall, the Minister of the Environment indicated his intention to introduce this bill, and subsequently it received first reading on October 10.

It's too bad that the federal government couldn't keep the same kind of promises. We have seen some horrible actions on the part of our federal government. They just didn't keep the promises they made. They promised to eliminate the GST. The only one who stood up was Sheila Copps. She said she'd resign if it wasn't eliminated. Pressure came and she did have to live up to that and run in a by-election, costing the country a fortune.

They promised to eliminate free trade. They've done nothing of the kind. Thank heavens they didn't eliminate free trade, with what it's doing for Canadians.

But they did go on to stop privatization of the Pearson airport. They cancelled the helicopter deal. Now they're getting much cheaper helicopters, but the total cost is just about the same, coming some 10 years later than the original deal. That's the kind of thing that the Liberals in this country are doing. But also, the federal government is too busy creating smokescreens to try to cover up the HRD atrocities and appoint non-elected people to cabinet, something that I think is very shameful.

They're too busy breaking promises that they made before. They're too busy cooking up an unnecessary election 18 months before it's really necessary. I just hope they get the same boot that the Peterson government got for bringing in an election way too early.

**1610**

I'm indeed appalled by what's going on in Ottawa right now. I find it very disappointing when politicians make promises that they don't keep. It disappoints me because the general public begins to take politicians and governments less seriously. I'm shocked when the federal Information Commissioner, John Reid, says in his report that the Chrétien government "is the most secret-

ive"—well, it's not that surprising that they'd be that secretive, being a Liberal government—"in history." He went on to say, "Hostility in this government against the public's right to know is stronger than ever before." This is a Liberal government.

However, I'm proud to say that here in Ontario this government has been playing it straight with the voters of this province. We keep our promises. It's our government that's been standing up for the environment. We kept our promises to do so.

We're challenging the federal government to take part in this and provide cleaner air for our environment. If they can find time between naming mountains and then unnamng them, maybe they could name it Mount Boondoggle after the HRDC disaster.

We've called on Ottawa to commit to tough national standards for all regions, not just within our borders, but internationally as well. Certainly, when there's air pollution, it doesn't just happen in our neighbourhood and our community and downtown Toronto. That spreads throughout the world, goes international and has an effect on every man, woman and child around the earth.

Following a recent meeting between our Minister of the Environment and the federal government, the minister left very disappointed as the feds refused to introduce national standards for landfill, electricity and vehicle emissions. They will not commit to a comprehensive plan to get tough on air pollution here and abroad.

I can go on. They're about to call an election. They have on the order paper an Endangered Species Act. They brought it in pre-1997. It's obvious they have absolutely no intention of passing it. What a disappointment Anderson has been as a Minister of the Environment. He was coming in a great, wonderful saviour for the environment. He's just steadily gone downhill since he got there. Other things are going to die on the order paper. There are amendments to the Criminal Code. I was hoping that just maybe something would come in on that particular one.

Despite these disappointments with our federal government, I am pleased today with the bill that we're bringing forward and that we're debating here. Our government's keeping a promise. Along with this bill—a lot goes hand in hand with it—there's the SWAT team that is being introduced. That was another commitment that was made in the Blueprint. It was again made back in the throne speech in October.

This SWAT team is going to be there to back up and give reinforcement to the inspectors and the investigators that we already have. They're going to enforce the tougher penalties that this particular bill will be introducing, penalties that I think are going to be a significant deterrent to those who may consider polluting our environment. This team is going to be very aggressive and they're going to pursue companies. They're not there to hassle companies that are doing a good job, but there to look after the companies that threaten public health and threaten our environment.

Mr Speaker, I can assure you and I can assure the companies out there that are doing a good job and individuals out there who are doing a good job with our environment, they have nothing to worry about. The SWAT team does not have them on their radar screen, but rather it's the bad actors that they will zero in on. This will help to level the playing field for corporations that are doing a good job.

There's no question, it does cost money in most instances to improve the environmental record and prevent pollution. On some occasions, they recover a product that they're able to sell, but often, it does cost more money. But having this SWAT team go out and go after the bad actors, the end result will be that the playing field for business in the province of Ontario will indeed be more level. Certainly, this team will be complementing the staff that we already have focusing on those bad actors. I don't think there's any question that the environment's going to be much, much better because of it. There's no question that existing ministry staff will continue to handle most of the enforcement needs of this province.

Existing district staff will continue to do baseline inspections and respond to pollution reports. Existing staff at present respond to more than 22,000 notifications of spills and potential pollution reports, assist with more than 16,000 certificates of approval, permits and licences that the ministry issues annually, and complete about 4,000 inspections on an annual basis.

This is the kind of thing that's been going on in this province in spite of what the naysayers are saying across this House. A more aggressive, targeted team approach is required if we want to better address some of the special problems in a more strategic way. There's no question, the SWAT team will certainly be targeting certain goals and objectives that are creating a greater concern for water quality, air issues and hazardous waste management.

The SWAT team will have very, very highly qualified people who know what's going on when they go into areas and do their investigations. I think it's interesting that this SWAT team will indeed be very mobile and within just a matter of hours can be on location in literally any point or region in this great province of Ontario.

My hat is off to my colleagues for designing and coming up with the innovative approach of the SWAT team. It was certainly something that was discussed by my colleagues and I in the last term. It's innovative and it's going to have all the technological support, the state-of-the-art communications to ensure that this in fact does happen. Certainly it's going to increase the odds of ensuring that polluters in our province do not end up polluting in the future, and it's going to be a very significant deterrent to those polluters.

We made a promise to take strong steps to protect Ontario's environment and to get tough on polluters. We're doing that, both through this bill as well as through the SWAT team. Nobody, and I stress nobody, has a right to pollute, nor should they. But we need stiffer

penalties in place to get tough and to send a strong message to the guilty culprits. They will get the message from this bill.

That is why this bill was introduced. We're keeping our promise, a promise made in the Blueprint, a promise made in the throne speech in October 1999.

**The Acting Speaker (Mr Michael A. Brown):** Questions and comments?

**Ms Caroline Di Cocco (Sarnia-Lambton):** I am glad to join this debate. The member for Northumberland spoke about the fact that there are a lot of promises made. I agree that there have been a lot of promises made. Unfortunately, the promises have not been kept, and I can attest to that.

I remember last year, when the former Minister of the Environment, Minister Clement, spoke to me and said that they had brought in all these tough regulations regarding the dumping and the landfills that are taking in toxic hazardous waste. Well, I'm still waiting for the changes. The promises were made that we were going to have the toughest regulation when it comes to the disposal of toxic hazardous waste. "The toughest in North America": that's what he told me, and yet we've got the largest toxic landfill, in Sarnia-Lambton, that's doing business as usual. As one person in Detroit said, if they were to treat toxic waste in the way we're treating it in Ontario, they'd end up going to jail.

I have to say to the member for Northumberland, I have heard more rhetoric in this House. It's too bad it's all words and no action. Again, if we want to deal with environmental issues, we have to act on it. We cannot just spin this rhetoric. Unfortunately, that's what the Harris government is very good at, just spinning rhetoric.

I go back to the six-point plan that kept coming up all of last session and the session before. The six-point plan has gone nowhere. As a matter of fact, I called the ministry about it and they don't even know what it is, the current minister. So that's where we are when it comes to making promises: they're good at making promises, but they forget to keep them.

**1620**

**Ms Churley:** I believe it's the member for Northumberland who doesn't know what's in the bill, because if he'd read it he'd see that this bill repeals some of the toughest provisions in the existing laws. The present laws allow administrative penalties against a director or an officer of a corporation who has failed to take reasonable care to prevent the corporation from polluting the environment.

Fines have gone way down under this government. These guys are actually taking that provision out with this bill. Perhaps the member doesn't know as well that a Supreme Court decision recently made means that when big businesses get fined for an offence against the environment they can deduct the fine from their income tax. So when the member stands up and says, "Oh, they're going to be scared now, they're shaking in their boots because of these higher fines," couple those two things I just talked about with the fact that even under the

existing laws, fines have gone way down under this government. That is documented in their own papers. They're not even enforcing the existing laws.

The member talks about previous governments giving expansions to existing landfills without hearings. They've got a nerve to talk. Look at Lindsay-Ops, what they did there. Did you know that WMI, Waste Management Inc, with a bad environment record and civil law record in the US, has bought up huge landfills in Ontario and gotten massive expansions? Most people don't know about this: massive expansions without any public hearings, without any environment assessment hearings whatsoever, without any public input.

They talk about this. There's been one environmental assessment under this government after they changed the act, and that was for Adams mine. That's it; that's all this government has done.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I quite enjoyed the presentation by the member for Northumberland; he knows what he is talking about. Our member spent a number of years as parliamentary assistant to the Minister of the Environment and since last January we've been travelling Ontario, consulting with hundreds and hundreds of people on environmental and agricultural issues; more specifically issues around nutrient management planning with respect to intensive agriculture. We've also been meeting and co-chairing hearings with people concerned about groundwater.

The theme of Dr Galt's presentation was "promises made, promises kept." Very clearly we have gone far beyond those promises that were made during the last election. Our Blueprint document provided a very clear message to people in Ontario that we were going to be taking action with respect to environmental issues and were going to take action in the sense that we would be cracking down on polluters. We now, and will soon, have the toughest fines and jail terms in all of Canada, once this legislation is passed.

Fines and jail terms for major environment offences, whether related to air, water or soil—and I will point out, for example, taking a look at some of the other provinces in this great country of ours, corporations that are guilty of a subsequent offence will now be fined a maximum of \$10 million. Compare this to Saskatchewan or Nova Scotia, where the fine is \$1 million. Compare it to the Yukon or British Columbia; in those two provinces the fine is \$3 million for a corporation on a subsequent offence.

**Mr Duncan:** I want to address the member for Northumberland's comments, particularly in the context of his government's record on the environment. I remind you about Bill 76. That bill changed the Environmental Assessment Act. It tied the hands of the Environmental Assessment Board to adequately review major environmental protections, took away that ability. Bill 57 made changes to the Environmental Protection Act. It gave the minister sweeping powers to exempt any person, activity or thing from the Environmental Protection Act, gave the minister sweeping powers to off-load responsibility for

enforcing certain environmental standards on municipalities. In the context of Bill 107, it downloaded to the municipalities responsibility for 230 water and sewer plants that were owned at the time by the province. The government of the day refused to accept Liberal amendments to the bill that would have prohibited municipalities from privatizing those plants. They've enacted regulations exempting established gravel pit owners from needing permits to quarry on the Niagara Escarpment; that's a topic my colleague from St Catharines has addressed on many occasions.

Taken in that context, and taken in the context of cuts to the budget, taken in the context of fewer fines being enforced, this government has a disastrous record on the environment. The facts speak for themselves.

Dalton McGuinty and the Ontario Liberals, in the last election, promised a clean water act and a clean air act, which would have given meaningful environmental protection. They would have provided for many of the things that this government's not even addressing; for instance, the use of coal-burning plants in exchange for natural gas.

So I suggest to the member for Northumberland that our record, the record of Dalton McGuinty and the Ontario Liberals, is much cleaner and this bill does not go nearly as far as it should have to protect Ontario's environment.

**The Acting Speaker:** Response?

**Mr Galt:** I was particularly impressed with the response from the member for Haldimand-Norfolk-Brant. He really got the essence of my presentation. I can assure you that I also enjoyed co-chairing with him some three different task forces—two task forces and a committee—that we were involved with last winter and spring. He's just a fine member of this Legislature. He's doing an excellent job as parliamentary assistant for the Minister of the Environment at this point in time.

I heard the member for Sarnia-Lambton talking about polluters. I say to her, if you know of a polluter and you have some proof of it, have you reported it? If you haven't, then you are guilty of not following through. I'd ask, who's spinning the rhetoric? Maybe you are, and maybe it's time that you reported what you know. Give the Ministry of the Environment a little bit of help and get them moving along.

The member from Toronto-Danforth was talking about fines, wanting corrective action. It's all wonderful, but as we look at their record and what happened, yes, they levied a lot of fines, but they were uncollectible. Why trot around the country laying a whole bunch of fines, irritating people who are maybe trying to do a job? I don't know why they levied the fines, but they were uncollectible. Why bother, if they're uncollectible? That was the kind of record we took over from. It's more important to have corrective action than it is running around laying a bunch of fines. That's certainly what we've been about, having a look at the record.

Then I heard the member from Windsor-St Clair talking about Bill 76 and the Environmental Assessment

Act. When we were debating that, some people, like yourself and some of the NDP, were telling us, "Make it really complicated. Have lots of red tape," that that protects the environment. No. What will protect the environment is to decide what needs to be looked at in the Environmental Assessment Act, scope it and then follow through; don't reintroduce stuff near the end.

**The Acting Speaker:** Further debate?

**Mr Bradley:** Thank you very much for the opportunity to address the legislation, Bill 124, that is before us this afternoon. I hope to address a number of environmental issues which are related to this bill and some of the specifics of the bill itself. I'm going to try to do so, as I think I try to do it as often as possible, though it's difficult when we're all elected with a political affiliation, in as non-partisan a way as possible. I recognize the difficulty of that. But I want to make some observations as somebody who had, first of all, the distinct privilege of being the Minister of the Environment of Ontario for five years, three months and four days, to be exact; and what a privilege and honour that is, to have that opportunity to be the Minister of the Environment and to be able to effect considerable change and to modify the operation of the ministry in what I hope was a positive way. I want to recommend to the government ways in which I think that kind of morale can be returned.

**1630**

One of the things I would say about penalties is that you can have the toughest penalties in the universe if you wish, not just in Canada or in North America or the world or wherever it happens to be, but in the entire universe. The key to it is whether you're prepared to enforce those penalties, whether you're prepared to take the tough action which is necessary to, first of all, conduct an extensive investigation and then to be able to carry out a prosecution that is successful, and to have the will to do so.

The previous member who spoke, in the latter part of his response, really captured what I believe this government is about. The criticism has always been of other governments, previous governments to this, taking a punitive approach, that they were not as willing to work with the polluters or work with the polluting companies to try to correct the action. That's true. I believe that very tough laws and very tough and fair prosecution are absolutely essential to protect not only the people of this province as a whole—because it's important to protect the people who reside in this province, their health and their safety—but also to protect many of the companies out there who have spent millions of dollars on training their employees, putting in catchment systems or abatement systems, as they're called in the environment or, better yet, changing their processes so they do not produce a contaminant in the first place. It is incumbent upon those of us who are in government to provide the necessary protection to those people who have done all that, who comply with the environmental laws of this province, against unfair competition from those who simply do not do so.

One of the things you notice immediately is in terms of enforcement. When I look on paper at most of this legislation, particularly where I see increases in penalties—I'm supportive of increases in penalties. I've said that to the minister and I've said that to others. There are segments of the bill with which I find myself, as I say, in complete agreement. There are some aspects of the bill that appear to be weakening the present regime, and we want to analyze those carefully to make sure that we don't see a weakening of some aspects of the enforcement activity of the government as a result of change in the legislation. I hope the government will amend its legislation to correct those particular problems.

My colleague from Toronto-Danforth has mentioned something that is quite interesting, and that is, of course, that Supreme Court ruling not long ago which allows polluting companies who have been fined to write those fines off against their corporate income taxes. That means, as we all know, that if they are not paying as much in tax, somebody else has to pay that. In effect, the people of this province pay for the fines—partially at least—incurred by those companies who have been in violation of the law.

The member suggested a remedy in her speech yesterday, in an amendment that could be effected through a bill in this House, which would allow—and she has the bill with her today—that to be eliminated. That would be a move I would certainly be prepared to support. I hope all members of the House would be prepared to support that. Why would we want people to be able to write off their fines as a cost of doing business when polluting and the penalties for polluting should not be a cost of doing business?

One of the things I look at as well, when you're into enforcement, is the morale in the Ministry of the Environment. As I said, when I had the privilege of being minister I remember the enthusiasm that people in that ministry had for their jobs, particularly when it was pointed out to them early in the mandate of the Peterson government that they would have a lot of power, that they would have the necessary resources, the budget increase to be such that they would be able to carry out their responsibilities and their duties in a very enthusiastic way.

Also, they were not told to be business-friendly, as the new government told Ministry of the Environment people around various regional offices and throughout the ministry to be business-friendly. I know how that translates. That translates as, "Turn the eye the other way when there is a violation, or go easy on the polluters." I'm told today many of the polluters walk in with smirks on their faces to Ministry of the Environment officials, knowing that they're not going to have the necessary backing from the government to enforce the laws.

Perhaps that will change since Walkerton. I suspect since Walkerton we've probably seen more enforcement activity from this government because the public is demanding it, because there is a focus of attention here in this Legislature and certainly in the news media on

enforcement activities. So I suspect—I would hope—that the latest figures would reflect that, that there would be some increases.

I guess we all wish there wasn't a need for any prosecution to take place, but there is because there are always going to be violators out there, always people who are trying to cut corners. Some of them have been encouraged by what they were told by Conservative candidates across the province, that, "We're going to get the Ministry of the Environment out of your face. You know, those inspectors you hated. You know, the investigations and enforcement branch that you used to refer to as the Gestapo." That's a very strong term they used, but I used to listen to some people who would refer to them as that because of the way they had dealt with polluters.

When you start to take away that power, when you start to make people understand they don't have that kind of power, then they're much more reluctant to prosecute, to gather the kind of information that's necessary and to proceed with a complicated court procedure.

I look at the morale of the ministry and my reflection is that the morale is down considerably. First of all, when you cut at least one third of the staff of the ministry, 33%, fire them out the door, that means there's a diminished number of people to carry out the activities and responsibilities that are always there because it's a labour-intensive ministry.

Second, you cut the budget by, people have said, as much as 60%, if you want to count capital and so on. I know that it is at least 40%, probably more, that the budget of the Ministry of the Environment was cut. I looked at the last provincial budget and the only cut I can remember in any ministry was the Ministry of the Environment. That was disconcerting. I recognize that was before Walkerton happened, but it gave a clear indication of where the priorities of this government were to be found.

If you want to be successful in operating a ministry, you have to have a lot of enthusiasm there. You have to have people who know they are appreciated. What I recall from my days in the ministry is how many dedicated public servants there are out there who are in the Ministry of the Environment and various parts of the Ministry of the Environment: scientists, technicians, clerical people, the people who are involved directly in prosecutions as lawyers, those who are involved in the technical aspect of things, inspectors, the very elite investigation and enforcement branch.

The investigation and enforcement branch wasn't there to be nice to people. It was there to investigate and, where necessary, to prosecute. They were independent of other branches of the government. It's absolutely essential that they be independent, for instance, of the abatement branch, because abatement has a different role, though one does complement another. Abatement has a role of trying to assist potential polluters or polluters to come into compliance with government regulation and legislation and policy and control orders and so on,

whereas the investigation and enforcement branch doesn't have that role. I've seen a diminishing of that activity. I've seen offices across the province either closed down or with very few people to carry out the responsibility. Some of it has been fobbed off on municipalities, who themselves don't have the resources to be able to enforce environmental laws.

So I see a different kind of morale in the Ministry of the Environment, and I find that most unfortunate, because I still see those people across the province and I compliment them when I see for the job they are continuing to do under difficult circumstances. They are certainly loyal to the ministry today. I don't expect that they are going to be out there publicly denouncing the government in power. They are civil servants and a role of the civil servant—and I think that's been a feature of this province I'm happy about over the years—has been to be loyal to the people of Ontario, whichever government happened to be in power, that they would carry out their responsibilities as efficiently and as well as they can and they continue to do. I'm very encouraged when I speak to people from the Ministry of the Environment who recall some of the old days when indeed they had the elbow room, when they had the kind of clout in government that was necessary, when they had the financial resources, when they had the staff to carry out their job as they should and didn't have to be told every time an MPP called their office that they had to call the Toronto office, and take three days to be able to provide an answer to somebody.

**1640**

I know the argument the government makes, the mantra. My good friend from London and I were on a television show the other day and he used the mantra that the right wing uses today, that this government uses, and he would be proud of it. I'm not saying anything that would offend him because he is a right winger and he doesn't pretend to be anything else. They always say, "We have a new way of doing things." Well, the new way isn't always as good as the old way. Sometimes it is; sometimes it isn't. In the case of the Ministry of the Environment, with the huge cuts to staff, with the huge cuts to the budget, and with the taking away of the clout that it had, I think it has diminished that ministry considerably.

There may be other instances that he and I would agree on, where there have been changes that are positive. I don't say all change is not positive. But I think the kind of changes made in the ministry increase the risk of something like Walkerton happening. Do I say that the Premier deliberately did this to cause a problem? I'm not so unfair as to say that. But I think the Premier and his staff, and whoever advises the Premier, certainly considerably increased the risk of Walkerton and other unfortunate incidents happening by diminishing the resources available to the ministry and the staff available to the ministry.

The member, when he speaks later on, will no doubt try to contradict me, and that's the essence of debate. I

don't mind that. He and I had a good discussion on that program. He defended the government position. We did not make personal arguments back and forth. I thought we stated our cases and the people of the province can then make their judgment, and that's as it should be. I think he enjoyed the program as much as I did on that particular afternoon.

Let me mention another attitude I saw in the government that really shows up with the anti-environment crowd. My friend Mr O'Toole, the member for Durham, got up the other day and started reading a piece from the *Ottawa Citizen*. The *Ottawa Citizen*, if it were ever left wing, could never be accused of being left wing today. In fact, the Minister of Community and Social Services has some good friends who write columns and so on at the *Ottawa Citizen* who are even right of his philosophy, if that's possible.

What Mr O'Toole got up and said was, "Here are the 10 fallacies about global warming." That's exactly what the Bush crowd in the United States—if I can just deviate a bit from this. I don't like doing that in a debate. But that's what the crowd in the United States who don't like environmentalists and who don't want to take tough action on the environment say. Every vice-president in charge of environmental control of a company that didn't want to do anything always said, "You don't have the science to prove that the dioxin we're putting in the water is actually killing people." That's most unfortunate.

I listen to Dr David Suzuki, a geneticist, and I think a highly respected individual. He's certainly familiar with the issues. In fact, he's speaking in Walkerton tonight, I believe, at 8 pm, for the people of Walkerton. I happened to hear him up north of Toronto when he was speaking to a group who wanted to save the Oak Ridges moraine in its present state, who wanted to preserve what was there. Dr Suzuki said that you keep running into the anti-environment crowd out there. A lot of them are funded by business, a lot of them are funded by polluters. I'm not talking about progressive businesspeople, because there are some of those around who are concerned about the environment. I'm talking about the ones who aren't, and they fund this. It's the Fraser Institute crowd and so on that will constantly say, "All these environmental problems are not really environmental problems." But as Dr David Suzuki said, they are indeed problems. Virtually every scientist in the world got together and signed a document saying that global warming was a genuine problem and had to be addressed.

By the way, Dr Suzuki is addressing a conference that I'm going to be at this weekend in East Lansing, Michigan, at Michigan Tech, which brings together environmental journalists from across Canada and the United States. I'm looking forward to hearing Dr Suzuki on Friday night at that particular gathering.

I wanted to point out, when I heard that, that it was similar to what I heard the member for Northumberland say. "You people in the opposition always want to prosecute people and take a tough line with them." Yes, you have to do that. I wish that weren't the case. How-

ever, I have seen people in the business field who have been willing to comply, who have actually changed, companies that have actually changed over the years.

Let me go into the manner in which you have to deal with these problems. I heard it mentioned, for instance, that there was a confrontation between the federal government and the Ontario government—certainly not the nine other provinces—over an air quality agreement that was to be signed between the provinces and the federal government.

Our government walked away. Our government has consistently been dragging its feet on this, again with the same old arguments: the science doesn't prove it and we want to do this and we want to do that. I find that most unfortunate because I can remember when Ontario led at those conferences, when Ontario was the most aggressive in its actions and, from time to time, we had to bring the then federal government along. I'm not getting into partisanship as to what political stripe it was or anything because I don't think that's particularly productive. They would have had people in that government that were, I'm sure, committed to the environment.

But it's most unfortunate that it has happened. Again, what we have is a circumstance of a minister standing up in the House and saying that somebody else isn't doing it. Alberta isn't doing it, the state of Alabama isn't doing it, so therefore, why should Ontario clean up its air? Ontario should clean up its sources because they impact upon the people of Ontario. That also sets a good example for those in the United States to follow.

I remember the incident dealing with the Countdown Acid Rain program—you, as a northerner, Mr Speaker, would remember this—where we took the four major polluters in Ontario in 1985 and said to them we will require, through a non-appealable regulation—no loopholes—that indeed you must be in compliance with this and you must cut by two thirds the sulphur dioxide emissions. There was some resistance to that initially, but that resistance evaporated when they saw that the government meant business. It wasn't a government that was going to allow the polluters to write the ticket, to write regulations. It was going to be a different kind of government.

I can recall one person phoning me from a major company who had never been accosted, obviously, by people who were very, very aggressive about the emissions from that major company and saying, "Who were those young, aggressive environmentalists in the Polo shirts who were so impertinent?" or words to that effect. That's because we had met with this company and said that we meant business.

I looked at the four sources. Inco was the largest source in Sudbury, Falconbridge in Sudbury, the sintering plant in Wawa, and Ontario Hydro. We put the regulations on them and at the completion of that program, sulphur dioxide emissions were cut by two thirds.

That enhanced our position with the United States. We could have said to the United States, "You have to cut everything first and then we'll cut." No. We said we're

going to cut because that impacts on our own people and it impacts on adjacent jurisdictions, too. But that impacts on people on Ontario. We're going to do it because it's right and we mean business.

I know, initially, there was some opposition. The companies said, "First of all, we don't have the money. Second of all, we don't have the science. Third, we don't have the technology. We don't believe we can possibly meet these requirements." They were required to report progress, I believe it was every six months. I remember a vice-president, now deceased, of Inco, who said to me that was a good provision to put in there—a report of progress every six months—so they couldn't come back and say, "We can't do it." At the end of the three-year development stage for the program, Inco called a press conference and said at least half a billion dollars would be spent on complying with that regulation. I thought that was exceedingly important for them to do so.

They saw that the government meant business, they weren't going to back down. They saw the penalties that were there and they themselves decided it would be good for their own business. In fact, it enhanced their business by making it much more efficient, while it produced two thirds less sulphur dioxide.

I do not apologize, then, for being a proponent of a prosecution-and-investigation approach, a tough approach, with polluters, as opposed to working with them. I remember my good friend, Andy Brandt, when he was the opposition critic—this was before my friend Margaret Marland, who is a very formidable critic on the other side of the House. I enjoyed jousting with her in the House on many occasions and liked some of the recommendations she brought forward. In fact, I accepted some of them and implemented some of them because I thought they made sense. Just as I know she supports my view that the Lakeview generating station should be converted to natural gas, and I'm going to help her out with that, she was very helpful, I want to say, on many occasions where she offered some, yes, criticism—we expect that, that's what the opposition does—but she also offered some constructive advice and suggestions, which we implemented, and I hope this government will do the same.

**1650**

I look at the Ontario Medical Association. I know some on the other side are suspicious of environment groups, even though a lot of them are very moderate these days, I can assure you, compared to what they once were. The Ontario Medical Association is hardly a raving mad organization. They made a presentation I attended not long ago here in Toronto where they pointed out that there are 1,900 premature deaths as a result of air pollution in Ontario, smog in Ontario, and they had a recommendation.

They also talked about the cost of that financially, because they know that this government understands the cost of everything and the value of virtually nothing, so cost is something you have to place before this government. They did a very detailed analysis and they said there's billion dollars a year in additional costs as a result

of air pollution. What they talked about was the impact on the health care system, the number of people who lost days in business, for instance, at work, and just the general effect. There were far greater costs than that when they looked at total costs. I thought, it's the Ontario Medical Association. They are people who deal with health problems on an ongoing basis, and when they were strongly recommending that government take pretty drastic action, I thought we were on pretty good ground, those of us in the opposition who are asking for the same thing.

I happen to believe that instead of letting Bill Farlinger write the statements for the government, or whoever does it there, we should have the coal-fired plants converted to gas. Natural gas is more benign. It's not completely benign but much more benign than coal-fired plants. I'm concerned about the people of Mississauga, as my colleague from Mississauga South I know is, and the people from Etobicoke. Morley Kells is another person who has a riding that's impacted, and Morley, I'm sure, would be—I'm not speaking out of turn—supportive of ensuring that the Lakeview generating station be converted to gas.

Remember as well that with coal-fired plants it's not simply the NO<sub>x</sub>, as they call it, alone that's the problem; it's also 30 other contaminants that are out there. There's mercury, there's arsenic, there are all kinds of contaminants that come out of a coal-fired plant. Of course there's sulphur dioxide that comes out of a coal-fired plant. The best solution is not a half solution. Today I think the best solution, people recognize, is conversion to natural gas for those plants.

Those are largely peaking plants, but with the problems that have been encountered with nuclear generating stations, they have become more than peaking plants. I'm concerned about a figure the Premier used, or a new terminology the government is using that I think people should be very wary of, and that terminology is looking at the pollutants per kilowatt hour, because by doing that there's no cap. You simply say, "Well, per kilowatt hour we have fewer pollutants," but if you stoke up the furnaces, if you have those coal-fired plants going at something near capacity, you're really producing a lot of pollution. No matter what it is per kilowatt hour, it's the total amount impacting on people in the province. So I think a tough line has to be taken with them.

I was worried about the Red Tape Commission. My friend from London is here and he's a member of the Red Tape Commission. The reason I am is not when you're taking away one of the regulations that was silly and had nothing productive. I'm concerned because I know there are people out there who saw certain environmental regulations as not being useful, and I thought, by and large, most of them were. I know his colleague, who I think is reappointed as co-chair, my good friend Frank Sheehan—I saw Frank at the John Turner night the other night. This is the Liberal John Turner, not the Conservative John Turner. The other night he was out and many people were questioning why he was there.

There was not a conversion on that evening, but he was there.

**Hon Margaret Marland (Minister without Portfolio [Children]):** Where was it?

**Mr Bradley:** This was at Brock University. It was the Wilmot series of guest speakers and John Turner, former Prime Minister, was a guest speaker. Frank Sheehan was there, and I said to Frank—I always refer to him as my good friend Frank Sheehan, even though I may not always speak in a complimentary fashion about a specific stand he is taking. I can recall when, in the middle of a court case that was going on, he wrote a letter to the Ministry of the Environment saying, “You shouldn’t proceed with this case, because we’re going to change it anyway. The Red Tape Commission is going to make sure this is gone anyway.” That’s what I worry about when I see the Red Tape Commission in there.

I don’t disagree with some things the Red Tape Commission does. I thought it ironic that they were re-appointing the Red Tape Commission the very day the story in Walkerton broke. I’ve always had a great concern that a number of the regulations that would be removed would please polluters out there but wouldn’t necessarily please the people of this province.

I look at the regulations governing toxic waste. My colleague from Sarnia-Lambton talked about the fact that the former minister, Mr Clement, announced with a lot of fanfare in Hamilton—I was in attendance at it, watching at the back of the room as the bulbs were popping and the cameras were whirring—some new regulations to do with toxic waste. It sounded as though those regulations would be in effect the next week. Well, they weren’t the next week, they weren’t the week after, they weren’t the week after that and they weren’t the month after. In fact, it’s been a long period of time that we haven’t seen those, and we haven’t seen them yet. The member for Sarnia-Lambton considers these particularly important, and I can certainly understand why.

When we get into enforcement, first of all there appears to have been a change. Norm Sterling—we’re not supposed to use names, but Norm is a long-time friend of mine and a member for the Ottawa area. He represents a large riding. I know he’s probably with his constituents at this very moment. He is the person who brought in a bill, I think it was in 1998, that dealt with directors, and it was an important piece of legislation.

The existing law—the one Norm Sterling brought in—allowed administrative penalties against a director or an officer of a corporation who failed to take all reasonable care to prevent the corporation from polluting the environment. People are wondering why that provision appears to have been taken out of this bill, because that’s an important provision. I can well remember my colleagues, one of whom is sitting with me today, and was then the Honourable Gerry Phillips—we passed a bill. I don’t think he was a colleague at the time, but he was about to be. We passed a bill, and the headline in the *Globe and Mail* said, “Under Sweeping New Penalties Legislation Corporation Presidents”—that part was all

right—“and Cabinet Ministers May Go to Jail for,” and it went on. Some of my colleagues in cabinet the next week were not amused, to put it kindly, when they read that was the case. What had happened was that we had taken out a provision that said, “This act does not apply to the crown,” in other words, does not apply to the government.

I’m worried by that provision. I ask the Minister of Labour, who I know would share my concern, to speak to the powers that be—Guy Giorno is the power that is. I would like him to speak to Guy and point that out.

**Hon Chris Stockwell (Minister of Labour):** Guy.

**Mr Bradley:** Is it “Guy” Giorno, you’re saying? “Guy” Giorno, says the Minister of Labour.

I worry about that, so I ask him to look into that. That I think, if I remember correctly, was one of the reasons the New Democratic Party was not going to vote for this bill. I think I heard the members say that. Despite that, I think some of the other provisions of the bill militate in favour of voting for it, but I’m very concerned about that aspect of it and I hope the government will make that change.

There seemed to be some reference to some consultation on it. If it was good enough for Norm Sterling in 1998, I think it would be good enough for Dan Newman now. But we all know it’s not the minister; it’s the powers that be within the government. “Guy” Giorno, as the Minister of Labour keeps telling me, is the real power.

I have to go to water again. I hope this is good Toronto water.

*Interjection.*

**1700**

**Mr Bradley:** My good friend the member for Mississauga South tells me she remembers the water containers we had in this building. Everybody thought it was special water from a special stream, and of course the special stream was the garden hose, as she points out.

I like to think that municipalities of this size do have the wherewithal to deal with their water. The member for Etobicoke Centre, Chris Stockwell, was on council and I know he found it an important component of his work to ensure that there was good water available for the people of Toronto. Although I can’t recall this specifically, I like to think that he would be a strong environmentalist when he was on city council, and one who listened to the advice and counsel of environmentalists.

There’s a rather interesting document that was put out by the Sierra Legal Defence Fund called *Who’s Watching Our Waters?* The reason this document is important is that it’s a report on who’s polluting and the government that’s permitting it. Bruce Livesey, a writer, also wrote a good article on this.

First of all, I should tell members of the Legislature that this had to be obtained through the freedom of information act. In other words, the average citizen thinks that if they want to get information on who’s polluting Ontario’s waters, they would simply call the Ministry of the Environment and someone would provide that in-

formation in a timely fashion. Don't expect it immediately, but in a timely fashion. The Sierra Legal Defence Fund or any citizen who wants to get this information about who's polluting Ontario's waters has to first of all pay a significant fee and then wait a long period of time and then accept only the information that the ministry says it will provide.

It said there are about 3,500 companies that are out of compliance with the laws of the province of Ontario, and that in fact there has only been one conviction against those companies. That's a pretty remarkable record. That's why I worry when I see the government bring in a piece of legislation that has increased penalties, but the government has really not prosecuted in those particular cases. That's pretty important.

*Interjection.*

**Mr Bradley:** The Minister of Labour, from time to time—and I want to give him his credit; I know he'll use it in his brochure. To do with some substances within the workplace, the minister made some significant changes, perhaps not as much as some would like, but they were significant changes nevertheless. That's the kind of approach I'd like to see the Ministry of the Environment take in this regard.

I wanted to talk about those waters, but I want to, first of all, look at the Investigative Report of the Walkerton Outbreak of Waterborne Gastroenteritis. This is where Dr Murray McQuigge, medical officer of health, made a presentation. I was there a week ago Tuesday when he made this presentation, and I must say that Dr McQuigge was just outstanding. This is an individual who, I'm prepared to make a judgment, was the real hero, the genuine hero, in the Walkerton situation.

Dr McQuigge has not spoken at the inquiry yet, but others have already pointed out the absolute chaos the government caused by going through a situation where they changed from the government's labs to labs that are not government labs. In other words, they shut down the Ministry of the Environment laboratories that used to do the testing for various municipalities.

I guess we can argue about whether it's useful to have government doing this or not. I happen to think it is good to have those government laboratories available.

**Mr Gerry Phillips (Scarborough-Agincourt):** Arm's length.

**Mr Bradley:** As long as they're arm's length, but they report it. I'm convinced, to this day, I can tell you, that had the Ministry of the Environment labs been analyzing that water from Walkerton, there would have been notification immediately to the people of Walkerton and the medical officer of health that there was a problem. We would not have had the mix-up.

The mix-up resulted because there was no protocol. It was done in a couple of weeks. They gave the announcement to the municipalities—no consultation, no rules put in place that were enforceable. As a result we have, in this case, seven people who unfortunately died in Walkerton. I'm not one who says that the Premier has blood on his hands. I don't like that kind of talk myself.

I've heard people use that; I don't like it. I prefer to say that when you do that, when you act like a bull in a china shop when you're making change, what happens instead is that you increase measurably the risk to people.

I was thinking of the \$200 that's coming to households—not all households, because some people at the very low income end are not getting it, some disabled people are not getting it. I would have preferred the \$200 to go to protect our drinking water system in this province and to the enforcement that could take place for that purpose.

I looked at the Environmental Commissioner's report, which I quoted somewhat earlier. The Environmental Commissioner is obviously concerned. Let me put this in context. We're not talking about an enemy of this government. We're talking about an individual, Gordon Miller, who on two occasions was a Progressive Conservative candidate for the Harris government. We're talking about an individual—I'm going to compliment him in a moment—who was the president of the Progressive Conservative association federally in Nipissing.

I must say that I was very suspicious that he would be unable to show the independence that was necessary. Nevertheless, here is a person who, with that background, has said the following about your government. He talked about intensive farming as a problem, but I found particularly interesting what he had to say about the government's attitude toward water taking in this province. He said something I can't say in this House normally. I guess I can quote, but I can't say. No, it doesn't accuse any members, so I could probably do it.

He said, "There will be several negative consequences if ministries fail to develop a groundwater strategy. These include a growing number of conflicts over groundwater throughout rural Ontario and in urban areas that rely on groundwater for municipal and industrial purposes. There is a significant risk that many water-taking permits will be granted and land use planning decisions will be made without adequate knowledge of the groundwater availability. Furthermore, decisions about groundwater will not be made in a transparent and publicly accountable manner, contrary to the goals of the Environmental Bill of Rights."

My colleague Mrs Dombrowsky this morning tried to have a bill passed in this Legislature—in fact, it was passed and buried in the abyss of the committee of the whole. What it in essence said was that the Ministry of the Environment should notify conservation authorities and municipalities about water-taking permits. That was a very simple, straightforward bill. She didn't try to make it complicated. She didn't put all kinds of bells and whistles which would allow the government to have a reason to defeat it, and yet what happened was the government of course said "aye" and then said "nay" when she wanted it to go to a committee where it could proceed further. That's most unfortunate when that takes place, and certainly contrary to what I know the Environmental Commissioner would think.

He also went on to say that there was a situation that had arisen as follows: "Moreover, the quality of ground-

water is as important as the quantity.” He’s talking there about the water-taking permits. “Sensitive aquifers and groundwater recharge areas need to be identified and protected.” Our Liberal research caucus got a document from freedom of information and looked for an action plan on it, but the several categories under “action plan” were blank. In other words, very little has been done, despite the Environmental Commissioner and the Provincial Auditor both calling for action.

Gordon Miller goes on in his July 27, 2000, report to say, “Yet the Ministry of the Environment, which clearly has the legislative mandate to protect our groundwater under the Ontario Water Resources Act, seems unwilling or unable to act decisively. The ministry continues to approve permits for potentially massive takings of groundwater without adequate technical analysis. At best, this may result in an inappropriate private allocation of a public resource. At worst, it may threaten the sustainability of the water supply of hundreds of people drawing on the same aquifer.

1710

“In addition”—this is where he was quite condemning—“on at least two occasions the Ministry of the Environment has appeared to deliberately mislead the public by announcing management measures that were not carried out. Such actions are entirely contrary to the ministry’s statement of environmental values and to the purposes of the Environmental Bill of Rights.” That’s the Environmental Commissioner, Gordon Miller, saying that.

We wouldn’t even be allowed to say that in the House about another member. He said it about the ministry, that they were misleading. I could not say that a minister was misleading in the House because that would be contrary to the rules. But he said it about a ministry. That just shows how strong the language is.

He says, “The document I’m releasing today is a call for leadership by the Ministry of the Environment on a comprehensive groundwater strategy for Ontario. It is a call for open and transparent consultation with the people of Ontario. It is essential that this valuable resource be managed sustainably and it’s essential that the public have confidence on how decisions are being made about managing our groundwater. That is not presently the case.”

You can see why I’m concerned. Despite the fact that this bill talks about increased penalties, I’m not convinced that this government is going to proceed with those particular penalties.

Bruce Livesey, writing in a local magazine in Toronto, had some rather interesting things about the enforcement activities of this government. This is Eye magazine in Toronto, which is a local publication.

He says, “Is Ontario’s Ministry of Environment handing out ‘licences to pollute’ to corporations? Elaine MacDonald believes so. She’s a scientific investigator with the Toronto office of the Sierra Legal Defence Fund, an environmental group. In recent months, MacDonald has been investigating the MOE’s practice of

issuing something called ‘program approvals’ to companies.

“Program approvals are given to corporations that are not in compliance with things like waste water regulations, with the purpose of encouraging them to gradually meet the legal standards. While a program approval is in place, a company can’t be prosecuted for polluting. Program approvals are a way for the MOE to show it’s willing to give companies more time to clean up their act.”

Macdonald goes on to talk about one company, “Chinook Group Ltd, a Toronto-based chemical company with a plant that’s been under a program approval since early 1998. Chinook has the highest rate of non-compliance waste water discharge violations in Ontario, with 630 in 1998 and 561 last year. Despite this alarming record, Chinook’s program approval has been extended twice. Moreover, the internal MOE documents that Macdonald obtained show:

“When environment ministry staff had misgivings about giving a program approval to Chinook, the company pressured the MOE by claiming that Chinook’s image, insurance rates and plans for expansion would be jeopardized unless it received one.

“Having granted the program approval in 1998—after receiving assurances that Chinook was completing a waste water treatment plan—the MOE has since bent over backward to give extensions and even discussed making sure the company was protected from prosecution.

“Yet Chinook is far from being a good corporate citizen. Last year it was convicted and fined a combined \$10 million in both Canada and the US for its participation in an international vitamin cartel that gouged consumers and farmers by driving up the price of vitamins by as much as 50%.” This is what Bruce Livesey is saying in his article.

It goes on to talk about how “Theresa McClenaghan, a lawyer at the Canadian Environmental Law Association, believes program approvals reflect the MOE’s willingness to allow companies to escape their environmental obligations.... ‘If you don’t have the bodies to go out and enforce the regulations, they hold this carrot out to companies. The MOE would have you see it as a trade-off. But for the public, it’s not a great trade-off.’”

“Ministry Collusion” is the next headline in Mr Livesey’s article. He’s talking about program approval. He says, “Yet the MOE doesn’t have to offer program approvals. They can issue control orders instead, which make it an offence to ignore the order’s conditions. Or they can simply lay charges. In contrast, program approvals carry no punishment if a company doesn’t fulfill its promises to correct its polluting habits.

“In 1995, the Ontario government passed Clean Water Regulation 63/95, otherwise known as MISA, which set out guidelines for what pollutants companies can dump into waterways. The province gave businesses three years to comply with these standards before the regulations went into effect in ... 1998.”

There are several concerns that have been expressed and I ask members of the House to look at Mr Bruce Livesey's article in Eye magazine. It looks like it was July 27, 2000, when this article was written. I think it's an excellent article. I think it deals with how serious this government is about its prosecutions.

I know there was another article that I looked at. By the way, that Sierra Legal Defence Fund—I want to go now, before I go to that, to one of your own documents. This document was leaked, and my good friend from Toronto-Danforth says every time “leaked to the NDP”—I know she's watching at this time—as though documents are only leaked to the NDP. We get a lot of documents, as opposition members, as well, but this was, I want to tell her, leaked to the NDP. But I have a copy of it so it's as good as all of us having one.

March 14, 2000, confidential cabinet document: ministers who are in the House would have been aware of this, no doubt. It talks about the so-called toughest penalties legislation and the environmental SWAT teams. But what's contained in the document is extremely interesting. Let me read from the government's own document.

It says, “There is a growing public perception that the government is not protecting air, water and land. Public surveys have consistently shown that the public equates the health of the environment with their own health. Based on an Angus Reid poll from August 1999, 60% of the Ontario public rates the government's performance for environmental protection as fairly poor or very poor.” Well, I agree with them, I must say. They didn't phone me but I would have agreed with them if they had phoned me. “Consequently, 60% agree that the Ontario government should take serious action against pollution.”

Now remember, I'm reading from a government document, a cabinet document of the Harris government. It goes on to say, “The inconsistency between public perception and demonstrating environmental improvements is partly the result of a perception that Ontario is not enforcing its environmental laws.” Well, I may tell you, I agree with that perception. “This perception is reinforced by the release of reports such as Environment Canada's National Pollutant Release Inventory and the NAFTA Commission for Environmental Co-operation's Taking Stock report, the latter which rates Ontario as the second worst polluting jurisdiction in North America.” I should say the worst was Texas, the home of Governor George Bush.

Now, here is a very interesting fact, and I know the Minister of Labour would certainly be interested in this. It says, “Less than 10% of sources of pollution in the province, those most likely to cause health or environmental problems, are inspected in any one year. The capacity for inspection investigation activities needs to be increased and the compliance and enforcement approach needs to be toughened so that the ministry can effectively and visibly deter those who chose to operate outside of the law and threaten public health and our air, land and water.”

Well, no wonder they saw that. The Harris government had annihilated the Ministry of the Environment. I might say the Ministry of Natural Resources and conservation authorities, which have a major role to play in the protection of ground water, their budgets have been fired way into the sky. Let's put it this way: 50% of the people fired out the door, budgets slashed drastically in the Ministry of Natural Resources and certainly, I can tell you, in conservation authorities.

The leaked ministry document goes on to say, “The ministry approach of working co-operatively with industry to develop workable solutions to reduce their pollutant releases has only been moderately successful. The existing low inspection rate referred to above allows numerous industries the opportunity to break the law.”

**1720**

I agree with that. That's exactly what was happening and the government had to find something to do. It said, “The ministry is currently drafting an administrative monetary penalty regulation which will form the basis of consultation in early spring 2000, followed with implementation soon after. In order to support the consultation and implementation of the”—administrative monetary penalty—“regulation, several legislative amendments are required.”

So you can see the government, the ministry, itself recognizes there are real problems, but let's see what they chose to do. It says in the document under “Commitment 2—Strong Enforcement through SWAT,” that, “Existing MOE inspectors and investigators are fully committed to their current work plan activities. Through these activities approximately 10% of current known sources of pollution are inspected annually.” I'll repeat that: 10%. “Taking staff away from these activities would result in slippages which would negate the positive impacts of the new program. Therefore new staffing will be required for this new program.”

It goes on to say, “The option of increasing the existing staff, using the existing structure and delivery approach, to get to a level where all sources of pollution are inspected annually would require in excess of 500 new staff.” Now, you can see that is what was really needed, and that's what we in the opposition have been saying. A hundred inspectors, another 400 people—I say you have to get back to the levels that were in existence when the government came into office.

It talks about, “Two options dealing with the visibility, impact and size of the team have been considered: a high impact (larger size) and a low impact (smaller size) option. Two delivery options have also been considered: a centralized model and a decentralized model.” There's the low impact team: approximately 55 staff. That would include maybe a 27% increase over the status quo. Next there would be the high impact staff recommended, of 138 new staff, 60 of whom would be inspectors.

Do you know what they decided upon? They chose a half-baked 65 new staff and those people were to be temporary, were on for 18 months. How many people do you think want to come to the ministry and work for only

18 months? If people thought the government was serious, it would have been permanent. I can tell you as well that the best approach is the day in, day out enforcement activities undertaken by our friends in the investigation and enforcement branch. Members of the Legislature, I'm losing my voice. I know that will break your heart.

*Interjections.*

**Mr Bradley:** Much to the cheering of the opposition, because they know what I'm saying is true. They're admitting that, and they know, the Minister of Labour knows, that when the Sierra Legal Defence Fund released a report that was obtained by paying money to the government and taking a long time under freedom of information, they found out this: "Water Pollution Offences up over 200% in two years: Based on information obtained under the freedom of information legislation, Sierra Legal Defence Fund has determined that the number of waste water pollution offences has increased from just over 1,000 in 1996 to 2,234 in 1997 and to well over 3,300 in 1998, representing an increase of 200% in two years.

"Industrial discharges are regulated under the Environmental Protection Act either by limits set under MISA regulations or certificates of approval." The problem is that there's no enforcement. It says in here that "70% of offending polluters are repeat offenders and 10% have been breaking the law for five years running." Sixteen facilities have violated Ontario's water pollution laws for five years. What has happened is, all these people are violating the laws of Ontario and nobody is prosecuting. So it's difficult to argue with—and I don't think reasonable people would—an increase in the penalties.

But this piece of legislation is simply show and not action: it's show in that it increases the penalties on paper; it sets out a so-called SWAT team. I noticed in the document on the SWAT team, they were talking about photo opportunities being extremely important. That's really what that was about. Let me just look and see if I can find it. I can't. But it said in the document itself—it was all about show, that they wanted to have photo opportunities, announce to the press, "We're going to have this big raid," and then have everybody follow them.

Let me tell you again: the day in, day out hard slogging of ministry staff—the investigations and enforcement branch, supported by the abatement branch, supported by the legal team, supported by scientists and technicians and clerical people—they are the people who carry out effective prosecutions in the province.

By telling your employees to be business-friendly, what you have done is made them back off, and you have emboldened polluters who now laugh at Ministry of the Environment officials on many occasions, and nod and wink, because they know they have the ear of the government.

I suspect, as I say, that since Walkerton we have seen more investigative and prosecutorial activities. I hope that is the case.

The reason that I would support this legislation is not because I believe this government intends to implement it or enforce it, but because I think that subsequent governments may be able to use those increased penalties to, first of all, prosecute those who are in violation of our environmental laws and, second, ensure that others are aware of those penalties, that those penalties will be enforced and they will be less inclined to try to violate our laws.

Many of the polluters who like the appeal of government members who said, "We're going to get the Ministry of the Environment out of your face," show up at the Conservative fundraisers. In fact, the member for Windsor-St Clair said that if you had gone to the Alliance fundraiser last night, you would have seen a lot of those polluters.

I'm not one who gets into the federal realm the way some do. I heard somebody talking about "federal Liberal." I did look at the Alliance platform. They had one paragraph I think on the environment, on environmental protection. But I'm not going to bother with that. I'm simply going to make this appeal to this government: pass this legislation, and make the necessary amendments to this legislation, which will again put the corporation presidents and directors of companies on the line for environmental improvement. In other words, when they are negligent, they will be prosecuted, not exempted; prosecuted as Norm Sterling wanted them to be, not exempted as Guy Giorno apparently wants them to be exempted.

What I appeal to with this government is that you begin to take a serious attitude toward prosecution. Playing footsie with the polluters will not work. Trying to work hand in hand with people who have no intention of coming into compliance will not work. Tough penalties with tough enforcement will improve the environment measurably in this province.

**The Acting Speaker:** Questions or comments?

**Mr Marchese:** I want to congratulate the member for St Catharines, who is a good man. I've got to tell you, there aren't too many Liberals I like. I have to say this; I'm being partisan. But Jim Bradley, I like.

He is a former Minister of the Environment who obviously showed a great deal of commitment to the environment then—and we continued with that work when we got into government. He did. He cannot be accused, in my view, in any way of not being one who defended the environment and not being concerned about making sure we protect the environment. That's why he's been very critical of you and worried about the kinds of things you have done, the kinds of things you will do and the kinds of things you're not likely to do.

He, quite properly, is worried, as I am, that bringing in higher fines is just not going to do it necessarily. If you really mean it, although there is no evidence for it, then Mr Bradley, the member for St Catharines, says your bill might have some teeth in it, but if you're just putting it there or introducing this bill for the sake of appearing to be tough, but in effect don't put the staff to go and

investigate and prosecute, then the law is meaningless. That's his point. It will be my point when I speak after this, and I will enlarge or at least make other comments in this regard.

Quite frankly, from the evidence I have seen in the last five years, I don't trust you guys. There's no reason to trust you, because the evidence shows you've not put the money into the environment. In fact, you've taken money out of the environment and gutted it so seriously, you can't manage it very effectively and, thus, have caused damage to the environment that causes damage to human beings.

1730

**The Acting Speaker:** Thank you.

**Hon Mr Stockwell:** I'll tell you, Jim Bradley is a friend of mine and, let me be clear, you're no Jim Bradley.

*Interjections.*

**Hon Mr Stockwell:** Well, Rosie is a friend of mine too. Two friends of mine spoke, but the trouble with being around here for more than five years is you get the opportunity to see people in government and in opposition. I like Jim Bradley, wonderful guy. I was on Toronto council when Jim Bradley was the Minister of the Environment and, you know, Jim was a wonderful guy then, but it just didn't sound like the same Jim Bradley I heard speak. He looks the same—he's a little rounder—and he sounds the same, but what he says is different.

Now, Rosie, you've got that problem too. When you sit on that side of this place, you sound really sincere. You honestly do, and if I didn't know you before you sat over there, I'd probably go, "Boy, I believe that Rosie." But I knew you and I saw you and I read what you said you were going to do. Remember the Agenda for People?

I stand today a very forlorn, disappointed person, because having known you and having seen you, and having watched my good friend Jim Bradley and my other good friend Rosie tell us we have no environmental conscience, I know what you two did, and if I had more than two minutes, I'd tell them.

**Mr Phillips:** I appreciate the chance to comment on my colleague from St Catharines and just also to comment on my friend—I've been around a while too. I remember Mike Harris used to sit here when he was in opposition and he was purporting to be a friend of the environment. Of course, now he has moved over there and things have changed.

Actually, my colleague from St Catharines has been consistent. I think you'd be hard-pressed not to find that he said exactly the same thing when he was in government as he says now. If there's one thing he does feel absolutely passionate about, it's the environment. He has spent 15 years of his life on this. I can tell you, having sat with him now for 15 years, what he said when he was in government is exactly what he says now in opposition and never changes a word. He is worth listening to on environmental matters. I thought he did a great job not only in expressing his view on the environment, but in looking for some independent advice.

The government itself appointed the Environmental Commissioner. Mr Miller is, I gather, from North Bay, and at the very least very much an acquaintance of the Premier. But the Environmental Commissioner couldn't have been more hard-hitting. He uses language in here about the government "deliberately misleading."

My colleague from St Catharines gives both his own advice and pulls together for all of us the advice of outside, objective people: the Environmental Commissioner, the Provincial Auditor, the Sierra League and others. We can accuse many around here of having different views when they're in government and when they're in opposition. Actually, Mr Bradley has been consistent every single day.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** I want to congratulate my friend from St Catharines for his speech. People in Nepean-Carleton, my constituency, like his, feel very strongly on the protection of our environment. We too have had concerns, in Metcalfe, in Edwards, Ontario, in Osgoode township, in Manotick, about water quality. It's something that this government is responding to, that heightened concern. My constituents in Nepean-Carleton believe we've got to get tougher on polluters. This bill will help give us the toughest fines in all of Canada for major polluters. Only companies that defy the law and engage in practices that are damaging to public health and the environment need worry about these tougher penalties. I think it's important that we level the playing field, and so do people in my constituency. Those folks who play by the rules and who accept their responsibilities with respect to the environment should never be put at a competitive disadvantage to those people who break the law. This bill gets tough. It's not a bear to the majority of companies and enterprises which comply with laws but it gets tough on those companies which don't accept their responsibilities.

**Mr Barrett:** The bad guys.

**Hon Mr Baird:** The bad guys, as my colleague from Haldimand-Norfolk says.

These tougher fines and jail terms will give us a greater ability to deter and punish those who choose to operate outside the law, those people who choose to threaten our environment, those people who choose to put all of our public health at risk. This is an important step along the way to do more to protect our environment and respond to the priority of the people not just in Nepean-Carleton and Nepean, Osgoode, Rideau and Goulbourn, but indeed what people across the province are expressing and demanding from their government at all levels.

**The Acting Speaker:** In response, the member for St Catharines.

**Mr Bradley:** I appreciate the comments of the members for Trinity-Spadina, Etobicoke Centre, Nepean-Carleton, and Scarborough-Agincourt, all of whom I think offered some interesting observations, to say the very least. I simply, to each one of them, reiterate my

hope that there will be a careful analysis of this bill, that the provisions that appear to have been weakened will in fact be removed or strengthened and that the other provisions will move forward.

I will be voting in favour of this bill because I think any bill which will increase the penalties is important. I simply implore the government to take a new attitude in terms of enforcement of those penalties. If the government were to do so, I will be the first one to applaud that. My fear is that there will be a continued attitude that, "Well, we shouldn't be always investigating and prosecuting people. We should be working with them." I think, though, that there are so many companies out there who are today, in the year 2000, good corporate citizens that we shouldn't be penalizing those individuals. I think my friend from Nepean-Carleton mentioned this, one of the speakers. We shouldn't be penalizing those people by allowing others off the hook, people who don't want to live up to the laws of the province. So you have to take a tough stance. If you take a tough stance with the polluters, you find out first of all that they recognize that the government means business, and second, they recognize that they could be next, those who are observing what's happening.

There is a deterrent effect there if the government is prepared to enforce the laws. But it can only do so if it has the will, if it restores to the ministry the kind of morale that's needed there and the kind of clout that's needed there to enforce those laws.

**The Acting Speaker:** Further debate?

**Mr Marchese:** Imagine how happy I am to have this opportunity to speak to Bill 124. It's a wonderful opportunity. If there's one benefit of having fewer New Democratic members, it's that you get a chance to speak in this place, if there is a benefit. I don't think that—

**The Acting Speaker:** I have made an error and I'm sorry. The NDP was to skip this rotation. The member for Niagara Falls.

1740

**Mr Bart Maves (Niagara Falls):** Thank you, Speaker. Sorry to disappoint the member from Trinity-Spadina, taking away his 20 minutes. Seeing that it's getting close to 6 o'clock, unfortunately we're not going to be able to hear from him today.

But it is a pleasure for me to rise today and speak for the last 15 minutes or so to this bill, Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties, brought in by the excellent Honourable Dan Newman, Minister of the Environment.

Let me just say of the member for St Catharines, who the Minister of Labour deemed a friend of his and who the member from Trinity-Spadina said was a friend of his, I would say the same thing. The member for St Catharines and I, over the past five years, have been on reviewing stands together in parades and we've attended regional council meetings together. We share a common bond, I would say, in our faithful devotion to the Buffalo Sabres. So we are friends, the member and I. I can say he's a friend of mine too.

The Minister of Labour was a little bit chagrined that he didn't have more time, because he wanted to talk about how actions sometimes were inconsistent with words. In the case of the member for St Catharines, I know one of the examples that's been put forward is that the member signed, as the Minister of the Environment, the environmental assessment exemption from the Whitevale dump, which is on the Oak Ridges moraine. That's something we've raised; it's just one example. I know the Minister of Labour, from Etobicoke, has more examples where words indeed were not met by actions. But I don't want to get into those because, as I said, the member for St Catharines is a friend of mine.

The member for St Catharines talked in his speech about this bill being a very good show, that by increasing the penalties on polluters it was a very good show. He was concerned that we didn't have the action to meet our show, but I'd like to outline how yes, this bill is show but we also have taken actions that the members opposite have neglected to mention.

First of all, if I can just reiterate the show, this bill increases the maximum fine for a first conviction on a major offence for an individual from \$100,000 to \$4 million per day, and for subsequent convictions from \$200,000 to up to \$6 million per day. It increases the maximum fine for a first conviction of a major offence for a corporation from \$1 million a day to \$6 million per day, and for subsequent convictions from \$2 million to \$10 million per day. It increases the maximum jail terms for individuals convicted of major offences from two years to five years and increases the cap on administrative penalties from \$5,000 to \$10,000 per day. So that is the show that's in this bill.

The member complained that there was some weakening in this bill of penalties on directors of companies. Well, the opposite is actually true. Previously they faced administrative penalties, but now charges against directors and officers of companies that are polluting are considered to be very serious and will now be dealt with by using the most severe enforcement tool available to the ministry; namely, prosecution. So rather than weakening, we're actually toughening, because we're using the more severe tool in this case because of this bill. It's essential that we get that straightened out.

I also want to talk about some other areas where there is the show, the toughest penalties on polluters in all of Canada because of this bill, and the action. Right off the bat what comes to mind for me is of course our environmental SWAT team. We announced in the Blueprint that we would have an environmental SWAT team, and indeed the minister has already taken steps to establish this team. We're hiring 65 new staff, including 30 inspectors, nine investigators and program analysts, engineers and scientists to go out and find the polluters that are out there and prosecute them appropriately for their offences. That's an area where an action is clear.

I want to go further, though. I want to talk, for instance, about charges laid and tickets issued by the ministry and orders issued by the ministry, which have

all gone up dramatically over the past few years under this government. Let me give some examples. In 1999, charges laid by the ministry were up 51% over the previous years. These are charges for discharging pollutants into water—manure spills, diesel fuel spills. Charges were up 51% over last year, and this shows actions taken. There has been a 200% increase in orders issued from 1996 to 1999. Let me give examples of some of these orders: municipalities whose water and sewer systems don't comply with standards put forward by the province; companies who have emissions that don't meet the standards would get an order from the ministry to rectify those situations. There has been a 200% increase in orders issued by the ministry between 1996 and 1999. There has been a 225% increase in the number of tickets issued between 1996 and 1999. An example would be a ticket issued to someone for dumping garbage at the side of the road, and there would be tickets issued by the smog patrol that we now have. You can see that over the past three years, action in the environmental area has been substantial.

There are more actions I can talk about, as I talk about tickets issued and the smog patrol. Drive Clean is something we've implemented in Ontario. Members on the other side wanted to do it, and talked about doing it for years, but didn't have the courage to do it. This government did it. It wasn't a politically popular program, I would say. People have to bring their vehicles in, hook them up and have an emissions test done. If they need to fix that vehicle—I thank the member for Nepean for his kind comments. I know he's off to check if there are any polluters in his riding and to crack down on them. I want to wish him the best of luck in that. But I digress.

The Drive Clean program was not politically popular. It was difficult for us. People had to come in after their cars were three years old. We started it in the Toronto area and in another pilot area in the province. It wasn't politically popular, but we did it and it has been successful. Vehicle air emissions are down 22%—in that area, I believe. I know we got a lot of phone calls and complaints at the time we brought in the Drive Clean program. It's an extra cost on people—\$30. But it was for the air we breathe, and we thought that was vitally important. So we had the political courage to bring in the Drive Clean program.

Let me continue about action. We're now extending that program to other areas of the province. It's going to the Peterborough area, it's coming down to the Niagara area and it's out in the London area. We're expanding it, and in a few years it'll be across Ontario. That is action. I know that on January 1 I'm going to get phone calls. When residents in the Niagara region find out they have to get a Drive Clean stamp of approval, they're not necessarily going to be happy. But at the end of the day, it's for the air we breathe. That's an action by this government. It was a brave and bold action, and it's working to clean the air we breathe. For the members opposite to continually talk around that or fail to mention that action is a concern, because it really leaves an unfair picture with the people at home listening to debates.

The member mentioned groundwater and assumed that nothing had been done, and someone said that nothing had been done about monitoring groundwater in this province for many years; I think one gentleman the other day said since 1970, which would mean that the last time something had been done was by a Conservative government. In the years between 1970 and 2000, there was a Liberal government for five years, and many of the Liberal members opposite were part of that government. There was also an NDP government for five years, and I think every single member of the NDP opposite was a member of that government. So nothing had been done on groundwater.

**1750**

But this government has taken steps on groundwater monitoring. We established the provincial groundwater monitoring network. It's a \$6-million investment. When it is complete, approximately 400 monitoring wells will be established in consultation with the ministry's partners, being the conservation authorities and municipalities. Our new groundwater monitoring network will monitor water quality parameters and water levels to determine groundwater conditions in Ontario. So, while it's true that nothing had been done for 10 years by the members opposite when they were in office, this government has taken on the issue of monitoring provincial groundwater. To date, by the way, around 34 groundwater studies involving over 120 municipalities have been approved with a ministry funding commitment of \$4.5 million through the groundwater management study fund.

The members opposite like to say there has been no action, that this bill is just show and there has been very little action. But here are several examples of concerted action taken by this government, and I'm not done yet. These are only a few examples that I could come up with on my own. I know that if I asked the Minister of the Environment or the parliamentary assistant or the Premier to come up with more examples of action this government has taken with regard to the environment, they would come up with a longer list.

I have one more, and it's a more recent one. Another example of action taken by this government was Operation Clean Water, an action plan to improve water quality and delivery throughout the province. The cornerstone of this action plan is the drinking water protection regulation. It took force in August and applies to all municipal water works and other large water systems.

Let me tell everyone exactly what the regulation requires. It requires regular and frequent sampling and testing of drinking water; stringent treatment requirements for all drinking water; quarterly reports for consumers so they are kept up to date about the long-term quality of their water supplies; microbiological and chemical testing by accredited laboratories; clear requirements for the immediate person-to-person communication of reports of potentially unsafe water situations to the Ministry of the Environment, the local medical officer of health and the waterworks owner; and full public access to water quality information.

Water quality standards, as well as testing and reporting requirements, have the force of law, and this is a first for Ontario. Remember, the members opposite had a crack at government and didn't take these steps, but this government has taken that step and those requirements will now have the force of law.

Operation Clean Water goes a little further than that. It includes inspections of the more than 600 municipal plants that treat drinking water in Ontario. Never in the history of Ontario have so many of these types of inspections been conducted in such a short time. The Ministry of the Environment has indicated that between early June and September 29 this year, the ministry completed 404 inspections. Sadly, various operating deficiencies were found at 212 facilities. These findings, though, led to the ministry issuing 164 orders to plant owners, requiring that they take corrective action to fix the problems identified during the inspections.

I support this bill because, as the member from St Catharines says, it is show. It is bringing in the toughest penalties on polluters anywhere in Canada, and I think almost anywhere in North America. That is the show. He complained that this government hasn't taken any action. I think I clearly outlined several areas where this government has taken strong action with regard to the environment. I reiterate, we talked about the SWAT team and the hiring of 65 new staff; we talked about the increase in charges, up 51%; a 200% increase in orders issued by the ministry; and a 225% increase in the number of tickets issued by the ministry. Obviously, that's a great deal of action.

We talked again about the provincial groundwater monitoring network that this government has invested in, which again is a solid example of taking action; Operation Clean Water, again a solid record of taking action.

The Drive Clean program, as I said, may not be politically popular. There are more and more people in the Toronto area who, as they get used to it, have grown to really appreciate the program, who say they were treated fairly when they got their test done and from a long-term point of view they see why we need that program. But when that program gets brought to the Niagara region, to London, Peterborough and some other areas of the province, as we expand it to become a province-wide program, I know I'm going to get calls. I know the member from St Catharines will get calls. But I'm sure that at that point his actions will meet his words and he'll support the program. He'll say, "Drive Clean is important," because it is for the air that we breathe.

These are outlining—as I said, the bill is not just those penalties. It's very important, when we talk about this bill and when we talk about the show and the penalties, that we keep talking about the actions taken by the government.

I see you're nodding at me, Speaker. I'm aware that it's 6 of the clock, so I will stand down my final three minutes and 43 seconds.

**The Acting Speaker:** It being 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

*The House adjourned at 1758.*

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