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**Official Report
of Debates
(Hansard)**

Tuesday 10 October 2000

**Journal
des débats
(Hansard)**

Mardi 10 octobre 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 10 October 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 10 octobre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

SCHOOL CLOSURES

Mr Richard Patten (Ottawa Centre): My leader, Dalton McGuinty, and the other Liberal MPPs from the Ottawa area are joining the chorus of distressed and dissenting parents, and now the entire business community, in their concern and distress about the closing of 20 to 30 schools in the inner city of Ottawa. We know that these closures are the result of the totally inflexible and rigid pupil accommodation formula that has been imposed on school boards across the province.

What we are seeing in Ottawa are, unfortunately, the worst aspects of this formula. It does not allow the differing geographical zones, such as rural, suburban, city and inner city, to formulate their own differing needs for accommodation. In the end, these areas are all pitted against one another to fight for scarce space that is available to their single board. The formula doesn't allow for important classes such as adult education, and ESL for the children of immigrant families.

By having the formula arbitrarily close our schools, we are facing the devastation of downtown communities on a scale that many American cities have already seen decades ago. In the Ottawa area, the formula is causing closures based on information that is five years old. Recent statistics are showing the opposite of what the board is planning for: a rise in the number of school-aged children.

I am proposing to the government, through a private member's bill, that there is a better way to approach the problem of accommodating our students here in Ontario.

The public board has written to the minister, pleading with her to allow some flexibility into the system. I hope she is listening.

GARTH CARTER

Ms Marilyn Mushinski (Scarborough Centre): Today I rise to mourn the passing of a true friend, a proud Ontarian and a stalwart of the Progressive Conservative Party of Ontario. Garth Carter was the immediate past president of my riding association in

Scarborough Centre. He was a tireless worker who assisted me in many ways during the past five years.

I will always remember Garth's soft-spoken and gentlemanly manner, his generosity of spirit, and his great love of his family and his community. Garth was one of the most selfless men I have ever known. It seemed to me that he was always giving and never took, that he always helped but never asked for help. He could always be counted upon to give of his time and his treasure to every worthwhile community endeavour.

Garth did not seek recognition but was recognized as one of the many unsung heroes who contributed tirelessly, without personal gain or reward, to make our province and its communities better places for us all.

Garth was a wonderful man, and I will miss him. Please join me in conveying the condolences of this House to Garth's wife, Chris, and his children Richard, Frances and Sandra, as well as his grandchildren, on their loss of a devoted husband, father and grandfather.

Thank you, Garth. I shall always remember you.

CANADIAN WOMEN'S FOUNDATION

Mrs Marie Bountrogianni (Hamilton Mountain):

On Thursday, September 28, it was my pleasure to attend the Canadian Women's Foundation breakfast. The breakfast raised over \$80,000 to support the work of the CWF in its delivery of programs aimed at assisting women to achieve greater self-reliance and economic independence.

To date they have raised more than \$3.2 million and provided grants to over 450 organizations. The CWF delivers financial support to result-oriented solutions to problems of poverty and violence faced by women and their children. The foundation recognizes that these two issues are linked and delivers programs on this basis.

The violence prevention fund provides support to shelters for assaulted women, sexual assault centres, outreach to high-need women, and initiatives to help educate teens about violence in relationships before abusive patterns begin, and for projects that help coordinate violence prevention strategies between local community stakeholders.

Women in Motion, another non-profit organization, hosts conferences, seminars and mentorship programs for young women to alert them to the diversity of career options available to young women. This organization links young women with dynamic female role models in business and industry. Already they have reached out to

over 20,000 young people, and they are continually growing.

Women are 51% of the population and playing an increasing role in business and industry. Groups like the Canadian Women's Foundation and Women in Motion provide an important service to society. They also fill a gap that this government's individualist policy leaves unfilled.

On behalf of the Liberal members of this House, I say congratulations to these women who are fostering the leaders of tomorrow today.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Peter Kormos (Niagara Centre): Last week I joined students from E.L. Crossley Secondary School in Pelham at their picket line that they had set up as their way of drawing attention to and protesting the new absence of extracurricular activities.

I know these students. I know their families. I know their teachers. E.L. Crossley has excelled across the board and has an outstanding staff and an outstanding student body and families that are very supportive of the school.

For the largest part, these students understood that the impasse reached between teachers and the Ministry of Education is one that could be resolved immediately by this Minister of Education, that at the end of the day the responsibility for the reduction in extracurricular activities, which are an important part of any student's school year, has to rest firmly with the Minister of Education.

She has put the teachers in an untenable position with more students, fewer teachers, longer working days for those teachers and simply no time left for the preparation that's necessary for extracurriculars and indeed the participation in them.

I encouraged those students to—and I recognize their right of protest in a democratic society, but as well to put their views in letter form. I spoke with Troy Minor, their student council president, along with some of its executive and their principal and encouraged them to get their positions down in writing so that we can bring them to this Legislature and make this minister accountable.

COMMUNITIES IN BLOOM

Mr Bert Johnson (Perth-Middlesex): I rise today to congratulate the city of Stratford and the town of St Marys for winning the classic city category in the national Communities in Bloom competition. Communities in Bloom is a Canadian organization committed to fostering civic pride, environmental responsibility and beautification through community participation.

This year's winners were announced at the national awards ceremony held recently in Edmonton. The Stratford-St Marys team was chosen over teams from Manitoba, Alberta, Quebec and British Columbia. Stratford was chosen to host the 2003 national conference.

The judges described Stratford as a "world of pleasures, simple and rare, a community Victorian in its roots, progressive in its attitudes and outstanding in its accomplishments."

1340

St Marys was characterized as "peaceful family living with good schools, churches, excellent facilities for sports, recreation, cultural activities and health care, all provided in a picturesque natural setting."

I'd like to commend Stratford and St Marys for receiving a five-bloom rating, the highest possible in the competition.

Earning the distinction of being one of the most beautiful cities in Canada is a tribute to the residents and businesses of Stratford and St Marys.

I also want to recognize the municipal staff and elected officials of Stratford and St Marys, and the many volunteers, like Ted Blowes in Stratford, who help to establish a sense of pride in their community.

I encourage all members of the Legislature to visit the Festival City and Stonetown and see two of the most beautiful communities in Canada.

EMERGENCY SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): The Minister of Health needs to understand that paying doctors more to work in emergency rooms in rural hospitals is not going to solve the crisis in hospitals and emergency departments in cities across the province. If she is paying any attention at all to the inquest into the death of Joshua Fleuelling, she should understand that.

An unquestionably expert witness, Dr Scholl, testified at the inquest on Friday. He made it clear where the emergency room problem began, and it began with the Harris government's restructuring of hospitals. Dr Scholl made it clear that the overcrowding of emergency rooms in Toronto is a new and distinct problem. The crisis began when the Harris government started closing emergency rooms and shutting down hospitals.

Dr Scholl also made it clear that this was not just a seasonal problem. Flu shots may be a good idea, but they will not likely be helpful in solving the emergency room crisis because patients with the flu are not the ones causing the problems. Dr Scholl said that what was needed was more care for seriously ill patients, which is exactly what Dalton McGuinty said when he called on the Harris government to stop closing emergency rooms and to reopen 1,600 hospital beds.

It is a fact that Ontario has the lowest number of acute care beds per capita in the country. It is a fact that our hospitals are operating at 93% capacity, and that means they are constantly facing crisis situations. It is a fact that patients are clogging up emergency rooms because there are no beds for them in the hospitals. And it is not just emergency rooms that are affected; surgeries are being cancelled and delayed because there are no beds to put people in after they have their surgery.

It is chaos. It's chaos the Harris government has created. It's time for the government to admit their mistakes and do what Dalton McGuinty has called on them to do.

THORNHILL WHEAT SHEAF FESTIVAL

Mrs Tina R. Molinari (Thornhill): It's an honour for me to rise in the House today to tell you about the Thornhill Village Festival, also known officially as the Wheat Sheaf Festival, that is held in my riding of Thornhill.

On Saturday, September 16, I had the privilege of participating in this annual event for the second time since my election. This is the 24th year of the Thornhill Village Festival, which is always held on the third Saturday in September. The theme is set in the 1800s and many of those who attend come in costume. It brings us all back to the heritage of Thornhill.

Organized by the Thornhill Historical Society, the primary focus is to bring more than 42 groups together to celebrate the heritage of Thornhill. This year, more than 10,000 people visited the Thornhill Wheat Sheaf Festival. A subcommittee of 20 volunteers from the historical society, and many more event day volunteers, including high school students, bring a wide assortment of events for everyone's enjoyment.

A parade featuring community service groups, dignitaries and marching bands always delight the thousands of spectators. Arts and crafts displays, community service booths and refreshment areas add to the enjoyment of the day. This year at my booth, I had the pleasure of hosting Child Find Ontario, which fingerprinted over 75 children for identification purposes.

On behalf of the people of Thornhill, I would like to congratulate the Thornhill Historical Society for this successful festival and ask that the members join me in recognizing Victor Stecyk, the current chairman of the Thornhill Village Festival, and his wife, Elaine, and Bill Trow, the first chairman of the festival, and his wife, Lucy, who are with us today in the Legislature.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Today I would like to address the effect of Bill 74 on the extracurricular activities of schools within my riding. I believe that extracurricular activities are an important part of our children's education. We know that teachers devote countless hours on their own time to these important activities. With Bill 74 in place, many of our teachers have to teach an extra course every day.

Take Natalie Clermont from Pleasant Corners school as an example. She has to teach six classes every morning, with an average break of five minutes between classes. This, unfortunately, reduces the amount of time that teachers can spend on extracurricular activities and leaves many students not knowing where to turn for help.

Today in the gallery I have three students from Rockland District High School who are here to try and find answers to their questions and solutions to their problems. Since Bill 74 passed, they have had very little extracurricular activity in their school and are concerned that they will not have the well-rounded education required to compete for entrance spots to colleges and universities.

Dalton McGuinty and the Liberal Party are committed to helping these students, and I encourage the Mike Harris government to do the same.

TAX REBATES

Mr Garfield Dunlop (Simcoe North): Last Friday, as promised in Minister Eves's budget, the first Ontario taxpayer dividend cheques were mailed out to households across the province. The cheques were issued because the families of Ontario worked hard, paid taxes, created jobs and turned the \$1-million-per-hour deficit to zero.

The Ontario Liberals believe the opposite and feel that balanced budgets mean more spending. The opposition leader, Dalton McGuinty, has said, "We have turned the corner. We are in a post-deficit era. The issue now is not how to raise the money, it's how to spend it." Time and time again the Liberal leader has spoken out against the idea of giving taxpayers some of their own money back. The only thing he is concerned about is how to spend the taxpayers' money.

The people in my riding of Simcoe North are happy to be receiving some of their own money back in the form of a dividend cheque, because they are the true investors in the Ontario economy. One lady tells me she will replace her TV. Another lady tells me she will buy a stroller for her new granddaughter. Another will take her parents to the Royal Winter Fair. Many will donate the money to charity.

We encourage the recipients of the rebate to make their own decisions on how they want to spend their cheques. The decision of how to spend this money is not up to the government or the opposition parties; it is the taxpayers' money, and once again we have kept a promise to the taxpayers of Ontario.

VISITOR

The Speaker (Hon Gary Carr): I want to take this opportunity to invite all members to welcome to our chamber a special visitor who is seated at the table: Mr Pedro Eastman, the Deputy Clerk of the Parliament of Barbados.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: Does this mean that all members of the Legislature are invited to go to Barbados in February?

The Speaker: If only it were so. There would be unanimous consent on that, I'm sure.

INTRODUCTION OF BILLS

TOUGHEST ENVIRONMENTAL PENALTIES ACT, 2000 LOI DE 2000 SANCTIONNANT PAR LES PEINES LES PLUS SÉVÈRES DES INFRACTIONS DE NATURE ENVIRONNEMENTALE

Mr Newman moved first reading of the following bill:

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.

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

The minister for a short statement.

Hon Dan Newman (Minister of the Environment): Since taking office, this government has remained firmly committed to setting and enforcing tough environmental standards.

Last month I announced a crackdown on deliberate and repeat polluters. This involved creating a SWAT team and introducing the toughest penalties and longest jail terms in the nation for serious pollution offences.

Today I am pleased to introduce the "toughest penalties" bill, as promised by the government in the Blueprint. This bill would give us greater ability to deter and punish those who choose to operate outside the law and threaten our environment. This would also help level the playing field by ensuring that polluters will not prosper. This is good news for the vast majority of individuals and companies in this province who refuse to profit at the expense of our air, water and land.

This government is keeping its promise to get tough on polluters. Should this bill be passed by the Legislative Assembly, Ontario would have the toughest fines and jail terms in Canada for major polluters. The result will be cleaner communities for all Ontarians.

I urge all members of the Legislative Assembly to support this important piece of legislation.

1350

QUESTION PERIOD

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I rise on a point of order with respect to standing orders 15(a), 15(b) and 15(c).

Standing order 15(a) states, "If a member on being called to order for an offence against any standing order persists in the offence, the Speaker may direct the member to discontinue, and if such member refuses to comply, the Speaker shall name the member to the House." Standing order (b) goes on to talk about suspens-

ion and naming of the member and (c) goes on to the force available to the Speaker to enforce.

Mr Speaker, my point is this: the operative word in all three clauses is "member." The standing orders contemplate an individual member being named or in fact being warned. On two occasions now, once last week, the Speaker warned our entire caucus, based on circumstances, frankly, that should not have applied to all members of our caucus.

I would ask, sir, that you review the standing order, and these standing orders have been agreed to by the parties, as the Speaker has often noted, in many cases reluctantly. But I would ask the Speaker to review that standing order in terms of naming entire caucuses. I would also ask the Speaker, and I do this with great respect for the Chair, to consider that in the context that in fact only one caucus has ever had that particular rule applied against it.

The Speaker (Hon Gary Carr): On the same point of order, the government House leader.

Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader): Mr Speaker, the House leader for the opposition's standing up and drawing his point of order I think does draw to the attention of the Speaker the strategy of the loyal opposition to disrupt this House on a regular basis, which has denied ministers the opportunity to respond to questions and to allow the citizens of Ontario to hear those responses. The very nature of the point of order I think puts to the fore the strategy of the opposition party to actually cause disruption in this House, to not allow members of this House the opportunity to have their say.

This also works to the disadvantage of the third party which, because of the—

Interjections.

The Speaker: Order. The opposition will know I listened quietly to the member for Windsor-St Clair. I would appreciate it for the government House leader as well.

Hon Mr Sterling: Thank you very much, Mr Speaker. I think that's a prime example of what has been happening here over the last two to three weeks.

Mr Speaker, you know that we have an order of questions that rotate in a certain order. What has happened over the last two to three weeks is, because of the loyal opposition's frequent interjections, the third party has been denied their last question. This is untenable. This is not fair to the third party nor to the other members of this Legislature, but more particularly to the public of Ontario, who want to listen to the answers to the questions and not just to the questions.

The Speaker: I thank all members. I will listen to the member for Niagara Centre on the same point of order.

Mr Peter Kormos (Niagara Centre): Speaker, first I very cautiously acknowledge the sensitivity of the government House leader to the welfare of the New Democrats in the Legislature.

Having said that, Speaker, and you know we've spoken to this matter before, I don't in any way suggest your power to control the decorum of the House is

restricted solely to the letter of the standing orders. But I would suggest to you that disruptions that let the clock run, whether they are by any of the three caucuses, at the end of the day almost inevitably serve to the detriment of the New Democratic Party caucus because of where we stand in the ranking in terms of questions. Those four questions are very precious to us, and frankly I think they're important to the public as well.

I rise only to reiterate this point: I understand the New Democrats have heckled; some of my colleagues have heckled from time to time, Speaker, and I know you've been very cautious about stopping the clock so as not to punish any caucus in terms of the rotation. But can I suggest that if you adopt, however difficult it might be, a means whereby the time utilized for a disruption, if it's identifiable with a caucus, could be deducted from the time of that caucus and not the third party in rotation, that seems to me to be an effective way of dealing with the problem. Those who want to be the authors of their own misfortune would suffer that misfortune, and it seems to me the most effective deterrent against grossly interrupting interjections that slow down the progress of question period. I think that's a reasonable and modest proposition. I would ask you to consider it.

The Speaker: I thank all members for their participation. I think we're going to need a shot clock in here if we keep track of all the times.

On a serious note, let me say it is my intention to get as many questions on as possible. Just so you know we have done that, we have gotten more questions on in this session since I've been Speaker than any other, notwithstanding the disruptions sometimes. I say that because it's important for official opposition, third party and government members to get questions in. That's why we shortened the questions a bit.

I will say to the third party that on two occasions last week we would have gotten to your fourth question. On one occasion, the member for Toronto-Danforth was named and as a result the clock went. We were well on our way to getting to that question. In fact, we would probably have even gotten past that question, if memory serves me.

On another occasion last week, we were well on our way to getting to the third party's question, and the member for Timmins-James Bay got up on a frivolous point of order that made it so we didn't get to the question.

Having said that, the third party has been very good and very well behaved in waiting for that question. They ask tough questions, but there aren't too many disruptions. I say to all members that there are two ways of doing it. I can name members, and I say to the member for Windsor-St Clair about naming everyone that there's no provision. I don't even need to warn you, if need be. I could simply throw you out. I do you the courtesy of warning you, and I must say the warning does work. The vast majority of members, on the warning, are very good. In fact, I know some members leave the chamber so they don't inadvertently blurt something out. The warning is done as a courtesy to all members.

There are two ways to handle it, quite frankly. One is to name people and throw them out, which I am prepared to do. The other is to simply stand and let the clock wind down. I say to the House leader of the official opposition that in circumstances like that the vast majority of members, if I were to look at it, easily 90% of the members are very quiet. They sit there patiently waiting. They may be punished, even in the official opposition, for a few members. That's the same in any organization. Sometimes in school the few who are disruptive ruin it for everybody else.

I will say, and I've said this on a number of occasions: one way or the other we are going to maintain order in this House. It's up to the members. We can do it by naming them and simply having the members removed, or we can do it by simply letting the clock run down. Maybe in that case, the members who have questions on will put pressure on those members who do not.

I think it's important to note that in the scheme of things the vast majority of the 103 members are behaving very well. I also say, and I've said this to numerous school groups, all sides believe passionately in the reasons they're here. No one side has the issue of compassion. All the members in here believe fundamentally that their ideas are best for the people of this province. Occasionally there are going to be circumstances where people's tempers do rise. But in spite of that, this is still the best system. In other countries, when oppositions have that, we don't settle it this way; it's settled with guns and bombs and in other ways. As much as the behaviour in here sometimes may be not quite what we would see in church or in school, it's only because the members believe passionately.

1400

I've said this to all members: the House is not going to be totally quiet in here. There is going to be some heckling. My job will be that when I see it getting out of order, I will either name the members or will simply stand and let the clock run down. I say to all members, that isn't helpful to anybody on any side if that happens.

Having said that, I'm sure all members, since we have reviewed this, will be on their best behaviour. I appreciate the comments of the members for Windsor-St Clair and Niagara Centre and the government House leader.

INTRODUCTION OF BILLS (continued)

DEAF-BLIND AWARENESS MONTH ACT, 2000 LOI DE 2000 SUR LE MOIS DE SENSIBILISATION À LA SURDI-CÉCITÉ

Mr Young moved first reading of the following bill:
Bill 125, An Act to proclaim the month of June as deaf-blind awareness month / Projet de loi 125, Loi

proclamant le mois de juin Mois de sensibilisation à la surdi-cécité.

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

The member for Willowdale for a short statement.

Mr David Young (Willowdale): I'd ask you for a moment to imagine living with neither sight nor hearing. This is the startling reality for approximately 3,000 deaf-blind Canadians who share our communities. Deaf-blindness is a unique disability that incorporates the dual sensory loss of both sight and hearing. Persons with this disability experience extreme isolation and the inability to access the services and information that most of us take for granted.

June is the birth month of Helen Keller, a deaf-blind person known around the world for her perseverance and achievements, an inspiration to the deaf-blind community. It is appropriate during the month of June to celebrate the achievements of the deaf-blind people in this province and to recognize the increased public awareness and the need for even more public awareness of this disability. It's crucial in expanding opportunities for those individuals who live with these special challenges.

MOTIONS

HOUSE SITTINGS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Tuesday, October 10, and Wednesday, October 11, 2000, for the purpose of considering government business.

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. Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

ENVIRONMENTAL LEGISLATION

Hon Dan Newman (Minister of the Environment): The Mike Harris government is committed to safeguarding our environment and ensuring that Ontario's communities are healthy, safe and prosperous. I am proud to be part of a government that has set ambitious environmental goals and is taking unprecedented action to achieve them.

Today I am pleased to tell the honourable members about a major environmental milestone for Ontario. This

afternoon, I have introduced for first reading the Toughest Environmental Penalties statute law amendment act, 2000. If passed, this bill, which was promised in our Blueprint document, would give Ontario the toughest fines and longest jail terms in the nation for major environmental offences.

The proposed bill would increase the maximum fine for a first conviction of a major offence for a corporation from \$1 million to \$6 million per day, and for a subsequent conviction from \$2 million to \$10 million per day. It would increase the maximum fine for a first conviction for a major offence for an individual from the current \$100,000 per day to \$4 million per day, and for subsequent convictions from \$200,000 to \$6 million per day. It would increase the maximum jail term for a person convicted of a major offence from two years to five years and would increase the cap on administrative monitoring penalties from \$5,000 to \$10,000 per day.

These proposed penalties would apply to offences under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. In addition, the penalty structure in the Ontario Water Resources Act would be amended to ensure that these tough new penalties apply to the most serious offences under the new drinking water protection regulation. Those offences would be the failure to report samples that exceed standards, as well as the failure to use minimum levels of treatment.

This legislation, if passed, would give us a greater ability to deter and punish those who choose short-term profit at the expense of our air, our water and our land. We will not tolerate companies or individuals who deliberately or repeatedly harm our environment. The vast majority of individuals and companies in this province care about the environment and comply with the rules. The proposed penalties are good news for them, because they will help level the playing field by taking away any incentive to pollute. Polluters will not prosper.

The tougher penalties we are proposing build on a strong record of environmental accomplishment. We have announced the formation of an environmental SWAT team with highly trained inspectors and new investigators. The focus will be on companies or individuals that systematically or flagrantly defy the law by threatening public health and damaging the environment.

Drive Clean is well on its way to meeting its goal of reducing smog-causing emissions by 22% in program areas. Drive Clean is complemented by the smog patrol, which continues to target the most grossly polluting vehicles on our roadways. We have announced unprecedented initiatives to clean up Ontario's air and to address global climate change. As members will recall, I indicated my intention to introduce the toughest penalties bill when I announced the SWAT team last month. These actions show we are serious about ensuring that companies and individuals comply with Ontario's environmental laws.

With this bill, this government is keeping its promise to get tough on polluters. Should this bill be passed by

the Legislative Assembly, Ontario would have the toughest fines and jail terms in Canada for major polluters. The result will be cleaner communities for all Ontarians. I know this goal is shared by all members of the House. I urge my colleagues in the Legislative Assembly to support this very important piece of legislation.

Mr Dalton McGuinty (Leader of the Opposition):

After that statement, I'm sure Ontario polluters are absolutely shaking in their boots. At this very moment they must be fleeing south, given this minister's new-found commitment and iron will to crack down on polluters in Ontario.

Minister, I'm sure government members already know where we are in Ontario when it comes to your record. But for the purposes of viewers, let's take a look at a bit of the record.

At some point in time in the not-too-distant past, you will remember we had the best environmental record in North America. Under your government's watch, we now have become the third-worst polluter in North America. Also, your commitment to your own ministry goes so far that you have cut its budget by 42%. That has happened on the Mike Harris watch. That's a sign of your real commitment to your own ministry: cut it back by 42%. On top of that, you have let one third of the staff go. That's over 900 people, including hundreds of inspectors and enforcement officers. By the way, since the Walkerton tragedy you have not rehired a single inspector or enforcement officer. These are fine words that you are spouting forth in the Legislature today, but your actions have yet to back them up.

You talk about your desire to crack down, but let's take a look at the record again when it comes to actual convictions for breaches of environmental laws in Ontario. In 1998, there were over 3,300 documented cases of water pollution law violations in our province—3,300 documented violations. Do you know how many your ministry actually took the time to prosecute and to convict? One; 3,300 violations, and you come up with one measly, embarrassing conviction.

1410

Minister, if you are really committed to cracking down, then why don't you take a new look, a close look at what's happening at Adams mine? They propose to use that as a dump site. They propose to bury 20 million tonnes of garbage in essentially what is a lake that leaks. If you want to crack down on pollution, if you want to stand up for the interests of future generations of Ontarians, then why don't you weigh in to this matter? And why don't you say you had an opportunity now to revisit this, and you understand that all things being considered, this is not in the interest of Ontarians, that you cannot possibly guarantee the safety and well-being of our children if this project goes ahead?

It seems to me, Minister, that if you should be cracking down on anybody, you should be cracking down on yourself. Maybe you should be turning yourself in, for being the best friend Ontario polluters have ever had. They're having an absolute joyride. We've become North

America's favourite dumping ground when it comes to toxic waste. This is happening on your watch.

The Ontario Medical Association has now told us that 1,900 Ontarians die annually prematurely as a result of breathing bad air. The Canadian Medical Association recently told us that childhood asthma rates have gone up by 400% in the last 20 years. At one point in time we stood, in terms of the North American context here, head and shoulders above our American cousins. Now we are an embarrassment. Now they are pleading with this government and the federal government to have you come onside. The fact of the matter is, and this is a terrible embarrassment to have to acknowledge today, that our pollution is making American children sick—and you have refused to do anything about converting our coal-fired electrical generating stations into natural-gas-fired electrical generating stations.

If you are really committed to eliminating, wherever you possibly can, pollution that is eliminating from within our province, then why don't you stand up and announce that you are going to crack down on pollution over which you have absolute control? The government of Ontario is the only shareholder when it comes to Ontario Power Generation. Why don't you stand up and say that you're going to order, you're going to mandate that we convert from coal-fired to natural gas, which is a much cleaner burning form of energy? Why don't you do that, Minister?

Ms Marilyn Churley (Toronto-Danforth): Well, here's the Minister of the Environment trying to pull the wool over our eyes once again; more window dressing. I went to the press conference this morning to hear what the minister had to say, thinking that he might be responding to the report on deep well water—and not a word about it until the press asked him specifically, and then there were no answers. "Oh, we have to wait." How many more people are going to have to die in this province before the minister and this government finally take action to come up with real solutions to the problem?

Let's be clear about one thing: increased penalties won't help as long as this government has a policy to not prosecute industrial and municipal polluters, and that has been the history with this government. Information obtained under FOI shows that just in waste water pollution alone offences by industrial and municipal sources increased from 1,000 in 1996 to 2,234 in 1997 and—get this—3,300 in 1998. That's a 200% increase in two years. These are just waste water offences alone.

The Sierra Legal Defence Fund report identified 16 facilities that have been violating Ontario's water pollution laws for five years straight. The MOE also uses program approvals to give permission to industry to continue to violate the pollution laws. Did you know that? Do you know what that means? The program approval actually signs a deal with industry to say, "You can continue polluting."

The March 14, 2000, draft cabinet document that the NDP released says that there are 79—oh, the minister laughs. He should read that document himself. There are

at least 79 industrial polluters putting poisons into waterways that affect drinking water. It says that they have been out of compliance for more than two years and that your ministry is doing nothing about it.

That same document says that the MOE is now inspecting less than 10% of known sources of pollution, which affects our health and the environment, and that you need in excess of 500 new staff hired to inspect all the sources.

The sad truth is that after that cabinet document was released here in the Legislature and the government was forced to respond about some vague promise about a SWAT team, what did they announce? They fired almost 1,000 people, many of whom were front-line workers, the ones who go out there and monitor, the ones who go out there and inspect, the scientists who do the testing, the ones who prosecute. They fired those people and then their sad response was to hire 65 new people—not even new—on an 18-month contract, some of whom, we've been told, are not even coming from the outside. They've been moved around internally.

This is nonsense when you know that more than 80% of sources of pollution—this was in your own document, Minister. They keep saying that. They're saying "wrong" to everything. Every report, including their own ministry's report, they say is wrong. When are you going to wake up and listen to what your own ministry people are saying and the people of Ontario are saying, Minister?

Let me tell you one more thing that the minister didn't say today when he was talking about increased penalties and fines. I don't know if the minister is aware of this yet, but he should be: the Supreme Court of Canada ruled in November 1999 that polluters—this was a specific case but it was the Supreme Court—are now allowed to write off fines for environmental offences on their taxes, Minister. Did you know that? Ontario hasn't done anything about it.

Today you brag about increasing the fines—"the highest in Canada"—but they are now allowed to write those fines off. Guess who's going to be paying them if you manage to go ahead and actually prosecute and fine them? The taxpayers are going to be writing off those huge fines.

So we've got two problems here: there's no staff there to enforce and make sure people are prosecuted, and if they are and they are fined, they can write it off on their taxes.

ORAL QUESTIONS

ENVIRONMENTAL PROTECTION

Mr Dalton McGuinty (Leader of the Opposition): My first question is for the Minister of the Environment. Bill Davis, David Peterson and Bob Rae were never afraid to make our province a leader when it came to protecting our air and our water. Things have certainly changed. Minister, your failure to protect the air that we

breathe is not just a provincial embarrassment; it has become a national disgrace.

We are poised now, at the international level, to sign a treaty between the federal government and our American counterparts. It's a historic, cross-border air pollution treaty. The only thing that is getting in the way of us signing on to that deal, which most assuredly is in the interests of Ontarians today and generations yet to come, is your failure to order Ontario Hydro to convert from coal-burning to natural gas-burning.

Minister, why is it that you refuse to give that order, and why is it that you continue to act as a real obstacle in the way of a historic air pollution treaty?

1420

Hon Dan Newman (Minister of the Environment): Nothing could be further from the truth coming from the Leader of the Opposition. I want to say to him today that, yes, on May 17 of this year I did place a moratorium on the sale of all coal-fired facilities until a thorough review has been completed. These decisions are indeed important ones—that's why the review is continuing as we speak—but it's important that we consider all factors and input from stakeholders, and it's important that we consider options such as the conversion to natural gas for maximizing environmental performance. It's important that we consider individual plant emissions as well as the impacts to local and regional air quality. It's important that we consider the timing of improvements as well as a reliable electricity supply. It's also very important that we look at the age and efficiency of the plants. We're doing this because we want to continue to protect the air quality for the people of Ontario.

Mr McGuinty: Minister, do you know what it's important to consider? It's important to consider the health and well-being of the people who live in this province. That's your job, Minister. That's what you're supposed to be doing.

I'm going to give you the opportunity, because there's a bit of confusion over there between you and the Premier on this score. We want to know whether or not you're going to permit our coal-fired stations to continue burning coal, and we want to know whether or not you're going to order that they convert to natural gas. Yes or no?

Hon Mr Newman: I did indicate to the member opposite that there was a moratorium put in place on May 17 of this year. The review is underway as we speak, and it's continuing. It's a very exhaustive process looking at all the coal-fired facilities in our province, looking at all the options, from conversion to natural gas, so that we can ensure we are maximizing the environmental performance of those plants, looking at the age of the plants and the air emissions. We're taking all of those factors into account.

Mr McGuinty: Minister, you will know that Ontario Hydro has said that they have no intention of making the conversion. They're saying they're going to put on these newfangled scrubbers, at a cost of \$250 million, and that in and of itself will be sufficient to meet your needs. As you well know, those scrubbers will eliminate nitrogen oxide, but they do nothing for the 29 other pollutants that

emanate from the coal, notwithstanding the use of those scrubbers.

So the question I've got to bring back to your attention, Minister, is this: will you or will you not accept Ontario Power Generation's proposal that they proceed not to convert from coal to natural gas but that instead they simply put in place scrubbers? Yes or no?

Hon Mr Newman: Again, there is the moratorium in place, and I don't know how much further I can go with that with the member opposite. I have told you that there is a review of all the coal-fired facilities.

But he raised an issue earlier with respect to negotiations with the federal government and the United States. I want the member opposite to realize that over half of the smog-causing emissions that come into Ontario come from the United States, and it seems that the best the federal government can do to negotiate with the United States is to have a reduction for five months of the year during smog season. That isn't good enough for the people of Ontario.

WASTE DISPOSAL

Mr Dalton McGuinty (Leader of the Opposition): My question is to the same minister. We'll give him an opportunity to see if he can do any better on another issue.

I want to return to the matter of the Adams mine dump. I have a real concern that your government has not taken all of the necessary steps to ensure that, if this should proceed, we will give every protection to the health, safety and well-being of the people of Ontario, but particularly the people who reside in that community.

You are telling us that you firmly believe that this is in fact safe for the people who live in that community and for Ontarians generally. I'd like you to stand up now and simply confirm, so we get this on record, that you are convinced that this proposal is nothing less than safe and will not in any way compromise the health, safety and well-being of Ontarians.

Hon Dan Newman (Minister of the Environment): I again remind the member opposite that there was a full environmental assessment that took place on this site in accordance with the Environmental Assessment Act. The Minister of the Environment requested that the Environmental Assessment Board review the hydraulic leachate collection system and contaminant system to ensure that groundwater contamination would be prevented. The hearings lasted over a six-month period. The board attached 26 conditions to that plan. A certificate of approval was issued after further technical analysis of the project. The certificate carried with it 66 conditions. There were eight independent peer reviews that carefully analyzed the details of the plan. Obviously, if all the conditions are met, this facility is indeed one that can be considered safe.

Mr McGuinty: Minister, I'm sure you'll expect that's not good enough, so I've arranged to have a pledge of

responsibility drafted. I'll have the page take a copy of it to you. It's very straightforward and says:

"To the people of Ontario:

"On behalf of the Mike Harris government, I guarantee the Adams mine dump will be safe and will never jeopardize the health of Ontarians or their natural environment."

Minister, the people of this province need your reassurance. They need to know you have every confidence in this process and every confidence in the outcome, and they need your specific guarantee that this proposal is safe. Would you please tell us now whether you're prepared to sign this pledge of responsibility?

Hon Mr Newman: Rather than props, we on this side believe in protection of the environment. That's the difference between this party and your party, sir.

I want to bring to everyone's attention the Northern Daily News from Kirkland Lake, October 6, 1999. This is what the headline read: "Liberal Leader Gives Adams Mine Thumbs Up While our MPP Opposes the Adams Mine Project: His Party Leader Gives it Conditional Approval." What brought about your latest flip-flop?

Mr McGuinty: Minister, I wonder if I could bring you back and have you focus your attention on the matter at hand, and that's whether you are prepared to guarantee the people of this province that the Adams mine dump proposal is safe. They're looking to you. You are the Minister of the Environment. You are the representative in the government of Ontario who is there to stand on guard against pollution and stand up for the rights of Ontarians when it comes to their health, safety and well-being.

I'm putting forward to you a pledge of responsibility. It's a very simple pledge, and I'm asking you on their behalf to simply provide them with the guarantee they need. They need your assurance that this proposal is in fact safe.

I ask you again on their behalf, why will you not sign this pledge of responsibility?

Hon Mr Newman: On April 23, 1992, this is what the member opposite, Dalton McGuinty, said in this House, "An environmental assessment affords an opportunity for an issue—

Mrs Sandra Pupatello (Windsor West): That is so ridiculous. How much do you pay those people?

The Speaker (Hon Gary Carr): Stop the clock. Member for Windsor West, come to order, please.

Hon Mr Newman: I seem to have struck a nerve over there today.

This is what Dalton McGuinty said in 1992: "An environmental assessment affords an opportunity for an issue to be heard in an impartial, objective manner by a group of experts who consider these matters—

Interjection.

The Speaker: Would the Minister of the Environment take his seat, please. Member for Sudbury, come to order as well, please. The Minister of the Environment.

Hon Mr Newman: I was just trying to indicate what Dalton McGuinty said in 1992. I'll start again: "An envi-

ronmental assessment affords an opportunity for an issue to be heard in an impartial, objective manner by a group of experts who consider these matters intelligently, expertly in a forum devoid of emotion.”

This project underwent a full environmental assessment and Environmental Assessment Board hearings as well.

The Speaker: The member’s time is up. New question, the leader of the third party.

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of the Environment and it concerns the Adams mine garbage proposal. We learned on Friday that officials in the federal Department of Indian Affairs are calling for a federal environmental assessment of the Adams mine garbage proposal to consider the impact of the proposal on the land and water of First Nations adjacent to the mine site. Why do they feel a full federal environmental assessment is required? Because your limited process didn’t consider any of that.

My question to the Minister of the Environment: will you join those federal officials in the Department of Indian Affairs and Northern Development and call for a full federal environmental assessment?

1430

Hon Mr Newman: We had a full environmental assessment in this province in accordance with the Environmental Assessment Act. The Minister of the Environment also requested that there be an Environmental Assessment Board hearing that took place on this very subject, and it did. The board attached 26 conditions to the plan. There was a certificate of approval that was issued after further technical analysis, and the certificate carried with it 66 conditions.

Right from the outset, throughout the environmental assessment process here in Ontario, the federal government has been involved and the Quebec government has been involved as well.

Mr Hampton: Yesterday I was in Earlton and there were literally hundreds of protestors who turned out on Thanksgiving Day to point out that your so-called environmental assessment was nothing of an environmental assessment. It was a process aimed at one thing: giving approval to this project without considering any of the questions. This morning, I was at Toronto city hall, where, again, hundreds of residents from northeastern Ontario and Chief Carol McBride of the First Nation were there to say to the Toronto city council that they should refuse to become part of your disastrous process.

She asked for a meeting with the mayor of Toronto to consider the issues from a First Nation perspective. He refused. You say that this isn’t an important issue. She’s come here today. Will you meet with the Chief of the Timiskaming First Nation so that you can hear first hand the concerns they have about the potential disaster of that mine site?

Hon Mr Newman: Again, there was a full environmental assessment that took place in accordance with the Environmental Assessment Act in this province. There were hearings under the Environmental Assessment

Board as well. Twenty-six conditions were attached to the plan. The certificate of approval that was issued had with it 66 conditions. There were eight independent peer reviews that carefully analyzed the details of the plan, and they submitted their reviews to the Environmental Assessment Board to handle this situation.

Mr Hampton: This is a chief whose First Nation is immediately adjacent to the mine site, immediately down the water table, if you will, from the abandoned pit mine. She’s come here and she simply wants to talk to you. We know that federal officials are now calling for a federal environmental assessment to look at this exact issue.

Minister, if you won’t support a federal environmental assessment and you won’t meet with Chief McBride herself, will you stand here today and guarantee that the pit won’t leak, that there won’t be earthquakes and there won’t be any polluted water that will affect their community? Will you stand here today and give that guarantee?

Hon Mr Newman: Each and every issue that the leader of the third party has brought forward in this House with respect to the Adams mine proposal was dealt with through the environmental assessment process. He brought forward the contention about the government of Quebec not being involved when in fact they had been involved right from the beginning. He raised the issue a couple of weeks ago about earthquakes. They actually, through the Environmental Assessment Board hearings, dealt with the issue of earthquakes. He asked about the federal government. The federal government was involved.

Each and every proposal the member opposite brings forward was dealt with through the environmental assessment and the Environmental Assessment Board hearings.

WATER QUALITY

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment: you still haven’t given us your guarantee that the dump won’t leak.

I was in Walkerton a few days ago and I met with many of the residents there. They were shocked to hear about the crass political game that you and your government played with Bill 96, the Safe Drinking Water Act. They sent you an open letter which calls on you to send the Safe Drinking Water Act to committee. It says, “If anything positive is to come out of the loss and suffering of the citizens of Walkerton, it should be comprehensive legislation to protect the province’s water supply.”

Minister, I ask you, what is your answer to the people of Walkerton?

Hon Dan Newman (Minister of the Environment): Each and every member of this House obviously wants to have safe drinking water in all parts of the province. The public has the right to clean and safe drinking water. That’s why we brought forward the safe drinking water regulation that for the first time had the full force of law in this province. This regulation protects the health of

Ontarians and makes the province's drinking requirements among the toughest in the world.

This means that by law, drinking water must be sampled and analysed. Whenever there is an exceedence, it must be reported to the local medical officer of health, as well as the owner of the waterworks and the Ministry of the Environment. As well, corrective action must be taken to deal with that.

The government is making sure that all municipalities in our province understand the rules and have all the necessary information to ensure that they are doing the right thing. The government has provided information packages not only at the AMO conference but throughout the province to share that information with the affected municipalities.

Ms Churley: Minister, the medical officer of health, Dr Murray McQuigge, says your regulations won't work. A host of environmental groups, environmental experts, say that your regulations won't work. That's why there is the safe drinking water bill before this House. Your regulations won't work. When are you going to start listening to people?

I'll tell you something else that Dr Murray McQuigge said, and you know about this. He says that deep water wells are not safe and that your testing is inadequate. Minister, tell us, are deep water wells safe in this province?

Hon Mr Newman: The member opposite raises the issue of what people think about the new safe drinking water regulation in this province. I want to share some views of other Ontarians with her today.

Let's hear what Mayor David Thomson of Walkerton has to say. "It's good news for all of Ontario. It's going to restore faith in the quality of water, so hopefully these tests will be a big benefit to everyone."

As Canadian Press reported on August 9 this year, "Ken Ogilvie of the environmental watchdog group Pollution Probe called the new law a good piece of work because it transforms what were guidelines into legally binding standards."

Canadian Press, August 10, 2000: "The Association of Municipalities of Ontario called the announcement an important first step in restoring confidence in the province's drinking water."

I've got a hundred other quotes to go with those.

AGRICULTURE INDUSTRY

Mr Steve Peters (Elgin-Middlesex-London): My question is for the Minister of Agriculture. I read with interest the comments the Premier made regarding the entertainment industry in this province. The Premier found it ironic that the automotive industry commands so much political attention, complaining that entertainment executives don't receive the respect their industry deserves.

Minister, what respect does the second-largest industry in this province receive from this government? The agricultural industry employs 60 times the number of

people and generates 25 times the dollars that entertainment does. The farmers of this province have been trying to get your attention and the Premier's attention for months.

For the past five and a half years, the Premier has not formally met with the Ontario Federation of Agriculture. Public meetings were held throughout the month of August and extensive lobbying was held within Queen's Park, even though only a little over one third of your caucus was prepared to meet with the farming community of this province.

Trying to get this government to wake up and address the serious issue of the crisis in agriculture is of extreme importance. Minister, what are you doing to ensure that the farmers of this province get the respect they deserve and the assistance they are entitled to?

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): To the honourable member across the aisle, thank you very much for the question. I want to say that we are a strong supporter of agriculture, the second-largest industry in this province. As the member mentioned, it is exceeded only by the auto industry, but when it comes to providing the food we eat, there is nothing as important.

I want to assure the member that we are very concerned about the downturn in the commodity prices for our agricultural products and we have been working with the farm communities to deal with the farm safety net to make sure our farmers are protected.

The member will be aware that we have had negotiations with the federal government to get our fair share for Ontario's farmers, which up until now had not been the case. In those negotiations with the federal government, we got them to agree to give us \$30 million more for our Ontario farmers. That will be matched by \$20 million from the Ontario government to make sure we provide our 60-40 assistance to our farmers and to protect their interests while we go through this downturn in the economy.

I appreciate the question and I know—

1440

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

Mr Peters: Minister, I'd just like to tell you about a province that has gone beyond their fair share and recognized the importance of agriculture, and that's Alberta. They've just announced an additional \$233 million in emergency support for farmers. That's in addition to \$145 million they put in in March. These are provincially funded dollars, well above and beyond the 60-40 cost-sharing arrangement with the federal government. Alberta's industry is roughly the same size as ours, yet this fiscal year alone they have spent \$700 million in assistance, almost twice the entire budget of your ministry. Even the cut-and-slash government in Alberta has acknowledged a serious crisis in agriculture. They've acknowledged that the 40%, which you make so much about, is just a minimum contribution.

Why do you continue to pass the buck? The farmers of this province do not have time to continue to listen to the finger pointing between you and Minister Vanclief. Will you show some leadership, put your money where your mouth is and commit to doing whatever is necessary to provide the needed assistance for the farmers in this province, who are experiencing a crisis they have never experienced in the past? Will you do it, Minister?

Hon Mr Hardeman: I want to say that we recognize Ontario farmers are facing a very difficult year in terms of commodity prices, especially the grain and oilseed producers. We want to help farmers through this difficult year. The member opposite mentioned Alberta. In fact, Ontario is the only province that still has the market revenue insurance program for our farmers. As the downturn in commodity prices arrived, the farmers in Alberta had no fallback position. In fact, in Ontario we provided \$65 million last spring to help the grain and oilseed industry through the market revenue program. As recently as last week, we mailed out \$35 million more to our Ontario producers through the market revenue insurance program to make sure we could help them get through this difficult time.

Of course, as I said, we have different types of programs in different parts of the Dominion of Canada. I want to tell you that as we were negotiating with the federal government, the farm community very actively told us that they didn't want ad hoc programs in individual provinces. They want—

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

LABOUR LEGISLATION

Mr John O'Toole (Durham): My question today is to the Minister of Labour. Minister, you might know that this past summer the Ontario Federation of Labour issued to workplaces a document entitled Hours of Work—Health and Safety Alert. In this piece, the Ontario Federation of Labour says this government—which, by the way, has created over 750,000 net new jobs since elected in 1995—plans to change labour law in Ontario. What they highlighted here was: making people work 60 hours a week, forcing employees to take vacation one day at a time, paying less overtime—pure rhetoric here—forcing employees to work in an unsafe workplace—which is unacceptable to me. These statements and other rhetoric here have been brought to my attention by members of the CAW and other constituents, and I support their concerns. In order to respond accurately, Minister, what can you tell not just me but also the people who may be watching today?

Hon Chris Stockwell (Minister of Labour): First of all, the idea of the legislation was to develop an opportunity for the employers and employees to mutually agree upon a more flexible workweek that is beneficial to both. If the two can agree on a flexible workweek that is beneficial to both, that may be instituted without going forward and getting a permit like you used to do in the old days. You've got to remember, though, nowhere is it

written in legislation or has it been discussed that if the employee does not want to restructure their workweek or isn't happy with the workweek restructuring, they don't have to agree to the new workweek. The old Employment Standards Act applies. What then takes place is that the employee and the employer continue to work under the old scheme and those particular programs are still in place. It's designed to make a more flexible workweek for the benefit of the employee and for the benefit of the employer.

Mr O'Toole: I might just say, Minister, it's good to have you back in the House with that charm and for clarifying the issue for my constituents.

I agree with your assertion that this is the right time to modernize this legislation. Can you give further information to the people of my riding of Durham and of course all the people of Ontario—

Interjections.

The Speaker (Hon Gary Carr): Order.

Interjections.

The Speaker: It's lucky I'm Speaker. Sometimes I want to shout out too.

Mr O'Toole: Thank you. I was absolutely interrupted by the loyal opposition there.

On a more serious note, Minister, could you share information with us on what actions your ministry intends to take to modernize, and I might say harmonize, the workplace for our employees in the future.

Hon Mr Stockwell: Thank you very much for the question. I remind the member that it's improper to refer to members who are not in the House at the time.

We are going a long way to modernize the workplace. Let me give you an example of a compressed workweek. If an employee today wanted to work 10 hours a day, four days a week and take every Friday off, they couldn't. They'd have to apply for a permit and go through a very arduous process. If the employer and the employee agree, why should the government get involved in telling an employee that they can't work four days a week if they want? This makes a lot of sense. These are the kinds of directions we're giving to employers and employees.

Interjection.

Hon Mr Stockwell: The babbling from the member for Hamilton—I don't understand where you're coming from. Under your government, 18,000 permits were issued to allow workers to work more time. Under your government, 28 sectors were not even under the Employment Standards Act. Under your government, millions of employees didn't even fall under the Employment Standards Act. I don't know why, all of a sudden, because we want to modernize the system—

Interjections.

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

Mr Dominic Agostino (Hamilton East): My question is to the same minister, and I appreciate the set-up on this from the member across the floor. Clearly this legislation proposed throughout the summer, the 60-hour work-

week, is nothing more than the old American right-to-work, regressive southern states legislation which works to the benefit of your corporate friends but not to the benefit of working men and women.

Minister, a few minutes ago you said, "... an opportunity ... to mutually agree upon a ... workweek." Somehow you suggest that someone working in a minimum-wage job in a non-unionized shop or factory has the balance of power to negotiate with the employer, under threat of being fired, demoted or harassed. The reality is that this legislation does nothing to benefit working men and women. All it does is benefit your corporate friends.

We're going back to legislation that was in place in 1944. We expect you to move legislation to the year 2004, not roll it back. This is a bad piece of legislation. It's an attack on working people. Will you do the right thing today and commit to the House to withdraw the provision of the bill that requires a 60-hour workweek?

Hon Mr Stockwell: First, not only does the member have the whole right-to-work thing completely confused; he's also clairvoyant. He said it's a bad piece of legislation. There isn't even a piece of legislation before our House yet. How do you know you're going to oppose a piece of legislation that doesn't exist?

As far as right-to-work legislation is concerned, do you know what right-to-work means? Right-to-work means that if you go into a union shop, you have an obligation to belong to the union. You can't be given the option to opt out. Where you saw that in the white paper, I have no idea. This has got to be left-wing rhetoric. You've been sitting in union halls talking to OFL representatives far too long. It didn't appear in the white paper. I don't know why you said it was in the white paper. I don't even know why you brought it up today. Maybe you should go out and get a definition of right-to-work before you start asking silly questions.

Mr Agostino: I appreciate the history lesson by the Minister of Labour. I promise that you're wrong. As usual, Minister, you don't know what you're talking about. Your consultation paper talked about a 60-hour workweek. You had a chance, in the set-up from your stooge back there, to withdraw that. You made it very clear that you intend to bring in the 60-hour workweek. You are simply jeopardizing not only the rights of working men and women but their health and safety.

If they're forced to work the 60 hours, they're more likely to be tired and they're more likely to get injured or killed on the job, as much as the fact you're taking their rights away. If you believe I'm wrong that you're going to bring in the 60-hour workweek provision, you have a great opportunity now to act in the best interests of working men and women and tell us clearly for the record once and for all that you have no plan to bring in a 60-hour workweek in your upcoming legislation.

Hon Mr Stockwell: First of all, the member from Durham is certainly no stooge. I think the only name I could call you is Curly, Larry or Moe. The only stooge in here is not the member for Durham.

Secondly, right-to-work legislation is what you brought up in the first place. That's what we're debating here. Now you've returned to the 60-hour workweek. Don't start off a question with something that's completely outrageous like the right-to-work.

As far as the 60-hour workweek that you suggested coming forth is concerned, it simply says that if the employee and the employer—the member for Beaches-Woodbine would know this—agree that if they want to configure workweeks differently, so that the employee and the employer agree, then they're allowed to do that. What's the matter with that? It's called a democracy. People are allowed to structure their workweek the way they'd like to structure it.

1450

VICTIMS OF CRIME

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Correctional Services. For too long the criminal justice system treated victims of crime as an afterthought. I'm aware our government has supported victims by creating a Victims' Bill of Rights and continues to expand programs making it easier to bring civil suits against offenders and by launching an office of victims of crime which is staffed by victims of crime and front-line justice professionals. What can our government do to ensure that the voices of victims are heard?

Hon Rob Sampson (Minister of Correctional Services): On a day when the page from Mississauga Centre has his parents in the gallery watching the activity today—his mother and father and his sister and his grandmother are here—on this very momentous day I'm pleased to confirm that this government does believe that there should be a strong role for victims in the criminal justice process, which is why we spent the time and effort to draw the victim as much as possible into the criminal justice process, including parole, where we've allowed, as the member from Hamilton would know, the victim to have a say in the parole hearing.

Now there's always more to do, and I will say in front of this House and to the member who has raised the question in the House today, that we indeed have and will commit to do more for victims because that job, frankly, is never done.

Mr Stewart: Thank you, Minister, for your answer. I know that the people of my riding of Peterborough will be heartened to know that this government continues to make victims' rights a priority. But some critics of this initiative suggest that it will be tougher for inmates to be granted parole.

I know, for example, that when the NDP formed the government, they believed that the criteria for granting parole should be relaxed. I'm glad that this government takes their responsibilities for public safety more seriously.

I understand that under this government we don't just hand out parole like the federal Liberals give their "Get Out of Jail Free" cards. Minister, can you inform the

House of the progress we have made to ensure that public safety is protected?

Hon Mr Sampson: Thank you very much again to the member from Peterborough. To the members of this House, to the page Michael Cancilla from Mississauga Centre, I do want to say that this government does, indeed, take the issue of public safety very seriously.

In fact, as it relates to parole, we took the initiative to tighten up and make parole truly a privilege that should be earned by an inmate and not a right to be automatically granted.

The federal Liberals believe that they should have this quota system and 50% of those in prison should be automatically let out. We, of course, cautioned them against that, and it still stands that that is the wrong policy. In fact, the police from Kingston have done their own internal study that says that 47% of those released from federal prison on parole or early release reoffend.

I say to the member from Peterborough, that's why we need to get tough on parole. That's why we have taken parole grant rates from about 60%, which is where they were in 1995, to the current rate of just around 33%. That is protecting public safety.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a question for the Minister of Health regarding her government's ongoing discrimination against northern cancer patients. We learned on Friday that Cancer Care Ontario and the Princess Margaret Hospital have to send more southern Ontario cancer patients away for treatment, and your ministry has requested that these officials prepare a proposal outlining how many patients will have to be sent and the cost to pay 100% of their travel, accommodation and food to access cancer treatment somewhere else. This proposal is due by October 19.

Minister, if we save even one life by this, then it's something we must do. But if your government has enough money to send more southern Ontario cancer patients far from home for cancer treatment, then your government has enough money to end its discrimination against northern cancer patients now. Minister, will you use this opportunity to finally fund 100% of the costs for northern patients who have to travel far from home for cancer treatment too?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The member knows that there is no discrimination. There are two programs. The northern community is entitled to a northern health travel grant, which is not available to people in the south. So if there's discrimination, it's that people in the south don't have access to the northern health travel grant. However, the CCO referral program for cancer is accessible and will be provided to all people, whether they live in the south, the north, the east or the west.

Those are the two programs that we have in this province.

Ms Martel: Minister, the question was, what are you going to do to end your government's discrimination against northern cancer patients? Even your Minister of Finance, who is sitting next to you, said publicly in May in this province that there was something wrong and this situation should be reviewed.

We know that your ministry has asked Cancer Care Ontario for a proposal regarding how much money it will cost to send even more southern Ontario cancer patients away for treatment. We assume you're asking for this proposal because you're going to fund 100% of the costs for these patients to travel far from home for cancer treatment too.

Minister, for 18 long months now your government has refused to fully fund the costs for northern cancer patients who daily travel far from home, to Sudbury and to Thunder Bay, or who have to leave the north altogether to get cancer care here in Toronto and in Ottawa. If you have the money to send even more cancer patients away for treatment and pay 100% of their costs to do so, your government has the money to fund 100% of the costs of northern cancer patients too.

I ask you again, Minister, will you use this opportunity that is now clearly before you and end the discrimination against northern patients by fully funding their costs too?

Hon Mrs Witmer: The member knows full well that the northern health travel grant program is the same program that they supported and that was initiated by the Liberals. It is absolutely no different. It is there for northerners. In fact, our government is doing more to ensure that programs and services are provided for people in northern Ontario than ever before.

We are expanding health services in Sudbury, in Sault Ste Marie, in Timmins and in Thunder Bay. We are building new hospitals. We are expanding cancer services. Sault Ste Marie will soon have a new one. We are expanding dialysis services.

Again, I remind the member that the referral program that CCO has initiated is a temporary program. It is there in order to ensure that the patients in Ontario, no matter where they live—

The Speaker (Hon Gary Carr): I'm sorry; the minister's time is up. New question.

TEACHER TRAINING

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question is for the Minister of Training, Colleges and Universities. In my riding, we are aware of a number of education students who have had their practice teaching placements cancelled because of the crisis your government has created in education.

The crisis in the elementary and secondary system has impacted university programs as well. My constituent David Kassera is an education student at Queen's University. He and his wife decided to put their plans to buy a home and start a family on hold so David could return to teachers' college. David wants to teach history

and biology to secondary school students. However, David is one of 60 teacher candidates who have had their practice teaching placements cancelled.

Minister, you are hiding your head in the sand if you think that your government's education reforms have not demoralized teachers in Ontario. Teachers no longer have the time, energy or heart to supervise these young, aspiring teachers. What are you going to do to ensure that David and other teacher candidates across Ontario will get the teaching experience they need?

1500

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): In response to the question I'd like to begin by saying that I'm not aware of this situation and I will in fact talk to you about it, if you'll share this with me.

In the meantime, I would say that that's exactly what we did try to alleviate when we increased the number of opportunities in our teacher colleges across the province for more teachers to be trained this year. So I'm definitely going to have to find out what happened in this regard and get back to the member, but maybe you can tell me in a supplementary what the real issue is here.

The Speaker (Hon Gary Carr): Supplementary?

Mrs Marie Bountrogianni (Hamilton Mountain): Minister, my colleague told you the real issue. Your answer tells us that you don't have a backup plan for the fallout of Bill 74. With respect to the 3,500 spaces that you say you're creating over the next four years, we will have a shortage of 10,000 teachers in the next five years. That's hardly a solution.

Minister, let me tell you something else that you need to investigate: in Hamilton, close to the Brock University campus for teachers' college, a very enterprising businessman has opened a business selling American placements to our Canadian students for \$500 apiece. That's what we've come to. Surely someone in your ministry could have communicated with someone in your colleague's ministry to prevent this from happening.

Minister, what concrete steps are you taking to ensure that each and every student teacher in this province will finish their certificate this year?

Hon Mrs Cunningham: In regard to this specific request, the government in fact is taking steps to ensure that we can meet the expected demand for new teachers in the province. To be specific, we invested an additional \$45 million in faculties of education, in fact to fund 31,000 new spaces for teacher training. This is through 2003-04.

You talk about 10,000 new teachers; you just heard the numbers. Part of teacher education is practice teaching. So again, if the member would tell me what the real problem is—

Interjection.

The Speaker: Would the member for Kingston and the Islands come to order, please.

Hon Mrs Cunningham: This is in fact an addition of some 6,000 newly funded student spaces which include practice teaching. So if we're talking about the way we

teach our students in our faculties of education, I would be pleased to talk to both of the questioners today. I want to know about how we can do it better.

But in the meantime, let there be no doubt in this House that we have planned for 6,000 new spaces in the next three or four years. This in fact is over the provincially funded 25,000 spaces, so we now have 31,000 spaces. Let there be no doubt that we do in fact have the spaces for those who are qualified.

Yes, I will say that if you're talking about practice teaching, which we know a fair bit about on this side, I would be interested in your absolute best recommendations.

SEATBELTS

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. Statistics reveal that close to a third of the drivers and passengers who are killed in motor vehicle accidents are found not to have been wearing their seatbelts. Probably many of those deaths would have been prevented had they been wearing those belts. The importance of wearing a seatbelt, in my opinion, can never be overemphasized, and there's evidence that still more can be done to raise public awareness on this critical safety issue.

As a matter of fact, yesterday afternoon at just about this time in the village of Northbrook, I was fortunate to go through a seatbelt check being carried out by the OPP. I can also report that all of us in the car had our seatbelts on.

Minister, both myself and the constituents in Northumberland would like to know what your ministry is doing to encourage drivers to wear seatbelts.

Hon David Turnbull (Minister of Transportation): Yes, indeed, this is an issue which I feel very passionately about. Road user safety and vehicle safety is our highest priority. As you have correctly pointed out, in fact one third of the fatalities on our roads are people who were not using a seatbelt when they died.

Interjections.

Hon Mr Turnbull: I would have imagined that the members of the opposition would take this issue seriously. One third of all of the people who die on our roads are not buckled up then they die. They're subject to a \$90 fine and two demerit points.

On September 29, I launched the fall seat belt campaign in co-operation with police services and the insurance industry. A key component of this year's campaign is the seventh annual seat belt challenge. Some 2,000 volunteers will be at intersections in 150 communities, counting how many people are buckled up.

Mr Galt: Despite all of the effort and progress that has taken place, there still appear to be a number of people in Northumberland and across Ontario who consistently refuse to buckle up. I've been buckling up for over four decades and believe very much in the use of seat belts. I realize that there are many people who do choose to buckle up. What action have you taken to

ensure that all drivers and all passengers realize their responsibility of buckling up?

Hon Mr Turnbull: In fact, 91% of Ontarians are buckling up. That's the second-highest rate in Canada. But there is clearly more to be done.

In our spring and fall campaign, we targeted all of the people who are not buckled up. In the spring campaign, 635,000 vehicles were checked, 11,000 charges were laid, and 191 motorists were charged for child restraint violations. What we do know—

Interjections.

Hon Mr Turnbull: Why don't you listen? You might learn something.

Ninety percent of all child seats were not properly installed, so I appeal to everybody listening to this to make sure that child seats are properly installed. They may be a correct seat, but they may not be properly installed, and that leads to a great number of fatalities. We know that—

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

SAFE STREETS LEGISLATION

Mr Bruce Crozier (Essex): My question is for the Solicitor General. Last Friday, the Muscular Dystrophy Association of Canada, in conjunction with firefighters across the province, held three news conferences: one in Kanata, one in Toronto and one in Chatham.

At the Chatham meeting, the Muscular Dystrophy Association announced that it could lose up to \$750,000 as a result of your safe streets bill. In fact, in excess of \$200,000 will be lost this year. Firefighters condemned your Safe Streets Act and its extremely negative impact on the voluntary fundraising efforts of firefighters across the province. As a direct result of the legislation, proclaimed in December of 1999, in large and small communities across the province, their fundraising efforts have been cancelled.

Your government, through the Attorney General, assured the Muscular Dystrophy Association and the firefighters that the focus of the act was on the so-called "squeegee kids" and aggressive panhandlers, and not charitable organizations. Why don't you honour your promise that this act would not impact on the fundraising efforts by firefighters and other registered charities? Why don't you exempt registered charities from the act and let them get on with their fundraising activities?

Hon David H. Tsubouchi (Solicitor General): I don't think anyone would disagree that the firefighters and a number of other organizations raise a lot of money for charities, and in fact we applaud that. I know for a fact that even up in my area, the Markham firefighters have a similar type of toll thing, but they have it on the grounds of Markville Mall itself.

I've been advised by the Attorney General that the Safe Streets Act does not prevent someone from soliciting money as long as that person is positioned on the sidewalk or on the shoulder, boulevard, median or other

place that is not a roadway. Clearly there is an intention to ensure that these types of activities would continue to go on. Secondly, we encourage the charities to work with the local police services in advance of these events so we can ensure that not only can they raise money for charities, but that they do comply with the act.

Mr Crozier: Minister, when you were first elected as the member from Markham, you came to this House to represent the people in Markham and, to some extent, the people in the province of Ontario. Now you carry the name "honourable" because you're a minister, and you have a much wider scope with which to influence the decisions of the government. So why won't you do the honourable thing and exempt charities from this act so they can get on with fundraising activities?

Minister, you know they're losing money. It doesn't take much of a government to admit you had a poorly drafted act that was more inclusive than you intended. You can do one of two things: you can take my private member's bill and pass that, and we'll do that unanimously, or you can do it even more quickly by bringing in amendments yourself, and we'll get unanimous consent on those as well.

1510

Hon Mr Tsubouchi: I would like to reiterate that the Safe Streets Act does not prevent someone from soliciting money for charity as long as that person is not positioned on the roadway itself.

I remind members of the House that the reason this act was passed in the first place was to make sure people in this province were not approached aggressively by panhandlers. Clearly we on this side know the difference between an aggressive panhandler and a charity. The charities can continue to solicit funds as long as they're not actually on the roadway itself. There are ways of doing this. Other communities have done this, and we certainly support firefighters or any other charity in their efforts to raise money for their charity.

CHARITABLE GAMING

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Consumer and Commercial Relations. The firefighters in my community were collecting for muscular dystrophy over the last weekend, but I've recently been hearing some concern raised about the future of the bingo industry in Ontario. Some bingo halls feel they are suffering as a result of the increase in casinos and slot machines around the province.

Minister, could you please explain what has caused the recent bingo hall closures, and what looks to be on the horizon for the bingo industry?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): There is no question there's been a rationalization of the bingo industry in Ontario, and that's primarily a result of the consolidation effort underway across the province by one of the major players in the bingo industry.

There are legitimate concerns about the future. They are being addressed. The Alcohol and Gaming Commission is meeting with operators, charities, municipal governments and others who have concerns in this area. I am meeting with officials as well, and we're working to meet the challenges of the industry.

Mr Johnson: It's good to hear that the future of bingo seems to be brighter in Ontario. However, some people may be concerned that the government is abandoning bingo in favour of flashier casinos.

Interjection.

Mr Johnson: Even the member for Windsor West might be interested in something in the Legislature.

Minister, is there anything else the province is doing to help bingos and other charities actively plan for the future to ensure they continue to prosper?

Hon Mr Runciman: A bingo advisory committee was formed to address the declining bingo matter and advise the Alcohol and Gaming Commission. The working group is made up of operators, suppliers and the Provincial Bingo Charitable Activities Association. They've developed a paper entitled *Charting Our Course: A strategic review of bingo and related charitable gaming*. That's been distributed to charities, bingo hall operators and licensing staff this past summer. The document focuses on both long- and short-term goals and objectives for the industry, including proposals for new games and new staffing models.

The group is currently receiving feedback on their paper and will present their findings to the Alcohol and Gaming Commission. As well, the commission continues to meet regularly with the group to deal with both day-to-day issues and long-term strategies to maintain the bingo industry.

NATIVE PEOPLE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier. We know your government has been talking to the mining and logging companies about operations in the far north. For example, we saw your proposal for 10,000-hectare clear-cuts last week. But your government refuses to talk to the only people who live in the far north, the First Nations.

Can you explain why you're willing to talk to mining companies about mining in the far north and logging in the far north, but you refuse to talk to the First Nations about revenue-sharing, environmental protection, resource management or anything else? Why?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I don't believe that is the case; however, I will bring it to the attention of the Minister of Northern Development and Mines.

Mr Hampton: I have something else you can bring to the attention of the minister. It's a letter from De Beers to your government. De Beers is one of the companies that's been in the far north, and they've clearly been talking to your government. This is what they say to your government, "The whole question of aboriginal rights is

like a simmering pressure cooker in the northern part of the province.... Most of the communities have major socio-economic problems, chronic unemployment, poor health support and ... insufficient educational and training ... opportunities." Then, under "Revenue-sharing" they say, "We have emphasized the economic plight of the First Nation communities in northern Ontario. We believe the government of the province must commence negotiations with the First Nations to conclude a revenue-sharing agreement based on transferring to them a share of the taxes and other revenues received by the province." This is De Beers. They talk to your government. They're asking why you're willing to talk to them but not willing to talk to the First Nations themselves. What's your answer?

Hon Mr Eves: I did not say we were not willing to talk to the First Nations people. In fact, I've given you a commitment that I will bring it to the attention of the Minister of Northern Development and Mines. I quite agree that we should be talking to First Nations people, and I'm kind of surprised that the leader of the third party is now getting his advice and consultation for question period from De Beers.

ROAD SAFETY

Mr Michael Bryant (St Paul's): My question is for the Minister of Transportation. Minister, you're talking the talk about a crackdown. It's interesting, because last summer, while this House was not in session, 10,000 traffic tickets were thrown out of traffic court because we have less than half the number of justices of the peace today we had when your government came to power.

What is the point of having a crackdown if at the end of the day there is no trial or prosecution before a judge? What happened this summer?

Hon David Turnbull (Minister of Transportation): Clearly we're disappointed when any cases are thrown out of court. The principle our ministry works under is to make our roads as safe as possible. Since we became the government, we have enacted laws which have made our roads safer. We are now the fourth-safest in the whole of North America, and when any case is thrown out of court it is a great disappointment to me.

Mr Bryant: The concern is that the media strategy is very well thought out, but the legislative strategy has not been thought out at all. You undertake the crackdown but don't bother to check that you have enough justices of the peace. You've conceded here that there's a major problem; you've conceded that the government is disappointed. Will you tell us what you're going to do to deal with the fact that you're ticketing everybody and everybody is laughing at the ticket as they head home because they know they're never going to have their day in court. What are you going to do to solve the problem?

Hon Mr Turnbull: We recognize there is a problem dealing with traffic matters in the provincial court in Toronto, and we are committed to fixing this deficiency.

PETITIONS

INVESTIGATION INTO CHILD ABUSE

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

“Whereas Garry Guzzo, MPP, Ottawa West-Nepean, has brought forward Bill 103, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area; and

“Whereas Bill 103 has the public support of John Cleary, MPP, Stormont-Dundas-Charlottenburgh,

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

“To enact Bill 103, Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000.”

I have signed the petition, as have 10,797 other residents of eastern Ontario.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I'd like to correct the record. I misspoke myself. Right-to-work means that an employee who goes into a union shop to work has the opportunity to opt out of the union and therefore collectively negotiate on his own.

Interjections.

Hon Mr Stockwell: It was just a definition. Sorry.

1520

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing 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 northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

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

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and

eliminate the health care apartheid which exists presently in the province of Ontario.”

This has been signed by a number of residents in my community, and I agree with them. I want to thank Gerry Loughheed Jr for all his efforts to get these signatures.

EDUCATION FUNDING

Mr Richard Patten (Ottawa Centre): This is a petition to the Legislative Assembly of Ontario, the Premier and the Minister of Education:

“Whereas the current school funding formula needs to be amended to allow for flexibility in considering unique qualities in inner-city neighbourhood schools; and

“Whereas the current formula will render vibrant city centres like Ottawa unattractive to families as a result of school closures;

“We therefore request an immediate review and amendment of the formula to address the unique situations of inner-city schools and ensure quality schools for all children.

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

“We, the undersigned, strongly object to the closing of Ottawa's Elgin Street Public School, a vital and essential part of the social, economic and civic life of our community. One less school downtown is one less reason for families to live downtown.”

I affix my signature to this petition as well.

NORTHERN HEALTH TRAVEL GRANT

Mr Howard Hampton (Kenora-Rainy River): I have a petition signed by several people from northwestern Ontario and it reads:

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

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

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

I affix my signature as well.

Mr Rick Bartolucci (Sudbury): This is a petition to the Ontario Legislature and concerns northerners demanding the Harris government eliminate the health care apartheid which exists. These signatures were garnered by Mrs Teresa Doan from 13 Montgomery Street in Sault Ste Marie, and I proudly read the petition into the record.

“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;

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed 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.

“Furthermore, be it resolved that we, the undersigned, petition Mike Harris”—who is in Sault Ste Marie this evening—“to ensure that this health care apartheid ends immediately.”

I proudly affix my signature to this petition.

The Acting Speaker (Mr Tony Martin): Further petitions? The member for Sarnia-Lambton. I'm sorry, I got us out of sync here. I do this on a regular basis, it seems. The member for Beaches-East York.

Ms Frances Lankin (Beaches-East York): It's really bad when you do it to one of your caucus mates, Mr Speaker.

This petition to the Ontario Legislature is from northerners who are demanding that the Harris government eliminate health care apartheid.

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

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

“Whereas 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 ... (Ontarians Seeking Equal Cancer Care,) founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario,

Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

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

As a former Minister of Health in this province and as the health critic for the New Democratic caucus, I affix my signature in full agreement.

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 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 and vest too much power in the hands of the founders, who have been more than compensated for their generosity;

“Whereas the passage of Bill 112 would diminish the authority and responsibility of the board of trustees, limit the focus of the art collection and hamper the gallery's ability 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 RURAL MEDICAL SCHOOL

Mrs Lyn McLeod (Thunder Bay-Atikokan): I have a petition to the Parliament of Ontario:

“Whereas the undersigned residents, living in the city of Thunder Bay in northwestern Ontario are in need of a northern rural medical school situate in the city of Thunder Bay to provide said residents with quality health care services; and

“Whereas it is important for the future of northern Ontario to develop and provide high quality medical education shaped for the needs of rural/regional, and other aboriginal northern populations; and

“Whereas such a northern and rural medical school will produce more doctors with the knowledge, skills and interest in practising rural and northern medicine, and will provide an academic and research infrastructure to support physicians teaching and practising in the north;

“We, the undersigned, petition the Legislature of Ontario to create a northern rural medical school.”

This is signed by over 300 residents in support of that call on the government to provide a northern rural medical school. I affix my own signature in full support of their concerns.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have more petitions to add to the thousands that have already been presented here in the Legislature.

“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

1530

“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 constituents who have signed this are mostly from the Elliot Lake area.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): I have yet again further petitions from the Canadian Auto Workers, forwarded to me by Cathy Walker, the national health and safety director. These petitions were generated by Cecil Mackasey and Rick Rose of CAW local 222 in Oshawa.

“To the Legislative Assembly of Ontario:

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

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

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

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

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

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

“That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

I continue to support these petitioners by adding my name to theirs.

LORD’S PRAYER

Mr Garfield Dunlop (Simcoe North): I have a petition to the Legislative Assembly of Ontario.

“Whereas the prayer, Our Father, also called the Lord’s Prayer, has always been used to open proceedings of municipal chambers and the Ontario Legislature since the beginning of Upper Canada under Lieutenant Governor John Graves Simcoe in the 18th century; and

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

“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’ll sign that as well.

INVESTIGATION INTO CHILD ABUSE

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I have a petition here with over 1,000 names that comes from Alexandria and the county of Glengarry.

“To the Legislative Assembly of Ontario:

“Whereas Garry Guzzo, MPP, Ottawa West-Nepean, has brought forward Bill 103, 2000, An Act to establish a commission of inquiry ... into the investigations by

police forces into sexual abuse against minors in the Cornwall area; and

“Whereas Bill 103, 2000, has the public support of John Cleary, MPP, Stormont-Dundas-Charlottenburgh;

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

“To enact Bill 103, Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000.”

FARMFARE PROGRAM

Mr David Christopherson (Hamilton West): I have a petition from the United Farmworkers, forwarded to me by Stan Raper, their representative.

“To the Legislative Assembly of Ontario:

“Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits; and

“Whereas the Harris government of Ontario has not provided for any consultation or hearings regarding this initiative; and

“Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7; and

“Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario.”

On behalf of my NDP colleagues, I add my name to these petitioners.

ORDERS OF THE DAY

ELECTRONIC COMMERCE ACT, 2000

LOI DE 2000 SUR LE COMMERCE ÉLECTRONIQUE

Mr Martiniuk, on behalf of Mr Flaherty, moved third reading of the following bill:

Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication / Projet de loi 88, Loi visant à promouvoir l'utilisation des technologies de l'information dans les opérations commerciales et autres en éliminant les incertitudes juridiques et les obstacles législatifs qui ont une incidence sur les communications électroniques.

Mr Gerry Martiniuk (Cambridge): Mr Speaker, I believe we have unanimous consent in this House to divide this afternoon's debate equally among all three

caucuses until approximately 6 pm, and at that time the question on third reading will be put.

The Acting Speaker (Mr Tony Martin): Is there unanimous consent? Agreed.

Mr Martiniuk: I will be sharing my time with two members of my caucus, the member for Northumberland and the member for Simcoe North.

It is my pleasure once again to rise to speak to Bill 88. A similar bill was presented by my good friend and colleague Mr John Hastings, and though this is the bill of the Attorney General, it is similar except for small differences. I compliment my colleague Mr Hastings for his initiative in bringing this matter to the fore.

This is a government that keeps its promises. We promised to create jobs. We promised to cut red tape. We promised to attract business. I am proud to say that we have kept all of those promises.

Ontario's economic engine is moving forward and consumers are once again confident. Since 1995 we have created over 725,000 new jobs. I remember when we first released the Common Sense Revolution, which was in May 1994. I had just been nominated to represent the Progressive Conservative Party in the riding of Cambridge and I remember one of the promises in our plan was that we would be creating over 700,000 badly needed jobs in this province. If you take your mind back to that time, this province was in a state of disarray. This province seemed to be without hope. We are on track to our goal of 825,000 new jobs as promised in the election in 1999.

We have cut red tape by presenting over 12 red tape bills.

We have attracted an unprecedented amount of business and investment to Ontario.

The Electronic Commerce Act is also about cutting red tape and giving Ontario business a boost. The Electronic Commerce Act would cut red tape by removing outdated legal barriers to e-commerce. This would help to ensure Ontario's competitiveness and bolster forward-looking businesses.

We are now living in a world where people are shopping on-line, banking on-line and downloading information at an unprecedented rate. The electronic world is here now. The electronic world of business is booming.

1540

During the next three years, it's estimated that world-wide e-business will reach US\$1.3 trillion annually. For Ontario, that means creating new jobs and the potential sale of millions of dollars in goods and services.

Progressive Ontario companies are embracing the future by going on-line. Ontario consumers can now browse through virtual auction houses and superstores. With a simple click of the mouse, we can purchase anything from books to clothes to household supplies and even big-ticket items such as automobiles.

It is a well-known fact that any successful business must be creative, modern and competitive. But the uncertainty surrounding the world of e-commerce is hinder-

ing some companies from expanding in the e-world. They are prevented from signing electronic contracts because our laws recognize contracts signed only on paper. A law governing contracts may require documents to be in writing or in original form. This is not the way to attract electronic investment and business to Ontario.

Ontario must be on the leading edge electronically or on-line business growth will be inhibited or, yet worse, go elsewhere. If passed, the Electronic Commerce Act would ensure that electronic contracts, documents and signatures have the same legal effect as their paper counterparts. This bill would truly strengthen public and private sector confidence in e-commerce, and it would signal to the world that Ontario is progressive and competitive.

Over the course of the last few months, we have listened. We've had discussions before the bill was introduced and at the committee stage. I'd like to take this opportunity to thank the committee for its work on this groundbreaking bill.

We have heard from many businesses that agree Ontario is taking a leadership role in the e-commerce world; companies like IBC Canada, which have publicly called on other provinces in Canada to adopt similar measures; companies like Teranet, which have commended Ontario for recognizing that e-commerce has the potential to simplify and enhance the profitability of businesses. These companies know that this bill is vital for the positioning of Canadian companies as world business leaders.

In short, they know that the Electronic Commerce Act will make Ontario competitive on a global scale. In fact, the act is based on the United Nations model law on e-commerce. That means, if passed, that Ontario law will be consistent with e-laws around this globe, because we know that the world of e-business has no borders and the laws that govern e-business should also be borderless. Ontario is one of the first provinces in Canada to be moving forward with an e-business bill of this type. Other provinces have or are expected to follow suit with their own versions of the UN model law.

We believe that this bill will strengthen business confidence and consumer trust in their on-line transactions. Although 80% of e-business is done between businesses, consumers need the confidence that their transactions have legal certainty and clarity. Consumers want their dealings with business to be enforceable, and this bill addresses that concern.

A recent survey found that on-line Canadian shoppers buy more products and services from Canadian Web sites than from US counterparts. We believe this bill will strengthen and help this trend. However, many consumers may still be hesitant to shop and buy on-line. Some people are worried about their privacy. They don't want their personal information misused.

We take their concerns very seriously. While drafting this bill, we had extensive discussions with staff at the Information and Privacy Commission. The commission gave us important feedback. We listened and made sure

this bill would not override privacy and access to information statutes. We also made sure this bill would not apply to biometric information, such as fingerprints, iris scans and voice recognition technology, unless such use is authorized.

In addition, the laws of Canada that already exist to protect individual privacy are applicable to on-line transactions as well. Most recently, the federal government passed the Personal Information Protection and Electronic Documents Act. It protects personal information used for commercial purposes under federal law or, interprovincially, as of January 2001. In Ontario, the Ministry of Consumer and Commercial Relations is also reviewing the privacy issues in a provincial context.

As well, if passed, our bill would set up rules for automated transactions and for correcting mistakes made on a computer. For example, when dealing with an electronic agent like a Web site, the act would allow people to cancel mistakes unless the merchant provided a mechanism to correct mistakes at the time of the order. This would encourage merchants to design their Web sites with a confirming "Are you sure?" message.

This bill is enabling legislation. That means it does not require anyone or any business to use or accept electronic communications. No one will be forced to go electronic before they are ready and they choose to go electronic. The act will simply ensure that electronic communications will not be invalid because of the laws that require the use of paper documents. This gives consumers and businesses the flexibilities they need in dealing with one another.

We created this bill to bring the province into the vast and infinite world of electronic commerce, but we recognize that boundaries are necessary. That is why we built into it some strong safeguards to ensure it does not overstep its goals. The act would not apply to wills, personal powers of attorney, land transfers or election documents. We have excluded these kinds of documents because they require more detailed rules. The act also would not override existing provincial laws and regulations that already permit or prohibit the use of e-documents.

As a further precautionary measure, we have ensured that the Lieutenant Governor in Council would have the ability to add to the list of documents to be excluded from the statute. These are the safety mechanisms which are an essential part of the Electronic Commerce Act. If passed, the Electronic Commerce Act would open Ontario's doors to the world of e-business. We would be demonstrating to the world that Ontario is progressive and innovative. By looking forward and validating electronic documents and signatures, this government is seizing an exciting opportunity. This government is leading the way. This government is keeping its promise to create and promote a strong and vibrant economy.

1550

The Acting Speaker: Further debate?

Mr Garfield Dunlop (Simcoe North): It's a pleasure to be here this afternoon, speaking to Bill 88. I'd like to

thank the Attorney General for bringing this important piece of legislation forward.

I'd like to start off by thanking the parliamentary assistant to the Attorney General, who spoke so eloquently about this important piece of legislation designed to put our province in the forefront of information technology. I'd also like to thank the parliamentary assistant to the Minister of Transportation, Mr John Hastings, for his interest in e-commerce. At different caucus meetings and in my conversations with Mr Hastings, he has shown a lot of interest in e-commerce. It's interesting to see that he had earlier put forward a private member's bill, and it's nice to see that the Attorney General has carried this forward.

I think my first time dealing with things like e-commerce or faxes goes back about 10 years ago when I initially purchased a cottage up on the Severn River near Big Chute. The owner of the cottage was living in France at the time, and we had to put in an offer to purchase. It was interesting to see that the offer was signed back and forth over and over again as we tried to come up with a deal. To see his signature going back and forth between Canada and France was a very interesting time in my life as we purchased a cottage, but it was also very interesting to see the deal take place over a fax machine.

The growth, expansion and potential of the Internet are limitless. Over 300 million people around the world access the Internet on a regular basis. Currently, Canada is the seventh most-wired nation in the world, according to the Internet Industry Almanac. Over the next three years it is estimated that worldwide e-business will reach US\$1.3 trillion annually. It is estimated that 2.1 billion pages make up the Internet as we know it. Last year a mere 755 million pages were counted. I think it's safe to say that the Net is experiencing major growth right across our planet.

Similarly, our provincial economy is growing and expanding at an unprecedented rate. Since the throne speech in September 1995, Ontario employment has increased by 768,000 net new jobs, accounting for approximately 48.7% of the national job growth rate. Of course, we contribute about a third of the population of Canada.

Since the June 1999 election, Ontario has gained 217,000 net new jobs and, as mentioned earlier by the PA to the Attorney General, our plan is to create another 825,000 net new jobs in this mandate itself.

Ontario cannot afford to lag behind when it comes to attracting new investors and investment. That's why this government is moving forward in the area of e-commerce. We recognize that the new millennium is bringing with it an unprecedented level of electronic technologies and opportunities.

The government's Electronic Commerce Act is a progressive and innovative bill that will assist Ontario's e-commerce businesses with their growth and expansion. This act is the first piece of legislation which, when passed, will establish the necessary legal e-commerce support for the people of Ontario to prosper in 21st cen-

tury commerce. As my colleague before me, Mr Martiniuk, mentioned, the bill would unleash a wealth of business opportunities for progressive Ontario companies.

Statistics Canada reports that in 1999 at least one in 10 Canadian companies had embraced the use of e-mail and Internet technologies, at least one in 10 Canadian companies had used the Internet to sell goods and services and 53% of private sector Canadian businesses use the Internet in one form or another. These numbers reveal the tremendous growth potential of e-commerce in Canada and in Ontario in particular. This government is responding to Ontario businesses by introducing this bill.

I would like to take this opportunity today to highlight some of the important aspects of this bill. If passed, this act will strengthen public and private sector confidence in e-commerce by ensuring that electronic contracts, documents and signatures have the same legal effect as contracts, documents and signatures on paper.

We'll also set up rules for automated transactions and for correcting mistakes made on a computer, and we'll adopt national and international standards for e-commerce law.

It will also boost consumer confidence and protection in e-business, not that that really has to be done. So many people today rely on e-commerce that I don't think we actually have to get a lot more confidence in it.

Individual privacy and security of information is paramount. The legislation would apply to all electronic commercial transactions. This proposed legislation incorporates a number of provisions designed to enhance privacy. For example, the bill does not permit people to collect finger or iris scans or voice recognition information about individuals without their consent.

The bill reflects the consultation meetings that the Attorney General has had with the Information and Privacy Commission, and the chairperson, Ann Cavoukian, who said, "The consideration and attention given to our recommended changes was most appreciated." We realize the implementation of new technology creates potential risk to privacy. This government will continue to work to ensure that privacy is ensured.

In drafting this bill, our government has listened to the concerns of the people of Ontario about Internet and computer fraud. It is important to point out that fraud is still fraud and theft is still theft. The Criminal Code makes it illegal to (1) steal information from a computer; (2) gain access to a computer without authorization; and (3) possess a hacker's tools without good cause. Our government understands that with the advent of new technology comes the advent of new types of crime. To combat computer-based crime the Ontario Provincial Police have a technical crime support unit to protect the information superhighway against those who want to abuse it.

The proposed legislation is drafted by using current models that are used in other jurisdictions. Those models include the Uniform Electronic Commerce Act, adopted in 1999 by the Uniform Law Conference of Canada, a

federal-provincial-territorial legal body. Ontario is one of the first provinces to introduce a proposed e-commerce law which follows the principles of the United Nations model law on electronic commerce.

As you can see, this government has gone to great lengths to ensure that this bill meets the needs of businesses in the 21st century. But at the same time, we've built into it some strong safeguards for flexibility. The bill does not promote any particular technology, but it provides legal clarity for those who wish to use this new technology. If a company or a person would rather use paper contracts, they are free to do so.

For those who deal with the government, it's important to note that nothing in the act authorizes a public body to require people to accept documents in electronic form. That means the government will not discontinue providing its quality services in a traditional, non-electronic way. Ontario businesses and consumers will continue to have clear choices and flexibility in the way they do business, with their government especially.

1600

I am pleased to say there is tremendous support for this legislation. John Wetmore, president and CEO of IBM Canada, said, "We would encourage all provinces in Canada to adopt similar measures to Ontario and help position Canada as a leader in e-commerce."

John Miller of the London Free Press said, "Certainly, security and privacy are key components required to be dealt with through e-commerce legislation. With these components addressed, paper barriers will be removed and e-commerce will be able to achieve its full potential."

To me, among the most important elements of this bill are provisions to cut red tape and remove outdated barriers to e-commerce, and keep Ontario globally competitive. This proposed act will encourage investment and investor confidence in Ontario by eliminating uncertainty about the laws that govern e-business.

Our government understands that the Internet and new technologies can be used to help strengthen our communities and create even more jobs for Ontarians. In 1997 our government established the volunteer action on-line program through the Ministry of Citizenship, Culture and Recreation. This program funds voluntary organizations to work in partnership with business and others in the community to enhance their own work and the effectiveness of the volunteer sector through the use of Internet technology and the World Wide Web.

In March this year the Ontario Education/Industry Foundation received funding to establish a Web site linking all volunteer organizations in Orillia and the surrounding area. I'd like to thank Minister Wilson and his staff for their approval of this very important local initiative in my community.

This network will provide volunteer organizations with the capacity, first of all, to expand their volunteer recruitment—and we all know the value of volunteers in all parts of our society—to maximize their organizational efficiency and reduce administration costs, a goal of

almost every organization in our province; to share expertise among similar organizations; and to better respond to the future needs of our community.

The Ontario Education/Industry Foundation operates the Georgian Bay Career Centre in Orillia, which provides career counselling and assessment services to both students and adults. Recently the centre had developed an interactive CD-ROM called Career Clicks to help students make important career choices. It was really interesting, a few weeks ago, to have Kathy Gallacher of the Georgian Bay Career Centre come down. We had a meeting with Minister Cunningham and talked about a program in Career Clicks called Women in Apprenticeships. She showed the minister the first CD-ROM she had built using Women in Apprenticeships.

It was a private partnership involving some of the radio stations and a lot of the companies in our community, and the CD-ROM showed different women tradespeople who were successful in receiving their licences in welding, tool and die and electrical, as well as being chefs. It is a program Ms Gallacher wants to see expanded to other trades, and she feels it could be used as early as grades seven and eight as well as with all the girl students in high school. It would be used with all young women who would like to enter apprenticeships in the future.

The development of the CD-ROM was with the technical support of Georgian College. I am very proud of Georgian College in my community. It's one of the better post-secondary education institutions in Ontario.

Like many members of this Legislature, I am using the Internet myself to help represent the people of Simcoe North through a Web site that was launched last February, which I'll give out for Hansard: www.GarfieldDunlopMPP.com.

Mr John Gerretsen (Kingston and the Islands): How do you spell Garfield Dunlop?

Mr Dunlop: I suppose a number of people have similar sites, and I'm sure Mr Gerretsen would like to tap into my Web site sometime. This Web site helps the people of my constituency receive more information and provides them with another tool in voicing their concerns to me.

Our government understands the importance of adapting to new technology. New technology will create new jobs over the next many decades, and we have to be on side on this. This bill will set the framework for a new economy.

I'd like to thank my colleague the Attorney General for his vision and hard work in bringing forward this bill. I'd also like to thank the committee for its work during the public hearing and clause-by-clause, listening to and responding to the comments and concerns of the people of Ontario. I think it's a good bill. I'm so pleased here today to see that we'll have all-party support on this bill. I think it's very, very important for the future of the province of Ontario that everyone is on side on this. We have to do business through e-commerce and through the technology that's available to us today. I thank you for

the opportunity of saying a few words here this afternoon.

Mr Michael Bryant (St Paul's): I'll be sharing my time with the member from York Centre and the member from Kingston and the Islands.

Obviously, on behalf of the official opposition, we support this bill. We supported it in previous legislative debate and we supported the private members' bill introduced by Mr Hastings. We applaud him for that effort. Obviously, the bill is soon going to become law. Ontario Liberals support the establishment of any law that is going to facilitate certainty in the commercial sector, and the use of electronic media in particular, to conduct legal agreements and transactions.

There is always a concern, although we never have a final answer to the important issue of two parties trying to enter into an agreement, is there a meeting of the minds? There will always be instances of litigation. There will always be fights between parties that are settled in courts. It is important, as much as we can, as a legislative body, to head off those fights where at all possible, to lend a measure of certainty where at all possible.

This is going to be no panacea, as much as I do believe that the ministry and the justice and social policy committee has worked hard to try and close off loopholes. The truth is, until this gets out into the marketplace and is tested in the marketplace and is subjected to the various challenges that will come forth and the fact situations that could not have been anticipated, this will not be the final word on this. I would just hope that the government would take the approach that no longer do we live in an age in which governments can once and for all legislate on a matter and thereafter brook no change, and that if amendments are needed afterwards, amendments are sought and made.

The province of Saskatchewan passed legislation on this very topic, on e-commerce, I guess it was about a year ago. They have had to introduce a number of amendments subsequent to that. I know that the province of Ontario has tried to learn from that exercise, but believe me, there is a never-ending number of fact situations that could not have been anticipated. But this does go some way to try and tackle that.

I wouldn't say, because this isn't a partisan debate, that the legislation is overdue, but there was much discussion on behalf of the government members on what a wonderful job they are doing in passing this bill. We support the bill and I don't want to take anything away from that, but let's be clear here: this legislation is required by law. It's required by a federal bill on e-commerce and privacy enacted on April 13, 2000, which contains a requirement that all provinces must enact provincial legislation to deal with those matters that fall under their constitutional responsibilities as opposed to federal constitutional responsibilities. Failure to do so after three years will result in some consequences.

So as much as we do support this legislation, there is no invention of the wheel here, legislatively speaking.

1610

Firstly, Saskatchewan beat us to the punch, but better late than never. Secondly, this legislation, as I say, is required under federal legislation. The federal approach—let's be frank about it—combines both the e-commerce technical issues with the privacy issues.

I don't think the government has, in its speeches today or otherwise, intended to suggest that this bill, the Electronic Commerce Act, addresses the important privacy concerns that I know, among other things, the privacy commissioner has expressed. Our support of Mr Hastings's bill and our support of this bill are predicated on the understanding that in fact appropriate privacy legislation is forthcoming. If this is the last word on e-commerce privacy, then that's certainly news to the official opposition.

It's been said also that this bill is minimalist. Sure, the bill is not trying to in any way upset the market out there that is currently evolving at a rapid rate in cyberspace. The bill borrows, in large part, the principles and the provisions set forth in the 1999 Uniform Law Conference of Canada Uniform Electronic Commerce Act, which provides a legal model for e-commerce transactions.

The concern here, to put it in terms we have to deal with it in day to day transactions, is that I go on the Internet and I want to buy something. Let's say I decide I want to buy a book over the Internet, and I accidentally—well, I don't accidentally. I click a button and suddenly find I've ordered 100 books. What was my intention? What were the requirements that had to be met by the company selling the books? What due diligence, if you like, did I have to undertake? What did clicking "I agree" mean?

These are all the technical issues that were approached by this bill. This bill tried to tackle them as best it could so that people know that when they click "I agree," in fact it means precisely what is required, sometimes, in terms of the fine print.

Besides the consumers, on a far greater scale is the electronic commerce taking place nationally, obviously intraprovincially as well. We need to have some certainty. Since so much commerce is increasingly taking place over this medium, what are the rules?

The old contract law that's still being taught today makes reference to the issue of having a seal on the document, what the relevance is of having a signature on a document. It all comes back to some very central components of the offer and sale, the agreement and how enforceable it is—an enormously complicated area that one spends a lifetime trying to get one's head around, or at least it's enormously complicated to me. Among other things, is there a meeting of the minds? How does one enforce that? Well, this bill looks at matters like, what's a signature, and what's an electronic signature, and what does that mean? And what does it mean when you click "I agree"? These are very technical matters, undertaken very seriously by members in the committee, of course with assistance from the Ministry of the Attorney General and the staff at that ministry. I think everybody

has done an excellent job trying to cover all the loopholes.

There are some counsel that sit on that committee. MPPs are not supposed to sit there as lawyers; we're supposed to sit there as members. To the extent to which we can bring our background to bear in the discussions and the debate, so be it. But we're not there to pronounce upon our own legal opinions. We're there to represent a constituency and, in some cases, fulfil our legislative responsibilities as a critic.

It occurred to me, with the attention and the diligence that was being devoted to this bill—and again, I can't emphasize enough that we're not magicians here. We can't look in a crystal ball and anticipate every problem coming down the pipe, particularly in a marketplace that is literally changing every day. I know that's a cliché, but it's also true.

That said, with the diligence devoted to this, I couldn't help but think, if only we could devote the same kind of sobriety and invest the same amount of time and effort in debate and in committee work to other bills that have been put forward by this minister.

I had a pretty good sense of what this job was all about before I got elected, but I hadn't served, obviously, in the Legislature before 1999. I thought, "Fine, there's a tremendous amount of rhetoric that takes place in the House, and fine, it's going to carry on into committee work." But I actually thought, as a student of politics, amateur as I may have been and am today, that in fact members would debate at length, that amendments would be tabled, considered and received, and that matters would go to committee so that the public would have an opportunity to provide their submissions. The committee would recommend amendments, clause-by-clause, and off it would go.

But that has not been my experience since June 1999. I don't want to dwell on that point, but we gave this attention to the e-commerce bill, which, in the words of the Attorney General himself in the compendium, is minimalist legislation. If minimalist legislation can get this kind of attention, what about legislation which has an enormous impact on all Ontarians, or at least purports to have an enormous impact on all Ontarians? One of the so-called flagships in terms of initiatives in legislation put forward by the 1999 Harris government was the squeegee bill—a closure motion, rammed through, limited committee hearings. I think it ended up being a few hours, and that was it. No amendments were considered.

The Parental Responsibility Act: I had amendments I wanted to table. I thought we would go off to committee and consider that bill. It didn't happen. I only wish that the same attention were devoted to other bills, and I'm just talking about the minister since 1999. I'm not even talking about other ministries right now.

That is to take nothing away from the efforts and the time devoted to this bill, and I obviously applaud the efforts and the time devoted to this bill—the time in debate, the time in committee, and the time spent going

around to other communities. But even then, not as many communities were visited as would have been the wish of the entire committee. That happens, of course, sometimes. We have to put some limits sometimes on some debates. But for important issues such as this one and, frankly, even more important issues such as were being introduced on a fairly regular basis—not regular enough, because this House isn't in session enough—by the Attorney General, we should get the same kind of attention. Not just this red-tape-cutting, technical-clarifying bill which tackled such issues as—let's look at some of the issues that we considered in the hearings. It was, what is the meaning of writing, as in electronic document writing? What is an "original" electronic document? These are the questions and issues raised in the compendium of the act.

I wish we could have looked at the meaning of the Parental Responsibility Act, what other remedies might have been available; how we might have closed the loophole to stop the crackdown on charities that is taking place as a result of the squeegee bill. If we can take anything that goes beyond the scope of the bill in future debates, it is that we ought to be spending the same amount of time on other bills, frankly, of far greater impact on the lives of Ontarians.

I would ask, also, all those who are interested in this issue to consider the important contributions made by Mr Hastings in the debate that took place in private members' business. Some discussion was made at that time on an excellent piece that was published in a national newspaper by Professor Michael Geist. He's at the University of Ottawa law school, and has really become an expert on the Internet and e-commerce transactions. He has made important contributions there. He's very much in support of legislation such as this. I don't know if he's spoken directly on this or not; he probably has.

The article is from October 21, 1999. He sets out the history of all this. It reminds us that we've had this issue before us for really nearly 10 years, notwithstanding the claims of a certain vice-presidential candidate for inventing the Internet. In fact, we've had these important legal issues before us for some time. We're now addressing them, and we applaud that on this side of the House.

I know that Saskatchewan has also introduced the legislation, as I made reference to before. Quebec has made a commitment to introduce the legislation. Whether or not it has actually been tabled before the National Assembly, I confess I'm not aware. In the United States, similar so-called Digital John Hancock legislation was introduced in June 2000.

1620

It is good Ontario is joining the parade in terms of clarifying our position on e-commerce and on the legal consequences of e-commerce transactions. This is a good legislative exercise for all concerned, in terms of trying to get it right. I do hope the government does anticipate the fact that while it has done its best with this particular bill, the committee's done its best and the hearings have done their best to try to anticipate problems in the future,

it recognizes that some amendments may come down the pipe that we didn't anticipate, not unlike the crackdown on charities taking place under the squeeze bill. Perhaps through private members' business we're able to make those changes so we can take private members' bills and have the government adopt them. We've seen that happen on at least a couple of occasions in the last few months.

Further, we can undertake some housekeeping so that what we do in this Legislature and what we do in committee actually has an effect on the legislative process and defies the assumption that I think a lot of people hold today, rightly or wrongly, that all is controlled from the centre. If we have a role to play here as legislators, this bill gave us an opportunity to do that.

Mr Doug Galt (Northumberland): I appreciate the opportunity to join with my peers in debating Bill 88, the Electronic Commerce Act, 2000.

This bill is first about eliminating red tape. It's about modernizing government and its operations with the regulations and the rules and the legislation that we have. It's about investment, and certainly there is a tremendous amount of investment that's taken place in the province of Ontario over the last five years, not to mention the number of jobs that have been created in the province of Ontario. This bill is about job creation, one of the many things it will certainly help with.

Mr Speaker, I'd like to bring this fact to your attention, as well as that of many others in the House here today, that when we speak of jobs, in the month of September there were some 18,100 net new jobs in the province of Ontario. At the same time, the unemployment rate fell from 6% to 5.8%. They talk a lot about concern with youth unemployment. In that very month, youth employment was up some 5,900 jobs.

I think it is exciting that, since the throne speech back in September 1995, Ontario employment has increased by some 768,000 net new jobs, accounting for 48.7% of the national job growth during that period of time. Since the tax cuts back in July 1996, Ontario has gained some 731,000 net new jobs. Since June 1999, we've gained approximately 217,000 net new jobs.

I think it's kind of interesting if you look at this and see what this really translates into. What we're talking about here is that, since the last election, some 3,145 jobs have been created per week in the province of Ontario. Since we took office some five years ago, we've created 2,772 jobs per week, certainly indeed a record to be very proud of.

That's part of why this bill's coming in, to speed that up even more. You can see how much it's been speeding up. That first four years only, if you work out over those four years, it was 2,471, and since this last election we're up to 3,145 jobs per week. The acceleration is picking up, and bills such as this one, with electronic signatures, is one of the things that will increase job creation here in the province of Ontario.

Along with cutting red tape, this is about boosting on-line growth, getting on to the Internet and more activity,

more modernizing. It's about removing outdated legal barriers that really no longer apply with the electronic age we're presently into.

This bill is really talking about electronic contracts that have the same kind of legal force as you would in the past envisage: signatures on contracts, signatures on documents etc. But it's not something that's being forced on anyone. If this is the choice you would like, you have that ability to decide. You can still, yes, ask for it on paper if that's what you want. But when it comes to standing up in court etc, the fact that it's an electronic signature going out is all that's necessary.

Sales on the Internet are mushrooming at absolutely a phenomenal rate. Something like a century ago, in the railway era, the Eaton's catalogue came out. What a boost to people, especially in rural Ontario. Like in my riding in Northumberland, they now had the opportunity to buy from the big city without having to travel there. They had a catalogue to leaf through. Now, 100 years later, electronically we can check around the world and make purchases or make sales. We can put it out there for sales as well.

Thirty years ago, computers were almost something off into the future. Yes, we talked in the 1960s a lot about computers, but they were punch cards and they really were not the electronic wizardry that we have today with the computer chips that now operate them. It really started back in the early 1990s, this whole Internet activity, when just a few libraries, a handful of people, were exchanging by Internet. In 1993—a little after that—it grew to some 50,000 Web sites out there. Now today, we have, I understand, in excess of 250 million Web sites that are out there functioning.

I was recently told that Internet activity is doubling every 100 days. What a phenomenal growth rate, when you think of Internet activity doubling every 100 days. In the past, we've talked a lot about how computers have changed and it's so difficult to keep up with the technology. Recently I heard an individual futurist speaking, and he held up a birthday card and played "Happy Birthday" from it. He informed us that that birthday card did have more computing ability than we had in the world at the time that the man landed on the moon, the man who was sent up from NASA.

Just to give you some indication of the computing power that we have today, our little pocket organizers, which so many of us carry with us to keep us on track with our schedules and phone numbers etc, have far more computing power than a lot of desktop computers had only 10 years ago.

A lot of people don't think they're actually using computers. But they drive a car, they operate modern appliances, they use a telephone, and a lot of them use automatic bank tellers. Most of the time they are in fact using a computer. It's very user-friendly; I agree with that. Nevertheless, the little chip is in there and it's doing a lot of these jobs for them when they turn the handle or push the button or whatever.

This particular bill has quite a bit of meaning. It was a commitment that we had in the Blueprint back in the spring of 1999, again, a Blueprint that talked about investment, talked about jobs. This is indeed what we're doing as we follow through with this particular bill. It's great to see the members across the House nodding in agreement. It's nice to also know that they're supporting this particular bill.

What new opportunities we're going to have once this bill comes forward for business, for consumers. No longer will it be that Eaton's catalogue I talked about of a century ago; it'll be inviting investment around the world.

When you talk about investment, I was pretty excited last Friday to be in Quinte West to assist with the opening of a new plant, a plant that has been operating for several months making plastic tubing for the medical community. They're shipping literally all of their product around the world. Some, of course, is being used in Ontario and Canada, but the major portion is going outside. This is GlobalMed, some 70 employees working in this plant. Very shortly, we're going to be turning sod in that same community for Great Dane Trailers, some 500 jobs that will be created in that plant just around the corner from Globalmed. This is the kind of investment that's occurring here in the province.

1630

The thing that's interesting in this particular bill is that there's also recognition that you can push the wrong button in a computer and, lo and behold, there is the ability for error correction that a lot of us, I'm sure, as we move into the whole area of e-commerce, are pretty concerned with. If you do your banking either by e-mail or Internet or on the phone, you'll realize there are many double-checks that you can use.

This bill is moving along to adopt the international model of legislation that was brought in by the United Nations. It's also recognizing that it will be consistent with the national legislation that has been brought in in Canada as Bill C-6. It's interesting also, as I hinted at a little while ago, that there's a choice, but also there will be no pressure that people have to use this particular activity when they're carrying out business. They can still use the old technology if they prefer. Also, this legislation does not prescribe a particular type of technology that must be used; it's just any of the electronic type of technology that is out there.

This bill, as I alluded to a moment ago, is consistent with what is going on in other jurisdictions, certainly the model of the United Nations and also the one with the Canadian government. As well, around the world this type of legislation is coming into place—in the United States, Australia, Singapore, Hong Kong, Ireland, India, Argentina and Columbia, just to name a few. Recently in Australia there was e-commerce legislation. This was the Electronic Transactions Act of 1999. Their regulations came into effect on March 15 of this year.

As the opposition has pointed out, we're not quite the first jurisdiction in Canada to move ahead, but we're

right along with the first ones. Saskatchewan introduced one back in May of this year; in Manitoba I believe it was June 5 this year that they introduced a bill; and Quebec, as I understand, is currently developing one, and if they haven't introduced it recently they will be in the not-too-distant future.

There was an interesting quote that I came across back last spring. It was in the National Post. I'd like to share this quote with you. It's from John Wetmore, the President and CEO of IBM Canada Ltd. He said, "Governments around the world are taking steps to ensure electronic signatures and documents are legally recognized. In Canada, private contracts are a matter of provincial jurisdiction. We would encourage all provinces in Canada to adopt similar measures to Ontario and help position Canada as a leader in e-business." This is the kind of support we're receiving, and it's also great to see support coming from across the House. It's being recognized in some of the consultations of the Attorney General with the Ontario privacy commissioner that privacy will be protected. It goes on to say, "If passed, the new bill would prohibit organizations from collecting 'biometric' information, including finger or iris scans, signature information, or voice recognition, without consent from the individual."

I alluded a few minutes ago to some of the changes we've been seeing with computers, but there are just so many things that are happening out there. I well recall not too many years ago, back in the late 1970s, when I was serving on school boards, at that time referred to as the Northumberland-Newcastle board of education. We were upgrading our computers, and they had a few sitting on desktops. They were going to take the computers out of three classrooms. They absolutely filled three classrooms, and they had to be totally air-conditioned to be able to operate. They were taking them to the dump. Being very frugal, as I am—Scottish by name and I guess by nature—I was concerned with this wastage of it going off to a landfill. But I was soon informed that all of the computing power in those three classrooms was sitting on a desktop at that time, roughly back in 1977 or 1978, and by today's standards you can understand just how antiquated that kind of equipment was. Those were the kinds of leaps and bounds that were going ahead.

I thought it was interesting to see in the press that some of the new telephones are carried on the wrist, it was one from Japan being carried on the wrist, and they call it a finger phone. The sounds are transmitted from the phone on the wrist—which I find hard to believe—through the finger, and they call it a finger phone. You put your finger in your ear and are able to get the message from the phone that's on your wrist. You know how we go like this to talk and pretend we're on a telephone. I guess that's not too far from reality. I doubt that I'll have one like that in the next day or two, but probably within two or three years we'll see that kind of technology in our market and on our shelves.

There is just one other one I would like to share with you, as I heard a futurist talking about the kind of

computer we'd have in the future. It would be like a set of eyeglasses. That would be the screen. We'd look into our eyeglasses, and it would be voice-activated, with a little microphone possibly on our glasses or clipped to our lapel. In that screen you could get all the information you would require. We've seen them coming down in size and concentration, and at the same time we've seen the mushrooming of the computing power, but I was absolutely intrigued to hear this particular futurist talk about the fact that you would just simply have a set of spectacles on, you'd look into them—that would be the screen—and you would get all the information you would ever need, probably getting it bounced off a satellite, so you could carry it wherever you would want to.

There are just so many exciting things happening in this whole area, and Bill 88 is really about keeping up with that kind of technology. It's great to see a government like ours carrying through, working toward jobs and investment, getting rid of red tape, as we've committed ourselves to, and having had many bills come before this House to do just that.

In conclusion, I want to draw to your attention that the speech from the throne stated, "Your government wants Ontario at the forefront of this revolutionary technology. It has already endorsed a voluntary electronic commerce code of conduct to set a framework for fair business practices on the Internet. Now it is setting an ambitious goal to ensure that Ontario's consumers and businesses seize the opportunities and enjoy the benefits offered by the Internet."

It was also in our Blueprint, when we tabled that back in June 1999, that we were committed to a global Internet and electronic business hub here in Ontario. Certainly we are making an effort to attract business right here to the province. This bill, again, is about investment and about creating jobs in Ontario, which we've been very successful with over the last five years.

The Acting Speaker: Questions or comments? Further debate?

Mr Monte Kwinter (York Centre): I'm pleased to participate in the debate on Bill 88, the Electronic Commerce Act, and to indicate that we will certainly be supporting it. The bill is consistent with the legal model established by the Uniform Law Conference of Canada, which developed the Uniform Electronic Commerce Act.

There is nothing particularly radical about this bill. It conforms very much to similar legislation that has been implemented in other jurisdictions in Canada. It conforms to the American legislation, to the United Nations' recommendation, to the European Community and to virtually every industrialized country in the world. But what it doesn't do—and this is where I have some concern—is address a very specific problem that more and more is becoming predominant and causing a great deal of concern. This bill has not responded to the gaping legal hole in electronic privacy and confidentiality. This was set out in the Canadian bill, C-6. It provides certain safeguards which, for reasons known only to them, this government has decided not to adopt.

1640

What are the ramifications? I'd like to enter into the record a case history. I think it's significant because it brings to the fore some of the problems. This particular case history is an American one, but given the global Net that Canadians and Ontarians have access to, it is conceivable that this situation could, in reality, be an issue that we are going to have to confront.

It deals with a company called toysmart.com. Toysmart.com is a competitor to Toys R Us. They don't happen to be in Canada at the moment, but they could be, in the same way that many American companies, whether it be Wal-Mart or companies like that, are in Canada. Issues like this can quite easily occur. Toysmart.com is a defunct Internet retailer of children's playthings that is currently resting in peace in a federal bankruptcy court.

Ages ago, which means sometime earlier this year—this is a little facetious, but in the cyber world, three months ago is ancient history. What is happening is that technology is advancing so rapidly that the moment you get some new hardware or some new software, it is already obsolete because its successor software or hardware is already getting ready for market.

Earlier this year, "when toysmart.com was one of the hottest on-line marketers of toys, the Web site collected an impressive database of information on its cyber customers and other visitors. Not just names, addresses, billing information and shopping preferences, but all manner of personal background data on toysmart.com customers, including even the birthdates of their children.

"Now, with toysmart.com a casualty of the Internet shakeout, that customer database is pretty much the company's only asset." They went bust; the creditors came in, seized all of the physical assets, inventory, buildings that the landlord foreclosed on them. The only asset the company had was its database, and creditors started "clamouring for the company to sell off that list so they can be paid.

"Problem is, toysmart.com assembled all that valuable information by promising on-line customers that it would be held strictly confidential. Indeed, the company's 'privacy policy' specifically assured visitors to the site that 'when you register with toysmart.com, you can rest assured that your information will never be shared with a third party.'

"Breaking that pledge to satisfy toysmart.com's creditors didn't seem to bother the bankruptcy court, but it did raise a red flag at the Federal Trade Commission.

"Even failing dot-coms must abide by their promise to protect the privacy rights of their customers,'" the chairman said in asking for an injunction to block the sale of the toysmart.com database.

"Inexplicably, however, the commission backed half-way down the ladder by accepting a compromise settlement. Under the deal OK'd by the FTC, toysmart.com will be allowed to sell its 'confidential' customer list to a third party after all. The catch—if you could call it that—is that the purchaser must be another company involved in the 'family commerce market.'

“That settlement proved to be controversial even within the Federal Trade Commission itself.” Two of the commissioners “voted against the sale of the customer list to anyone, arguing that such a move could undermine consumer confidence in all on-line privacy assurances.”

Just picture this. Let's say an on-line pharmacy goes belly up and a parade of creditors are pressuring to sell off that company's customer list. Following the Federal Trade Commission's reasoning in the toysmart.com case, would the pharmacy be allowed to sell its confidential customer list as long as the purchaser was involved in the health care market? Pharmaceutical manufacturers are certainly part of that market, and they might be very interested in the patient information collected by that failed Internet company. Imagine being suddenly bombarded with e-mails, promotional mailings or even phone calls from a drug company touting a new treatment for a sensitive health condition you thought was a private matter between you, your doctor and your pharmacist.

That isn't a hypothetical case; it's a real case. A company that was an Internet provider went broke, and suddenly its database became an asset that was subject to attack by creditors. There is no mention whatsoever in this legislation, and there are other quite significant issues.

To understand how significant this issue is, I want to tell you about a conference that is taking place in Barcelona this month to discuss some of the key security challenges in the developing on-line environment. Security has become increasingly important in developing both public sector and commercial electronic systems, and the Information Security Solutions conference will focus on four main areas: new and emerging technologies; how public key infrastructure, or PKI, can be most effective; B to B, which is business to business, and B to C, business to commerce, experiences; and the political and legal framework for information security. The speakers will include someone from the German ministry of economics and, significantly, James Ladouceur from the Canadian Cryptography Policy Electronic Commerce Task Force will outline the Canadian approach to cryptopolicy and authentication.

That is one of the major issues evolving from this legislation. Under this legislation, people will be able to conduct business transactions subject to certain exclusions, which are spelled out in the act. One of the major thrusts is going to be, how do we make sure that whatever authorization, whatever signature, is authentic? There are all sorts of schemes to do that now. When you talk to the drafters of these various pieces of legislation around the world, they seem to be somewhat satisfied that they have what they call firewalls that people cannot get in to.

One of the other interesting things all of us are familiar with are so-called hackers. These people are computer nerds who love to try to break into secure Internet sites and secure government agency sites. Surprisingly, many of them are quite successful. All we have to do is

remember the viruses that happened. Those were all by hackers who were having fun.

One of the significant things that has happened—and there was an article in *Business Week* about two months ago—is that a new class of criminal is developing. What this criminal does is approach major corporations who have a strong Internet base. They visit them and tell them they have the ability to access their most secure Internet sites. When the executives of these companies balk and say, “There's no way; we are satisfied we have the ability to withstand any such intrusion,” these people tantalize them by giving them part of the e-mail address and also their particular codes. Then they say, “If you want us to give you a complete demonstration, we're prepared to do that,” and having said that, “What we really want is, give us \$50,000, \$100,000, \$500,000, \$1,000,000, \$2,000,000 or \$5,000,000,” depending on the size of the organization, “and we will give you assurances that we will leave you alone.” This is becoming a very serious business.

What has all that got to do with Bill 88? What it has to do is, there is no mention whatsoever of security, confidentiality and the particular mechanisms that could be put in place.

1650

It is impossible for any piece of legislation in any period of time to provide assurances that for this time and for this time after there will not be a problem, but to not even address it and to not even put in place some proviso that would alert people in the IT area, information technology, that this is a problem and they should be ever vigilant, does an injustice to what is, without question, going to be the business-to-business communication technique in the future. It may not be as it today because, when you take a look at information technology, it is advancing at such a major rate and speed that what we think is the latest in advanced technology in a matter of days, weeks, months or years will be totally obsolete, and there will be other, new equipment, new technologies that will in fact supersede what we are addressing with this piece of legislation.

My challenge to the people who are drafting this bill is, surely, there has to be a provision that there's an awareness that all is not well with the security provisions that have been presented. Just to say, “We're not going to deal with biometrics unless there is informed consent of both parties or unless there is specific legislation that calls for it,” is addressing yesterday's technology and not addressing some of the things that could be coming forward.

I certainly am supportive of the bill, because it fills a void that is critical to people who are in the e-business industry, and it is critical that Ontario be seen, hopefully to be a leader, but at the very least, to be a player. It has been a sad lack that companies which have been dealing electronically through e-commerce around the world have not had that legal certainty that if in case they had to go to court, and if in case they were dealing with companies that have a problem, they would have the bare legal protection that this bill provides.

In closing, I would suggest that we certainly pass this bill as it is but that all of us be aware that it is just a beginning; it is a minimum. If, as my colleagues across the floor are touting, this is going to be the greatest and best thing that has ever happened to Ontario, trust me, all you're doing is playing catch-up, but as you're playing catch-up the other team has left the field and is playing in a new game.

With that, I thank you for giving me the opportunity to share my views.

Mr Gerretsen: I certainly completely concur with the comments made by my colleague from York Centre who just spoke, a gentleman who certainly knows a lot about these issues and a lot about the business issues we deal with from time to time in this House.

As I sat here and listened to the members from across the floor, they almost made it sound as if the job creation that has taken place in Ontario is all as a result of this e-commerce bill, rather than dealing with the reality of the situation and acknowledging the fact that one of the reasons why our economy in certain parts of Ontario is doing quite well is as a result of the great economy that they're currently enjoying south of the border—I certainly think Bill Clinton and his people may have had a fair amount to do with that—or as a result of some of the economic policies that Paul Martin has come up with over the last number of years. He has been able to reduce the tremendous deficit we ran in this country on an annual basis for years and years and years.

They made it sound as if it's all as a result of this e-commerce bill. Well, let's never forget that what we have here, as was already pointed out earlier by my colleague the critic for the Attorney General, is minimalist legislation. In other words, it is the least that the province could have gotten away with.

The document I would like to refer to in that regard is the government's own compendium to this act. In other words, this is a document that comes with the bill when it is first introduced. It states that it is minimalist legislation. It's the least they could have done in order to stay up to date with the rest of the world. In other words, if this bill isn't passed, then we would be falling way behind and we would be doing all of those people who are involved in e-commerce business in Ontario a great disservice.

Let me just give you an example of that. Again quoting from the government's own document—not from any propaganda that has been prepared for me or my colleague; this is from the government's own propaganda—it states that in Ontario there are still hundreds of statutes that make absolutely no allowance for electronic communications. For example, the word "writing" appears in Ontario statutes and regulations over 3,600 times. The statutes that are situated behind your throne, Speaker, and the regulations, contain the word "writing." The word "signature" appears over 1,500 times. "Certified" or "certificate" appear over 1,000 times. The word "original" appears over 1,500 times. "Notify" appears over 1,400 times. "Notify in writing" appears nearly 400

times. In other words, if the government had not brought in this bill and people were doing their transactions through the Internet, in effect, they would be contravening these acts. It didn't say how many acts are involved in this particular situation, but just from the number of times that the requirements are in the words I have described, such as "writing," "signature," "notify in writing," which goes up anywhere from 400 times to 3,600 times, you can just imagine how many acts would be involved that people using the Internet could not comply with.

What the government is doing here is the absolute minimum to get involved in the electronic age that is out there, and it has absolutely nothing to do with job creation.

You wonder why this bill wasn't given third reading last May or June. The Parliament of Canada did. They did in Saskatchewan. I'm quite sure they did in Manitoba as well. Here we are, the largest industrial province in Canada, and why are we falling behind? Why did we wait an extra four to six months? If we really wanted to be on the leading edge, we should have been there six or seven months ago.

The other concern I have about this bill, and I think my colleague from York Centre made this point extremely well, deals with the privacy provisions. You've got to remember that this law is basically based on the Uniform Electronic Commerce Act that has been adopted in various jurisdictions throughout the world. We've already heard reference to the places where it has been adopted: Australia, the United States, Colombia and a number of other countries as well. I believe there were about 10 that were listed before: Singapore, Hong Kong, Ireland, India, Argentina and a number of others.

It's interesting that the Canadian Parliament adopted the privacy provisions as well.

1700

This bill, because it is minimalist legislation, the least that the province could get away with, didn't respond to the privacy and confidentiality issues. The Attorney General, I believe, has taken the position that we need another act to deal with those issues that relate to privacy of information as it relates to e-commerce.

Our concern on this side of the House is that we're going to get an omnibus bill one of these days that deals with not only the privacy concerns that come out of the e-commerce legislation we're dealing with here today, but that in effect may be dealing with a whole range of privacy issues. Our real concerns are that the office of the Information and Privacy Commissioner will be reduced and the kinds of things that she will be able to look into will be reduced, that her powers will be severely restricted.

So what we would have preferred to have seen is exactly the same thing as the federal government did in enacting its legislation by dealing with the privacy concerns in this bill as well. Because we all know the record of this government when it comes to issues of privacy and freedom of information.

I know a lot of people may say there's no direct connection, but there is indirectly. We all remember what happened with respect to the POSO bank, the provincial bank where the financial information of over 4,000 to 5,000 depositors was freely given without any check and authority to commercial operations here in Toronto. And it was only those commercial operators that basically said, "We don't want this information. This is contrary to the law."

You may recall that the Information and Privacy Commissioner at that time launched an investigation. In a most scathing report that she issued prior to last Christmas, in November or December of last year, she came to the conclusion that not only was she stonewalled by a lot of the ministry people within the Ministry of Finance, but she received absolutely no co-operation even though she's an officer of this Legislative Assembly. She is not a government employee; she is one of the four officers of this Legislative Assembly, hired by each and every one of us, the 103 of us that are in this Assembly. She did an investigation to find out why the information was so freely given out to commercial interests in the city of Toronto and she was stonewalled by the financial officials. Her report was a scathing attack on the way in which the Ministry of Finance had dealt with that particular situation.

The concern that we have is that once this government decides to deal with the issues relating to privacy matters, as set out by the member from York Centre, the government will take the approach that the powers that the Information and Privacy Commissioner currently has will be further reduced and further eroded. That is a major concern.

So this is not so much question of, isn't it wonderful that everybody in the House supports this bill? Obviously we do. We don't want to fall further behind. We are the leading industrial province in this country and we should have been in the forefront of getting this legislation passed quite some time ago. We don't want to be last. We want to make sure that people aren't hampered because of the limitations that are contained in our current statutes, where the word "writing" for example, appears 3,600 times. If we didn't have this kind of an act, then a lot of the e-commerce that is currently being done in this province could no longer be done on any sort of a legal and sound basis.

So no, we're not on the leading edge of technology as far as this Legislative Assembly is concerned. I'm just wondering—I saw on television the voting take place at the city of Toronto today, you may recall, dealing with the Adams mine situation. I noticed there, for example, that each one of the members had their own television, their own monitor on their desk on which they could get information etc, at their fingertips; their votes could be recorded etc.

Here we still operate as if we're back in the 19th century. The real question is, if we want to remain relevant as a Legislative Assembly, in trying to bring the best laws forward for the people of Ontario, then maybe we have to modernize our operation. Certainly we are not

on the leading edge when it comes to the assembly, and the government is not on the leading edge when it comes to Bill 88, because it is doing just the minimal kind of thing that it can possibly get away with as far as this bill is concerned.

The bill has been endorsed. I have an endorsement here, for example, from the Retail Council of Canada. They think it's a good idea. Undoubtedly there are many other organizations as well, because it is a good thing; it is a start. But the bill could have dealt with so much more than that, so that we're not reacting but rather are proactive.

I'm sure there are some people out there who are still not quite used to the Internet, to computers in general. I know I was like that not too many years ago. I was one of those people who were under the impression that if you pushed the wrong button, the thing might explode or something awful would happen.

Mr Dominic Agostino (Hamilton East): Isn't that the case?

Mr Gerretsen: No, it's not the case. See? There are even some members in here who are still of that opinion, but it's not the case. But I know there are still many people out there who perhaps aren't as up to date in this kind of technology. They're wondering, "How does this bill affect me?" and whether it will affect some of the documentation that they have signed over the years.

They may be interested in knowing that this legislation does not apply to wills, for example. You don't have to worry that all of a sudden, by pushing the wrong button on your computer, you have somehow changed your will. I think it's as important for people to know that as it is for people to know what they can accomplish through e-commerce.

The legislation does not apply to wills; it does not apply to powers of attorney; it does not apply to negotiable instruments such as cheques, land transfers and election documents. Sources close to the ministry explained that these documents were excluded because they require more detailed rules and safeguards that could not be provided in a general statute. So I think the people out there should understand that certainly their wills, their powers of attorney, their property can't be transferred—although they're working on that. New rules and new legislation would have to be put in place to accomplish that, but certainly the current bill doesn't do that.

As has already been indicated, we on this side of the House certainly support this bill, but we support it with a bit of trepidation. We're basically saying that this bill could have been so much more. The government did not have to take a minimalist approach; it could have taken a proactive approach and dealt with all of the privacy-of-information concerns that have already been dealt with.

Mr Agostino: On a point of order, Mr Speaker: It's my understanding that we had an agreement with the whips and the House leaders to have the government move second and third readings of this bill this afternoon, so if someone on the government side is moving that, certainly we're abiding by that agreement.

The Acting Speaker: I'm aware that we do have an agreement, but there is one caucus here that is not participating.

Mr Martiniuk has moved—

Interjections.

The Acting Speaker: The member for Sault Ste Marie.

Mr Tony Martin (Sault Ste Marie): Thank you very much. I feel a bit like Superman: into the phone booth, costume change.

1710

Mr Clark: That's too much information.

Mr Martin: Too much information. That's overload. Anyway, if somebody wouldn't mind getting me a glass of water, I'd appreciate it.

Mr Clark: Would you like some oxygen?

Mr Martin: Yes, that too.

Mr Agostino: On a point of order: I'd ask for unanimous consent to give the member a couple of minutes before we resume the debate.

The Acting Speaker (Mr Michael A. Brown): Is there unanimous consent to give the member a couple of minutes to get prepared, as long as the member for Sault Ste Marie understands this will be deducted from his time? Agreed.

Mr Martin: I want to thank the member from Hamilton East for asking for unanimous consent and allowing me a few minutes.

Before I put some thoughts on the record re this bill, I want to recognize the contribution to my part in this by some of the research people in our caucus research operation, people like Trish Hennessy, Kate Brown and Chris Watson, who did yeoman duty this summer, as we prepared to go on the road with these hearings, to make sure I understood all the ins and outs of the bill and was ultimately able to get up today and put on the record some concerns we have, some thoughts around this bill and how we think it fits the overall strategy or agenda of this government.

At the outset I'd like to say that, in my view, this is another example which will go into a list or litany of missed opportunities by this government. It's a bill that, yes, I think at the end of the day we'll all pass. We've agreed we will pass it at third reading today simply because it has to be passed. When you look at the environment unfolding before us where e-commerce is concerned, Ontario is way behind and needs to get caught up and to put this kind of framework in place. We're not the first in Canada. We're way behind as far as the international economic scene is concerned, and that's unfortunate because we could have been the first. We have a jurisdiction that in many respects has the potential to be a leader in the world where the economy and economic growth are concerned, but we lag behind.

For example, it was said by the member for St Paul's earlier this afternoon that we're the seventh most-wired nation in the world. That means there are six in front of us. There are six ahead of us who have done this. You ask yourself why that is. I suggest it's a pattern we've

seen by this government to be overly reliant on the economic activity that's happening across the border, driven by our US neighbours and friends to the point where we've literally dropped the ball. The Ministry of Economic Development and Trade has become a shadow of its former self under previous governments and is not giving leadership any more, not leading the way, being creative and being innovative where some of this kind of thing is concerned, and is in fact lagging behind.

Some of the members across the way are laughing, but I tell you it's no laughing matter. When a jurisdiction as full of potential as Ontario begins to take up the rear where some of this activity is concerned, I think we all ought to be concerned. This bill is way too late and, in many significant ways, is totally out of context.

I'll give you an example of the thinking of this government where the economy is concerned, their understanding of how an economy evolves, what a province or country needs to do to stay up with or give leadership from time to time in the race to discover new possibilities and new opportunities. When they became government in 1995, they became leader of a jurisdiction in Ontario that was poised to charge ahead and become, in many significant ways, a leader in the world where the economy is concerned. Even though you'll hear the folks across the way suggest that the indicators show they have done some good things, I think you need to look into it a bit further to recognize—for example, they speak about the new jobs they have created. I'll use my own community of Sault Ste Marie as an example. In their first six months in power, they cut close to 2,000 really good full-time jobs. Researchers in the Ministry of Natural Resources, researchers in the Ministry of the Environment, workers in transportation to keep our highways open in the wintertime, to repair and build our highways were just dismissed out of hand as if they were not necessary. Anybody who understands how a jurisdiction gives leadership where the economy is concerned knows we need those kinds of people. We need the skills they bring to the job, we need the knowledge they have and we need the commitment that was there over so many years.

This government doesn't understand that what drives an exciting, dynamic and progressive economy that stays with the leaders is a good public service, a full public service with lots of experience that is motivated, well-educated and committed. What we have seen in this province over the last six years is a civil service that has been significantly diminished. Even the ones who have been fortunate enough to hang on to their jobs, in my experience in speaking with them, are demoralized.

When you look at the other pieces of a community such as Ontario that supports a strong economy—health care, education and concern for the environment—I don't really have to say too much more. I think the story is out there. People are seeing it and feeling it every time they go to a hospital, every time they have to pay for something else that used to be provided to them by government by way of their taxes is no longer there. So we're losing the context within which a bill like this

might have the potential to help us catch up with the rest of the world and in fact become the leader that the government side in this place suggests we are. But the statistics—just one of them that was shared here this afternoon is that we're only the seventh most-wired nation in the world—should indicate to you that there's something missing, something lacking. I suggest to you that because of the economy that's been flowing out there, driven, as we've all said here so many times, by the US economy, this government has gotten lazy and shows a total lack of understanding of what is required and what is needed if we're going to do the right thing and succeed.

When this bill was tabled and we, as a subcommittee of the standing committee that was going to take it around the province for some hearings, met, I suggested we might want to go into northern Ontario because there certainly was some interest, and there was a need, in my view, to get up there to share with people what we were proposing to do here and how it might impact them, and how, instead of being hurt by this new e-commerce economy that's blowing out there, they might take advantage of it to improve their own lot where the economy is concerned. This government said, "Why would we want to do that? Why would we want to take this bill and go anywhere outside Toronto, Kitchener and perhaps Ottawa?" because I guess that's where they make computers. But this bill isn't about making computers; this bill is about facilitating the use of computers within a larger economic environment. This government didn't seem at that subcommittee meeting to understand that, and in my view missed a wonderful opportunity.

1720

As I said when I first started out, it's part of this litany of missed opportunities to actually take a piece of legislation that was about the new economy, that was about e-commerce, and go out there around the province, using the resources they have—and we know they have lots. Every time we turn on the TV these days there's another advertisement promoting what they are doing in health care or what they are doing in education, most of it public relations spin. Why wouldn't they take that kind of resource that they obviously have at their disposal—surpluses coming out of their eyeballs—and take a bill like this out around the province to speak to communities about e-commerce, about this new economy and how it works and how they can participate in it, as opposed to what's happening out there right now?

I suggest to you that particularly in small communities in rural Ontario and all communities in northern Ontario, they see this as a threat. They're afraid of what it might do to them and what opportunity it might take away from them, because they know that a lot of the goods and services that they used to make a living by selling are now being marketed and sold via the Internet. In a lot of those communities the profit margins aren't very big, and so many of them have thrown up their hands and said, "We can't compete with this. We can't participate in this economy." If the government were smart and innovative

and ready to give leadership, they would have taken this bill out to some of those communities and said, "Look, here's what we're trying to do. This is how it works. In fact, this is how it might help you participate in a more creative way in that global economy that's out there, as opposed to it being an attack on your ability to make a living."

I'll tell you, in a lot of places in this province, a lot of small communities around this province, in rural Ontario and northern Ontario, there are people who make some pretty wonderful things, who offer some pretty exciting and innovative services. If they understood the Net and how it could work for them, they could be marketing those products beyond the boundary of their own little community. That's what this bill will give them the ability to do, but they don't know that unless they are listening tonight to this broadcast and hopefully will take some interest and begin to ask some questions, perhaps write to the government and ask them to send some information.

I know that the civil service that worked so hard to put this bill together, until they got the green light by government to actually go ahead and take it out there, had gathered just a ton of information and would be a wealth of intelligence where this is concerned, if asked. I'm sure they would be more than happy to do that. But this government missed the opportunity because they either didn't understand the impact that it will have and could have, or were too lazy to actually get out there and do it. They were more interested in spending their money and their resource on spin-doctoring what's happening in health care and education and the environment, some of the areas where they have found themselves more and more in trouble in the province today, as opposed to, where the economy is concerned, going out there and giving the leadership that everybody expected they would but in fact they haven't been able to do.

Another thing that's of interest to me as I look at this bill and that should be of interest to the people of Ontario, and in fact should be of interest to this government—and I'll get into it a little bit further here once I get into dealing more specifically with the bill itself—is the fact that people aren't using the Internet as much as it was projected they would. If you look at the downturn in the stock market these last few weeks and you read anything about it, you'll understand that it's in the high-tech area, and it's because the projected use of some of the features on the Internet and in computers hasn't been realized. I suggest to you that it hasn't been realized because the people with responsibility—the government in this instance—have not gone out there to work with people, give leadership, educate people so that they might understand and feel comfortable with the Internet and perhaps use it more to stimulate and support our economy here in Ontario as it competes with that global economy out there.

The other thing that's interesting, and again it was raised by the member for St Paul's earlier—and I knew that because I spoke of it during the hearings—is that this

government isn't tabling this bill because of their own cognizance or their own initiative, or because they thought it would be a good thing to do re the Ontario economy and how it participates in the larger global economy. They are doing it because it's required by law. They're doing it because it's required by law, not because they are out there giving leadership, being courageous and intelligent. If they were doing it because of those reasons, they wouldn't have seen Saskatchewan—by the way, a province in this country that is led by an NDP government and that enacted a bill such as this a year ago.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): That guy's quitting. He quit.

Mr Martin: Yes, because he's got nothing else to do. He's done it all. The economy in Saskatchewan is booming and he's reorganized public life and the economy out there, and now he's moving on and he's going to turn it over to somebody else equally capable and able.

There have also been a number of very interesting and important issues raised by a group out there in Ontario today called the Public Interest Advocacy Centre around some of the difficulties that may accrue because this bill will now be in place, once we pass it here today and it's enacted in law, and we haven't done the educating that we needed to do. This government has not done the education that they needed to do. This government is passing this bill out of the context of the work that, yes, will be done over the next six months to a year to perhaps two years by the Ministry of Consumer and Commercial Relations around the question of privacy and the protection of people who, not being very sophisticated in this very sophisticated business area, may find themselves being hurt because they make a mistake, get on the Web one day, press the wrong button, and instead of ordering one item, end up ordering 100. And then what do you do; how do you get out of that?

As I was sharing with somebody just before I came into the House here today, what if I, at home on my home computer, get into the business of buying and ordering and doing business by computer and one of my kids comes home and sits down, and I haven't put in place, because I don't know how to do that, all the protections necessary to stop that young person from sitting down and doing some things that result in, a week later, a load of stuff ending up on my front lawn that I know nothing about? How do I get out of that and how do I deal with that?

Given the fact that this bill has been done in such a hurry, in such a vacuum, out of sync with the really important work that's going to be done over the next six months to a year by the Ministry of Consumer and Commercial Relations around the question of privacy and protection of people, I think we're going to have some problems. We need consumer protection to ensure privacy rights are not violated and to protect against e-fraud and cyber crime. Regulation is one thing; enforcement is another. We need a third party watchdog that has the power to investigate e-complaints, press

charges and enforce the laws. Consumer protection rights ought to be real and enforceable, not virtual. We need to make this consumer-focused, not business-focused.

The Minister of Consumer and Commercial Relations has suggested that the term "consumer" be expanded in this context to protect small business. Small business should be protected under separate legislation that combines protection with accountability and specific guidelines.

1730

Business owners and consumers are two separate entities, however. This legislation should maintain that separation. Recent studies show e-commerce has been a bust in Canada. We need to consider the reasons for this: lack of trust among consumers for e-commerce as well as lack of co-ordination and accountability for businesses initiating e-commerce transactions. Proper e-commerce legislation should protect the consumer for abuses as well as outline clear, specific rules for business use of e-commerce as a marketing and sales tool.

This brings me back to the point I made a few minutes ago, which is that this government should have taken the opportunity it had in front of it with this bill to have gone out there and done some serious public education, some serious consultation, involving people in the discussion around how this will unfold, what they're afraid of, and put in place those protections that are necessary and to have done it at the same time as we're dealing with the specifics of this bill.

Consumer complaints about e-commerce have risen by 1,000%. We need to know that those complaints are being investigated swiftly and with assurance. We don't know that. We also need to know that consumers have legal recourse. We don't know that either. We don't know what this government is going to suggest and what this government is going to put in place, because we're only moving now into the consultation phase of that piece of work, which is so important where this is concerned.

Privacy protection should be key in e-commerce legislation. It should be illegal, period, for any company to share your personal information for marketing or any other purposes. Buying goods via Internet should not in any way be a licence for a business to exploit the use of your personal information. Consumers should not have to fill out a form saying they do not want their personal information shared. It should be embodied in the law that such information should never, under any circumstances, be shared unless under police investigation.

We need to develop regulatory frameworks for cyber-crime, e-commerce and the social and economic impact of the digital revolution. We need to set up a review body to review the impact of any e-commerce legislation within three years of its enactment. Is this helpful to the local economic community's economy or is it not? Is it helping people or is it not? E-commerce is a new beast, and we need to make sure any legislation speaks to the reality of this new concept and its impact on people.

We need to recognize that e-commerce represents a small fraction of how most Canadians do business. Many

low-income Ontarians are frozen out of e-commerce because they do not have the money to buy a computer or surf on-line. Many businesses do not have the resources to set themselves up in e-commerce. Jobs could be jeopardized if we try to turn the real economy into a virtual one. The real economy is where the majority of consumers do business in Canada, and it will remain that way for a good long time to come, I suggest.

While we need to make sure regulations and enforcement are in place for this new way of doing business, we should not fall into the trap of overvaluing e-commerce over real commercial transactions. Also, we need to consider the impact of developing a dot-com economy that further deepens the divide between the rich and the poor and further develops the divide between the Metro area, the GTA area of this province, and the rest of the province, rural Ontario and northern Ontario.

The whole debate on e-commerce centres around maximizing the consumerism around this new technology and keeping up with others, companies and countries, in growth. We need to be thinking further ahead to the impact of a growth-based society on the environment, and we need to look at the very real problem of jobless growth, which this in some very significant ways represents. With greater and greater use of new technologies, we need to have some broader discussions about how we can help the economy produce jobs.

Ann Cavoukian, Information and Privacy Commissioner, said about e-commerce that it is based on the very technology that has led to a renewed concern around privacy for individuals, Internet technology. E-commerce will have to work with consumer confidence and trust, because with competition only a mouse-click away, trust will help win business. Growing numbers of Internet users are fibbing about themselves because they have serious concerns about on-line privacy. In a survey of 200 people in BC by Market Explorers, they found that more than a third falsified personal data, and in a survey of 10,000, two thirds had serious privacy concerns.

This should be running up a red flag for a whole lot of people out there. This should be running up a red flag for this government, and it should say to them that maybe, just maybe, they should be considering holding this off until such time as we have done the consultation around these very, very important issues raised by some very well placed and knowledgeable people. These fears are affecting e-commerce because consumers fear being tracked on-line if they buy over the Internet. Companies need to provide upfront privacy policy agreements and compensation programs in order to motivate on-line consumers to voluntarily give accurate information. Some companies are clueing into this. YOUtopia and BizSmart say they are open about how the collected data will be used and provide comprehensive on-line privacy agreements. They also give away incentives, such as being entered in a draw for a Palm Pilot or collecting You-dollars that can be exchanged for music, movie passes or clothing as you use the site.

It will come down to companies developing better customized reward programs or services to entice users to share personal data. Just because there's a privacy policy doesn't guarantee a company will honour it. One example is Toys R Us, which has a privacy policy but forwarded personally identifiable information to a US marketer. These are some of the issues that many people out there, particularly those belonging to the Public Interest Advocacy Centre, are concerned about where this legislation and this direction by the government are concerned.

There are some financial concerns with on-line banking and on-line investing; we wonder if regulations are adequate to protect people against terrible financial mistakes. For example, the Bank of Montreal's direct investing firm announced on August 16 that it is offering an on-line service that allows investors to search, buy and sell a wide range of fixed-income products such as bonds, treasury bills, debentures and coupons. They say that the service is for experienced investors and that they have on-line access to knowledgeable representatives to answer questions. There is a "quick pick" function, where the user identifies the amount of money they want to invest and is presented with a selection of investment options. The investor line is part of the Bank of Montreal's private client group that focuses on wealth management. Greater amounts of financial transactions and business can be done over the Web.

Do we—and this is where it becomes important—unnecessarily expose people to greater risk of losing their savings—fixed income etc? If there is inadequate regulation and monitoring of these sites and transactions, this government says this is minimalist, and they're proud of the fact that it's minimalist because it doesn't interfere in the market. Well, what about the protection of those people who stand to perhaps lose their life savings? With telephone advice, you are receiving information from qualified certified financial planners, and there likely are monetary mechanisms in place. We don't know that about the computer and the Net.

Another issue that I think we need to take a look at is this whole question of the economic model that this government is, by default, promoting because of its laziness and lack of understanding and overreliance on what's happening in the US. The whole debate on e-commerce centres around maximizing the consumerism around this new technology and keeping up with others—other companies and other countries—in terms of growth. At some point growth is not going to be feasible, even as an economic model. Certainly it is already not feasible from an ecological perspective, but leaving that aside for a moment, to concentrate on the pure economics, growth is no longer producing the necessary jobs for the people of the world, as is demonstrated by the increasingly used phrase "jobless growth."

I would suggest to you that here in Ontario some of the jobs that are being created are less satisfying, no matter how you look at it, than the jobs that were being

created before this government gained the controls of power in 1995.

1740

I go back to my own community of Sault Ste Marie, where probably some 2,000 to 3,000 really good, well-paying jobs, if not more, were summarily dismissed. And in turn, what did we get? I'm not belittling these jobs for a second. We have two or three call centres now setting up in the Soo, and they are jobs that the people in Sault Ste Marie appreciate having, don't get me wrong. We have a casino now in Sault Ste Marie, and there are 500 or 600 people working there. The people who work there are appreciative of having those jobs, but they're the only jobs we have to offer. They are jobs that pay anywhere from \$10 to \$15 an hour. They are not the kind of jobs that used to be there in the 1970s and 1980s.

Why is that so? I suggest to you it's because this government has bought into a program that is minimalist, to use their word. They are taking good jobs that were secure and paid well, had benefit packages attached and pension plans for those workers, and they're dividing them up into two, three and four part-time jobs. So where a person five years ago had one good job that gave them enough money to look after their family, pay the rent and put a little aside for the future, you have that same person now working two or three jobs, all of them contract, part-time, no benefits, no pension and really insecure.

If you go out there today around Ontario and you get a sense that there's an anxiety there now that wasn't there five or six years ago, you're absolutely right. You're hearing what's going on. You're getting a sense of what's happening out there. With all that anxiety and worry and concern on the part of people, is it any wonder that the health care system is stressed to the max and we can't find the dollars we need any more, although they are there, if you look at the surpluses that are being announced, and bragged about, by this government. The health care system is certainly not keeping up with the need that is being created out there by this new approach to the economy that's creating part-time, contract, low-paid, insecure jobs as opposed to those really good, well-paying, secure jobs that we all came to expect would be there for us if we worked hard enough, if we got a good education, if we did the right thing; that just seem to be falling by the way more and more as we move forward.

As a matter of fact, I suggest to you it's not moving forward, it's moving backward, particularly when you consider the attack this government has waged on organized labour, which is one of the only vehicles left out there any more, with a few others—my own caucus, for example; nine of us now—to fight this move to diminish the importance, the benefit and the contribution that having a good job makes to the overall health of the economy of a jurisdiction like Ontario and particularly the economy of communities where those jobs are located.

With greater and greater use of new technologies, we need to have some broader discussion about how we can help the economy produce jobs. By launching right into a

race for e-commerce, we make the assumption that we have assessed e-commerce, given it a thumbs-up and now need to get the biggest possible market share. Well, no. We have not assessed the long-term implications of a technology that threatens to increase consumption while decreasing the need for labour. This is not to say that we will move down the Luddite path, but it is to say that we need to consider solutions to the problem of decreases in labour at the same time as we embark down increasingly high-tech routes. We need to debate all the issues around reduced work weeks, sharing jobs, flexible work arrangements, restrictions on overtime, job displacement by region and sector, green taxes, possible labour opportunities around sustainable development, community development and the third sector, where more work is needed because of government cutbacks. It's not that there isn't a whole lot of work out there—there's a ton of work out there—it's a question of how we value that work, how we recognize the contribution that all of us make to the work that we do, what we get in return and how we keep that ball rolling.

The government's white paper on employment standards shows that the government is not only not addressing the problems of jobless growth but is in fact exacerbating them. In this day and age of excellent growth and continued high levels of unemployment, and increasing poverty and homelessness, why in the world would this government allow the workweek to go from 48 hours to 60 hours? This is the workweek allowed by the law without requiring an employer to ask for special permission of the ministry. This is what is being proposed, I say to the people out there.

The Business Council on National Issues, meeting in April, had the traditional focus on economic growth as the saviour for all our problems. The only mention of Canada's strained health care system was to say that it would only be sustainable with stronger economic growth. They are saying that growth in the consumer economy produces jobs, which produce income-tax revenue which can fund the health system. Why not focus on the actual health care system itself, where doctors and nurses are overworked, stressed and considering leaving for the United States? The sector needs more human resources. Create jobs in sectors that are not focused around consumption and things, but around well-being, and we can generate money from income taxes in these sectors as well.

It always surprises me when people criticize money that we give out to, for example, people who are in need and on social assistance, as if it goes into some big black hole somewhere, as if those people take that money and bury it in a hole in the backyard, as if they take it and put it in some Swiss bank account somewhere, not understanding that in fact every penny you give to somebody in the lower or middle class in our society today goes almost immediately into the economy of the community in which they live. It's spent. It goes to the small business operator, the corner grocery store, the clothing store. It keeps the economy of that community going. Yet to

listen to the folks across the way or the promoters of the Alliance these days, that kind of expenditure on public service or helping people keep their head above water is somehow a waste of money, when in fact what it does is it keeps a lot of the members of some of the organizations that support these folks alive.

Why are we not taxing resource consumption and the bads of our economy through green taxes to produce the finances that would allow us to reduce taxes on labour and employ more people, fixing the damaged public sectors? Similarly, the only mention of growing gap issues and increased homelessness in Toronto at the BCNI meeting, the Business Council on National Issues, was to say that poverty was a symptom of Canada's failure to maximize its economic potential. This was reported in the *Toronto Star*. What about the great prosperity that is occurring right now and the huge percentage of high-end jobs that require exhausting amounts of overtime? Why not share this prosperity and these work hours instead of looking to more and more growth which (1) will come to a crashing halt when there is nothing left for us to buy and when we clue in that consumerism will really not make us happy after all or (2) while it continues is devastating to the ecology of our planet?

The business community is stuck in thinking that what's good for business is good for Canada always. I suggest to you that the agenda of some of the larger business organizations in this country, the chamber of commerce—and I belong to my own local chamber of commerce, and I'm in no way being disparaging of the work they do. But the agenda of the umbrella organizations in my view, in my experience, has completely missed the agenda of the small, local business folks who drive the economy in this province and in this country but who are finding, just as workers are finding in today's economy, that it's becoming more and more difficult to make a profit and to make ends meet and to feel secure and to know that the work you're doing is an investment in your future, because overnight you could lose your business, through no fault of your own and certainly without any input by yourself in that decision.

1750

Most Canadians are not shareholders and they are more concerned with losing their jobs than about losing top executives to the US. A country's success is not solely based on numbers of dollars in people's pockets. Business leaders are going to have to start listening to Canadians, addressing their concerns, and taking responsibility for decisions rather than blaming them on the marketplace.

E-business cluster development relies not just on taxation rates and large capital centres, but on quality-of-life issues, including health and the social safety net. E-business cluster development also relies on strong educational institutions that attract, educate and inspire Internet entrepreneurs.

I was in Ireland this summer. I was there twice. I went over to front a trade mission that we ultimately brought

from Sault Ste Marie. I worked with the chamber of commerce on this. That economy is just booming. While we were there, it surpassed every jurisdiction in the world where the exporting of software is concerned. If you listen to the folks over here and others who write about this, they'll tell you that it's the preferable tax rate they have, the corporate tax rate they have over there, and that's all. I have to tell you that even though that is an important factor and certainly helps in attracting new investment, it's not only that. It's an approach that government takes to the overall development and planning of its economy. It's the leadership that it gives. It's the fact that it brings together all of the players around the table—organized labour, small business, big business, community groups, environmentalists—and they say, "What do we have to do together to improve the lot of everybody who calls Ireland home? What can you contribute? In the end, what is it that you need by way of reward for having participated in the way you do?"

In Ireland, close to 50% of workers are organized, are part of organized labour. That government didn't look at organized labour and say, "You're a problem; you're an obstacle. We've got to get you out of the way." No. They looked at organized labour and saw an asset, saw a valuable resource. They brought them to the table and said, "What can you contribute? Will you work with us in the development of an economy that's going to work for everybody in this country?"

They invested in education. The first thing they did in the early to mid-1970s in Ireland to turn their economy around—and God knows it needed turning around. I was born there and was back several times and saw the difficult time they were having getting themselves out of the economy they were in that wasn't very helpful to most Irish citizens. The first thing they did was invest heavily in education, to the point where today in Ireland there is no tuition fee for post-secondary education. They recognized, as we don't, that where entry level into the workplace around the world used to be a secondary school education, it is now post-secondary. It is now a college or university degree in some area. So Ireland decided to do that.

Ireland is planning centrally, is giving leadership, is bringing everybody to the table, is investing in different parts of the country where it's needed, putting money into infrastructure, investing in education, participating with the European Community in a concept called social inclusion, a term that you would use here and almost think it was a sin where the folks across the way are concerned.

We suggest to you that even though we are going to co-operate with everybody here this evening and pass this bill, there was and is so much more that needs to be done by this government if it's going to show leadership, if it's going to maximize the potential for this bill to enhance our ability to participate out there in that global economy. There are a lot of concerns. There are a lot of questions we all need to get our heads around. We need to look at both the opportunity and the challenge that are

presented in this bill. We need to participate very actively with the Minister of Consumer and Commercial Relations, as he takes his white paper out around the province, where the issue of privacy and protection is concerned for consumers, particularly where the Internet and e-commerce are concerned. We need to be careful that we don't put all of our eggs in one basket.

The digital economy is being given credit for driving the unprecedented period of sustained expansion in the US economy. The high-tech industry has been responsible for almost a third of the real economic growth in the US since 1995 despite accounting for barely 8% of the economy's GDP this year, according to a US commerce department report in June. The reports of Microsoft and Nortel being the greatest influence on the growth of the Dow Jones and the TSE respectively point to our overemphasis and overdependence on the digital sector for economic health. We need to be ready for the

inevitable crash. It would be helpful to be developing other sectors and ideas for the economy as well.

My challenge to this government is to go out there and talk to the people of Ontario about this. Talk to them about the economy, get a sense of where they're at and what it is that they have to offer, and then move forward.

The Acting Speaker: Mr Martiniuk has moved third reading of Bill 88, An Act to promote the use of information technology in commercial and other transactions by resolving legal uncertainties and removing statutory barriers that affect electronic communication. Shall the motion carry? Carried.

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

Being 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1756.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Marie (L)
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Beaches-East York	Lankin, Frances (ND)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
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Brant	Levac, Dave (L)	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Cambridge	Martiniuk, Gerry (PC)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Chatham-Kent Essex	Hoy, Pat (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Davenport	Ruprecht, Tony (L)	London West / -Ouest	Wood, Bob (PC)
Don Valley East / -Est	Caplan, David (L)	London-Fanshawe	Mazzilli, Frank (PC)
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports	Markham	Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Durham	O'Toole, John R. (PC)	Mississauga East / -Est	DeFaria, Carl (PC)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga South / -Sud	Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

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

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

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

CONTENTS

Tuesday 10 October 2000

MEMBERS' STATEMENTS

School closures	
Mr Patten	4487
Garth Carter	
Ms Mushinski	4487
Canadian Women's Foundation	
Mrs Bountrogianni	4487
School extracurricular activities	
Mr Kormos	4488
Mr Lalonde	4489
Communities in Bloom	
Mr Johnson	4488
Emergency services	
Mrs McLeod	4488
Thornhill Wheat Sheaf Festival	
Mrs Molinari	4489
Tax rebates	
Mr Dunlop	4489

FIRST READINGS

Toughest Environmental Penalties Act, 2000, Bill 124, Mr Newman	
Agreed to	4490
Mr Newman	4490
Deaf-Blind Awareness Month Act, 2000, Bill 125, Mr Young	
Agreed to	4492
Mr Young	4492

MOTIONS

House sittings	
Mr Sterling	4492

STATEMENTS BY THE MINISTRY AND RESPONSES

Environmental legislation	
Mr Newman	4492
Mr McGuinty	4493
Ms Churley	4493

ORAL QUESTIONS

Environmental protection	
Mr McGuinty	4494
Mr Newman	4494
Waste disposal	
Mr McGuinty	4495
Mr Newman	4495, 4496
Mr Hampton	4496
Water quality	
Ms Churley	4496
Mr Newman	4496

Agriculture industry

Mr Peters	4497
Mr Hardeman	4497

Labour legislation

Mr O'Toole	4498
Mr Stockwell	4498, 4499
Mr Agostino	4498

Victims of crime

Mr Stewart	4499
Mr Sampson	4499

Northern health travel grant

Ms Martel	4500
Mrs Witmer	4500

Teacher training

Mrs Dombrowsky	4500
Mrs Cunningham	4501
Mrs Bountrogianni	4501

Seatbelts

Mr Galt	4501
Mr Turnbull	4501

Safe streets legislation

Mr Crozier	4502
Mr Tsubouchi	4502

Charitable gaming

Mr Johnson	4502
Mr Runciman	4502

Native people

Mr Hampton	4503
Mr Eves	4503

Road safety

Mr Bryant	4503
Mr Turnbull	4503

PETITIONS

Investigation into child abuse

Mr Cleary	4504
Mr Lalonde	4506

Northern health travel grant

Ms Martel	4504
Mr Hampton	4504
Mr Bartolucci	4504
Ms Lankin	4505
Mr Brown	4506

Education funding

Mr Patten	4504
-----------------	------

McMichael Canadian Art Collection

Ms Di Cocco	4505
-------------------	------

Northern rural medical school

Mrs McLeod	4505
------------------	------

Occupational health and safety

Mr Christopherson	4506
-------------------------	------

Lord's Prayer

Mr Dunlop	4506
-----------------	------

Farmfare program

Mr Christopherson	4507
-------------------------	------

THIRD READINGS

Electronic Commerce Act, 2000,

Bill 88, Mr Flaherty	
Mr Martiniuk	4507
Mr Dunlop	4508
Mr Bryant	4511
Mr Galt	4513
Mr Kwinter	4515
Mr Gerretsen	4517
Mr Martin	4519
Agreed to	4525

OTHER BUSINESS

Visitor

The Speaker	4489
-------------------	------

Question period

Mr Duncan	4490
Mr Sterling	4490
Mr Kormos	4490
The Speaker	4491

TABLE DES MATIÈRES

Mardi 10 octobre 2000

PREMIÈRE LECTURE

Loi de 2000 sanctionnant par les peines les plus sévères des infractions de nature environnementale, projet de loi 124, M. Newman	
Adoptée	4490

Loi de 2000 sur le Mois de sensibilisation à la surdi-cécité, projet de loi 125, M. Young	
Adoptée	4492

TROISIÈME LECTURE

Loi de 2000 sur le commerce électronique, projet de loi 88, M. Flaherty	
Adoptée	4525