



**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 15 November 2000

Mercredi 15 novembre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 15 November 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 15 novembre 2000

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

INJURED WORKERS

Mr Tony Ruprecht (Davenport): Two days ago, Ontario's injured workers demonstrated in front of the Ministry of Labour's offices. I wanted you to know that Dalton McGuinty Liberals stand with them as they request a fair deal from this government.

(1) Injured workers and their dependants should not have to rely on their pensions being topped off by welfare payments. McGuinty Liberals would overhaul the injured workers payments.

(2) Injured workers' benefits should be protected from inflation. McGuinty Liberals would introduce a fair inflation factor to protect workers' benefits from inflation.

(3) We would introduce a stringent program to improve the collection of unpaid and uncollected employers' premiums.

(4) We would reinstate the independence of the Occupational Disease Panel. The panel must be free to research and provide independent advice on the links between diseases and the workplace.

(5) Every injured worker must have the right to independent appeal. McGuinty Liberals would ensure that the Workers' Compensation Appeals Tribunal has the necessary autonomy to ensure fairness, thoroughness and independence for every appeal.

It simply isn't right that we as MPPs will be receiving 17% increases while those who are injured on the job in Ontario get only 0.2% increases.

CARTWRIGHT HIGH SCHOOL

Mr John O'Toole (Durham): I've got very good news for the House today. Last Friday, I attended commencement ceremonies at Cartwright High School in Blackstock. This school continues a tradition of setting excellent standards and many good things happening in a rural community school—a small rural school, I might say. Each year, an exceptionally high number of students graduate and go on to pursue post-secondary education. I congratulate principal Karen Allen as well as music teacher Mr John Beirness and, in fact, the whole teaching community, and also the community involving local business and service clubs that provide bursaries and recognition.

My congratulations also go to Julie Obstfeld, who was the student council prime minister and also the student who achieved the highest OAC average. I would like to add that of the 17 OAC students, 12 were Ontario scholars. On behalf of everyone in the riding of Durham, I congratulate all the students of Cartwright High School and wish them the best of success for their futures.

Congratulations must also go to another group of students in the Cartwright area. Recently, Jessica McLaughlin and Joel Gunther accepted an award for rural youth achievement on behalf of all the young people involved in the creation and running of the Cartwright youth activity centre volleyball league. This award was part of Ontario's second annual award of rural excellence through the Foundation for Rural Living. With no extracurricular activity sports offered to the school, these young people worked together to form their own volleyball league and successfully allowed children to participate. A \$3,200 grant was granted by the Trillium Foundation to help with their expenses.

I commend the students as leaders and future leaders in the province of Ontario.

DOCTOR SHORTAGE

Mrs Lyn McLeod (Thunder Bay-Atikokan): It's almost a year since the McKendry report on the shortage of doctors was released and almost a year since the Minister of Health established the Peter George task force to advise on how to implement the McKendry recommendations. Every time this issue is raised now, the minister says she is waiting for the task force report. Well, so are we all, and the crisis in access to physician care is becoming more critical with every day that we wait.

In northwestern Ontario as of September, there was a shortage of 55 family doctors and 48 specialists. About 30,000 people in Thunder Bay have no family doctor. One of these 30,000 is Terry Loyst, who has multiple sclerosis and desperately needs a physician who can prescribe medication to relieve his pain. Another is an asthmatic patient who has lived in Thunder Bay for three years and still has no family doctor.

The shortage of specialists creates another kind of crisis. The waiting time to see an ophthalmologist in Thunder Bay is two and a half years, yet ophthalmology isn't even one of the areas identified by Dr McKendry as facing a critical shortage across the province. We know that across the province there is a shortage of cancer

specialists. We know there is an even greater shortage of obstetricians, orthopaedic surgeons, general surgeons, anaesthetists, psychiatrists and pathologists. We know that 107 communities are now underserved for family physicians, that 25% of Ontarians do not have a family doctor. We know that the two obstetricians in Owen Sound are no longer accepting new patients.

We can't wait much longer for the government to act. We need more medical school spaces, more residency spots, more opportunities for foreign-trained doctors to obtain Ontario licences, and we need decentralized medical school training.

We look to the task force report to recommend all these initiatives, and for the Harris government to act on them immediately.

RESTORATIVE JUSTICE

Mr Bert Johnson (Perth-Middlesex): I'd like to tell my colleagues about the actions being taken in Perth county to assist troubled youth in conflict with the community.

Yesterday in Stratford, the PACT advisory committee hosted the first annual restorative justice event, as part of National Restorative Justice Week. PACT stands for Perth Alternatives and Choices for Troubled Teens.

Restorative justice is about restoring relationships and about healing rifts. It encourages offenders to be aware of their actions and their impact on the community. It also gives victims, offenders and the community a voice in the justice system.

Madam Justice Catherine McKerlie was the keynote speaker. She spoke about the important role that restorative justice has in the justice system.

The PACT advisory committee established a diversion program, which is an early intervention program for young offenders, as well as a suspended learners program that focuses on creative responses to suspended students.

The restorative justice efforts in Perth county have also strengthened working relationships between police, social services, schools and the community, in an effort to address both the needs of the young people and the needs of the community.

I'd like to congratulate Kelly and John Mistruzzi, owners of Family and Company in Stratford, who received this year's Restorative Justice Award.

I'd also like to applaud the efforts of the PACT advisory committee for helping to build a safe and healthy community in Perth county.

MIKE WEIR

Ms Caroline Di Cocco (Sarnia-Lambton): I'm pleased to rise in this House today to congratulate Mike Weir, a Sarnia native, on his successful season ending on the PGA golf tour. Mike Weir won the biggest golf tournament in his life on Sunday at Valderrama.

He comes from the suburb of Brights Grove in Sarnia, where I live, and his parents still live there. It's known

that Sarnia-Lambton, by the way, has the largest number of golf courses per capita in all of Canada.

Mike Weir had a rough start when he had to requalify for the PGA tour, and then he won the qualifying tournament, which put him back on that tour. He won, of course, the Air Canada Open in Vancouver, and last week he won in Spain.

No other Canadian has won so much money on a tour; he has finished sixth in the season's winnings.

Mike Weir's home course is at Huron Oaks in Brights Grove, and he doesn't forget his roots. He holds a junior golf clinic during the week of the Bayer golf tournament at Huron Oaks every year. He also participates in the Sarnia Sunshine Foundation charity golf tournament on that same course every year.

Mike Weir is considered a local sports hero. He's raised the profile of golf for young Canadians, just as Tiger Woods has done for Americans.

Congratulations to Mike Weir and his family on his remarkable accomplishments in the world of golf. Mike Weir is Canada's greatest ambassador for golf, but always mentions his roots in Brights Grove, Sarnia.

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: I'd just like to point out that Mike Weir's caddy is a young gentleman by the name of Brennan Little, who's a resident in my riding, in St Thomas.

ONTARIANS WITH DISABILITIES LEGISLATION

Ms Marilyn Churley (Toronto-Danforth): Later I will be presenting a motion written in Braille as a symbol of one of the many barriers people living with disabilities face in Ontario today.

My statement endorses the only thing any Tory government member has done for people living with disabilities in this and other legislative sessions. It supports the bill put forward by MPP David Young to make June Deaf-Blind Awareness Month.

While the effort is honourable, the simple reality is that hundreds of thousands of people living with disabilities in Ontario are begging this government to keep their promise and bring in a strong and meaningful Ontarians with Disabilities Act. This government continues to refuse. You might be willing to dedicate an awareness month, but you refuse to bring in laws that would tear down barriers to the disabled in Ontario, barriers like the inability to have a simple statement read aloud in Braille in the Legislature, which is supposed to represent all Ontarians, not just those with sight.

Today, the Ontarians with Disabilities Act Committee is holding an event in the Legislature to raise awareness for the growing call to tear down barriers in Ontario. The NDP disability critic, Tony Martin, is holding a similar event today in his home riding of Sault Ste Marie.

We ask the same thing of this government: will you please make good on your promise to bring in an ODA? Stop stalling and table it here in the Legislature today.

1340

TRENTON MEMORIAL HOSPITAL

Mr Doug Galt (Northumberland): I rise today to inform the members of this House about tomorrow's official opening of the newly renovated Memorial Hospital in Trenton. Tomorrow's opening marks the beginning of a more modern, efficient service for patients in the east Northumberland and Quinte regions. The new, 45,000-square-foot addition is state-of-the-art, bright, climate-controlled and barrier-free. It also houses ambulatory clinics, an emergency department, a patient care unit with 40 beds, a special care unit, patient registration and operating rooms.

This project took more than 10 years of planning, negotiations and community fundraising. It was promised, but never approved, by former governments.

The initiative is a success, thanks to the persistence, hard work and dedication of both Quinte Healthcare and the Health Services Restructuring Commission. With the support and commitment of this government, and the work of Quinte Healthcare, the people of Northumberland and Quinte west now have access to the most modern and most efficient hospital facility of any in the province.

Our government is indeed committed to building a province that meets the changing health needs of all Ontarians. The new Trenton Memorial Hospital is a perfect example of that commitment.

WINTER HIGHWAY MAINTENANCE

Mr Michael Gravelle (Thunder Bay-Superior North): While the calendar may say that winter officially begins on December 21, there is no question that the winter season is now upon us in northern Ontario. In fact, the government even acknowledges this as the Ministry of Transportation has for many years designated tomorrow, November 16, as the day when winter maintenance standards officially go into effect.

With all the changes over the past five years, particularly the massive move to privatization of this service by the government, I want to put the Ministry of Transportation and the private contractors on notice today that we are watching their performance very closely this year. While the ministry maintains their standards have not declined over the years, I and the driving public clearly disagree. But, as the saying goes, the proof is in the pudding.

But one thing is irrefutably clear: we are seeing many more highway closures the last few years than ever before—even in our mildest winters. I recognize that these closures are put in place to ensure the safety of the driving public, but my question is: could some of these closures have been safely avoided if maintenance work had been done in advance?

This past weekend, for example, the Trans-Canada Highway between Nipigon and Marathon was closed for a few hours because transport trucks could not make it up

some of the steep hills on that section of the highway. Had the road maintenance crews been sent out in advance ready to salt those sections, it's quite likely this closure could have been safely avoided. While it may save money to simply close a section of highway so that contractors can do their job unimpeded by traffic, it is my belief that these road closures, if they can be safely avoided, should be. Drivers in the north who must frequently travel long distances deserve that consideration.

FEDERAL CORRECTIONS SYSTEM

Mr Garfield Dunlop (Simcoe North): I too congratulate Mike Weir on his magnificent performance.

However, as a Canadian, it is very disappointing to watch on a weekly basis the embarrassment that our federal corrections system is to our country. Although the minister of corrections, Lawrence MacAulay, is ignorant enough to claim that we have "the best system in the world," it is very unfortunate that he does not consider the detention of convicted cop killers in minimum security facilities to be important to those of us who are concerned about the safety and security of Canadians.

Only five years ago, Clinton Suzack was convicted of first-degree murder in the death of Sudbury Police Constable Joe MacDonald. He now has been sent from Kingston Penitentiary to a medium-security facility in Mission, BC. Rose Cece and Mary Taylor, who murdered Toronto police Detective Bill Hancox, shared the same cell at Club Fed, a Joliette, Quebec, facility until Ontario Minister Rob Sampson shamed federal corrections into separating them. Gary Fitzgerald, who murdered OPP Constable Richard Verdecchia and left Orillia OPP Constable Neil Hurtubise on the road to die, escaped a BC minimum security facility named Ferndale. And last week, James Hutchison, convicted of executing two east coast police officers, simply walked away from the Kingston Humane Society while on an escort pass.

Over the last few months I've listened to the rhetoric, fear-mongering and scare tactics from members of the opposition as our minister of corrections has genuinely established guidelines to reform an outdated, ineffective and inefficient corrections system here in Ontario.

I challenge the Leader of the Opposition to show respect for the dedicated police officers of our province and demand that his federal cousins stop this act of allowing convicted police murderers on to the streets and into the neighbourhoods of our country. Show us, one time, that you have the courage to act on behalf of Ontarians.

LEGISLATIVE PAGES

The Speaker (Hon Gary Carr): I would like to ask all members to join me in welcoming our new group of pages. We have Jared Baker from Durham; Geoffrey Baklarz from Guelph-Wellington; James Beange from Oak Ridges; Pascale Bouchard from Algoma-Manitoulin; Aaron Core from Lambton-Kent-Middlesex; Alexandra

Davey from Pickering-Ajax-Uxbridge; David Fagerdahl from Kenora-Rainy River; Timothy Love from Peterborough; Silvia Maida from Etobicoke Centre; Timothy March from Scarborough East; Victor Nifo from Etobicoke-Lakeshore; Jessica Paczuski from Parkdale-High Park; Jenna Scharman from Kitchener Centre; Katherine Scott from Brant; Andrew Spinner from Windsor West; Allison Stark from Hamilton West; Miranda Virtanen from Nickel Belt; Adam Warren from London North Centre; Rosemary Wilson from Chatham-Kent-Essex; and Heather Witlox from Parry Sound-Muskoka.

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

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg to inform the House that today the Clerk received the 14th report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

KMFC HOLDINGS INC. ACT, 2000

Mr Ouellette moved first reading of the following bill:
Bill Pr28, An Act to revive KMFC Holdings Inc.

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

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

VISITORS

Mr Dave Levac (Brant): On a point of order, Mr Speaker: I want to bring to the attention of the House a very special visit from the Brant-Haldimand-Norfolk Catholic District School Board, students from all across the board, visiting to learn about democracy, organized by teacher Mr Terry Dunigan and principal Terry Slaght, I'd like to welcome them here in the House today.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Frank Klees (Minister without Portfolio): I seek unanimous consent to put forward a motion regarding private members' public business.

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

Hon Mr Klees: I move that notwithstanding standing order 96(g), notice for the ballot number 54, standing in the name of Alvin Curling, appear on the orders and notices paper by Monday, November 20, 2000.

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

Motions?

Ms Marilyn Churley (Toronto-Danforth): I have a motion.

The Speaker: There isn't a provision to introduce a motion by a member.

1350

Ms Churley: May I have unanimous consent?

The Speaker: What you could do is say very briefly what the unanimous consent is so everybody knows.

Ms Churley: I'm asking for unanimous consent. It's a bit of an unusual request, but I have a motion with respect to establishing June as Deaf-Blindness Month in Braille in both official languages, and I would like to ask that the Clerk read this to the Legislature. I would ask—

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

Ms Churley: So you're not going to allow me—

The Speaker: I'm afraid I can't. The orders don't allow it, other than if there is unanimous consent, and I'm afraid I did not hear it. Unfortunately, I can't break the rules.

Ms Churley: May I ask for another unanimous consent?

The Speaker: Unanimous consent on another subject?

Ms Churley: May I present this as a motion and have this brought to the Clerk to table?

The Speaker: What you can do is just send it up to the clerks, if you'd like. That doesn't need a motion just to send it to the clerks, if you would be so kind.

Ms Churley: May I make a brief statement on what this motion is about?

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

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The opposition was informed that the Premier would be here for question period, and we wonder if that is still the case.

The Speaker: Yes. We did wrap up rather early. I knew if I stalled long he would come in. It is now time for oral questions.

ORAL QUESTIONS

MEMBERS' COMPENSATION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. It is quite clear that if there is one common thread of interest that has run throughout your political career, it has been your per-

sonal interest. In 1975, when you were a trustee at the Nipissing school board, you voted yourself a 166% pay hike. In 1997, you gave yourself nearly \$1 million as a pension payout. During the past several days, you said you want a 42% pay hike. We've said no and the people of Ontario have said no. You've also said you want a 33% pay hike. We've said no and the people of Ontario have said no. Now we understand you want a 17% pay hike. We say no and the people of Ontario are also saying no.

How can you justify your exorbitant demands for pay hikes and speak to your employer in this matter, the people of this province?

Hon Michael D. Harris (Premier): I apologize for my voice, but hopefully, with technology and the assistance of my friends, you'll all be able to hear me.

First of all, I would like to indicate that I have very publicly been on the record over the last 10 years in support of no pay increases at all. In addition to that, I have supported pay cuts of 10% over the last 10 years, so not only have MPPs not had a pay increase over the last 10 years, they've had pay cuts equivalent to 10%. I also supported a bill that scrapped the tax-free allowance, something that I wish the federal government would do. I also supported a bill that eliminated the gold-plated pension plan and replaced it with an RRSP. Those are the things I have supported and are well on the record.

In addition, I indicated that there would be no restoration of the 10% pay cut, as long as I was Premier, until the books were balanced. The books are balanced so I'm prepared to consider, if the parties wish that—

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

Mr McGuinty: I think that many Ontarians don't really know this: you took close to \$1 million in 1997 as part of your pension payout—this from the guardian of the public purse.

I believe that we, the members of this Legislature, who enjoy the privilege of public service, are at the end of the day nothing more and nothing less than public servants. In that regard, we are like our teachers and our nurses and our firefighters and our police.

You have told them they're not entitled to anything more than somewhere between 2% and 3%. I think we deserve the same kind of treatment here in this Legislature, as a matter of fairness, as a matter of principle and understanding that we too are public servants. Premier, in all of the circumstances, given what our public servants have received, do you not agree that we should be getting something in the range of 2% to 3%?

Hon Mr Harris: Because the matter is one for all MPPs, I think this is a matter that should be decided by MPPs. I've been very clear on the record supporting no increase for a 10-year period, in fact pay cuts for a 10-year period and no chance of restoring that 10% until the books were balanced, which after the disgraceful record of you and the NDP we finally were able to achieve last June.

You're quite right: I took a pension payout equivalent to \$49,000 a year. Had I not done that, I would be entitled now to a pension of \$104,000 indexed for the rest of my life. As a result of that change to the RSP, my pension is now worth half what it would have been had I left the previous legislation in place. That is something I voted for, to scrap it. I thought it was the right thing to do. You voted for it. Your party voted for it. If you now have changed your mind, we'd be delighted to hear that.

Mr McGuinty: Premier, in 1995 you promised, "Never again will politicians' pay be settled behind closed doors or through backroom deals." Rather than send your House leader on wild goose chases and then later pull the rug out from under his feet, why don't you and I talk about this here, right now?

During the course of the next three years, I am proposing that we each receive—it's interesting how the House quiets on this matter—a 2% pay hike. That's 6% over the course of the next three years, nothing more and nothing less, to take effect January 1, 2001. Let's pull this out from under the table and put it on top of the table. There's a proposal. I think it's fair, I think it's just and I think it's perfectly in keeping with what we've been awarding our public servants.

Hon Mr Harris: In addition to making the commitment in support of the 10% pay cut, I was also very clear that I didn't think we should set our own pay, so I also supported a process to have the Speaker, when the books were balanced, have an independent commission. You supported that. The NDP supported that. You've now clearly changed your mind on that. That's fair. That's your right to do. Nobody is saying you don't have the right to flip-flop and change your mind.

Now you're asking me to have the MPPs set the pay. On that basis, you're 6% too high.

Interjections.

The Speaker: Stop the clock please. Order.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Dalton McGuinty (Leader of the Opposition): The question is to the Premier, but just so we are clear, I said 6% over three years. The Premier believes that 42% is still acceptable, 33% is still acceptable and so, somehow, is 17%.

My question has to do with the absence of an Ontarians with Disabilities Act, yet to appear—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock please; sorry to interrupt. Order. On to the next question. Sorry for the interruption, leader of the official opposition. You can start again. We'll have the full minute.

1400

Mr McGuinty: Premier, we in the Liberal Party believe that our family members—our brothers and our sisters, our sons and our daughters, our mothers and our fathers—who have disabilities have every entitlement to achieve their full potential here in our province. We

believe they deserve every right of access to opportunity, and that's why we have supported from the outset a real and a strong Ontarians with Disabilities Act.

Premier, you made that kind of promise five and a half years ago. Over two elections ago you made that promise, and you have yet to introduce in this Legislature a real Ontarians with Disabilities Act. Premier, why do you continue to fail Ontarians with disabilities?

Hon Michael D. Harris (Premier): You're quite right; we have committed to bring in an Ontarians with Disabilities Act. I think the minister has made the commitment in any one of a number of meetings from July 27 to September 28, on November 23, September 8, in meetings with Mr Lepofsky of Ontarians with disabilities, and indicated that we would be consulting. She has been, as you know, consulting not only on an act but on a whole plan, not just legislation, for persons with disabilities and has made a commitment I think for 2001 that we would have legislation in place and hopefully, with your support, enacted.

We are in that consultation process and on schedule to meet those commitments.

Mr McGuinty: Premier, you have been dragging your feet for five and a half years on this very important issue, and when it comes to gaining some real insight as to what your true intentions are, I talked about that. The most important date you left out here was the date on your secret cabinet document: August 29, 2000. It's marked "Confidential," and I talked about it before in this Legislature. It says in this, and this is absolutely breathtaking, that you are firmly committed to use "existing mandatory requirements and enforcement." You're not talking about a new law with new teeth; you're talking about going ahead with the existing law, which is grossly inadequate.

You also say in this secret document that you are going to commit to strengthen penalties for unlawful use of disabled parking permits and spaces. I can tell you that kindled a great deal of warmth in the disabled community right across this province.

Premier, will you admit it now? Five and a half years ago you never had any real intention of helping out our disabled community, and to this very day you still have no intention whatsoever of coming to the assistance of our disabled community in making sure they find opportunity here in Ontario.

Hon Mr Harris: Au contraire. In fact we did introduce an Ontarians with Disabilities Act in the last session. It was the first of its kind in Canada. You wouldn't introduce the act; the NDP wouldn't introduce the act. I know you say it wasn't as strong as you'd like it, but it was more than you had done and more than the NDP had done.

In addition to that, a number had said we should go back to the drawing board and consult, which we have agreed to do, and we are on schedule with that process. In addition to that, in spite of the fact that we inherited an \$11-billion deficit, since 1995 we have introduced some \$800 million in new spending to the benefit of the disabled community. I can give you a few: \$60 million in community living opportunities; in 1997 we announced

\$15 million more in additional funds to support adults and children with developmental disabilities in the community; another \$3 million in 1998; in 1999, another \$35 million more in support services to help persons with developmental disabilities live in the community; in 1999 another \$2 million partnership—

The Speaker: Order. The Premier's time is up. Final supplementary.

Mr McGuinty: Premier, the jig is up. You have been found out. You have done nothing of substance during the last five and a half years. You're in your sixth year of government. Back in May 1995 you said you were going to introduce a real Ontarians with Disabilities Act, something that was going to be strong, something that had real teeth, something that would require that we have some real movement in Ontario to make sure that Ontarians with disabilities get a seat at the table of opportunity, and during the course of the past five and a half years you, Premier, have done nothing.

The question I have for you, on behalf of the one and a half million Ontarians with disabilities—and I'm talking about our brothers and our sisters, our sons and our daughters, our mothers and our fathers, all people who want to contribute, all people who have the right to achieve their potential—is, why do you continue to fail them?

Hon Mr Harris: I'm sorry the Liberal leader doesn't think \$800 million is a substantial amount of money, but we, with the massive deficit we inherited, think it is. If I could perhaps continue with some of the list, in 1997 in the Ministry of Health, another \$25 million over five years to match funds raised by the Ontario Neurotrauma Foundation; another \$20 million in 1996; \$23.5 million of new money in 1996; \$8.4 million of new money in 1995. So not only have we committed, unlike the Liberals when they were in power and unlike the NDP when they were in power, to bring in the first Ontarians with Disabilities Act in Canada—not only are we committed to that, not only are we consulting to do that—but even without the act, we have now announced over \$800 million in brand new spending to the benefit of those with disabilities in Ontario. We're very proud of that record.

MEMBERS' COMPENSATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. You're quoted in the press today as saying you're prepared to push through an outrageous 42% increase in pay for MPPs. For you that would mean a salary of \$200,000. It also means you're the Boss Hogg of all the Conservatives who want to feed at the public trough. Premier, at the same time that you've frozen the minimum wage for six years, that you've frozen the income of people who receive social assistance for five years, that you're saying to nurses and child care workers and teachers that they ought to accept 2% or less, how do you justify a 42% increase for yourself and the rest of your Conservative colleagues?

Hon Michael D. Harris (Premier): (inaudible)

The Speaker (Hon Gary Carr): Supplementary?

Mr Hampton: Well, Premier, you must be changing your tune, in which case I guess we want to know who speaks for your government: you, as Boss Hogg in this case, or Deputy Sterling?

Premier, yesterday Mr Sterling tried to justify these increases by saying that members of the public service have received a 100% pay increase. But we did some checking, and if we go back to 1980, the 20 years he refers to, MPPs were being paid \$24,500 taxable plus an \$8,000 tax-free allowance. Under your government, MPPs are now paid \$78,000. That's already an increase greater than 100%, so even your attempt to justify it that way doesn't work. The question is, how do you justify this proposed outrageous increase when you're limiting everyone else in the province who has a much lower income? How do you justify that?

Hon Mr Harris: I think the leader of the New Democratic Party is aware that what I have supported since I've been the leader of my party is no pay increases for 10 years, because with the books not balanced I thought that was reasonable. In addition I supported 10% pay cuts, because again I felt we were asking others to cut back in those times to help us fix the mess you left us. I have also voted to do away with and scrap the pension plan, so it's an RRSP, as you've already heard. For me personally that meant a cut in my pension of more than 100%.

In addition, I think you are aware that we did away with the tax-free allowance, something I would encourage all politicians to do. In addition I supported legislation, as you did, that would say we ought not to set our own salaries.

The Speaker: Order. The Premier's time is up.

Interjections.

The Speaker: Order. Final supplementary?

1410

Mr Hampton: Premier, last spring you were proposing a 32% increase; last week you were drafting legislation for a 42% increase. You can talk about pensions. I think everyone knows you took a \$1-million lump sum out of the pension fund that you can now invest at 10%, 15% or 20%, whatever you want. So you haven't made any sacrifices, and don't try to confuse people.

The real issue is this: don't you think that if you're going to limit the teachers, the child care workers, the nurses and the hospital workers to 2% or less, don't you think if you're going to freeze the minimum wage, that MPPs ought to be held to the same rules: 2% or less? Don't you think that's the only fair way to go about this?

Hon Mr Harris: I don't know what all the babbling and what the member is talking about have to do with reality. The reality is, I've shared with you my record since becoming leader of this party, and it's been a wage freeze and in fact a 10% pay cut, honouring the commitments that we made in the Common Sense Revolution to do away with those hidden perks that were there.

I do know your record. Your record was to phone me after the election and beg for a 40% salary increase by making you leader of a party that you were no longer entitled to. Your record was that your House leader should get a 25% pay increase by being a House leader of a party that wasn't recognized. Your record is that your whip should get about a 25% increase. Your record was that your caucus chair should get this 25% increase. Your record is that the Deputy Chair of the committee of the whole should get this 25%—

The Speaker: Order. The Premier's time is up.

New question.

DOMESTIC VIOLENCE LEGISLATION

Mr Howard Hampton (Kenora-Rainy River): My next question is for the Premier also. I would say to the Premier, you're sounding pretty desperate these days.

Premier, I want to know why you are handcuffing judges and preventing them from seizing firearms from abusers. In the much-boasted-about legislation you've presented, which you call An Act to better protect victims of domestic violence, a convicted abuser could have a veritable arsenal of firearms, but unless he has specifically threatened to use one of those guns to kill the woman victim, under your legislation the judge can't order the firearm seized when the judge is issuing a restraining order. This is just another example of your usual approach to protecting the victims of domestic violence: lots of talk and no action.

Will you guarantee here today that you will change your legislation to give judges the discretion they need to do everything they can to protect women who are the victims of domestic violence? Will you amend the legislation to give them the discretion to seize firearms in those circumstances?

Hon Michael D. Harris (Premier): I think the Attorney General can respond.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): In response to the member opposite, the Domestic Violence Protection Act, which is in committee now going through clause-by-clause, as the member probably knows, brings forward the recommendations and is based on the recommendations of the Joint Committee on Domestic Violence and on the coroner's jury report arising out of the May-Iles inquest. Those inquest results and the report both made far-reaching recommendations with respect to the content that legislation ought to have in addressing domestic violence, and indeed this bill, I think it's fair to say, has been reflected on positively by those persons who performed those studies, particularly the Joint Committee on Domestic Violence.

Mr Hampton: I can't believe what the Attorney General just said. You must know that under the provisions of the Criminal Code, where someone is being tried and convicted of assault, the judges have the discretion to order that firearms be surrendered. You said when you introduced this act that it was going to in fact go further

and make improvements in terms of protecting women who have been the victims of domestic violence, but in fact what you're doing here is you're going to take away the kind of discretion that judges ought to have. You're going to say that judges don't have the discretion to order the surrender of those firearms. This isn't going to protect women; this means you're going to put women back in the situation where someone who has already abused them has easy access to a firearm.

You should know that of the 43 women who have been killed since the May-Iles inquest, over half of them were killed with a firearm. Are you going to do the right thing? Are you going to give the judges the discretion they need here to protect women, or are you on the side of the gun lobby again, Minister?

Hon Mr Flaherty: I'm on the side of people who actually read bills that are before the House. The provision with respect to intervention orders in subsection 3(2), paragraph 7, provides that the judge may make an order requiring a peace officer to seize "any weapons where the weapons have been used or have been threatened to be used to commit domestic violence."

Interjection.

The Speaker (Hon Gary Carr): Member for Beaches-East York, come to order please. New question?

Mr Michael Bryant (St Paul's): Attorney General, I also am in favour of reading the bill. The Liberal amendment was tabled on November 9. It's very straightforward. It goes further than the provision that you just described. The problem with the provision you just described is we have to hope that the abuser is a bad shot before the judge has the discretion to intervene. The Liberal amendment introduced on November 9, debated—and your parliamentary assessment said that he did not support it yesterday—simply gives discretion to the judges to intervene and seize those weapons without all the caveats that you've just added. It's not too late, though. It hasn't gone to a vote. A very straightforward question: yes or no, will you support the Liberal amendment currently before the justice committee that will give judges the full discretion that is needed to protect victims of domestic violence?

Hon Mr Flaherty: The bill itself, as the member knows, deals with domestic violence, a very specific subject matter. The bill itself, as I mentioned, permits the judge making the intervention order to require a peace officer to seize any weapons where the weapons have been used or have been threatened to be used to commit domestic violence.

Not only that, the bill goes beyond that and authorizes the judge to authorize a police officer not only to seize the weapons, but to seize any documents that authorize the respondent to own, possess or control a weapon described in the previous subparagraph. So this bill not only authorizes the judge to order that weapons be seized, but—

Interjections.

The Speaker: Order. The Attorney General, take a seat. Order. I'm not going to allow people to be shouted

down in here when they are trying to answer a question. If it gets to that, then I'm going to name you and throw you out, simple as that. Sorry, Attorney General, I think you had about 10 seconds left.

Hon Mr Flaherty: As I was saying, the bill goes further than the member describes. Not only may the judge order that the police officer may seize the weapons that have been used or even threatened to be used in a situation involving domestic violence, but also the police officer would be authorized, if the judge saw fit to do so, to seize the documents that permit the individual to possess those—

The Speaker: The Attorney General's time is up.

Mr Bryant: This is an absurd position to take. You have the opportunity, and I would urge you to take it, to in fact give judges the full tools they need. You should have heard the parliamentary assistant's argument. He said that it went too far. Do you know what he said? He said that this would be a problem—the Liberal amendment—in rural areas. Let me tell you that domestic violence is just as culpable and just as wrong in rural areas as it is in urban areas.

I'll tell you something else he said. The parliamentary assistant said, "How far will you go?" Dalton McGuinty and the Ontario Liberals are going to go as far as we possibly can. We will go to the wall for victims of domestic violence.

Minister, yet again, the people of Ontario, Ontario Liberals, are on the side of victims of domestic violence. Tell us why, yet again, is your government on the side of the gun lobby?

Hon Mr Flaherty: As I said earlier, the bill is a domestic violence bill. It is based on the recommendations of the Joint Committee on Domestic Violence. It is a targeted bill. It is specifically addressed to the public security issue, the issue that the province of Ontario has in the security of families and of persons who are subject to domestic violence.

For that reason, the bill specifically authorizes a judge to authorize a police officer to seize weapons that have been used or threatened to be used in those circumstances of domestic violence. And more than that, it goes on and provides that the judge may authorize the police officer to seize documents. These are the specific issues that are addressed in the bill, which in turn is addressed to the specific issue of domestic violence.

1420

EDUCATION LABOUR DISPUTE

Mr Brad Clark (Stoney Creek): My question is for the Minister of Education. It concerns the ongoing lockout of the teachers in the Hamilton district school board. We learned yesterday from the member for Hamilton East that the Liberal Party is on the side of the teachers' union, and that this government is on the side of parents and kids. The Liberals have accused this government of not providing enough funding to the Hamilton district school board, saying that this has resulted in the

salary dispute between the board and the teachers' union that is keeping our kids out of school.

However, in today's Hamilton Spectator, teachers' union president Kelly Hayes is quoted as stating that the board actually does have enough money to fund a salary increase for teachers without the loss of teaching positions. Minister, who's got it right, the Liberals or the president of the teachers' union?

Hon Janet Ecker (Minister of Education): This government, very much like the parents, wants to see students back in the classroom getting the education they deserve. We've provided school boards across Ontario with funds to ensure they can reach responsible agreements. There are some 60 boards' bargaining units that have either agreements or tentative agreements. They are indeed resolving these issues. They've reached agreements with their teachers and are continuing to negotiate with their unions.

The Hamilton-Wentworth school board, I think it is important to note as the honourable member has said, is projected to receive over \$363 million more. That's an almost 6% increase over last year. It is also important to note that enrolment hasn't even grown by 1%. That increase is much beyond enrolment. They have monies available for a fair settlement, as other boards do. We encourage them to reach that.

Mr Clark: Over the weekend and all through this week now I've been fielding dozens of phone calls from parents throughout Hamilton-Wentworth. The message coming from the vast majority of parents is simple: "We want our kids back in school."

We learned yesterday from the member for Hamilton East that the Liberal Party is siding with the teachers' union in their negotiations with the Hamilton-Wentworth District School Board. I find this political posturing totally unacceptable. I refuse to abdicate my responsibility to the parents who strongly support back-to-work legislation to get our kids back in school. Can you tell us if the government is prepared to introduce legislation if the parties cannot reach an agreement.

Hon Mrs Ecker: I certainly continue to hope, as we do in many of these areas, that the board and the union come to a locally negotiated solution, a fair and collective agreement for the teachers in this board, but we agree with the parents who are saying they want their children in school. I want these kids back in school. That's where they should be.

It is not acceptable that this labour dispute has gone on for as long as it has. If a solution is not reached between the parties, we are certainly prepared to move forward with back-to-work legislation to get our students back in class, because the parents have been very clear about what they want. We are looking at that issue to see what can be done to make sure those students are in class. They have, we believe, the financial resources for a fair collective agreement. We are not asking any more of this board and this union than boards and unions across the province—

Interjections.

The Speaker (Hon Gary Carr): Member from Hamilton East, come to order, please. It's annoying when you're shouting across when they're trying to answer. I don't mind one little bit, but you've just continued shouting for the whole question.

Minister of Education.

Hon Mrs Ecker: I look forward to meeting with the parents from this community. Mr Clark is making arrangements for that, and I look forward to hearing their concerns, as well, as we consider how we can help support this board and union in coming to a fair agreement.

Mr Clark: On a point of order, Mr Speaker: When you were stating that the member for Hamilton East was annoying, he stated, sir, that it's annoying when we're lying—

The Speaker: I didn't hear things. Quite frankly, with the chatter that's going on here it's impossible—

Interjections.

The Speaker: Order. I didn't hear it. If any member has said anything like that, they can get up. I will say this: with the bickering that's going back and forth, it's impossible sometimes to even hear the person speaking, let alone the comments going on. New question.

Mr Gerard Kennedy (Parkdale-High Park): On a point of order, Mr Speaker: I'd like to seek unanimous consent for the member from Stoney Creek and the member from Hamilton East to have five minutes to debate the \$1,100-per-student cut—

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

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Ernie Parsons (Prince Edward-Hastings): My question today is to the Premier. About a month ago, my leader, Dalton McGuinty, revealed—

Interjection.

The Speaker (Hon Gary Carr): This is the last warning for the member for Hamilton East. Two seconds after I sit down, you're yelling across. Last warning. You yell out again, you're out for the day.

Mr Parsons: About a month ago, my leader, Dalton McGuinty, revealed to this Legislature a secret cabinet document detailing what your government proposed to do for an Ontarians with Disabilities Act. Though it's called an action plan, it's probably more appropriately called an inaction plan.

On October 25, you wrote to the Ontarians with Disabilities Act Committee and indicated you were very pleased with the strategy being employed by your government. I think "strategy" is a key word. It's not a plan, it's not beneficial; it's a strategy to sneak it into place. Then on November 1, you wrote and indicated how pleased you are with the minister's consultation that's taking place with the groups.

Premier, your minister refuses to hold any public consultations in this province for people with disabilities. Today in committee room 2, from 3 o'clock to 5 o'clock,

there are over 75 Ontarians with disabilities here. I am inviting you to walk with me—take 10 minutes. I appreciate your voice is giving you a problem today. This would be a great opportunity to listen to Ontarians with disabilities. Ten minutes is all I ask. They've gone to great efforts to get here. Please join with me and listen to them today.

The Speaker: Premier?

Interjections.

Hon Michael D. Harris (Premier): Thank you, Mr Speaker.

The Speaker: Supplementary?

Mr Parsons: Speaker, was that a clear yes? I was unable to hear because of the shouting from the far side.

Interjections.

The Speaker: I'm not going to get into interpreting, unfortunately. You can ask your supplementary. He may confirm it in the supplementary.

Mr Parsons: I do struggle with the lack of support to this point, so I think it's great that you're willing to come and listen. I'm also quite convinced that you have a tight timeline on when you will pass an Ontarians with Disabilities Act, so that it is more than just the 10 minutes today. I would ask you, Premier, what is the date that you plan to introduce a meaningful Ontarians with Disabilities Act?

Hon Mr Harris: I thank the member for his invitation, and I appreciate the offer. I think the minister, as you know, met with the Ontarians with Disabilities Act Committee on September 8. She spoke with representatives on November 23, 1999. She met with them again on September 28, 1999. Minister Johns had a conversation with Mr Lepofsky on July 27, 1999, and the parliamentary assistant, on very short notice, offered to meet with the Ontarians with disabilities on their visit to the Legislature today, but I am told that meeting was refused by those representatives of whom you speak.

The timeline, as I understand it, is once the consultations are over and once we have reviewed all of the information—I would assume you wouldn't expect a bill today since a number of representatives are still meeting with you to try and give you advice—as they've given to the minister and when that exhaustive consultation process is complete, we'll meet the timeline that we committed to for 2001.

SEX OFFENDERS

Mr David Young (Willowdale): My question is for the Minister of Correctional Services. The federal Liberal government has been making accusations over the past short while to suggest that this province does not have adequate treatment programs available for sex offenders. The people of my community, the people of Toronto, the people of this province, want to be assured that when a sex offender is convicted, they get proper treatment to overcome their problems.

I ask the minister to assure this House that when someone is convicted of a sex offence, Ontario does in

fact have treatment programs available for these offenders.

1430

Hon Rob Sampson (Minister of Correctional Services): I want to assure the House and the people watching today that we in the province of Ontario do indeed have programs to deal with those who are sentenced to our institutions, and specifically those who have sex offences as part of their record.

Within our provincial institutions, we have experts who will make the initial assessment as to what the needs are of the individual inmates. Then we have the experts in various programs who will help administer the appropriate program to help those individuals within that correctional institution to deal with the challenges they have.

In a couple of locations in the province, we have institutions that are specifically designed to deal with sex offenders. In fact, we recognized the need to expand those programs last May, when we introduced a plan to not only continue those programs but to build additional capacity for those programs in Brockville, Ontario, in a special treatment complex which would be a unique complex and the only one I've seen in North America.

Mr Young: I thank the minister for his assurances. It certainly is good to hear that we do have those programs in place.

However, the suggestions emanating from Ottawa go one step further. The suggestion that I most recently heard is that there is insufficient room within the institutions that exist today and that are being planned for the future to accommodate the specialized needs of these individuals, individuals who have been convicted of very serious crimes.

Can you assure me, Minister, can you assure the people of Willowdale, can you assure the people of this province that there is in fact room within these facilities this day, and that room is being contemplated for a future day, so that these individuals receive the treatment that is necessary?

Hon Mr Sampson: Bed capacity has been a challenge in the province as a result of the lack of investment by the previous two governments in corrections. We have been struggling with that and making significant investments in corrections, spending almost a half-billion dollars.

But I can say to the honourable member today, as it relates to the programs specifically focusing on sex-related offenders, we have six beds available in the Ontario Correctional Institute today, seven in Guelph and two in Millbrook. That capacity exists today to deal with offenders who may be sentenced and for whom the assessment determines that those particular programs would be of value to them.

I hear the members opposite complaining about this, but we believe investing in corrections is the right thing to do. It's just too bad that you didn't have that foresight when you were in government.

ONTARIANS WITH DISABILITIES
LEGISLATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Today my colleague Marilyn Churley presented a motion in Braille to symbolize the immediate need for an Ontarians with Disabilities Act. Our Braille motion symbolizes the many barriers that people living with disabilities face under your government. Even the simplest of services aren't available to them, yet you continue to deny them a strong and meaningful Ontarians with Disabilities Act. They can't get into movie theatres, they can't reach pay telephones, and they face barriers to employment, yet you continue to delay and to stall bringing in an Ontarians with Disabilities Act.

Premier, why do you continue to discriminate against Ontarians with disabilities?

Hon Michael D. Harris (Premier): As I indicated, while we have been consulting with all parties, we have introduced some \$800 million more in supports for those with disabilities than your government had.

I'm really quite surprised at you bringing this issue up. You were part of a government that had an MPP, Gary Malkowski—because Gary couldn't get you and your government to move, he introduced his own private member's bill, the Ontarians with Disabilities Act. The record of you and your cabinet and your government was, you wouldn't even call it for second reading. It's a disgraceful record.

Mr Hampton: You're good at telling half the story. We brought in legislation which would have removed many of the barriers for disabled people in terms of employment, and that was one of the first pieces of legislation you threw out. So tell all the story, not just half of it.

Premier, we understand that your intention now is to make such an act voluntary so that your corporate friends wouldn't have to comply, that they could comply if they wish. In other words, you would further sanction the kind of discrimination now that has happened for six years under your government.

Premier, there are hundreds of activists here today from the disabled community. They are asking and we are asking after almost six years, six years after you made the promise, when are you going to bring in an Ontarians with Disabilities Act that has some teeth in it, that has some strength in it, so that you will stop discriminating against disabled people in Ontario?

Hon Mr Harris: I think you would know it's illegal to discriminate against disabled people in Ontario, thanks to the Human Rights Code provisions. I think you quite understand that.

I had indicated to you that we are consulting, and to members of all three parties who have a great interest in this area, but we did not scrap your Ontarians with Disabilities Act because you refused to pass it. You refused to support your own member. You used your majority to bury this kind of legislation, which is why we

committed that we would consult extensively and bring forward a bill.

We did scrap a number of your silly ideas: your labour legislation that killed jobs and put union members out of work, the kind of legislation that discriminated against, and was proven discriminatory on, quotas. We eliminated some of the legislation. That's how we turned this province around.

WASTE MANAGEMENT

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question is for the Minister of the Environment. In 1995, your leader made this promise to the people of Ontario. He said, "Please be assured that no municipality will be forced against its will by a Harris government to accept another municipality's waste." On September 26 this year the Premier again stated, "We are in fact a party that insisted, when finding a solution to Toronto's garbage, that any site be a willing host." In a letter to the mayor of the town of Napanee, you have indicated that you are responsible for making the final decision about the proposal by Canadian Waste Services to expand a dump that's slated for closure. You indicated that in making a final decision, you will consider whether or not the proponent has met the requirements of the environmental assessment. However, at no time have you indicated that your approval is contingent upon the town being a willing host.

Minister, please indicate yes or no: will you approve this landfill expansion if the community is not a willing host?

Hon Dan Newman (Minister of the Environment): Indeed, waste management is a growing global problem. In fact, we gave municipalities the freedom to determine their own long-term waste management strategies, and we support the town of Napanee as they determine their long-term waste management strategy in their community.

Let me be very clear today that our main role in this project is protecting the environment.

I understand that the proponent is looking for approvals for expansion of the Richmond landfill under the Environmental Assessment Act as well as under the Environmental Protection Act. Our government approved the proponent's proposed terms of reference after a thorough and technical review of their components. During the preparation of the terms of reference the town of Greater Napanee identified a number of concerns, including the need for and lack of consideration of other alternative sites and alternatives for landfilling, concerns regarding the existing landfill site as well as the potential for impacts to groundwater, wells, and surface water from the leachate.

1440

Mrs Dombrowsky: Minister, you continue to be very unclear. I asked for a simple yes-or-no answer. If the municipality very clearly indicates that it is not a willing host for this landfill expansion, will you approve the expansion?

This is not only my concern. A letter I have received from Chief Maracle of the Mohawks of the Bay of Quinte, because of their serious concern on this particular issue, has indicated, "Obviously Mr Newman's letter," to the town of Greater Napanee "is contrary to Premier Mike Harris's signed political statement. It is reasonable for the people of Ontario to expect that they could rely on the political statement of the head of the government." I agree with the chief that your statements on this issue are very unclear and in some cases contrary to what your Premier has said.

Very simply, I ask you again, yes or no, will you approve the Richmond landfill if the town of Napanee is not a willing host?

Hon Mr Newman: Let me be very clear: whatever decision is made, our main role is protecting the environment. That is the role and responsibility of the Ministry of the Environment, in addition to the need for consultation with the town prior to defining final study areas, assessment criteria and the environmental impact of the landfill expansion. But the proponent obviously has to address these issues through the preparation of the environmental assessment. I understand that the proponent is now proceeding to prepare the environmental assessment in accordance with the approved terms of reference.

MANDATORY DRUG TESTING

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Community and Social Services. I understand the Ontario Drug Awareness Partnership has announced that this is Drug Awareness Week 2000 and that over 150 drug awareness committees across the province have committed to making a difference in their communities.

Yesterday you made an announcement about mandatory drug treatment. I know that the Ontario human rights commissioner has written to you to express his concern with any such policy. This will be the first mandatory drug treatment program in Ontario, and I am confident it will be carefully scrutinized by this government's critics. I see in the National Post this morning that the Canadian Civil Liberties Association is considering a court challenge.

Minister, how are you going to try to ensure that your policy isn't too overreaching and that it doesn't get shot down in court on day one?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): This government is tremendously concerned about the plight of those in our community who are down on their luck, out of work and who, in a state of desperation and despair, have turned to illegal drugs. Our bottom line is that we want to help people get back on their feet and into a paid job. Some would say that we should simply do nothing, that we should sit back year after year and watch people use their welfare cheque to feed their drug habit instead of feeding their children.

The member is correct that the human rights commissioner has expressed some concerns with this policy, although he has not seen this particular plan, because we are consulting. I have certainly indicated to him in a phone call this week that we are not only enthusiastic but willing and eager to get his advice and the advice of his staff.

Interjections.

Hon Mr Baird: The Liberal Party opposite is complaining. The Liberal Party's policy on welfare reform was written by an insurance adjuster. You just want to write people off. Well, this party—

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

Mr Stewart: The concerns of the legal community are certainly one thing, but your critics say the larger concern is that you're beating up on the poor. It was described by one critic this morning in the press as a "urinary witch hunt." Clearly there is a balance needed between a firm hand and a fair hand. Any policy you draft must be able to achieve that balance. We are already hearing complaints across the country condemning your plans as mean-spirited.

Minister, how is it that you believe this policy is going to be fair to some of the most vulnerable people in the province?

Hon Mr Baird: I suppose it would be easy to follow the example of previous governments and to sit back and do nothing. I don't know what I would tell the case-worker who told me that she has seen one of the people she serves month after month, year after year, come into her office with track marks up and down her arm, and she is powerless to intervene and to force some help and support.

It would be easy for us, for this government, to declare a victory, to say the caseload's down by 50% and just simply move on. But this government isn't prepared to write anyone off.

There was a good editorial in the Welland Tribune, which said, "As far as we're concerned, there is absolutely nothing wrong with mandatory drug testing on those collecting social assistance. Those who have a drug problem and are unwilling to deal with that problem should not be receiving tax dollars with which to buy those drugs. Plain and simple."

ONTARIO WHOLE FARM RELIEF

Mr Steve Peters (Elgin-Middlesex-London): My question is for the Premier. I want to draw your attention to the whole farm relief program and the serious inaccuracies within it. This is of great concern to Ontario farmers and it should be to you.

In yesterday's Ontario Farmer, your agriculture minister was quoted as saying that no information has changed since March 2000 and that it's available to everybody. Well, Premier, there have been plenty of changes, and not one of them has been communicated to the general farm community: changes in calculations

from previous NISA years, reassessments for 1998, adjustments for 1999. These were never made available in the minister's information package. The 1999 guidelines does not appear until July 2000.

Premier, the farmers of Ontario need leadership. Will you today order the minister to reopen both the 1998 and the 1999 programs? Will you mail out complete information packages detailing the rules and all the options to all 60,000 farmers in this province so that everyone who's entitled to disaster assistance can receive it?

Hon Michael D. Harris (Premier): I think the Minister of Agriculture can respond.

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): I want to say first of all that the whole farm relief program is indeed a very good program to help our farmers who have found themselves in dire straits not only in 1998 but in 1999.

I'm a little concerned with the member opposite, who is implying that being able to provide \$135 million to our farmers in Ontario is misplaced money. I really have a problem with that.

There was a change made by the federal government in July that changed the way the inventory calculation for the federal portion of the program was to be administered, and that indeed was sent out to all the people who had an application before the ministry, and it was sent out to all the agents who were running the program on behalf of those farmers.

Mr Peters: Every farmer in this province, Mr Minister, deserves equal access to all programs. But let's look at another massive change that's taken place since March 2000: inventory enhancement information is not available until it appears on the Web site of June 2000. If you look at your own government Web site today, the information is wrong. A program information bulletin issued in July 2000, and guess what? There are only seven commodities listed for revised calculations. That excludes 70 other commodities on the federal list—no livestock, no tobacco, no ginseng, no fruits, no vegetables—and these come out four days before the deadline.

It's become painfully clear that this disaster program is a disaster in and of itself. This minister and this ministry have been continually warned since January 1999, and they have bungled this program and they continually blame others for their own ineptitude.

Minister, will you do the right thing: admit to this House that your ministry's management of this program is completely out of control? On behalf of the farmers, will you reopen the 1998-99 programs? Will you mail complete packages with all the rules, all the options, to all the farmers in this province?

Hon Mr Hardeman: The numbers and the things that the member opposite is referring to are in fact an updating of the StatsCan numbers between one period of time and another. As the member opposite will know, commodity prices change from time to time and there were in fact some commodity price changes in that time, and there were different numbers. That information was

communicated to all the people who were involved with the farm program. But to make sure that no farmers in Ontario are deprived of their entitlement, we will be looking at any application that goes beyond the time as it relates to that change, the change in the inventory price. If they've put forward an application that requires more payment for that, we will be very much prepared to look at those.

I think it's very important that we provide this assistance to our farmers as quickly and expeditiously as possible, because they are in need, so they're not waiting a year or two years down the road to get their payments.

1450

FLU AND PNEUMOCOCCAL IMMUNIZATION

Mr John Hastings (Etobicoke North): My question is directed to the Minister of Health and Long-Term Care and it involves the flu outbreak. As you know, we put about \$725 million into improving the emergency situations in our hospitals, but I have to tell you, Minister, you'll be very interested in this little account. I met on the Remembrance Day weekend with the Grit Minister of Health, and he was saying that it's our fault for the hospital lineups, even though he had taken advantage of our flu shot.

I'd like to ask you, Minister, what you think of his comment when he said the hospital lineups are our problem, not theirs, and what do you think of his taking advantage of our flu shot before high-risk professionals in the health care field got an opportunity to take one? He is not a health care provider.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member from Etobicoke North knows full well, our government has made a very strong commitment to ensuring that our hospitals have strong, sustainable funding. We are now providing \$8.2 billion to our hospitals.

I'm also very pleased to say that our province is the first and only jurisdiction in North America that is making available, free to everyone in the province, a flu shot this year. We have allocated \$38 million. As you know, we started the vaccinations on October 1 for the high-risk groups and the health providers. On November 1, we started to make the flu shot available to the general population. I'm pleased to say I got my flu shot on Friday morning at 9 o'clock. Everyone here, I would encourage you to go to your doctor's office—

The Speaker (Hon Gary Carr): Supplementary.

Mr Hastings: It's very instructive that all you have to do is walk in the hallways of the Legislature here and you can see the pluses in terms of people getting their flu shot. But I have to ask you, Minister, what do you think about a Grit health minister taking advantage of this lineup? Since the feds want to be the great standard bearers of medicare in this country, why don't they help us financially with the flu program that we have in this province and help the other provinces as well? Again, they failed.

Hon Mrs Witmer: To the member from Etobicoke North, again I would simply stress we have enough flu vaccine for everyone in the province. Our initial order was for 7.9 million doses of vaccination. We had an opportunity to confirm the number we were looking for in July 2000, as did every other province and territory in Canada. I would just encourage everyone here to get the flu shot. I would encourage you to make sure your family and your friends do, because not only are you protecting yourself, but you're protecting older people who may be more vulnerable and people who have chronic care conditions. Since it's free this year, please, get your flu shot.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): Once again I have a petition to the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

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

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

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

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

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

This is signed by a number of constituents who continue to be concerned at the lack of action on this crucial issue. I affix my signature in full agreement with their concerns.

EDUCATION LABOUR DISPUTE

Mr David Christopherson (Hamilton West): A petition to the Legislative Assembly of Ontario:

"Whereas 40,000 elementary students are not in the classroom as a result of a lockout by the Hamilton-Wentworth school board; and

"Whereas the teachers are entitled to a fair collective agreement, and the trustees have a responsibility to ensure that the classrooms and the programs being provided meet the needs of our children; and

"Whereas the chair of the committee that is doing the negotiating said, in a letter addressed to the Minister of Education, Janet Ecker, 'My frustration is because of the inability of the bargaining process to occur within the limits of a funding formula that is restrictive in allowing flexibility in the process, a funding formula that continues to ignore the professional aid that is needed outside the classroom'; and

"Whereas he goes on to say, 'Your government's mandate appears to be one of the continuation of manufacturing a crisis in public education and the insulting abuse bestowed upon the dedicated deliverers of public education'; and

"Whereas parents want their kids back in school, teachers want the kids back in school and the board wants the kids back in school; and

"Whereas the problem is that there isn't enough money because the Harris government has cut funding to education; and

"Whereas the government caused this strike, and it has a responsibility to step in, resolve this situation and put our kids back in the classrooms;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows: the Harris government has caused this strike by its relentless attacks on funding of public education, therefore the Harris government has an obligation to immediately restore adequate education funding to allow a fair collective agreement for teachers without cutting crucial supports and programs to students."

I proudly add my name to those of these petitioners.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): I've got to first recognize Mr Boyd from Bowmanville for doing all the work to gather these petitions. He was at a recent event—

The Acting Speaker (Mr Bert Johnson): If you'd like to read it, that's fine, if you want to tell about it, fine, but you can't do both.

Mr O'Toole: I apologize.

"To the Legislative Assembly of Ontario:

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

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

"Whereas MPP John R. O'Toole and former MPP John Parker have worked together tirelessly to recognize

the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull, our Minister of Transportation, has the power to change the existing regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act" to allow vintage auto enthusiasts to use year of manufacture plates.

I'm pleased, on behalf of my constituents and yours, Mr Deputy Speaker, to endorse this petition.

PENSION INDEXATION

Mr Tony Ruprecht (Davenport): This petition was given to me by many injured workers who are presently demonstrating in front of the Ministry of Labour's offices. It reads as follows:

"Whereas injured workers petitioned the Legislature of Ontario from 1974 to get full indexation of their benefits and pensions; and

"Whereas in 1985, all political parties in this Legislative Assembly of Ontario agreed to enact full annual indexation in the Workers' Compensation Act; and

"Whereas in 1998, Bill 99 restricted indexation of pensions and benefits under the Workplace Safety and Insurance Act; and

"Whereas the Canada pension plan is fully indexed annually;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore full indexation on an annual basis to the Workplace Safety and Insurance Act of Ontario."

Since I am in full agreement with this petition, I'm delighted to sign it as well.

1500

PROTECTION OF MINORS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas children are exposed to sexually explicit material in variety stores and video rental outlets; and

"Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to sexually explicit materials;

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

"To enact legislation which will:

"Create uniform standards in Ontario to prevent minors from being exposed to sexually explicit material in retail establishments;

"Make it illegal to sell, rent, or loan sexually explicit materials to minors."

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

PHOTO RADAR

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

"Whereas Mike Harris made the decision in 1995 to cancel the Ontario government's photo radar pilot project before it could be properly completed; and

"Whereas two Ontario coroners' juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in September 1999, have called for the reintroduction of photo radar on that stretch of 'Carnage Alley;' and

"Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia, many European countries and several American states, does have a marked impact on preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in BC, to a 49% decrease in fatalities in Victoria, Australia; and

"Whereas photo radar is supported by the RCMP, the Canadian Association of Chiefs of Police, several police departments, including many local Ontario Provincial Police constables, and many road safety groups;

"Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets as identified by police. The top priority should be 'Carnage Alley,' the section of the 401 between Windsor and London, and all revenues from photo radar should be directed to putting more police on our roads and highways to combat aggressive driving."

It's signed by a number of residents from Mitchell, Ontario, and I sign my signature to it.

EMPLOYMENT STANDARDS

Mr David Christopherson (Hamilton West): I have a petition forwarded to me by UAW local 251 in Wallaceburg. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the proposed changes to the Employment Standards Act would take us back to the late 1800s standards; and

"Whereas most jurisdictions in the world are reducing the level of overtime required; and

"Whereas these changes would allow companies to force overtime up to 60 hours per week; and

"Whereas the proposed changes will allow companies the right to average overtime over three weeks to escape paying the appropriate level of overtime pay;

"Therefore, we, the undersigned, demand that the Ontario government implement the following improvements to the Employment Standards Act:

"Tough, proactive policing of standards.

"A living wage to ensure no one lives in poverty.

"Overtime pay after an eight-hour day, 40-hour week.

"Three weeks' vacation after five years of service.

"More paid holidays.

“Paid breaks. We need a guarantee of rest breaks in each half-shift;

“Above all, we’re calling for the right of all non-union workers to vote to join a union.”

I proudly add my name to these petitioners.

REGISTRATION OF VINTAGE CARS

Mr John O’Toole (Durham): Petitions keep coming in in support of this bill. This is Tom Luke from Newcastle.

“To the Legislative Assembly of Ontario:

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

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

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

“Whereas the Honourable David Turnbull, our Minister of Transportation, has the power to change the existing regulations;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act” to allow vintage auto enthusiasts to use year of manufacturing plates for registration purposes.

I, along with all the other members here, am pleased to sign and support this petition.

DIABETES TREATMENT

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

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

“We are suggesting that all diabetes supplies as prescribed by an endocrinologist or medical doctor be covered under the Ontario health insurance plan.

“Diabetes cost to Canadian taxpayers is substantial. It is the leading cause of hospitalization in Canada. Some people with diabetes simply cannot afford the ongoing expense of managing diabetes. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These budget-saving measures can often have disastrous health care consequences.

“People affected by diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes. We think it is in all Ontario’s and the government’s best interest to support people affected by diabetes with the supplies that each individual needs to obtain the best glucose control possible. As you all know, good control reduces or eliminates kidney failure, blindness, nerve damage, cardiac disease and even amputa-

tions. Just think of how many dollars can be saved by the Ministry of Health if people affected by diabetes had a chance to gain optimum glucose control.”

I affix my signature to this petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): In addition to the thousands of petitions that I have already presented regarding cancer in the workplace, I have further petitions here today forwarded to me by Cathy Walker, the national health and safety director of the CAW Canada. It reads:

“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; 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.”

My NDP colleagues and I continue to support these petitioners.

PROTECTION OF MINORS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is my pleasure to present to you a petition to the Legislative Assembly of Ontario.

“Whereas children are exposed to sexually explicit material in variety stores and video rental outlets;

“Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to sexually explicit materials;

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

“To enact legislation which will:

“Create uniform standards in Ontario to prevent minors from being exposed to sexually explicit material in retail establishments;

“Make it illegal to sell, rent, or loan sexually explicit materials to minors.”

Since I agree with this, I'll sign my name to it.

1510

ORDERS OF THE DAY

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

Mr Newman moved third 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.

Hon Dan Newman (Minister of the Environment): I welcome this opportunity to take part in third reading of the Toughest Environmental Penalties Act, 2000. I want to commend all members of the Legislative Assembly for their contributions to the debate so far. As most of you know, this is my first bill as a cabinet minister, and I couldn't be more proud of this bill because it is all about protecting the environment and making polluters pay.

I know that although we don't often agree on the means, we share common goals: a better-protected environment and healthier, more prosperous communities for all Ontarians. Everyone in this Legislature cares deeply about the environmental legacy we will leave our children and future generations. The Toughest Environmental Penalties Act, 2000, is an excellent piece of legislation that will help to ensure that the legacy is a proud one.

For the purposes of today's discussions, I'd like to discuss the Toughest Environmental Penalties Act, 2000, in the context of the Ontario government's overall record on the environment. Let me first say that it is a record I am proud to be part of. From our first days in office, the Mike Harris government has made it very clear that our focus on economic revitalization includes a recognition that a well-protected environment is one of the foundations of prosperity. After all, the environment is the ultimate infrastructure.

The converse is true as well. Prosperity is an important precondition for environmental improvement. We all know that there are many situations in the world where the economic situation is so difficult that little or no thought is given to protecting air, water and land. Here in Ontario we are fortunate because we have the resources to act. These resources include the environmental industry sector itself. It is a robust sector that is one of the

key drivers of the provincial economy. We have companies that are competitive and efficient in large part because they are able to gain the advantages that come with environmental responsibility.

In fact, tomorrow is Environment Industry Day here at Queen's Park. The Canadian Environment Industry Association will be here to meet with MPPs and officials. I would encourage the members to come and find out all they can about this very valuable sector of our economy.

I hasten to add that one of our most valuable resources is a population that cares deeply about the environment and about meeting environmental responsibilities. The vast majority of individuals and corporations is dedicated to obeying environmental laws and doing their part to protect air, water and land in our province.

The Ontario government is committed to working with its partners to build on this concern. We are committed to the best possible protection of Ontario's air, water and land. We have backed up this commitment with a strong record of action. I'd like to focus on some of the actions we've taken this year alone.

For example, there's the drinking water protection regulation, which is the cornerstone of Operation Clean Water. This new regulation took effect in August and applies to all municipal and large water systems, which are the source of drinking water for most Ontarians.

The regulation has the following requirements: regular and frequent sampling and testing of drinking water; stringent treatment requirements for all drinking water in our province; quarterly reports for consumers so they are kept up to date about the long-term quality of their water supplies; microbiological and chemical testing by accredited laboratories; clear requirements for immediate, person-to-person communication of reports of potentially unsafe water situations, not only to the Ministry of the Environment but to the local medical officer of health, as well as the waterworks owner—no voicemail, no answering machines, no fax machines, but live person-to-person communication.

The regulation also requires full public access to water quality information.

Water quality standards, as well as testing and reporting requirements, now have the force of law. This is a first for our province. The standards go beyond the previous objectives and introduce more health-related parameters that must be met.

Another first for Ontario is the amount of information people will have about the state of their drinking water. These requirements are among the toughest in the world.

We're also looking at how to best ensure the quality of water coming from our small waterworks in the province. A discussion paper has been circulated, and we need to determine whether regulation is the best way to go and, if so, what type of regulation would be most appropriate.

Operation Clean Water also involves the inspection of all municipal water treatment plants in the province. These inspections will be carried out every year from now on, beginning with this year.

Last week I had the pleasure of introducing a draft regulation. It would make Ontario the first jurisdiction in the world to require monitoring and reporting of a full suite of key greenhouse gases. This draft regulation would require major industrial sectors in the province to track emissions of 358 airborne pollutants, beginning January 1, 2001. This is an expansion of the existing regulation, which requires Ontario's electricity sector to not only monitor but to report on emissions of 28 substances. A range of other industrial, commercial and municipal facilities in Ontario would begin tracking those 358 emissions on January 1, 2002. We're holding discussions on this draft regulation.

Another recent accomplishment of the Ministry of the Environment is the passing of the toughest hazardous waste regulation in Ontario's history. The strengthening of our rules will ensure that all hazardous wastes—and that means both those generated domestically and those imported from outside the province—continue to be managed in an environmentally sound manner in this province.

Those changes take effect March 31, 2001. They will create new opportunities for Ontario industries to deal effectively with hazardous waste and provide incentives for the generators of these wastes to put in place reduction initiatives that will decrease the amount being created.

We are also requiring the use of the toxicity characteristic leaching procedure to determine whether wastes are hazardous. In fact, it's more advanced than the current procedure being used in Ontario. It will make our requirements tougher than those of the United States because we will be testing for more contaminants. We will test for 88 contaminants, while the United States procedure tests for only 40 contaminants.

The new regulation also introduces a new "derived from" rule stating that any listed hazardous waste will continue to be classified as such until it can be demonstrated that it is no longer hazardous.

We're also updating our schedule of hazardous wastes to include 129 new chemicals and industrial processes.

Clearly, the Ontario government is showing leadership in the management of hazardous wastes. As I said a moment ago, our new rules are the toughest in provincial history. They are consistent with the current rules set by the United States Environmental Protection Agency. These new rules will ensure the safe and effective handling of hazardous waste in our province, and they will ensure a better-protected environment for all Ontarians.

It goes without saying that the best programs, policies and laws in the world will not be effective without the will to back them up with tough enforcement. I am proud to say today that the Mike Harris government has the will.

All members will recall my announcement in September of Ontario's environmental SWAT team. Its first phase will have 65 members, and this is a significant first step in this new and exciting program. They will include highly trained inspectors and new investigators, as well as environmental program analysts, environmental engin-

eers, scientists and a laboratory technician. This team will be a new group of environmental officers with an innovative approach to identifying new and emerging problems, and it will have a greater ability to act quickly and effectively.

1520

The focus of the SWAT team will be cracking down on companies or individuals who deliberately or repeatedly break the law and jeopardize our health and our environment. This team will be very mobile. The SWAT field units will be equipped with state-of-the-art communications technology to draw on broader resources without leaving the field. Ministry district staff will continue to conduct inspections and respond to pollution reports.

The SWAT team will be able to focus on targeted sources, sectors or areas of concern, and it will be able to conduct inspections and follow up on them.

We realize the vast majority of companies and individuals are very conscientious in meeting environmental requirements. They should be encouraged by the creation of the SWAT team because it will provide for a level playing field. Environmental offenders will no longer benefit from their actions at the expense of law-abiding companies and citizens. We intend to have parts of the environmental SWAT team operational in late fall. The team will help the Ministry of the Environment achieve its mandate by effectively and visibly deterring deliberate and repeat polluters. As I have said before, I like to refer to the SWAT team as the soil, water and air team.

We're backing up the SWAT team with the toughest penalties in Canada for major environmental polluters. These penalties are contained in the bill that we're debating here today, Bill 124. If passed, this 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. The bill would also increase the maximum fine for a first conviction of a major offence for an individual from the current \$100,000 to \$4 million per day, and for subsequent convictions from \$200,000 to \$6 million per day.

The bill goes even beyond that, because what this bill would do, if passed, is increase the maximum jail term for a person convicted of a major environmental offence from two years to five years. The bill would also increase the cap on administrative monetary 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 new, tough penalties apply to the most serious offences under the new drinking water protection regulation. Those offences would be failure to report samples that exceed standards as well as failure to use minimum levels of treatment.

There are several key requirements for strong environmental protection: tough standards, effective pro-

grams, effective policies, high-quality monitoring, high-quality reporting. We need to ensure compliance and we need to be able to conduct investigations and prosecutions when compliance is not forthcoming. We also need tough penalties to serve as a credible deterrent. If passed, the Toughest Environmental Penalties Act, 2000, will be more than a credible deterrent; it would be the law of this province. These penalties that I've just outlined constitute the highest fines and the longest jail sentences in Canada for major environmental offences.

I want to conclude my remarks today by talking about the effect of the Toughest Environmental Penalties Act, 2000, on two groups: those who obey the law and those who do not. Those individuals and companies who obey the law are the vast majority in Ontario. Let there be no mistake about this: we need to ensure that these groups stay in the vast majority. We need to send them the message that we appreciate their efforts and that we will not let them down. We are levelling the playing field lest anyone think they can take advantage of the good environmental players. It's a bit like the trend in the NHL today where the league is cracking down on clutching and grabbing and other ways that less talented players get ahead. Clearly, the most talented players in Ontario are the good environmental players, and we are ensuring that those players who don't play by the rules don't get ahead.

This brings me to the small, but not insignificant, group of individuals and companies who flout environmental laws for personal gain. These are the people—and we must remember that corporations are made up of people making decisions—who show callous disregard for the environment and for the health of other people. They believe their short-term gains outweigh any further losses for their community and for future generations.

The government has worked hard to stop these people. We need the Toughest Environmental Penalties Act, 2000, to make sure they know that pollution does not pay. We need to have the toughest fines and jail terms in Canada for major pollution offences, and that's exactly what the passing of Bill 124 would give us today.

We live in a province that is the envy of the world. We are prosperous, and that prosperity is built on a foundation of well-protected resources and clean, healthy communities. We must always be on guard to ensure that the actions of a few bad players do not compromise everything we have.

I know there are several people out there who support Bill 124, not only within the Legislative Assembly here but people across Ontario. The chair of the Canadian Environmental Industry Association, Skip Willis, says that "Bill 124 reinforces these market-based drivers by providing severe penalties for companies that fail to meet provincial standards. We are currently working with companies across Ontario to improve their environmental, and thereby their economic, performance. We applaud your ministry"—being the Ministry of the Environment—"for reinforcing these initiatives with clear penalties." That's what the chair of the Canadian Environmental Industry Association of Ontario has to say.

Finally, Speaker, if I may, through you, address my colleagues in the Liberal Party and the New Democratic Party, this is a good bill. In fact, it's a very good bill for protecting the environment. Strengthening environmental protection is something we all can agree upon and it's something I believe we can all support. I would like to thank the member from St Catharines, who knows firsthand how tough this job can be, and his colleagues for their support of this bill on second reading.

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

Mr James J. Bradley (St Catharines): I'm pleased to be able to address some concerns I have about the bill and to indicate support for parts of the bill as well. First of all, I can't think of anybody in this Legislature who would be opposed to toughening the penalties out there in terms of dealing with violations of various environmental acts in this province. I indicated my support on second reading. I indicate my support on third reading, despite the fact that I have some concerns that I wish had been overcome through the acceptance by the government of amendments from the opposition to this bill to make it, I think, even a better bill than the government would contend it is at this time.

Our great concern, of course, is that you can pass any bill you want, you can have the toughest penalties in the universe—or perhaps I'll reduce that to say in the galaxy—but it doesn't matter if you have no intention to enforce those laws. One of the first things that employees of the Ministry of the Environment were told when the new government got into power was, "You're to be business-friendly." Well, there are polluters who had to deal with the Ministry of the Environment employees before who were respectful and perhaps even fearful when they were in violation of the law who today walk around with smirks on their faces because they know that, first of all, there's not the staff in the Ministry of the Environment available to enforce the laws of the province, and second, they've been told to be business-friendly. They translate that into meaning, of course, that they're not to bother business. You couldn't find it in the Common Sense Revolution document, but this fits in with what many in the Conservative caucus said to polluting companies when they were campaigning, and that is, "We're going to get the Ministry of the Environment out of your face." I can tell you that is a promise made, a promise kept. They got the Ministry of the Environment out of the faces of polluting companies in this province.

They set up a Red Tape Commission in this province, headed by Mr Wood and Mr Frank Sheehan from St Catharines. Frank could never be accused of being a raving environmentalist. In fact, reading some of his comments about the environment, one wonders whether he would agree with this piece of legislation. But the Red Tape Commission was there to weaken the laws of the province, to take away regulations which were there to protect the environment and the people of this province. Even during the time when the regulations were being

formulated, the former co-chair of the Red Tape Commission was encouraging the Ministry of the Environment not to proceed with prosecutions because they were going to change the law. Quite obviously what the government is all about is weakening regulations and weakening legislation in years gone by, so that we have a very difficult circumstance facing the Ministry of the Environment and the people of this province.

1530

There were a couple of good articles that relate to this legislation. One is by Linda McCaffrey, who is at the law firm Lang Michener in Toronto. Linda McCaffrey was formerly a prosecutor with the Ministry of the Environment. I remember her exemplary work in years gone by, along with people like Dianne Saxe, who used to prosecute these cases. These people are not in the ministry any more.

Let me tell you what she said in an editorial in *Municipal World* in November this year: "In the short term, Walkerton means that Ontario's water treatment plants will get inspected. Where regulations and guidelines are not being adhered to, the Ministry of the Environment will issue field orders for compliance. It is possible that the ministry will get serious about developing regulations for effectively protecting groundwater resources. Some steps have been taken in relation to agribusiness, but it remains to be seen whether agribusiness will really be expected to comply with the new rules. So far, the ministry appears oblivious to industrial and development threats to groundwater supplies." I certainly would concur in those comments.

She goes on say, "Although all water treatment plants are to be inspected before the end of the year, this initiative has only been made possible by diverting industrial inspection staff to water treatment plants. Unless new resources are committed, reassigned staff will return to other duties once all the plants have been inspected. It is difficult to see how the existing complement of environmental officers assigned to inspect water treatment plants can do more than they have done in the past: an inspection every three years and no effective follow-up.

"In 1998, the government amended the Environmental Protection Act and the Ontario Water Resources Act to impose administrative penalties for less serious environmental offences. The rationale for such penalties was that prosecutions are too expensive and time-consuming. The opposition lauded this legislative initiative, and the bill passed quickly."

Here's where the problem enters, and this shows that there's no follow-up by this government: "Predictably, everybody forgot all about it. The ministry hasn't developed the regulations necessary to implement the legislation. Prosecutions are still too expensive, and administrative penalties are not a prospect."

She talks about the SWAT team: "If investigators are hired, what tools will they have to work with? SWAT teams have to take samples and have them analyzed in order to determine what pollutants are being released into the environment and in what quantity. They need experts

to advise them with respect to proper sampling procedures, handling and preservation. They need highly specialized scientists with highly specialized equipment to perform the analysis and report the results. At one time, the ministry had one of the best-equipped and -staffed laboratories in all of North America. Will current laboratory resources support a SWAT team?

"The investigations branch cannot initiate an investigation. They must wait until the abatement branch forwards an occurrence report requesting an investigation. Will the SWAT team have the freedom to look for pollution or even to respond to complaints? Once a contamination has been characterized, evidence has to be developed to persuade a court that there has been an adverse environmental consequence.

"The ministry's air resources and water resources branches were once staffed with experts qualified to develop and give opinions with respect to the potential impact of the release of contaminants in the environment. Where are they now? Who will the SWAT team look to for this expertise? Is there a budget to hire private sector experts for this purpose?

"Gord Miller, Ontario's Environmental Commissioner, made a speech at a reception at Lang Michener's offices in April. He said he sensed a groundswell of public unease with respect to environmental protection, and predicted that something would happen to focus this unease and force environmental protection back on the political agenda. Within weeks of this speech, people were ill and dying in Walkerton."

Then she goes on to talk about air quality problems: if there were problems that would arise with air quality, what would the result be? Another shell game, with water treatment plant inspectors reassigned temporarily to investigate air pollution?

"If the growing support for a flat tax of 17% continues to swell, the shell game will continue. Governments are supported by their tax base, and if the tax base continues to dwindle, government services must inevitably continue to contract." I'm going to say that again, particularly for those who might be tempted with the line the Alliance is giving right now. "Governments are supported by their tax base, and if the tax base continues to dwindle, government services must inevitably continue to contract." The ultimate responsibility for the Walkerton tragedy and other environmental tragedies presently waiting in the wings lies with the people of Ontario. They must choose between good government and less government. Until the legitimate and essential role of government in providing public services and mitigating the risks inherent in the free play of the market forces is accepted, we shall continue to bear the ever-increasing risks of ever-shrinking government.

The point we're making here is this government does not have the staff and the will to enforce these laws. The law itself is a law that I can't see why anybody in the Legislature would not support, even though they removed one section of it, which no longer allows for administrative penalties. Therefore, we know that company

directors—they must have made representations to the government—will be off the hook. Company presidents will be off the hook for those administrative penalties. That was in the 1998 legislation that Mr Norm Sterling, the minister of the day, put before the House and never got acted upon because the regulations were never promulgated.

So we have a situation where the government of Ontario, under Mike Harris, has cut the staff of the Ministry of the Environment by one third; they fired one third of the staff out the door. It has cut the operating budget by 45% and done something similar to conservation authorities, only worse, and to the Ministry of Natural Resources. What does this mean? The government will go around and trumpet the changes in this legislation. They will talk about the toughest penalties in the galaxy or the universe, or at least in the Milky Way they will have the toughest penalties possible. But you've got to have the resolve. You can't be playing footsie with the presidents of the polluting companies at the big Conservative fundraisers and then turn around and be prosecuting them. It doesn't happen that way. You can't be saying to your employees, "Be business-friendly," and expect that those employees are then going to do anything other than be cautious about proceeding with prosecutions with polluting companies in this province. You can't have it that way.

The SWAT team: I had the cabinet document that was leaked. Remember this one? The Premier said it was a phony-baloney document, and it turned out to be, of course, an accurate document. I want to tell my friend from Ottawa that what's in it is phony-baloney in some cases, but it is an accurate document. Let me tell you what the SWAT team is all about. It's contained on page 19 of 28 in the cabinet decision document from March of this year. This is what the SWAT team is all about and it's what this government is all about in so many cases—not all, to be fair, but in so many cases. It says, "Staging SWAT photo opportunities, encouraging feature stories on the team's enforcement efforts with targeted sectors, and issuing periodic news releases at the onset, during and following special investigations will ensure that public awareness of SWAT team, its achievements and activities remains high."

It's all about photo opportunities. They'll come along and have their special uniforms and they will, when they have those special uniforms, be out there ready to have the photo opportunity. The Toronto Sun will be there and the National Post will be there to take the pictures, and the minister will be there as well. I know how concerned the public will be when they find out that what the SWAT team is about is photo opportunities.

I like what I find in many provisions of the legislation. We voted for it, and I said that I would support this on third reading, because I think many of the provisions in the legislation can be helpful, particularly if there's a government in power that will make the resources there available and also will have the will to prosecute in those cases. It's extremely important that we have that. I urge

members of the government caucus to have those Ministry of the Environment positions filled. I think you can abandon the SWAT team.

1540

The member for—I used to refer to it as Ottawa-Rideau—Ottawa West-Nepean now would know this. I won't ask him to get up and confirm it, but he would know this. It's the everyday work done by people in the law enforcement area, often drudgery, often boring work, but the everyday work done by environmental officers, particularly those in the investigation and enforcement branch, that will make the difference, not a SWAT team that's there for a lot of photo opportunities.

They said in this government document here today that they inspect only 10% of the sources of contamination in a year, of environmental degradation in a year, and these are important sources. They said what you really have to have is 500 new staff to do this. Remember, 900 staff were fired out the door. They said you have to put 500 staff back in place. I know that costs money, and oftentimes the protection of the public does cost money. Whether it's hiring new police officers, whether it's hiring anybody in the government services that provide a service, that's important. It's not an expenditure; it's an investment in the protection of people in this province.

The Harris government, by making drastic cuts to the Ministry of the Environment, increased the risk of a tragic circumstance facing Walkerton happening. That's most tragic, and I believe it didn't have to happen. But you increase the risk every time you dismantle various branches of government that are there to protect public health and safety.

I want to say to the members on the government side that I intend to support this bill this afternoon.

Mr John Hastings (Etobicoke North): We don't need your support.

Mr Bradley: The member for Etobicoke says, "We don't need the support," waves his hand and dismisses it, but you're the first person who always says the opposition is opposed to everything. We're not opposed to everything. We happen to believe—

Mr Hastings: Why don't you flip-flop?

Mr Bradley: I don't know whether the people at home can hear this. There's just a din of mumbles going on over there. You try to be reasonable, you try to support something, and all you get is the grumbling from the member for Etobicoke North. It's most unfortunate.

Interjections.

The Acting Speaker: Order. If you feel the necessity to speak out, please remove yourself before I do it for you. The Chair recognizes the member for St Catharines.

Mr Bradley: Thank you very much, Mr Speaker.

The parliamentary assistant is here today. I want to say to the parliamentary assistant that there are many provisions of this bill with which I am in agreement. I hope that in a future piece of legislation he will restore what the Honourable Norm Sterling had in a previous bill

in 1998. That would significantly improve the legislation we see this afternoon.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I am pleased to have an opportunity to speak about how this government is keeping its promise to get tough on polluters. Step by step, we're putting in place legislation and resources we need to ensure that our environmental laws are enforced and to provide penalties to fit the offences against our environment. Essentially, we present a four-step action plan.

First, back in 1988, we introduced Bill 82. This was the Environmental Statute Law Amendment Act. At that time, most of the regulations and other legislative tools available to ensure compliance and enforcement were more than two decades old. Ontario's legislation lagged behind other Canadian jurisdictions in making available the use of modern compliance tools such as administrative monetary penalties. It was obvious that stronger and clearer rules were needed for the regulators, for the people they regulate and for the public at large. We brought Ontario in line with other provinces and made our laws better able to perform their intended purpose: deterring and punishing polluters and protecting our environment. Bill 82 laid the foundation for our action program by strengthening the compliance and enforcement provisions of the legislation administered by the Ministry of the Environment. It also increased the ministry's, as well as the courts', abilities to deter and punish those who do not obey the law.

Second, Bill 124, now before our Legislature, provides stronger and more appropriate penalties for offenders. This Toughest Environmental Penalties Act puts teeth in the mouth of Bill 82. It would result in the availability of the highest fines in Canada and jail terms higher than in most other jurisdictions for major environmental offences. Jail terms will be on a par with those of Yukon, for example. Yukon currently has the longest in the country for pollution offences with respect to jail terms.

In addition, Bill 124 would amend the penalty structure in the Ontario Water Resources Act to ensure that these tough, new penalties apply to the most serious offences under the new drinking water protection regulation: failure to report samples that exceed standards and failure to ensure minimum levels of water treatment.

Third, I wish to mention the administrative monetary penalties, or AMPs, regulation which we expect to release for consultation in the near future. Such penalties are already widely used in other Canadian jurisdictions. The new regulation would spell out just how this power is to be used. We are considering a maximum administrative monetary penalty of \$10,000 for every day a contravention occurs.

I will stress that administrative monetary penalties are not fines. They apply to minor contraventions that normally wouldn't go to prosecution and they do not replace prosecutions. They're a much-needed tool to strengthen compliance with Ontario's environmental laws.

Fourth is the creation in September of an environmental SWAT team. The SWAT team will focus on

cracking down on those companies or individuals who deliberately or repeatedly break the law, jeopardize our health or threaten our environment. The SWAT team will increase the odds that polluters or potential polluters will be caught and that they will face convictions and pay significant penalties for their actions. Over time, the SWAT team's strong enforcement presence will also act as a deterrent and encourage compliance.

We want to have the best possible system of environmental protection for Ontario. Compliance and enforcement are major components of this system. It only makes sense that we take aim at those who threaten our health and our environment. Together, tougher penalties and the SWAT team will give us a greater ability to deter and punish those who choose to operate outside the law and threaten our health and environment.

This four-step action plan will increase environmental protection by effectively and visibly bringing polluters into compliance with Ontario's environmental laws, regulations and standards, and by deterring potential offenders.

Clearly the vast majority of people in this province respect the law and care about their environment. That also goes for companies, services and industries. They have no inclination to break the law and put their neighbours, their communities or their environment at risk. For this vast majority, the proposed penalties are great news. They will help to level the playing field by taking away the incentive to pollute.

We have set tough rules to protect Ontario's environment. Allow me to highlight a few of the other actions that have occurred.

Last January, for example, we announced strict air emission limits and mandatory reporting requirements for the electricity sector. In August we passed the drinking water protection regulation, which gives Ontario the strongest drinking water protection. Very recently, we passed the toughest hazardous waste regulation in the province's history.

We will continue to set stringent rules to protect our province's air, land and water. For example, last week we announced a proposed mandatory monitoring and reporting regulation, a regulation that will require the tracking of 358 airborne pollutants.

Stringent rules need strong backing and, as Bill 124 demonstrates, we are committed to doing this. Tougher penalties will help ensure compliance both with the rules now in place and those set in the future to protect the health and well-being of Ontario communities.

To summarize, we are keeping our promise to get tough on polluters. With the passage of this bill, we will have the toughest fines in all of Canada for major polluters. These tougher fines and jail terms will give us greater ability to deter and punish those who choose to operate outside the law and threaten our environment. Only those companies that defy the law, engage in practices that are damaging to public health and the environment, and only those companies that cut operating and maintenance costs at the expense of our environment need worry about these tougher penalties.

Bill 124 will level the playing field. Those who flout environmental laws will not benefit at the expense of good corporate citizens that comply with these laws.

1550

Mrs Sandra Pupatello (Windsor West): I'm pleased to speak today on final reading of Bill 124, the environmental protection bill, and tell you up front that our party will be supporting the bill, and tell you in the same breath that we realize that, after the passage of third reading of this Bill 124, it will have very little effect on environmental conditions in Ontario, for some very significant reasons.

I start by asking this question: why is the Ontario government now the laughingstock of the world's environmental community? There are a whole host of reasons, and this bill will send Ontario up the list not a bit. I ask, too, why we are talking about offences when clearly we don't have the manpower to enact what we currently have on the books. All of the statistics from the Ministry of the Environment itself tell us that's the case.

I would like to mention briefly the SWAT team that was a centrepiece of the document this government ran on in the 1999 election. I would also like to mention the truth behind the Ministry of the Environment: the lowest morale ever in the staff that's left there. Clearly it's hardly a ministry any more. The government insists on this tough-on-crime talk when in actual fact there's very little that actually happens on the ground in a whole host of areas, not just in the area of the environment but with this more cops on the street. The truth is we now have fewer cops on the street. I would like to mention too the leaked memos from the ministry itself that talked about those staff who are left and how they struggle, under this current regime of a government, to function despite a lack of staff and a lack of initiative and political will by the Conservative government.

Let's ask first off, why is Ontario the laughingstock of the world's environmental community? Why is it that when it was announced just a couple of weeks ago that our own Minister of the Environment was going to participate on the world stage to talk about environmental laws in various jurisdictions around the world, they laughed at Ontario, laughed at the fact that Ontario doesn't take care of its own backyard before it has the gall to go sit in front of the world and talk about what it's been doing?

Everyone knows the Walkerton tragedy unfortunately put Ontario on the environmental map in a way that has never happened in Ontario. Historically, governments in Ontario have always moved the ball forward in environmental protection, until the election of a Mike Harris government in 1995. That is clearly the word that's on the street in the environmental community and this bill does nothing to change that.

Why is it that when the federal government brought every province together to the table to have discussions about how to move the ball forward, it was Ontario that had to be dragged, kicking and screaming, along? Ontario was the one province that wouldn't sign on to

agreements when every other province in Canada signed on, much to the embarrassment of the Canadian government which then had to put its face forward to the world's environmental community.

Let's talk a moment about those offences. The member who just sat down spoke about that. He said that these are the toughest laws on the books. They may well be the toughest laws on the books. The truth is, since 1995 we've lost one third of the Ministry of the Environment. We've lost 141 employees who were directly related to protecting the environment. The Windsor office where I come from was closed. The kind of training, the intelligence available in these individuals, once they're gone, is lost to the world of the environmental community. Many of them have gone on to set up their own companies because they have to make a living, I suppose. The truth is they're not available to the Ontario government to enact or enforce this new Bill 124 that's supposed to be so tough.

Just one brief statistic: in 1998, which is the latest year that the data is available, there were over 3,300 documented cases of industries that were violating Ontario's water pollution laws. Only one of these companies was ever charged and convicted with breaking the law—out of 3,300 documented cases, one company. That is an embarrassment.

What good is it to have tough laws on the books if the government doesn't support that with the resources to enact those laws, to have inspectors out there on the playing field to look and see what the industries are doing, to look and see that they're meeting the requirements of the law and protecting Ontario residents and protecting our environment? It's an embarrassing track record for this government to suddenly come forward with all talk and very little action.

We feel badly, in fact. They had a big announcement about the introduction of this SWAT team. They did that shortly after the Walkerton tragedy had already happened, so they came out as though the government were making some new announcement of this new SWAT team. The truth was not one new employee would be had to form this new SWAT team. They would only pilfer from the remaining who were left in the ministry to put them together to form this so-called SWAT team. I asked the government, at the expense of what department and at the expense of what other service have they yanked these people away to form this new political title of a SWAT team?

We watch every day and read every day the outcome in the inquiry that's ongoing in Walkerton. We watch and we hear about the Ontario government's lack of leadership in this regard. The general public has this belief that when you go to the tap and you turn on the water, what you get is safe in Ontario. Walkerton and its tragedy put Ontario on the environmental map in the most negative fashion, set us back decades in terms of what we've been able to achieve in being environmentally futuristic and thinking about our kids and what land we'll leave for them. It was probably the biggest embarrassment, not to mention the largest tragedy in the taking of human life.

Unfortunately, we look today at this announcement of a SWAT team again as a joke because they didn't hire back people they had fired. They just pilfered from remaining people to say, "Here, we're announcing this today. Let's go and do something." We still don't know what the parameters of that SWAT team would be and we certainly haven't seen the resources backing such a SWAT team.

The truth behind the MOE, the Ministry of the Environment: all reports tell us that the ministry can hardly function under its current state, that the Ministers of the Environment since 1995 have sat idly by while the cabinet has taken more and more of its budget away. Whether it was to please industry, please companies that were making regular donations to the PC coffers, for whatever the reasons, you took the funding away from the people who were doing the job, those who would be there to enact this bill on the ground. We lost one third of the ministry—141 staff people, inspectors who aren't there to do the job they were doing before—and we sit back now and watch the people who've lost family in Walkerton, people who should have known, people who should have had notice.

Of all of the circumstances that resulted in Walkerton, I point to the Ontario government as having lacked the leadership in the area of the environment, so to come forward today with Bill 124 is hypocritical at best. We often wonder, when will the government decide that resources are necessary to enact these laws? In the area of the environment it just stands to reason that it costs money to run.

When I go back home to my own riding of Windsor West, one of the greatest industrial areas of Ontario, there are significant environmental issues. There are companies that have led the charge in cleaning up their own act and leading the way and winning the awards in the area of making it better for the citizens—not just of Windsor but of the world.

I would encourage the government. You take the first step in passing Bill 124 and it's not enough. If you don't back it with resources, it will do very little good. It is hardly a political issue when all of us are interested in the environment.

But I would submit that the government has been all talk and no action and this bill is just one more example of wanting to show that it's there for the protection of the environment and, in fact, the opposite is true. The number of offences going down is a clear example, and there is not one group in the environmental community that has been there for decades that is supportive of this government and its behaviour since 1995 in the protection of the environment.

1600

The Acting Speaker: Further debate?

Mr Garfield Dunlop (Simcoe North): It's an honour and a privilege to be here this afternoon speaking in favour of third reading of Bill 124, the Toughest Environmental Penalties Act, designed to toughen our environmental laws.

I'd like to start off by thanking Minister Newman and the parliamentary assistant, Mr Barrett, for their words, as well as members of the opposition for their comments.

With this legislation we're keeping our promise to get tough on polluters. This legislation, if passed, will ensure that Ontario has the toughest fines and jail terms in all of Canada for major polluters. In our election platform, Blueprint—and this has been mentioned a few times here this afternoon—we promised to create a cleaner Ontario. We're keeping that promise with this legislation.

Everyone in the House understands the importance of protecting our environment and the importance of legislation to protect it. Our government is firmly committed to safeguarding our environment and ensuring that Ontario's communities are healthy, safe and prosperous for the years to come. We are just as firmly committed to legislation that helps us achieve these goals.

The Toughest Environmental Penalties Act, if and when passed, will introduce a number of penalties against polluters—and I know they've already been mentioned a number of times in the second and third readings, but I'll repeat them again—first of all, increasing the maximum fine for first conviction of a major offence for a corporation from \$1 million to \$6 million per day, and for subsequent convictions from \$2 million to \$10 million per day. We are also increasing the maximum fine for a first conviction for an individual from \$100,000 to \$4 million per day, and for subsequent convictions of individuals from \$200,000 to \$6 million a day. We are increasing maximum jail terms for a person convicted of a major offence from two years to five years, and we're increasing the cap on administrative penalties from \$5,000 to \$10,000.

As well, the penalty structure in the Ontario Water Resources Act would be amended to ensure that these tough new penalties apply to the most serious offenders under the drinking water protection regulation. The new regulation is part of Operation Clean Water, a comprehensive action plan to give Ontario residents the best and safest drinking water in our country.

Over the next three years, the government will invest \$6 million to steer the establishment of a groundwater monitoring network. We will select several hundred monitoring sites in consultation with our partners, being the municipalities and conservation authorities. Monitoring will include water quality parameters of concern as well as water levels to give us information on groundwater conditions in our province. As I said earlier, we will be working with the municipalities and conservation authorities on installing this technology.

We have committed to provide at least \$240 million to Ontario's small towns, cities and rural areas to upgrade their water systems to comply with the new drinking water regulations and for sewage treatment projects as well. All small towns, cities and municipalities across our province are eligible to apply to this fund. I'm very pleased that I sat with the previous task force on rural Ontario and chairman Dr Galt, and we received a lot of input on the requirements that are outlined in the OSTAR program.

Ontario is a leader in attacking air pollution. During the past year, we took a number of key actions to improve Ontario's air quality and to address climate change. We announced strict air emissions limits and mandatory reporting requirements for the electricity sector. Emission caps and mandatory reporting requirements are being developed for other industrial sectors. In addition, emission performance standards are being developed which must be met for any electricity sold in Ontario regardless of where it is generated.

Tougher new penalties will help to ensure compliance with Ontario's stringent emission limits and mandatory reporting requirements, both those now in place and those for future requirements. A freeze was placed on the sale of all coal-fired generating plants pending an environmental review, and the new Air Quality Ontario initiative ensures that all Ontarians have early and improved access to air quality information.

Drive Clean is well on its way to meeting its goal of reducing smog-causing emissions by 22% in program areas. The smog patrol continues to target the most grossly polluting vehicles on Ontario's roads. I'm pleased to say that Drive Clean is coming to my riding as of January 1 this year.

Mr Steve Peters (Elgin-Middlesex-London): Better find out locations to go to.

Mr Dunlop: Yes, we have locations in both of the major centres and they're working out very well; they're already licensed and they're doing their work as we speak. In fact, the minister is coming up to my riding in early December to visit one of the Drive Clean centres.

We kept our promise to strengthen our regulation governing the management of hazardous waste. We recently passed the toughest hazardous waste regulation in this province's history. This regulation will ensure that all hazardous wastes, both those generated domestically and those imported from outside the province, are managed in an environmentally sound way in Ontario. Again, tougher penalties will help ensure compliance with Ontario's stringent hazardous waste rules.

The policy review and extra panel on the redevelopment of the brownfields recently announced by the government presents great potential for both cleaning up contaminated sites and spurring economic growth.

All these accomplishments and activities that I have talked about are in addition to the many actions we have taken as part of Ontario's Operation Clean Water, our action plan to ensure that Ontario's water supplies are safe and clean. Operation Clean Water is well underway.

All members are aware of our tough new drinking water protection regulation, which for the first time gives the force of law to tough standards designed to ensure clean drinking water for the people of our province. The drinking water protection regulation is a centrepiece of Operation Clean Water. This regulation gives Ontario the strongest drinking water protection in Canada. For the first time in Ontario's history, water quality standards and testing and reporting requirements have the force of law.

The regulation makes very clear what the rules are for; among other things, sampling and testing of drinking water, treatment of drinking water, notifying the proper authorities of potentially unsafe drinking water conditions and providing public access to drinking water quality information.

Protecting drinking water throughout Ontario is a key goal of Operation Clean Water. We are consulting on what small waterworks can and should do to safeguard the drinking water they provide to the public.

We have set tough rules to protect Ontario's environment and are committed to backing them up. In September we announced the environmental SWAT team and we've talked a lot about the SWAT team today, but the SWAT team will focus on cracking down on those companies or individuals who deliberately or repeatedly break the law and jeopardize our health and our environment. Together, tougher penalties and the SWAT team will give us a greater ability to deter and punish those who choose to operate outside the law and threaten our health and our environment.

Clearly the vast majority of people and companies in this province do care about our environment and comply with these rules. Tough penalties are good news for these people. Tough penalties will give us greater ability to deter and punish those who choose to flout these rules and pollute our air, land and water.

Our government understands that cutting taxes and creating jobs is very important to help provide opportunity for the people of this province. Protecting the environment is equally important, and we have taken a number of steps to protect our environment. In protecting the air, our government has developed the anti-smog action plan that involves a multi-stakeholder partnership of industry, non-government and government organizations. The plan includes a government commitment to reduce nitrogen oxide and volatile organic compound emissions in Ontario by 45 per cent of their 1990 levels by the year 2015.

We are building strong environmental protection into Ontario's new competitive electricity market. We are developing emission caps for coal- and oil-fuelled generators and performance standards for all companies that want to sell electricity in the province. This includes American-owned companies that want to sell power in Ontario. We are also developing an innovative emission reduction credit trading system to aid in the further reduction of emissions in the new market.

Our government has also launched the smog patrol, a roadside testing system that pulls over and tests grossly polluting vehicles. In the period from April 1, 1999, to the present, the smog patrol has performed 4,971 pre-inspections, 1,141 tests and has issued 728 tickets.

Cleaning the air we breathe is important, and trees play an important part in that. I'm very proud to live in Simcoe county, where we have the largest municipally owned forestry acreage in the province. I've said this before here, because I am quite proud of it. We have almost 30,000 acres of forest land. We in Simcoe county

are very proud of that. The land was purchased over the last 80 years. A lot of the land in and around the Midhurst area, which is just north of the city of Barrie, was sand fields in the early 1920s. The county purchased this property and planted about 4,000 acres of forestry at that time. The county has historically purchased land from that point on, and we're very proud of the fact that we have this forestry and it's a strong environmental fact that we have it. We're also in the process now of looking at wetlands around the county. Each year the county receives revenues of about \$1.5 million off the forested area, which they put into reserves to help the residents of the county of Simcoe. I just wanted to point that out tonight because I think it's something that people across our province should realize.

1610

The other thing I'm very proud of in the county of Simcoe is the way that the county has managed the landfill sites that they took over in the legislation in 1990. Just recently I was at a county of Simcoe council meeting and they received a presentation from the Miller Group, and they were looking at a very innovative project for the future. It's an enhanced recycling project, and the county will be looking at the funding of that over the next few months to see if they may in fact go ahead with that enhanced recycling plant at one of their landfill sites.

This government has set ambitious environmental goals and is taking unprecedented action to achieve them. As I said at the beginning, we're proud of what we've accomplished to date and we're committed to ensuring that this momentum continues.

I would like to say that I'm proud to support Bill 124. I support the passing of this legislation.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): It is with great pleasure that I take part in the debate on this bill today. Even though we tend to support some portion of the bill, I must say that this government is partially responsible for having created the financial burden on our municipalities.

We look at what has happened since the election of this government in 1995. In this morning's Ottawa Citizen there is an article that mentions this government had received a report immediately after the election. The article reads:

"The handwritten notes were entered into evidence late yesterday at the inquiry into May's E coli outbreak.

"Critics have blamed deep cuts to the ministry made well after the provincial Tories took office."

Even though this was a recommendation by the former government, I must say that before we put a law in place, we should look at the impact and what would happen if we were to proceed with some of the cuts. It continues:

"However, the documents suggest the cuts were expected long before then, and drinking water testing was targeted. The notes outline a meeting of top ministry officials on May 30, 1995—almost a week before the provincial Tories swept the New Democrats from office."

Even though this was recommended, this government is responsible for all those cuts that have occurred since

the election of 1995. We know that this government has proceeded with a ministry budget cut of 45%, which resulted in \$121 million less in the ministry's budget. They have proceeded with one third of its staff cut, which represents 900 person-years. They eliminated 141 staff of the compliance and enforcement officers.

I have to say that in 1998 a company, a goat producer from down in my riding, in St Eugene, was fined \$35,000 for having left dead goats lying all over the field and having thrown dead goats in the river. This company was fined \$35,000, but after pressing and pressing to find out if this was going to be discontinued, finally we got the answer from the ministry: "We just cannot proceed with the fine because we haven't got enough staff in place." This company was brought back to court and fined again for \$9,500. What happened? They declared bankruptcy and started back under another name. That same company is still there and, again, no ministry officials to visit the site.

Ever since we came up with this Walkerton affair, we have forced the municipalities to get hold of some expertise, some engineers to visit all the plants. I was just talking to a small municipality a few minutes ago. This study, which was unexpected in their budget, has cost the municipality \$62,000. The capital cost to meet the government's requirement to the end of this month is \$106,450. The cost to meet the requirements this government came out with, due to the fact that for a long period of time there was no one from the ministry to visit those plants—also they had cancelled all the provincial government labs, so they had to go to the private sector, and at times they didn't have a qualified lab to test the water—is going to be \$66,000 per year. That is a small municipality out of 11 municipalities I have in my riding.

I also mentioned quite a few times to the parliamentary assistant to the Minister of Agriculture that we have a major problem with dead cattle all over Ontario. Since a company like Machabee has been known for years to charge people to pick up dead animals, some people are just throwing the cows in the river at the present time. Lately we found three dead cows in the river, and the people were called to pull the cows out. You could say that with the identification we could find the owner of those cows. At times we just can't, because some of those animals do not have tags.

I could go on and on about what happened with those cuts. Just last week, October 27, the Minister of the Environment ordered corrective action at seven more Ontario waterworks. Up to now, we have found various deficiencies in 212 facilities, and 164 orders have been issued. Again, in my riding—I'm looking at all those municipalities in eastern Ontario; there are quite a few. I have to say that even though we are supporting the intent of this bill, the municipalities are going through so much expense at this time because of the cuts that have happened since 1995.

We say this government is there to give an example. I look at what happened just prior to the moose hunting season up north. In Nipissing riding, right in the

Premier's riding they decided to spray a pesticide in the area. It was clearly written on the sign. The MOE told us, "Well, you might verify with Health Canada if it is acceptable to eat the meat those people are going to go back home with." The recommendation was that you not eat the meat of any deer or moose killed in the area for the next 12 months. The Minister of the Environment has done this, and this is after making quite a few calls to the Sudbury office of the MOE. At the present time, this ministry is not following the rules or the announcement they made since the Walkerton affair.

1620

Je dois adresser quelques mots en français dont j'ai un message ici. Le Ministère de l'environnement ne dispose pas des ressources pour appliquer les nouveaux règlements de M. Harris. Depuis 1995, le gouvernement Harris a réduit de 40% le personnel de ce ministère, dont bon nombre étaient des chercheurs scientifiques et des inspecteurs de l'eau. Le peu de personnel qui reste est démoralisé et épuisé car bon nombre travaillent les fins de semaine et 12 heures par jour. L'inspection de chaque usine de traitement des eaux de la province sur une base annuelle est tout simplement impossible avec les niveaux actuels du personnel.

Un autre reportage : « Soyons réalistes. M. Harris tente de convaincre la population de l'Ontario qu'il s'intéresse à la sécurité de notre eau potable. Jusqu'à maintenant, tout ce qu'il a fait a été de présenter des règlements timides, sans moyens pratiques qui permettraient aux municipalités de s'y conformer. En même temps, il s'est donné le pouvoir de percevoir de fortes amendes auprès des municipalités qui enfreindraient ces nouveaux règlements. »

When I look at all those announcements that were made by this government, they keep repeating and repeating announcements, but are we serious about the announcements? We haven't got the staff in place. When we don't have the staff, municipalities that can afford at the present time to come up with modifications will do it, but what's going to happen with the others?

Just prior to June 2000 I made a statement in this House that the municipality of Maxville, Ontario, where the Highland Games took place—sorry, it was in September that I made this announcement—65% of the 297 wells were contaminated with E coli and very high in coliform. But the ministry's capital budget had no money to come out and help this municipality of Maxville. I'm told there are quite a few others like this, and when I look at this report that was issued on October 27—it is for the municipality of Clarence-Rockland, de même pour le village Estate Waterworth—again, a sample of well number 2 shows total coliform, 780; E coli, 11. But there's no financial help for those municipalities. Where are we going to take the money from? This government has cut just about all the capital expenditures that were available to the municipality at one time. We knew last year that all we had in capital expenditures in the budget was \$14 million. That was all we had. In 1995 we had \$271 million available for capital projects. You might say

we have the Canada-Ontario infrastructure plan that has come in, but again, will the money be sufficient to meet all those requirements? I don't think so.

Right now I am going to leave a chance for one of my colleagues to continue on this issue, Bill 124, which is a very important bill for all residents of the province of Ontario.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: It would appear we don't have a quorum.

The Acting Speaker: If you'd like, I'll check and see. Would you check and see if there's a quorum, please.

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

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Further debate.

Mr Bisson: Thank you very much, Mr Speaker. I appreciate you having checked quorum. I know all members of the House want to be here whenever there's a debate going on because it is the essence of what this Legislature is all about: making sure we have the opportunity to come to this Legislature and speak on behalf of our constituents. That's something I would like to do in this particular debate.

I want to say, first of all, to the government members across the way that in regard to Bill 124, generally I support, as the rest of my caucus supports, the direction this bill is taking. We believe, as I think most fair-minded people do, that we need to make sure as legislators, here at the provincial level anyway, that we do everything that is necessary and possible within our power to send a message out there that the province of Ontario is not going to stand back and allow corporate polluters or other polluters to pollute our environment, because at the end of the day there is a cost.

We can't be diligent enough in making sure that we do what's necessary to safeguard our environment. I think all of us here understand that once you've created an environmental disaster, it's not just a question of what it means to a community or to the people around it for today or tomorrow; it's what it means to that community for many years to come.

I come from a community where unfortunately, and it's not uncommon in other communities, we have had some environmental disasters over the years that have besieged our community, and we're still paying for the effects of that. I look, for example, at the area I come from. I grew up in a place called—many people in this assembly would not even know where it is—Kamiskotia Lake.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I know where that is.

Mr Bisson: I know Marcel knows where it is because I showed him on the map one day. I come from Kamiskotia Lake—Marcel, you know I was just joking. Basically our community was a lake just outside the city of Timmins at the time; it was outside the municipal

boundaries. The Kamiskotia mine, which started up during the time of the Second World War, was put into production by the then federal and provincial governments to make sure that the province and the country were able to generate the type of resources needed for the war effort. That ore body, as many members may not know, was a copper ore body. It was put into production forthwith, as quickly as possible, in order to increase production of copper for the war effort at the time. I think it was about 1942 or 1943 when it was brought into production.

One of the issues of the day was that they were in such a hurry to put that mine into operation that they didn't bother making sure there were properly engineered tailings dams to make sure that whatever effluent we pushed out of the mill in the production of copper did not leach into the environment. That mine was built without proper environmental assessments and without proper permitting, I would even argue. As a result of that mine being in operation for some years, the dikes finally gave way and we now have, unfortunately, probably one of the worst disasters environmentally from a copper mine, certainly in our region and I would argue probably nationwide.

That has meant that the fine fishing in some of the areas has been very negatively affected, as well as property values for individuals who live there. We own a family cottage just on the edge of that area. If you walk in behind our cottage and go about 300 yards, it's basically walking on to an area that you would think was hit by an atomic bomb. All of that has happened because governments were not diligent that day in making sure we safeguarded our environment. Because of the stupid decision back then to allow that thing to be built without proper environmental protection, we now, some 60 years later, are still paying the price. Unfortunately my children, and I would argue probably the children of their children, will still pay that price. So for Kamiskotia making a few bucks for the investors and providing for the war effort, we made a sacrifice at the time that many generations will pay for.

I raise that issue because often people say, "What is environmental protection all about?" It's something that's a bit nebulous. Well, it's very real, it's very concrete, and yes, unfortunately it happens far too often in a neighbourhood close to you. I think we as legislators, especially in this new millennium, have to make sure we do everything in our power to be able to protect those areas from being negatively affected.

I have to say, on the issue of the Kamiskotia mine, that I want to congratulate the Minister of Northern Development for the work he did, along with myself and Councillor Rick Bisson, then-Mayor Vic Power and his council, in order to make sure that we put together the dollars necessary to do some of the reclamation work that we want to do on that particular area. The government—I give them full credit for it, along with the Minister of Northern Development and Mines—followed up on a request that was made by our community that was

spearheaded by Rick and others and myself and the council in order to make sure that money was there to at least deal with some of the worst parts of that disaster so that people living in and around there, people like Lise Cantin and other people I know very well who live out there, M. Lapointe, Mr Alberton, Mrs Damini, all people I know well, at least are able to not have to deal with looking at that thing on a daily basis.

1630

I give the government credit for that, and I thank the Minister of Northern Development and Mines for having provided some of the money necessary to fix some of that.

I say that because I think it's important to recognize that at the end of the day, for the mere saving of a few dollars, not building a proper tailings dam, which at the time was probably a half-a-million-dollar expense in 1940-some-odd dollars, we are now having to spend in the tens of millions of dollars just to mitigate some of the most basic disasters that that thing has created.

That's the point that I really want to make through this whole thing: if we don't safeguard upfront a new development or an expanded development of some type from environmental disaster, the cost down the road is much more.

The part that is even more galling is that unfortunately those costs are not often on the people who created the disaster; it's about you and I, the taxpayer, because we're the ones at the end who pay the taxes, who unfortunately end up paying to remedy these disasters because those companies that made the millions of dollars of profit by cutting some corners bankrupted themselves, they've declared themselves insolvent, they've hidden behind laws that protect them—and I'll talk to that a little bit more in the bill in a second. They've hidden themselves behind some laws where we can't get at them any more. Unfortunately, the taxpayers are the ones who end up paying.

I, for one, don't want to see that happen any more. I believe that it's very important—is the government getting up to see if we have a quorum? Mrs Speaker, I believe we don't have a quorum.

The Acting Speaker (Ms Di Cocco): Could we check to see if there's a quorum?

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: Continue.

Mr Bisson: I was sure I saw the government whip get up, and I was sure he was going to call a quorum call. I just wanted to assist. I didn't realize the government members were that worried about my calling a quorum.

I just want to say that far too often what ends up happening in cases of environmental disasters is that the public, the taxpayers, are the ones who unfortunately end up paying the bill because some corporate entity or some directors or people in charge of a project decide to cut

corners for the sake of saving a few dollars. They end up leaving town, and we are the ones who have to live next to the environmental disaster and suffer the consequences of that, and sometimes there are health matters related to it. Certainly the taxpayers at the end get caught.

We have another story, unfortunately in our community again, where back in the late 1980s there was a proposal to mine tailings out of the old McIntyre mine. The company, which was an Australian company, decided they were going to come in and make a proposal to the city of Timmins and to the then provincial government, which was led by Mr Peterson and the Liberals, to open up this particular project to be able to extract the gold out of the tailings. Many people in my community saw that as a very good thing. They said, "This is going to provide much-needed jobs in our community." We were promised upwards of 80 to 100 jobs over a period of 15 to 20 years.

I wasn't in politics then, but I certainly raised the issue with the groups of people I was associated with, and I think I did so when I had an opportunity to speak to the media about it, saying, "We don't have the safeguards necessary. There is a potential for environmental damage here, and we need to make sure the company puts up the securities necessary, so that should something go wrong and they skip town, we—the municipality and the citizens—have the dollars to remedy the problem."

What we were going to end up with at the end of mining these tailings was—the tailings were an old set of tailings that had since dried up because they hadn't been mined. They had been there for many years—back in the 1920s, I think—and what happened was that eventually they used it as a baseball park. In that whole area around the tailings there was a baseball park, there was Pearl Lake, which had some really nice places where people could go for walks. In fact, most people who were getting married in our community used to go to what they called the Schumacher-Pearl Lake Park to get their photos taken, because it was such a nice area. Over the years it had been rehabilitated.

They wanted to mine that whole area. It was smack in the middle of our community, between Schumacher and Timmins, right next to the highway. At the time, I said, "Listen, there are no safeguards that the company that does this is going to be around long enough to make sure they remedy the disaster after they've created it." We knew that by digging all that up we were going to lose the baseball park, we were going to lose Pearl Lake Park, we were going to lose all those nice areas. We needed to make sure we got money from them to put in place something to replace them after, that at least made the community proud and restored to some condition what was there before.

The government of the day—and it's not necessarily pointing fingers at Mr Peterson—was interested in economic development, as I am, and said, "Well, this is 80 jobs. They tell us, 'Yes, for sure, everything's going to be OK.'" They were going to make sure that at the end, once this company finished those tailings, they'd

move to other tailings, fix that up, make a little lake and a little park and it would look really good.

At the end of the day, the council decided to allow it to go through. I'm not sure, but I think it was Mayor Power or it might have been Mayor Welin who was the head of council at the time. It was around election time, so there was a bit of overlap. For reasons of economic development—and I'm not doing this to attack them; I understand why they did it—they said, "This is 80 jobs. The company tells us there are going to be financial assurances."

I believe Mr Welin, who was on council at the time, didn't want to allow it to happen without those assurances. I remember there was some criticism that, "Oh, you're scaring away some jobs." Eventually the new council came in and allowed it to happen without the assurances. As a result, the mine went ahead and they built the mill. There was an investment of probably \$50 million or \$60 million to build the mill. They started mining the tailings, operated for three years and went bankrupt.

Guess what happened at the end of the bankruptcy? It was an environmental disaster smack dab in the middle of the city of Timmins, we had no financial assurances and we had no mechanism under law to get at this now-defunct company to fix the disaster they created in the middle of our community.

To this day, as you drive down what used to be Highway 101—Madam Speaker, I believe you want to share something with us.

The Acting Speaker: I'd like to welcome, in the members' gallery, former member Jack Johnson from Wellington-Dufferin-Peel, from the 32nd Parliament to the 34th Parliament.

Mr Bisson: I'm so pleased that the former member is here, because I know he is here to hear what I have to say. I'm just beside myself to be honoured in such a way.

Hon Frank Klees (Minister without Portfolio): On a point of order, Madam Speaker: I believe it's appropriate for us to recognize that Mr Johnson was the member for Wellington-Dufferin-Peel for 12 years and then for a further three years for Wellington-Peel. He tells me he misses this place drastically, would love to participate in this debate and set the member opposite straight.

Mr Bisson: I have to say I agree, and I'll tell you why. He's going to set me straight? I was agreeing with the government. Now the government is saying they want to set me straight? All right. I don't want to support the bill any more. I think it's terrible. You guys messed it up again. It that what you want me to do? I come into this House saying, "For once you got something right," and you're saying you're opposed to me. What a bunch. There's no pleasing those Tories on the other side of the House, I have to say.

1640

Further to the member missing this place, I can well understand why, because this is a most noble profession. In all seriousness, as members of this assembly we are very privileged people. We get to serve our communities that we love, and we love doing it as part of our job. We

also have an opportunity to participate, and there's nothing more noble to be done, in my eyes, than the work that we do here. I can well understand why you would miss it, because I certainly enjoy the work that I do here and I know other members do as well. To you, sir, I say, run again. It is as simple as that.

I want to come back to the point of Pearl Lake Park because I think it sets up what is happening within this bill and what the government is trying to get at. If you don't have financial assurances, if you don't have the ability to go after these bad polluters, at the end of the day you're going to end up with these types of environmental disasters that I'm talking about. I know you have some in your community, as other members do.

In the case of the McIntyre mine tailings where the old Pearl Lake was, we found ourselves in a situation where they operated for three years; they went bankrupt; they hid themselves behind the bankruptcy courts. We couldn't get at them. Guess what? The taxpayers of the city of Timmins and the province of Ontario were again stuck on the hook. I think that's highly unfair.

Why should we, the taxpayers, have to pay for the incompetence of some corporate operator who doesn't know how to operate a plant properly that pollutes the environment and makes a disaster? I don't think it's fair to the taxpayer. We should have the assurances up front to make sure that we don't get into these situations and, number two, that we have legislation with teeth in it so that if they are doing something wrong, we can get at them.

For that part of Bill 124 where we are increasing the fines, I agree with that concept. At the end of the day, you know, money talks. That's what it comes down to. As I know and as Minister Hudak across the way knows, most companies are there trying to make a buck. They understand the idea of having to pay a fine if they do something wrong. It is a deterrent. That's what you're trying to do by way of this bill, to provide a deterrent to those operators across the province which may be thinking of cutting corners so that we don't end up with Hollinger mine situations and we don't end up with issues like what happened at the McIntyre.

The last point about Pearl Lake is, we are now in a situation where, if you drive from Schumacher to Timmins on Highway 101, which we call Algonquin Boulevard, and you look over to your right as you drive towards Timmins or your left as you drive to Schumacher, all that sits there now is a great big hole where they've taken the tailings out. The only thing we've done and been able to afford to try to mitigate that is to put up a fence, one of those chain link fences with the plastic running through it so that when people drive by they can't see it. We have all these people who drive along to Timmins for the very first time who go, "I wonder what's behind that fence." If they only knew. You can see when you're further back on the hill and unfortunately they're seeing something not very nice.

I say we need to do all that we can to make sure we protect our environment when it comes to those types of

actions. By way of Bill 124, and this is specifically where it ties into the bill, the government is trying to send a message to those corporate polluters that they should not be allowed to do this type of thing and that there should be a stiffer penalty if they're caught doing wrong.

The problem with the approach is that we may be increasing the fines but what we are finding is that there's really no ability to enforce the legislation because we've lost all the people at the Ministry of the Environment. What you've got is a government that since it came to power, for the sake of cutting red tape and making government more efficient, has done everything it can and has gone about basically taking money away from ministries such as the Ministry of the Environment. The negative effect has been that we don't have the staff in those ministries to enforce legislation.

I want to say to the government ahead, Bill 124 might be a step in the right direction. I'm prepared to admit that. There's one part of the bill that I have problem with which I'll talk to later, but generally I agree with what you're doing with the bill. You have to have the staffing in place to make sure that when people are doing things wrong, we have the ability within the Ministry of the Environment to go out there and try to remedy the situation.

The Ministry of the Environment, since this government has taken power, has lost 60% of its budget. Think about that. That means the Ministry of the Environment has lost 60% of all the monies it had, both on the capital and operating sides, in the operation of the Ministry of the Environment. It means we do not have the staff necessary to be able to go out and to monitor all these operations that are currently running and certainly to monitor those new ones that are coming up on-line, to make sure they're not cutting corners that will, in the end, negatively affect the environment. I want to give you but just one example of the negative effect of that.

I recently—about a month to a month and a half ago—had the opportunity to speak to a number of people who work within the Ministry of the Environment about a related issue. In the conversation I had with them, they said to me directly, "As it stands now, the province has a law on the books. It's a law that's set and then it's furthered up by a regulation that says all mining operators in our area have to have the discharge of their plant tested every three months. The point of that is making sure that whatever they discharge into the environment is tested so that if there's anything in there that is toxic, it can be picked up as quickly as possible and remedied before we end up in a situation of having all kinds of toxic substances dumped into our environment.

They're now telling me they're backlogged by eight months with any testing that goes on, when it does happen. In some cases, it doesn't even get done, but where it does get done, they're eight months backlogged from the time they actually get the water sample to the time the testing is done and reported back to the Ministry of the Environment. That means that if on January 1 of

this year a Ministry of the Environment employee gets to go out and test an actual mine operation for discharge coming out of its plant, it will be a full eight months before that report comes back, which means there's a whole bunch of time that things could be discharged into the environment and could cause all kinds of problems in our waterways, our groundwater and our environment for years to come.

I say to the government, that's unacceptable. That would be like the government of the day saying, as we do now, that there are laws on the books that say it's against the law to go in and rob the corner store or rob whatever store but, "We don't need police officers any more because we believe citizens will do the right thing. They will police themselves and nobody's going to go in and rob stores any more." So they get rid of the police officers. Well, what do you think happens? What happens is, criminals understand and those people who are thinking of those actions say, "Hey, there's no consequence for my actions. There may be a law on the books, but at the end of the day there are no police officers out there to catch me, so I'm going to go out and do it."

I say to the government, it's the same thing when it comes to the environment. You have to have the staffing in place. How else is it going to work? You can write laws, I say to the government across the way, that high from the top of my desk, the most progressive legislation in the province and in the world—in the galaxy, as Marilyn Churley says. You'd be able to do it. You'd be able to write laws that high that are the best in the galaxy, but at the end of the day it doesn't mean a darned thing if you don't have the Ministry of the Environment staff to go out and make sure the legislation is being followed.

I think what the government is engaged in here in Bill 124 is more of a PR exercise than actually caring about doing something for the environment. I have to look at this bill, Bill 124, in relation to other bills this government has done. This government has prided itself—it's been a virtue that this government has seen itself as having come into this House in 1995 and undone most of the environmental legislation, and I would argue most of the regulation, that protected the public and the environment from environmental disasters. They've done it by way of the red tape bills and they've done it by way of other bills they've introduced in this House where they've lessened the standards when it comes to the ability to protect our environment.

This government has done so under the theme that this is good for business, that cutting red tape and getting rid of government services generally is good for business. I would argue that's probably not the case, but aside from that, it's certainly not good for the environment, because we are now seeing, quite frankly, the types of things that happen when government removes itself from its responsibility of making sure that our water is safe to drink and that our environment is protected.

1650

Walkerton is a good example. Unfortunately, it's a terrible example of what happened. The example is that

in Walkerton we have a situation where—and I'm not going to go into the details; everybody understands—people died drinking water out of a tap. In the province of Ontario nobody would have believed, in the country of Canada nobody would have believed, that opening your tap at home and drinking that water could kill you. Nobody would ever have thought that was possible, but one of the reasons we ended up in that situation, unfortunately, is that this government said, "We can get rid of all kinds of stuff the government does because it's expensive, it's a big burden on our public purse and we need to get rid of it because it gets in the way of business."

Certain efforts were made by this government to lessen the requirements for testing water and, on top of that, to allow water testing to be done differently than it had been done for a number of years before. It's not that change is bad in itself, but there was not a change that really made things better. All it was about lessening requirements. As a result, when the water was polluted, when the water was contaminated by whatever in the end contaminated the water—there are certain allegations of where that came from, but the point is that there was no way of really assuring ourselves that the water we were drinking was safe, and unfortunately people died. It was Marilyn Churley, my colleague within the NDP, who in the last part of the summer break really brought this issue to light, did a lot of work and is still doing a lot of work to try to find ways of protecting ourselves from those kinds of occurrences again. She has proposed numerous ways of doing that by way of legislation that this government has not accepted yet.

I say to the government, if you're going to come in here and introduce something like Bill 124, which I say again in itself is not a bad thing—you're increasing fines for corporate polluters out there. I think that's a great thing, but if you're going to come in and do that, at least have the fortitude and at least have the integrity of looking at the issue overall and accepting some of the ideas from this side of the House, such as the legislation that has been put forward by Marilyn Churley and the NDP caucus that deals specifically with a drinking water act. Implementing a safe drinking water act in Ontario would be a good start, something that my colleague has proposed, something that she has tabled in this House. This government said no because it was more interested in putting this out so they could get a PR exercise on the day the Walkerton inquiry started. They wanted to have some way of being able to say, "We too, the Mike Harris government, are for the environment." They introduced this bill to make that happen.

One of the sections of this bill that troubles me is that—I believe it was back in 1998—the government brought legislation into this House, Bill 82. I'm not sure if it was for the first time, but it imposed administrative penalties for certain actions when it came to polluting water, allowing effluent that was a toxic substance to be discharged into the environment. They imposed administrative penalties. There was a section that said—and I

thought this was a good thing—that if in the end it was found that a corporate director or somebody who was an officer of that company knowingly allowed that to happen, the state—in this case, the province of Ontario—could go directly after that officer or director who knowingly allowed the situation to happen.

The government brought that bill forward. We in the opposition, in the NDP, supported it. We gave it quick passage. We thought it was a good thing, one of the few things on which we agreed in that Parliament with the Conservative government. We thought that was a good thing and we allowed it to go through because we said that it made perfectly good sense, if you had a director or an officer of that company who knowingly allowed something to happen, knowingly created a situation where the environment was put at risk, and did nothing about it or created a situation to make it even worse, that there be some culpability of that officer or director. We said that was a good thing and we supported it, and the bill went through here lickety-split, no time allocation motion. The opposition agreed. Away we went and we allowed the bill to pass.

That section of the act was never proclaimed. They came in here, the government of the day, introduced the legislation and got the photo op they were looking for. We took it at face value that the government was going to do at least what it said it was going to do by way of the legislation, and then we found out with time that this government did not proclaim that section of the act. If a corporate entity was found to have polluted and the officer or the director knowingly allowed it to happen, there may have been a law written on the books, but it didn't mean anything because it never was proclaimed by the government. Therefore, you had a law that said one thing, but the practice was quite something else. The government was trying to sort of have its cake and eat it too before the last provincial election and said, "Look at us. We're so good for the environment. We're Mike Harris. We're the environmental party of Ontario." There they were introducing legislation that in the end they didn't even proclaim.

I want to say again, because I don't want to be unfair to the government, that there is a huge part of this bill I agree with. I agree with the changing of the imposition of fines; I think it's a good thing. But there's a section in this bill that takes out of Bill 82 the section that dealt with being able to get after officers and directors of companies who knowingly pollute the environment. It's a bit cynical for the government to do this, in fairness. The government in 1998 put in place the law that said we can go after those directors and officers who knowingly pollute. They didn't proclaim it. Then they come in with this bill. "This is the toughest legislation in North America," said Mr Newman when he introduced it, the toughest stuff in the galaxy, as Marilyn Churley would say, but at the end of the day the government is taking out by way of Bill 124 a section that was a progressive section under Bill 82. Now we're in a situation where you cannot get at the directors or officers.

The scenario now is that if this bill passes the way it is, basically we can't get at corporate polluters, and I'll call them that, who knowingly go out and pollute, at those officers and directors who made the decision, because the government wouldn't proclaim its own legislation under Bill 82 but is now taking out that provision by way of Bill 124 in this Parliament. I say to the government across the way, that is really cynical politics. You're trying to send a message that you're the environmental party of Ontario. Your actions are different, and I think most people see through that.

I want to touch on the issue of toughest legislation in any jurisdiction, because that's the line the Minister of the Environment, Mr Newman, has used when dealing with Bill 124. I come out of the mining sector, and in the mining sector it is well-known—do you know one of the jurisdictions that has the strongest environmental legislation to protect the environment and the public when it comes to environmental disasters in mining? Do you know where the toughest jurisdiction is? Mexico. But everybody in the mining industry knows that if you go to Mexico there's nobody enforcing the legislation. So it's a joke. The minister across the way knows. He's heard that, I'm sure, from Dr John Gammon, who is a good friend of his, as he is of mine, the deputy minister. Mexico has some of the toughest laws on the books.

I remember when I was in my term in government as parliamentary assistant to the Ministry of Mines going to a conference here in Toronto. I believe it was Toronto or Montreal. Actually it was here in Toronto. I always remember that because at the time the Chrétien government had invited a number of people from around the world to come and talk about their mining industries across the world and their opportunities. The effect of the conference was, "Canadian investors, take your money out of Canada and go and invest it somewhere else." I always thought, "Boy, that's a really weird way of attracting investment for mining in your country, when you invite people from other jurisdictions to go into competition getting exploration dollars out of Canada and sending them to the United States." Anyway, that's a sidebar.

The point is that the Mexican official who came to Toronto to speak to investors in Canada, looking at spending dollars in mining in Mexico, said point-blank, "I want you all to know that we, the Mexicans, are the toughest when it comes to environmental legislation to protect our environment," but, "Don't worry, be happy," he said in a little bit of a joke. He said, "At the end of the day, we don't enforce any of this legislation. We only put that law on the books for show and you guys can do what you want within reason and we won't bother you." Those were basically the comments made by the official from the Mexican government who came here to talk about their tough environmental legislation.

The point is you can have all the tough legislation in the world, but if you don't have the enforcement mechanism and the staffing to go out there and nab those corporate polluters, it's not going to work. It's like I said

earlier: you can have the toughest laws when it comes to speed limits on highways; at the end of the day, if you don't have the police officers out in their cruisers policing the highways, people are going to speed. It's as simple as that.

1700

It's the same thing when it comes to the environment or anything else, because as human beings, unfortunately, we are that way. If we feel we can get away with something, we're going to get away with it. That's why governments have to temper that by making sure we have laws and enforcement mechanisms to make sure those kinds of things don't happen in the future. I say to the government across the way, you can't have your cake and eat it too. You can't say this is the toughest legislation in the world and then not have a mechanism to enforce it.

J'ai parlé un peu plus tôt d'une couple de situations dans mon comté de Timmins-Baie James où les employeurs, les corporations de cette journée, ont fait des décisions qui, à la fin de la journée, nous ont laissé avec beaucoup de dommages à notre environnement local. C'est aussi la situation, comme vous le savez, dans d'autres industries de bois. On voyait dans les années passées — plus à cette heure. Je veux dire clairement que les compagnies, les industries, sont bien meilleures aujourd'hui à cause de la législation qui a été mise en place par notre gouvernement faisant affaire avec la protection de nos forêts, mais dans le passé, c'était la même affaire.

Il y avait certains individus dans l'industrie de bois qui étaient intéressés à faire un profit et qui s'organisaient pour s'assurer que cette activité serait faite d'une manière qui fait du bon sens, et qu'il y aurait toujours de bonnes méthodes d'aller couper les arbres et de les ramener aux moulins dans la communauté de Hearst ou Mattice ou Timmins ou n'importe où.

Dans le passé on n'avait pas les droits nécessaires pour faire ces protections. On voit, par exemple, dans le nord-ouest de l'Ontario, quand on se promène dans ce coin-là, et certainement en Colombie-Britannique, le type de dommages qui ont été faits par certaines compagnies, certaines industries de bois, qui sont rentrées dans une forêt sans égard pour leurs activités et qui ont fait des dommages dans la forêt, dans l'environnement, pour lesquels on paie encore aujourd'hui. C'était dans les journées où on n'avait pas les lois et, plus important, on n'avait pas le personnel dans le ministère des Ressources naturelles pour s'assurer que les compagnies obéissent à ces lois.

Je me rappelle la manière dont les compagnies ont commencé à faire le gros changement où elles sont devenues bien meilleures aujourd'hui que dans les journées passées. C'était en deux étapes. La première étape, c'était au commencement des années 80 ou à la fin des années 70, où mon ami M. Alan Pope, qui était le ministre des Ressources naturelles dans le temps, a commencé un processus pour s'assurer que, quand les compagnies forestières rentrent dans le bois, il y a

certaines lois et principes qu'elles doivent suivre qui sont positifs pour l'environnement et qui assurent qu'elles ne sortent pas avec toutes les pinèdes dans la forêt sans s'assurer que c'est fait d'une manière à soutenir cette action et, deuxièmement, qu'on reboise là où le coupage a été fait pour s'assurer que les forêts seront là pour les années à venir.

La deuxième étape, après celle de M. Pope, a été quand M. Howard Hampton, le ministre sous le gouvernement NPD, a mis en place « sustainable forestry development. » On s'est assuré que les actions dans les forêts étaient faites d'une manière à pouvoir soutenir l'industrie et d'une manière qui faisait du bon sens pour l'environnement.

La raison pour laquelle on a fait ça, c'est parce que dans ces jours-là, si vous vous rappelez bien, il y avait beaucoup de parties dans le monde, en Europe et certainement aux États-Unis, où les autres disaient, « Si nous autres achetons des produits comme le papier, on veut s'assurer qu'on achète ces papiers des industries qui le font d'une manière qui soutient l'environnement et la forêt elle-même. » Nous, on a changé les projets de loi pour s'assurer qu'on a un processus en place qui fait du bon sens, qu'on utilise les meilleures méthodes qui nous sont disponibles aujourd'hui quand on fait des coupages dans les forêts, qu'on le fait d'une manière qui fait du bon sens pour l'environnement et, à la fin de la journée, pour l'entreprise aussi.

L'effet de tout ça, c'est qu'on est arrivé avec un projet de loi avec lequel on a vraiment changé l'image de ces industries d'une manière positive. On voit à cette heure que ce qui se passe dans les forêts la plupart du temps est beaucoup amélioré.

Le point que je veux faire avec tout ça, simplement dit, est qu'on a besoin de bonnes lois qui protègent l'environnement et qui assurent qu'on ne fasse pas de dommages pour les années à venir. Mais vous avez besoin aussi de mécanismes, tels qu'on a eus dans cette loi et sous notre gouvernement, pour vous assurer que le personnel nécessaire est là pour aller surveiller ce qui se passe dans les bois et que, à la fin de la journée, c'est fait d'une manière qui fait du bon sens pour protéger notre environnement pour les années à venir.

So there are plenty of examples that people can draw on when it comes to being able to protect one's environment. As I was saying, under the Sustainable Forestry Development Act that was put in place by the then Minister of Natural Resources under the NDP government, Howard Hampton, we took an approach that said, "Listen, if you're going to do any activities in the forest, they have to be done in a sustainable way, sustainable to the environment and sustainable to the resource itself," because without that you're going to be in a situation where you're going to deplete the forests and you're going to damage the environment at the same time.

Madam Speaker, you have a note, as if you're waiting to read something.

The Acting Speaker: No.

Mr Bisson: You looked as if you were about to get to your feet there.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): She's just stretching.

Mr Bisson: She's just stretching, is what she's doing. OK. You have to watch this, as a member.

I was saying we put in place that protection of the environment when it came to forestry because we recognized, as a government back then, that if you don't have the laws in place in some cases to force some of these companies to do the right thing, it's not always going to happen. Yes, there are plenty of good corporate operators out there. I can think of some in my own riding, like Tembec, which does a very good job, and other mills in my area. But there were some out there that were not as good as others and we needed to have some system in the province to make sure that we were able to put in place protection for the environment, but at the same time put in practices in the forest that allow them to cut the timber in a way that is sustainable both for the environment and as a resource. At the end of the day, the legislation that was put in place has changed the industry from being seen as a brown industry to an industry that is now seen as a green industry. Our industry in Ontario is situated in a very positive way when it comes to how it's compared with other jurisdictions that they compete with. I say to the members across the way, there are ways of doing that by legislation, but you also have to have in place mechanisms in order to protect—that those laws are done in such a way that you have the staffing to go out and police that and make it happen.

Bill 124 in itself is a bill that certainly has support on all sides of the House. We think this legislation, when it comes to increasing fines for polluters in the province of Ontario, is a step in the right direction, and I say to the government across the way that we give you credit for that. But the warning is this: if you have not the staff in the Ministry of the Environment to go out and make sure that you're able to police this, it's not worth the paper it's written on. We know that by all kinds of examples that I and other people have raised in this House and that we've seen in other jurisdictions.

As well, within this legislation the whole idea, the whole notion, of removing from previous legislation the ability for the crown, in this case the province of Ontario, to go after directors and officers of companies who knowingly go out and cause damage to the environment and pollute—taking that away I think is very cynical. The government, by way of Bill 82 in the session of 1998, put that in place and said, "Look at this: this is a green piece of legislation. We are going to make sure that if there are polluters out there and those directors and those officers responsible for the decision make a decision that at the end pollutes our environment and does it knowingly, we have a mechanism to go after them." We thought that was good. Unfortunately, the government never proclaimed the law, and now they come by way of this debate through Bill 124 and are taking that particular part away.

I say to the government across the way, the notion of the fines is the right direction, but you have to make sure

that you have in place those mechanisms and the staffing necessary to enforce that. With that, Madam Speaker, I thank you very much.

The Acting Speaker: I would like to recognize in the members' gallery a former constituent, Andrea Vanpelt, and her family. I want to welcome them here.

Further debate?

1710

Mr Doug Galt (Northumberland): I appreciate the chance to say a few words on this particular bill on its third reading. I've heard a lot of attacks from the other side of the House and I just wanted to bring to the attention of the Legislature some of the things that the Ministry of the Environment has been doing, particularly in the area of air. There are a tremendous number of things over the last five years that we've been doing to improve the air quality of the province of Ontario; for example, the anti-smog plan. Here's a program to reduce by some 45% the volatile organics by 2015. That's actually been moved up to 2010; it was 2015. There is also the Drive Clean program that I'm sure you're very aware of that's been brought in and already, in its first years, has reduced emissions by some 6.7%. There will be a total reduction of some 22% when this program is totally brought in.

Also addressing climate change, Ontario is a leader. I don't know where the federal government is. They were the ones who were over in Kyoto negotiating and doing all the talking, but since they came back there has been very little performance from the federal government. It's Ontario that's leading again on climate change, some \$10 million that's being put in there.

Emission performance standards for the electricity sector: here again, Ontario is a leader. Effective January 2001, the government will implement emission performance standards for the electricity generators in Ontario and for generators outside of Ontario selling into the province—a lot of concern when we were going with competition in the electricity sector.

I also to draw to your attention that Ontario had inter-vener status with US courts when the EPA was challenging the US government. Again, that was a win; it was a win in favour of our government and in favour of the EPA back in March of this year.

The smog patrol, for example—out watching what vehicles are doing—is part of the Drive Clean spot check on trucks and buses and light duty vehicles.

These are some of the many things that have been going on, not to mention many others, like updating the air standards, something that hasn't been done in some 20 years, initiated three to four years ago. There will be some 120 human health and environmental air standards that will be upgraded.

To continue: a \$4-million-plus investment in air-monitoring equipment.

There was also an interesting program brought in when I was the parliamentary assistant for the Ministry of the Environment, called Partners in Air, putting equipment into our schools so that students can sample, test

and analyze air samples in their community, work with it on the Internet and see what other schools are finding out. One of those schools happened to be a school in Cobourg. I know the students there really enjoyed using that. I was there for the launch of that particular one, as well as one up in Hamilton.

There are also the smog alert resource materials to assist municipalities in monitoring for smog levels.

Last but not least there's the reduction in the gasoline volatility regulation, which reduced volatile organics by some 19,000 tonnes. This is a material that creates ozone, and with the dust particles you end up with smog.

I just thought that was important, with all this negativity we're hearing from the other side of the House, to talk about. I could go into water and soil and the other areas, but that's just one example of an area that the ministry works in. I thought the opposition would be interested in that.

This bill is really about keeping promises. It's a promise that was in the Blueprint, it was a promise in the fall action plan that the Premier brought out, and now we're bringing in a bill that will provide for some of the toughest penalties in the world, literally. It's a tremendous bill; it's one more step. Certainly we brought in increased penalties before, but this is one step up.

We have a track record of keeping promises. This government had a promise to cut taxes and the taxes have been cut. We had a promise to cut red tape. Tremendous numbers of red tape bills have gone through and a tremendous amount of red tape has been eliminated. We promised to eliminate those job-killing regulations and we got rid of most of those. We are here to provide a government that costs less and does a better job, and there's no question over the last five or five and a half years that has certainly been happening.

Robert Service, a Canadian poet, once said that a promise made is a debt unpaid. Certainly we hear, particularly from the federal Liberals, all the promises they make. Now they've got red book 3. I guess those are the promises they made in red book 1 and red book 2 that they didn't keep, so they just put them together and called it red book 3. Madam Speaker, I don't understand a party, and I'm sure you would empathize with this, that would make promises they wouldn't keep.

We've certainly developed a reputation as a government that keeps promises we make; promises made, promises kept, is what the public recognizes this government as. Even in the Bush and Gore debate a few weeks ago—granted, they haven't got that settled yet, but they were talking about promises made were going to be promises kept. Maybe they copied it from us. I wouldn't be surprised. It's kind of an honour to have the candidates for President of the United States copying from our government.

It's great to see that we will be bringing in some of the toughest penalties in the land. We're providing leadership, and that's something our federal government could do: provide some leadership.

What we've seen from the federal Liberals is that they're busy putting up smoke screens to look after

Calamity Jane and the HRDC atrocities that happened in this country, the wasting of billions and billions of dollars, but we're getting used to it. The appointment of non-elected people to their cabinet: in a democratic country they would appoint non-elected people to the federal cabinet just so that maybe he can get a step up to become the next—not to mention the fountain in the Prime Minister's riding. It's probably at his cottage, for all I know.

Talk about breaking promises. The GST was the greatest promise they had and they broke it back in 1993. Remember the promise on the GST, and they broke it. Now what are they into? They're into an unnecessary campaign, calling an election some 18 months—

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Madam Speaker: These are important issues the member addresses and I know we could spend days, as the people of Canada are right now, debating these issues, but the bill before us today is the bill we're supposed to be debating and I have not heard much reference to that bill in this member's statements.

The Acting Speaker: I'm certain the member will be returning to the topic of the bill.

Mr Galt: That's what I was getting around to, Bill 124.

Mr Bisson: On a point of order, Madam Speaker: If it's of any assistance, I think he was speaking directly to the debate and I want to hear more.

The Acting Speaker: Order.

Mr Galt: It's good to have people in the Legislature who understand this. What I want to do in connection with this bill for a few minutes is to bring to their attention what the Liberals left on the order paper: some 14 bills, and I think it's a shame, important ones like the Bill 124 we're discussing here. They left one sitting on the order paper about the Criminal Code, An Act to amend the Criminal Code (cruelty to animals, disarming—

Mr Duncan: On a point of order, Madam Speaker: This is an abuse of the Legislature. The people watching this channel know full well they are going to be called upon to cast their opinion in some 12 days with respect to what was or wasn't on the order paper of the federal House. This is not related to Bill 124—

The Acting Speaker: This is not a point of order.

Mr Galt: Thank you very much, Madam Speaker. I think it's interesting how upset the member opposite is getting because, obviously, I'm zeroing in on—

Mr Duncan: On a point of order, Madam Speaker: Is there a quorum present?

The Acting Speaker: Is a quorum present?

Clerk at the Table: A quorum is present, Speaker.

The Acting Speaker: Please continue.

Mr Galt: It's too bad that the member across wasn't able to count prior to calling for a quorum. I can tell I've touched a nerve here, because as soon as I talk about his federal cousins, whom he's trying to protect and he's out campaigning for, he gets to his feet.

Mr Peters: On a point of order, Madam Speaker: This is a very important piece of legislation that we're

debating here today. One of the most important things that takes place in this province is ensuring that we have a save environment. I would love to hear from this honourable member about the important things that the government should be doing for the environment that they're not doing for the environment. I don't think that discussing issues relating to a federal election has anything to with it. If we wanted to talk about the CRAP party or the federal Conservative party, we could do that, but I don't want to do that. I want to talk about the environment.

1720

The Acting Speaker: I believe the member should return to the topic of the bill.

Mr Galt: We will return to it. I'm certainly disappointed that the members opposite don't want to hear what I have to say, but we're pleased that Ontario is on track with this particular bill. We're keeping our promise—

Interjection.

Mr Duncan: On a point of order, Madam Chair: The member said that I indicated I didn't want to hear from him. That is not the case at all. I very much want to hear from him about Bill 124. It's improper—

The Acting Speaker: This is not a point of order.

Mr Galt: I guess it bothers him when I talk about Ontario keeping our promise. He just can't take the truth about Ontario keeping our promise. We don't let acts die on the order paper like the species at risk, which is all about Environment Canada. Twice it has died on the order paper. I guess he can't take that. But we do have a promise. We did promise to protect the environment of this province. We are bringing in the bill. This is the third reading and I look forward to unanimous support of it going through.

Nobody has the right to pollute the environment. The verbosity that we've heard in this House today from the other side—calling points of order when they really haven't been points of order. I look forward to the stiffer penalties that this particular bill will bring in. It will indeed send a very strong message to those who are thinking of polluting in the province of Ontario.

Mr Joseph Cordiano (York South-Weston): I'm glad to be speaking on this legislation on third reading. When I look at the bill that's proposed by the government, certainly on paper it appears as though this is legislation that has been designed to deal with what it says it wants to deal with: toughening penalties. That's a good thing, and we support that.

On the other hand, if you scratch beneath the surface and you begin to understand the track record of this government, the next thing that comes to mind is the question of credibility with respect to this government and its handling of the environment. No one would doubt that this government has great credibility when it comes to getting tough on welfare recipients, when it comes to getting tough on children who find themselves, through no fault of their own, in poverty, on the mothers of those children who are on social assistance. There is great

credibility for this government when it comes to dealing with cutting what welfare recipients receive on social assistance. The 22% cut inflicted on those social assistance recipients by this government was very real and everyone knows that. They can take credit for that.

But when they try to take credit for dealing with the environment and toughening the laws and ensuring that there's an environmental framework, a regulatory framework in place to deal with the environment, you have no credibility, I say to this government. The reason you have no credibility is because you cut one third of the Ministry of the Environment staff right at the beginning of this government's mandate. One of the very first things this government did was to cut the Ministry of the Environment staff. Some 900 staff members were let go at the Ministry of the Environment.

Another fact: 45% of the Ministry of the Environment's budget was slashed by this government, building further evidence that this government has a track record on the environment that is less than desirable. There's a credibility gap there. This government has not dealt with the environment in a fashion that would lead us to believe that in the future they will have awakened to the reality that the environment is important. This bill, we hope, will go some way to dealing with the problems that we have in this province, and there are many. Walkerton is a wake-up call. It's a huge tragedy of enormous proportions that perhaps this province has never seen before.

There are many other problems that ought to be dealt with when it comes to the environment in this province. Again, it's a ticking time bomb. We will leave a legacy for the future generations of this province that will be quite a disaster if we don't deal with the environmental problems we are facing today. These build on themselves and future generations will face the prospect of bankruptcy in having to deal with those environmental problems which will mount and which will multiply in the future.

I say to the government, you can't begin that process of building credibility by just enacting this law. The problem is that it falls far short of what we need to have in order to deal with environmental problems and to deal with offenders who are polluting the environment. Not only must you have tougher penalties but you need that regulatory framework, and that regulatory framework has been gutted. The red tape bills were designed specifically to do away with the regulatory framework, and this government has enacted that red tape legislation.

We need greater numbers of inspection and enforcement staff, otherwise this bill is absolutely meaningless. On paper, yes, the bill enacts tougher penalties, but how can you enforce those penalties if you don't have an inspection staff? There is no mention of greater resources for the hiring of additional staff. There was some mention of a SWAT team by the minister. I heard him earlier, and supposedly this SWAT team will be moving around the province. I heard our critic speak with respect to the SWAT team and he suggested, and I happen to

believe him, that this was going to be a great photo op for the minister and the government; that the SWAT team would move around from photo op to photo op across the province.

We are cynical about this, and we have every right to be, because the government has a very lousy track record when it comes to protecting the environment in this province. It is no accident that Ontario has been rated the third worst polluter in North America. It's no accident that the Sierra Legal Defence Fund issued a report showing that in 1998 there were over 3,300 documented cases of industry polluting Ontario's waters. Thirty-three hundred cases, and guess what? Only one of these companies was ever charged and convicted of breaking Ontario's laws. Perhaps other members have spoken to this, but it's worth repeating. That's a startling fact. I say to the government, you have a long way to go before anyone gives you any kind of credit for dealing with environmental matters.

As I said, you have a track record dealing with people on social assistance, and all of us would agree that you're tough on people when it comes to social assistance. You're tough dealing with those people. You're tough when it comes to dealing with people with disabilities, and you won't bring about an Ontarians with Disabilities Act to rectify the problems being faced by people with disabilities in this province. You're tough when it comes to those kinds of issues, but don't stand here and tell us that you've been tough on polluters and that you're going to get even tougher. It doesn't wash. There's a huge credibility gap.

I say to the government, of course we support this legislation, but we do so with a great deal of scepticism and in the knowledge that your track record has just been a pitiful one when it comes to the environment.

1730

The Acting Speaker: The Chair recognizes the member for Durham.

Mr John O'Toole (Durham): Unaccustomed as I am, Madam Speaker, to seeing you here and to speaking, this is an opportunity to put on the record that this is indeed clearly accepted as the Toughest Environmental Penalties Act in Canada, arguably in the world.

There are three important principles in Bill 124. I always like to start at the beginning of most books, especially if it is a bill that I'm reading:

"An offence of contravening the act or the regulations, if the offence results in an adverse effect." In other words, it has to be established that there has been an impact, and clearly this is a matter of having the proper tools in place for compliance. Investigation and inspection is dealt with in one of the sections under the penalties section.

"An offence in respect of hauled liquid industrial waste or hazardous waste, if the offence may result in an adverse effect." We are dealing with the whole area of hazardous waste and the disposition of that material.

"An offence of failing to comply with a stop order." So it's very strong in establishing offence purposes.

Then under the offences, it makes the offences the toughest anywhere in any jurisdiction. I think, for the record, it is important to put that clearly.

Other jurisdictions: The proposed legislation will ensure that Ontario has the highest fines and jail terms for major polluters. That's worth reflecting on for a moment. That's the deterrent part. In fact, it looks even stronger in that what they call the administrative monetary penalties in some areas are higher. The intention here is to move it from the administrative penalties—in some instances these are corporate officers who would have been found somewhat negligent—to prosecute them under the act itself, which means that they would face a much more severe regime of penalties.

The bill itself deals with the amendments to the Ontario Water Resources Act to increase the maximum penalties for offences that impair the quality of the water of any waters and certain offences that relate to water treatment. There's been much said about water and water quality. It is important to recognize that we are establishing the toughest enforcement in the penalties to act as a deterrent. Clearly, the case that we have before the courts now is an example of that. We had sort of fallen behind, you might say, in best practices.

The bill also amends the Pesticides Act to increase the maximum penalties for offences for adverse effects caused by, in many cases, negligence.

In all cases, the bill increases the maximum fines for corporations from—now listen to this; this is staggering—\$1 million to \$6 million.

Hon Tim Hudak (Minister of Northern Development and Mines): How much?

Mr O'Toole: To \$6 million on a first conviction—and listen to this—and from \$2 million to \$10 million on a subsequent conviction. Talk about a deterrent. In Ontario, it is just not acceptable any longer, period. There are courts in place to prosecute those people who ignore and violate and contaminate our environment. It is no longer acceptable. I can tell you that Minister Newman, if he was here today, would be standing right beside me. He used to sit beside me. So now I'm standing, he'd be standing beside me.

Hon Mr Hudak: He's left you behind.

Mr O'Toole: Actually, the minister has done very well. I don't want to get off topic here too much. I think he's one of the toughest environmental ministers we've had.

Right in front of me is another former Minister of the Environment, Mrs Elliott, whom I think very highly of. I know if she had stayed on the job, she'd be a force to reckon with. That's pretty much thematic of our whole caucus: tough on the environment, there's no question about it.

In the case of offences under the Environmental Protection Act that result in an adverse effect or that posed or pose a risk of adverse effect, the bill makes the maximum penalties for an offence under subsection 194(2) of the act the same as the maximum penalties for an offence under section 186. What it is doing here is harmonizing all the provisions for offences.

In going through my notes here, there's one small area where there was some confusion. I wanted to clarify that. An article in the October 17 Toronto Star—you shouldn't believe the Toronto Star to start with; you should cancel your subscription to that—said that Bill 124 repeals the ability for a company director or an officer to be fined for not taking reasonable efforts to stop a company from polluting the environment. This statement is clearly inaccurate and false. I can't use the word "lie" here, so I won't do that. Bill 124 does not repeal the ability for fines and jail terms to be applied to the companies or the directors. In fact, as I told you, they're to be prosecuted under the act itself. There would be these penalties of millions of dollars that I talked about earlier.

I listened to the debate this afternoon, starting off with the minister and the very able parliamentary assistant, Toby Barrett. They've clearly established that I'll be supporting this bill, and I'm asking the people of Ontario to work with this government to protect the environment, not just in my riding of Durham, where there's the Oak Ridges moraine and sensitive land and there are large companies, and I think they're respectful large corporations. We're after are those unscrupulous operators.

The message of this particular bill is to strengthen the penalties, strengthen the enforcement, and make sure that they're in compliance with protecting a resource that all of us share as Ontarians, and that's our environment. It's clean air, clean water and clean soil. I think to have the toughest provisions is clear evidence that this government places the environment right at the top of the list of those things that we think and hold dear to each of us.

The Acting Speaker: Further debate? The member for Elgin-Middlesex-London.

Mr Peters: Thank you very much, Madam Speaker. It's a pleasure to have you in the chair this evening.

It's about time we hear that the government is going to start to get tough on the environment. Hopefully we're going to be able to improve the track record of this province so that we're no longer the number three worst polluter in North America.

I think that this government needs to accept responsibility for the damage that has happened to the environment in this province since it was elected in 1995. Dalton McGuinty and the provincial Liberals are committed to the environment and taking meaningful steps that are going to improve the environment. The Liberal Party, under the leadership of Dalton McGuinty, will support this legislation, because it is a step in the right direction. But it's a step in a direction that is not going far enough.

You talked about deterrence and you talked about being tough. You can do those things—you can increase the fines, you can have the legislation in place—but you need the resources available to enforce that legislation. How can this government stand up and say that they're going to be tough on polluters when they've cut the resources, they've cut the enforcement agencies in this province? The damage is unprecedented. You talk about doing damage to the environment in this province. You've done more damage with the one-third cuts to the

environment ministry's budget than anybody else in a previous government in this province. I think that's a real disgrace.

But we will support this legislation. I think there are issues, though. They talk about environmental protection. Let's talk about some areas where this government needs to invest the resources and make a commitment to supporting the environment in this province. Let's talk about a very important program that is out of money. There's no commitment from the Minister of Agriculture or the Minister of the Environment or the Premier of this province to support this program. That's the environmental farm plan program.

This is \$1,500 that was made available to farming families in this province to develop an all-encompassing environmental farm plan for their farm, a program that was developed close to 10 years ago in conjunction with the Ontario Federation of Agriculture, the Christian Farmers and other agricultural agencies in this province, a partnership working together to try and help the environment. But is there a commitment from this government to keep this program alive? No. It's out of money. There isn't that commitment there.

Let's talk about another piece of legislation that we've been waiting for—I can't say that somebody's not here—that we've been waiting for and that people around this province have been waiting for, and that's the agricultural operations act. The agricultural operations act is a piece of legislation that the agricultural community in this province wants. They want this legislation in place. But they don't want a piece of legislation in place that's going to force something down somebody's throat from an environmental standpoint and not ensure that the resources are there. It concerns me tremendously that this government will put in legislation but will not put the money where their mouth is in supporting the farmers in this province when they implement this legislation.

1740

Let's talk about air quality. They talk about the things that have happened with air quality, but we've yet to see the commitment to ensure that the coal-burning hydro plants in this province will be converted from coal to natural gas before there are any sales by Hydro One. There is not that commitment.

I live in an area of southwestern Ontario, in St Thomas, that encompasses London, Elgin county and Middlesex county, one of the areas where we're constantly receiving smog alerts from the province. Smog, as we all know, doesn't respect boundaries. We need a commitment from this government to work with our friends in the United States to ensure that smog isn't going to cause damage to the lives of people in this province. We need that commitment.

They talk about drinking water protection. Dalton McGuinty and the Liberals campaigned in 1999 to put strong drinking water protection in place. What does this government do? This government does not act with strong legislation dealing with drinking water until after the damage is done—very reactionary. We need a

government with a vision for the environment in this province. We don't need a government that possesses 20-20 hindsight. We need a government to look ahead and this government has not shown that commitment to the environment.

We talk about hazardous wastes and about how, with this legislation, Bill 124, we're going to crack down on hazardous waste, but it's another record: As we're the number three polluter in North America, we're the hazardous waste importing capital of North America. Hazardous waste is coming into this province and you've opened the doors. You've allowed those doors to open in this province. The Speaker's own riding has a toxic waste dump. We're seeing unprecedented amounts of toxic waste rolling into this province. Some commitment by this government.

We've got issues. There's a very serious problem around this province dealing with the environment. For many years, many cities had old coal-gasification plants that produced gas for heating, lighting and cooking purposes. These plants closed over 60 years ago but we've been left with an environmental toxic legacy, whether it's Peterborough, St Thomas, Kingston or London. The coal tar blob in London needs to be cleaned up. We need a commitment from the Ministry of the Environment to do something.

CURB was a wonderful program in place that did a great job of helping the rural parts of our riding make commitments to the environment and make changes so we could end environmental damage to our streams and water courses. What did this government do after they were elected? They cancelled the CURB program.

There is another issue we see when we talk about a commitment to the environment, and again Bill 124 is a step but it doesn't go far enough. In my own riding I have 82 kilometres of Highway 401. What is this government allowing to happen? They're allowing garbage that's going to be trucked from the greater Toronto area through to the United States. That needs to be, but the government has a role it could play in this. Does the government consult? Does the city of London or the city of Sarnia or the city of Windsor have any consultation by this government? No. They read in the newspaper that this garbage is going to be travelling through their ridings.

We talk about the environment and ways we can do things. Why don't we see a commitment from the government to look at the railways? The railways are the

very foundation that built this country. We're seeing railway lines ripped out left and right across this province. We need a transportation plan that will help us ensure that some commodities can travel by rail. There is a role for the provincial government to play in ensuring that the railways have a role to play in the future of the transportation network in this province. There is not that commitment to a rail transportation policy from this government.

Some of the biggest polluters of the environment, unfortunately, are antiquated pollution control plants that virtually every municipality has, and we need a commitment. There was a commitment from previous governments to invest dollars into municipal governments to ensure that sewage treatment plants met standards, and that places like St Thomas could build a combined sewer overflow that would ensure that 90% of the wet storm bypasses would be removed. There is some money coming in through the OSTAR program, but not nearly enough.

Bill 124 is a step, but it's a small step. We need the mentality to change on the government side of this House. We need a strong commitment to the environment, a commitment not for our generation but for the pages who are sitting in this room, to ensure that their children and their grandchildren have a safe environment and that commitment does not exist with this government.

The Acting Speaker: Further debate?

Pursuant to the order of the House dated October 24, 2000, I am now required to put the question.

Mr Newman has moved third reading of Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Please call in the members. There will be a five-minute bell.

I have a letter from the government whip, and it says, "Pursuant to standing order 28(h), I would like to request that the vote on Bill 124 be deferred until November 16, 2000, at deferred votes."

This House is now adjourned until 6:45.

The House adjourned at 1749.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston
Speaker / Président: Hon / L'hon Gary Carr
Clerk / Greffier: Claude L. DesRosiers
Clerk Assistant / Greffière adjointe: Deborah Deller
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton West / -Ouest	Christopherson, David (ND)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
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 déléguee 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
Brampton Centre / -Centre	Spina, Joseph (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
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

Wednesday 15 November 2000

MEMBERS' STATEMENTS

Injured workers	
Mr Ruprecht.....	5437
Cartwright High School	
Mr O'Toole.....	5437
Doctor shortage	
Mrs McLeod.....	5437
Restorative justice	
Mr Johnson.....	5438
Mike Weir	
Ms Di Cocco.....	5438
Ontarians with disabilities legislation	
Ms Churley.....	5438
Trenton Memorial Hospital	
Mr Galt.....	5439
Winter highway maintenance	
Mr Gravelle.....	5439
Federal corrections system	
Mr Dunlop.....	5439

REPORTS BY COMMITTEES

Standing committee on government agencies	
Report deemed adopted.....	5440

FIRST READINGS

KMFC Holdings Inc. Act, 2000, Bill Pr28, <i>Mr Ouellette</i>	
Agreed to.....	5440

MOTIONS

Private members' public business	
Mr Klees.....	5440

ORAL QUESTIONS

Members' compensation	
Mr McGuinty.....	5440
Mr Harris.....	5441, 5443
Mr Hampton.....	5442
Ontarians with disabilities legislation	
Mr McGuinty.....	5441
Mr Harris.....	5442, 5446, 5447
Mr Parsons.....	5445
Mr Hampton.....	5447
Domestic violence legislation	
Mr Hampton.....	5443
Mr Flaherty.....	5443, 5444
Mr Bryant.....	5444

Education labour dispute

Mr Clark.....	5444
Mrs Ecker.....	5445

Sex offenders

Mr Young.....	5446
Mr Sampson.....	5446

Waste management

Mrs Dombrowsky.....	5447
Mr Newman.....	5447

Mandatory drug testing

Mr Stewart.....	5448
Mr Baird.....	5448

Ontario whole farm relief

Mr Peters.....	5448
Mr Hardeman.....	5449

Flu and pneumococcal immunization

Mr Hastings.....	5449
Mrs Witmer.....	5449

PETITIONS

Northern health travel grant

Mrs McLeod.....	5450
-----------------	------

Education labour dispute

Mr Christopherson.....	5450
------------------------	------

Registration of vintage cars

Mr O'Toole.....	5450, 5452
-----------------	------------

Pension indexation

Mr Ruprecht.....	5451
------------------	------

Protection of minors

Ms Mushinski.....	5451
Mr Gill.....	5452

Photo radar

Mr Hoy.....	5451
-------------	------

Employment standards

Mr Christopherson.....	5451
------------------------	------

Diabetes treatment

Ms Di Cocco.....	5452
------------------	------

Occupational health and safety

Mr Christopherson.....	5452
------------------------	------

THIRD READINGS

Toughest Environmental Penalties

Act, 2000, Bill 124, Mr Newman	
Mr Newman.....	5453
Mr Bradley.....	5455
Mr Barrett.....	5458
Mrs Pupatello.....	5459
Mr Dunlop.....	5460
Mr Lalonde.....	5462
Mr Bisson.....	5463
Mr Galt.....	5470
Mr Cordiano.....	5472
Mr O'Toole.....	5473
Mr Peters.....	5474
Debate deemed adjourned.....	5475

OTHER BUSINESS

Legislative pages

The Speaker.....	5439
------------------	------

Visitors

Mr Levac.....	5440
---------------	------

TABLE DES MATIÈRES

Mercredi 15 novembre 2000

TROISIÈME LECTURE

Loi de 2000 sanctionnant par les

peines les plus sévères des

infractions de nature

environnementale, projet de loi 124,

M. Newman

M. Lalonde..... 5462

M. Bisson..... 5463

Débat présumé ajourné..... 5475