



Legislative Assembly
of Ontario
Second Session, 37th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 6 June 2001

Mercredi 6 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 6 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 6 juin 2001

The House met at 1330.

Prayers.

ESTIMATES

The Speaker (Hon Gary Carr): Just before we begin members' statements, the Chair of Management Board.

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): Speaker, I have a message from the Honourable the Lieutenant Governor signed by her own hand.

The Speaker: The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 2002 and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

LANGUAGE PROGRAMS

Mr Tony Ruprecht (Davenport): Today I'd like to thank the Toronto District School Board, especially its trustees, for voting against cutting adult education and international language programs.

All of us in this House know how important these international language programs are, not only in getting a job, but also in getting Canadians ready for international competitiveness, because the more languages a person knows the more competitive he or she becomes.

At the same time, I'd like to point out, especially to the Minister of Citizenship, that he should stop blaming his favourite whipping boy, the federal government, for cuts. Instead, what he should be doing is making a phone call to the Toronto District School Board and offering what he can do in order to help a very desperate situation so that the Toronto District School Board does not have to cut these international language programs.

We know what these programs will do. The provincial government has done cuts and cuts and cuts, to the bone; not only that, the provincial government has cut into the bone. I ask today that the Minister of Citizenship make the phone call to the chair of the Toronto District School Board and simply say, "In what way can I help? In what way can I ensure that these programs will stay so that all new immigrants and everyone else is going to be helped?"

PORTUGUESE CANADIAN COMMUNITY

Mr Gerry Martiniuk (Cambridge): This week all of Cambridge is proud to celebrate Portuguese Week. Cambridge has a rich history of Portuguese heritage. Over 10,000 residents are of Portuguese origin, predominantly from the Azores islands: São Miguel, Santa Maria, Terceira, Graciosa, São Jorge, Pico, Faial, Flores and Corvo.

Portuguese Week is a wonderful celebration of food, music, sports and culture. Many volunteers have worked tirelessly on this event. I would like to thank Armando Cabral, Nazario Teixeira and Tony Camacho in particular for their role in organizing and coordinating this celebration. My congratulations to all the volunteers, in particular those of the Cambridge Portuguese Club and the Oriental Sports Club, for their hard work.

A parade will be held in downtown Cambridge on June 9, and there will be an open air Mass at our Lady of Fatima church on June 10, conducted by Father Antonio Cunha.

We are justifiably proud of the contribution our Portuguese residents have made to our municipality. I would urge everyone to join us for Portuguese Week in Cambridge.

ST JOSEPH'S LIFE CARE CENTRE

Mr Dave Levac (Brant): On Sunday, June 2, 2001, I was honoured and privileged to attend the day of tribute for St Joseph's Hospital, where our community recognized the past contributors of the decommissioned St Joe's and celebrated the exciting future for the new St Joseph's. You see, the riding of Brant has made lemonade out of lemons so that at this bittersweet moment we will see a new and exciting project rise from the imposed central dictate.

This dynamic new facility, appropriately named St Joseph's Life Care Centre, Brantford, calls for 205 long-term-care beds transferred from the John Noble Home in Brantford, a hospice for terminal patients and their families, a research and academic centre that will focus on senior health issues, and a family practice unit that will have on-site physicians. A number of new community partnerships will also be formed, including a daycare centre that will include intergenerational programming that will mingle seniors with children.

The board of governors of John Noble Home, St Joseph's Hospital, the St Joe's Foundation, the Brantford

city council, the county of Brant council and the Sisters of St Joseph all support this project and want it to happen. The citizens of Brant want this to happen.

All I want now is to make sure that the Minister of Health realizes that all we're waiting for is your final approval, your signature on a piece of paper. Please help us realize our riding's wishes for better health care.

LISA-MARIE COULTER

Mrs Tina R. Molinari (Thornhill): Earlier this week I had the pleasure of hosting for lunch the page from the Vaughan-King-Aurora riding, Lisa-Marie Coulter.

My friend and colleague the late Al Palladini would have been proud to meet Lisa-Marie and hear about all her aspirations. Lisa-Marie's interest in pursuing a political life or a law degree has been enriched during her time here in the Legislature. She has told me that she has thoroughly enjoyed her duty as a page.

Lisa-Marie Coulter is a grade 7 student at St Gregory the Great Catholic Academy in Woodbridge and enjoys dancing, reading, swimming and music.

I am pleased to recognize here today, in the east gallery, Marie and Maurice Coulter, Lisa-Marie's parents, her brother Mathew, and her aunt and cousin Bruno. It is evident they are all very proud of her.

As I recognize Lisa-Marie, whose family are constituents of the Vaughan-King-Aurora riding represented by the late Al Palladini, I take this opportunity to also highlight how well respected a member of the community he was. This Saturday there will be a community centre dedication ceremony to honour the late Al Palladini. The West Vaughan Community Centre will be dedicated as the Al Palladini Community Centre. This dedication is important as we remember the significant contribution Al Palladini made to the community.

PREMIER'S COMMENT

Hon Michael D. Harris (Premier): On a point of order, Mr Speaker: I understand that a few members opposite have raised concerns about a comment attributed to me yesterday. I indicated outside the House this morning, and I would like to repeat it inside the House, that if any comment I made, which was off the record to a colleague of mine, offended anybody, I apologize.

MINISTRY OF THE ENVIRONMENT STAFF

Mr James J. Bradley (St Catharines): With each passing day, new and damning testimony comes out of the Walkerton inquiry that clearly indicates the Harris government knew it was putting lives at risk when it chopped 45% of the budget and one third of the staff of the Ministry of the Environment soon after taking office in 1995.

A review of the testimony of Daniel Cayen provides further chilling details of how the Harris government

understood the potential adverse impact of their cuts, but attempted to portray them as benign and without dangerous repercussions. Mr Cayen, who at the time of the Harris cuts was the acting director of public affairs and communications at the Ministry of the Environment, wrote a letter to cabinet on July 8, 1995. He writes: "Environment groups may react, and some might remind the government that it declared during the campaign that it would not cut the environmental area. Our reduction should be positioned in such a way as to allow us to advance the argument that we have not done so."

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So there you have it. The Harris game plan was quite clear all along: cut without appearing to cut and then deny the health risk created by those cuts.

In light of the damning testimony that has come out of the inquiry, from the likes of former MOE assistant deputy minister, Sheila Willis, and drinking water expert, Goff Jenkins, how else can the Premier explain his direct contradiction of their testimony when he stood in this House and told the people, "At no time has this government ever taken an action that we felt would ever jeopardize water, water quality, safety of people in the province. I think common sense would tell you we would not do that"? I believe it is quite apparent that it is now time for Mike Harris and his twisted definition of "common sense" to stand accountable to the people of Walkerton.

LONG-TERM CARE

Ms Shelley Martel (Nickel Belt): This government talks a good line about accountability but demonstrates none when it comes to the critical issue of funding for community-based long-term-care services. In 1998, the Conservatives promised \$550 million in new dollars to CCACs and other community-based long-term-care agencies over the next eight years. This money would be allocated using the government's equity formula.

This government refused to allocate equity funding to the Manitoulin-Sudbury CCAC in the first two years. I objected to that decision and I wrote to the minister, Cam Jackson, to urge him to fund us too, given the difficulties in delivering home care in the north. He would not, but made a specific commitment to provide equity funding to our community beginning in the year 2000. In a letter to me dated August 27, 1998, he wrote, "Starting in 2000-01 and in each of the next five years, the Manitoulin-Sudbury CCAC will receive additional funding based on our equity formula."

In 2000-01, the Sudbury-Manitoulin CCAC did not receive one penny of equity funding, despite the specific promise made by this government. We will not receive equity funding again this year, again despite the government's specific promise to provide the same. Our CCAC, like every other CCAC across Ontario, has already been told not to expect equity funding this year.

So much for the 1998 commitment made by the Harris government to all communities to add money to the base

budgets of CCACs over the next eight years. This government had \$2 billion for its corporate friends in the recent budget; it should fund CCACs.

PORTUGUESE CANADIAN COMMUNITY

Mr Carl DeFaria (Mississauga East): I'm pleased to rise today to speak on behalf of half a million people of Portuguese heritage living in Ontario. Canadians of Portuguese heritage celebrate June as Portuguese History and Heritage Month and celebrate June 10 as Portugal Day in Canada. I urge all the members and all the people who are watching us, if they see their neighbour who is of Portuguese background on Sunday, not to forget to wish them a happy Portugal Day.

This year's celebration has a very special historical significance for Portugal and for Canada. This year marks the 500th anniversary of the arrival of Portuguese navigators led by Gaspar Cortereal to Terra Nova, which is Newfoundland.

Canadians of Portuguese background were proud that the president of Portugal chose Canada to visit on this important occasion. The message that the president of Portugal left for the community was that Canadians of Portuguese background should be good Canadians, because that's so important, that being good Canadians would make them into very proud people of Portuguese background here in Canada.

PHILLIP BIRNBAUM

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): As Liberal children's critic, I would like to tell you about a very special young person who has moved many hearts in his quest to raise money for the Canadian Cancer Society and his commitment to volunteerism. His name is Phillip Birnbaum.

In 1996, Phillip lost his father, Perry, to non-Hodgkin's lymphoma. In the summer of 1998, at the age of 10, Phillip decided he wanted to raise money for cancer. He did not ask any adults for help, but he took it upon himself to ride his bicycle throughout Richmond Hill collecting prizes for a cash-for-cancer raffle. Phil has raised over \$4,000 in the past two years and this year he hopes to raise over \$3,000 to fight cancer. You can find out more about Phillip's work on his Web site at www.philscancerraffle.bigstep.com.

Phillip also volunteers for the Multiple Sclerosis Society and fundraises for other organizations, including the Hill House Hospice. He was presented with the 2000 Ontario Junior Citizen of the Year Award.

I believe that Phillip is an exceptional example, not only for young people in Ontario but also for all Canadians, young and old alike. The commitment and courage of this young man have contributed significantly to the causes he supports. I am especially pleased that I am able to personally present this young man today, as he has

been assisting us in the role as a legislative page. Congratulations, Phillip.

ANNIVERSARY OF D-DAY

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'm honoured to rise today to mark D-Day. This is the 57th anniversary of that day when the 3rd Canadian Division and the 1st Canadian Parachute Battalion landed in Normandy and began the liberation of France.

I saw in the Toronto Sun that a Hamilton regiment has just laid to rest another one of Canada's heroes, Denis Whitaker. Mr Whitaker won the Distinguished Service Order medal twice and was made a brigadier general.

Today, with the menace of the Afghani Taliban, I don't doubt that there is such a thing as evil and that free people must band together to stop it anywhere in the world where necessary.

I look at the massacres in the former Yugoslavia, when the world waited too long to act. I look at the genocide in Rwanda, when the world did nothing at all. I wonder if the free people of the world still have the moral strength to stand up against oppression, like Denis Whitaker and his generation did.

One thing I know: in 1944, Canada and the free world had the necessary strength and courage. I'm proud to remember those brave soldiers on this 57th anniversary of D-Day.

NOTICE OF MEETING

The Speaker (Hon Gary Carr): The member for Kingston and the Islands.

Mr John Gerretsen (Kingston and the Islands): Mr Speaker, I'd like bring up a point of privilege, and I gave you notice of this earlier today as required under the act.

First of all I'd like to refer to standing order 21(a), which states: "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes," and it's the other statutes I'm referring to today. It's specifically the Audit Act, subsection 29(1), if I could just read the section: "The auditor shall present annually to the board estimates"—namely, the Board of Internal Economy—"of the sums of money that will be required for the purposes of this act."

Subsection 29(3) states, "Notice of meetings of the board to review or alter the estimates presented by the auditor shall be given to the Chair and the Vice-Chair of the standing public accounts committee of the assembly and the Chair and Vice-Chair may attend at the review of the estimates by the board."

On May 30, the Vice-Chair and I were given notice of the estimates that were going to be discussed by the Board of Internal Economy that day. However, later on that evening of May 30, I understand that a motion was passed by the Board of Internal Economy flatlining the budgets of all the offices of the assembly. Of that particular meeting, neither the Vice-Chair nor I was given

notice of our right to attend. Again, our rights are set out in subsection 29(3) of the act.

My reasons for bringing this forward are twofold. First of all, the committee, during its deliberations this past year, passed two motions: (1) to cause the Provincial Auditor to do a review of the Bruce nuclear-Ontario Power Generation contract. This was after some debate by the committee last fall, and the motion that was passed at that time was that he do this, even though he indicated to us that there would be an additional cost of \$85,000 involved.

1350

There was also another motion passed to the effect that he do a review of Cancer Care Ontario, and although there weren't any specific financial terms attached to that particular review, the committee did pass, again, a motion to the effect that the auditor do a review of Cancer Care Ontario.

The reason for my bringing this forward at this stage is that I am well aware of Speaker Stockwell's ruling back on December 7, 1998, when he ruled that in this House there could not be specific questions raised of anyone who is on the Board of Internal Economy about matters that come before the Board of Internal Economy. You may recall that at that time the question was raised with respect to the rather large settlement that was paid to Allan McLean to deal with that particular issue.

My reason for pointing that out is that the ruling specifically stated that there were no questions that could be raised of anyone in this House relating to matters that came before the Board of Internal Economy. If matters can't be raised in the House relating to that, it is all the more imperative that the section of the Audit Act dealing specifically with the auditor's estimates be followed scrupulously. It wasn't followed in this particular case. I know that we were given notice of an earlier meeting that day, but we were not given notice of the meeting that took place in the evening of May 30.

Speaker, I would ask you to take these matters into consideration. The point that I am simply trying to make is this: if we want the officers of this assembly—and we have four of those officers, of which the Provincial Auditor happens to be one—to exercise their independence, then we want to make sure they are properly resourced. With the Board of Internal Economy's action as it relates to not only the Provincial Auditor but the other three officers as well, the real question is, can a decision of the Board of Internal Economy in effect frustrate the will and direction of a committee?

The committee in my particular case, the public accounts committee, specifically authorized the auditor to do two additional reviews which would cost additional monies and which now in effect have been frustrated by the decision of the Board of Internal Economy.

The question I have is, the Audit Act specifically authorizes, under subsection 29(3), that the Vice-Chair and the Chair be notified of any meetings so that they can be in attendance at these meetings. We did not receive notice of the meeting that took place in the evening of

May 30, and therefore my rights and privileges as a member under that specific act and as Chair of the public accounts committee were violated or not adhered to.

Speaker, I await your ruling in that regard.

The Speaker: I thank the member. What he does point out deals with notice and provisions of the Audit Act for the Board of Internal Economy meetings at which the estimates of the Provincial Auditor are considered. The issue the member raises is one of legal interpretation and is not a matter of privilege. I would be happy to speak to the member privately about it.

Just for some clarification, what 29(3) says is that the Chair and the Vice-Chair "shall be" notified. I have a letter here of May 17 to both you and the Vice-Chair advising you from the auditor, cc'd to me. It goes on to say, "... and the Vice-Chair may attend at the review of the estimates" committee, the operative word being "may."

In fact, it was not a separate meeting that was held that night; it was the same Board of Internal Economy meeting, and we just adjourned for a vote in the House and then came back and finished up. So there was not a new meeting. It was a continuation interrupted by a vote in the House of the same meeting, and all the members of the Board of Internal Economy who were there will know that.

He does raise some valid points and I would certainly be pleased to meet with him and the member of the board to discuss the issue further. But I do thank him for bringing it to my attention.

Mr Gerretsen: If I might just add to that, Speaker—

The Speaker: Very quickly, because we're not going to debate this issue.

Mr Gerretsen: No, but I specifically requested that night that we be advised, the Vice-Chair and I, of any further meetings. At no time was it indicated, when the meeting broke up for a vote in the House, that in effect the committee, the Board of Internal Economy, would be meeting on that issue later on that evening. I think we could at least have been given—

The Speaker: Thank you. Again the operative word is "may" be advised.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: I have spoken to you about a similar issue before. I have not given notice of privilege; I'm not raising it as a point of privilege. But I am the mover of one of the motions my colleague referred to, specifically the motion calling for a value-for-money audit of the private cancer care centre. It was supported by a majority of people at committee.

As you'll know, Mr Speaker, that is the only recourse we have, as individual members of the House, to direct the auditor to carry out business that the House has determined is of value. I would ask whether you would determine what the status is of a special audit order placed and supported by a majority of the members of a committee, and whether in fact that must be done because it is a direction of the assembly.

The Speaker: I thank the member. We had some brief discussion. I have asked the members of the table to contact you and deal with that issue, hopefully to your satisfaction, and anything we can do to clarify that, because I do appreciate you raised that matter with me. We will try to clarify and give you all that information from the members of the table.

MEMBER'S COMMENT

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I see the Minister of Education in the back. Last week in this House, I used the term "hissy fit" in the heat of debate, and at the time the member for Beaches-East York rose in her place and expressed the concern that that was a sexist comment. I took the member's concerns to heart and I went out and looked into the history of the term and what it means. I can tell you, sir, that it is in fact a term that originated somewhere in the United States. It is a shortening of the term "hysterical fit," and of course the Latin base of the word "hysterical" is "hustera," which refers to the womb.

I earlier this week apologized privately to the Minister of Education and to the member for Beaches-East York for the use of that term. It is a term, sir, that I must confess I have used quite commonly, not fully appreciating the magnitude of it or its history. I want to apologize to you and to this House and to the minister. Although we differ politically, I have a very high regard for her ability. That term was completely out of order. It was very insensitive and I'm embarrassed that I used it in this House.

The Speaker (Hon Gary Carr): I thank the member sincerely for the gracious gesture.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Frances Lankin (Beaches-East York): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill Pr4, An Act respecting the City of Elliot Lake.

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

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg to inform the House that today the Clerk received the sixth 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

FARM IMPLEMENTS AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LES APPAREILS AGRICOLES

Mr Barrett moved first reading of the following bill:

Bill 76, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector / Projet de loi 76, Loi visant à assurer l'équité, à favoriser la concurrence et le choix des consommateurs et à encourager l'innovation en matière d'appareils agricoles.

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

The member for a short statement?

1400

Mr Toby Barrett (Haldimand-Norfolk-Brant): This bill, if passed, amends the Farm Implements Act and will remove dealer exclusivity as an irritant in dealer/distributor agreements by allowing dealers to sell farm machinery from any distributor or manufacturer. Dealers will be protected from termination by distributors without cause, as specified. It will discourage distributors from imposing discriminatory contracts on individual dealers, and small distributors would be enabled to share warranty costs, parts supply and inventory responsibilities with their manufacturers.

ADOPTION DISCLOSURE

STATUTE LAW AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Ms Churley moved first reading of the following bill:

Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 77, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

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

The member for a short statement?

Ms Marilyn Churley (Toronto-Danforth): The Adoption Disclosure Statute Law Amendment Act, 2001, would provide access to birth registration and adoption records for adult adoptees, provide access to birth registration and adoption records for birth parents, implement a no-contact notice and amend the Child and Family Services Act to provide, upon request, counselling for adopted persons, birth parents and others who may be affected by disclosure of adoption information.

This is not the first time I have introduced a similar bill in this Legislature. Many of the people present here

today will know that I introduced Bill 88 in 1999 and Bill 108 in 2000. Bill 88 passed second reading with almost unanimous consent from all parties in this House. I just hope that this bill won't have an "8" in the number, because in both cases those bills died on the order paper.

This is an opportunity for all of us in this House to work in a non-partisan way to, this time, not let the adoption community down, many of whom are here today for this first reading, and, in good faith, to get this bill passed and out to committee and finally pass progressive adoption disclosure in this province.

ORAL QUESTIONS

MINISTRY OF THE ENVIRONMENT STAFF

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Premier. This morning, Justice O'Connor took the rather extraordinary step of asking you, a sitting Premier, to appear before his commission of inquiry into the Walkerton tragedy.

In the past, Premier, we took some heart in knowing that you pledged your government's full co-operation with the inquiry and with any request to come from the commissioner. Will you accept Justice O'Connor's invitation?

Hon Michael D. Harris (Premier): I think we made it very clear when we appointed Mr Justice O'Connor to the inquiry that we wish to co-operate in every way. I think all of us across the province want to get to the bottom not only of Walkerton but of post-Walkerton, things that we need to do to protect water quality in the province.

We want the answers to these tragic events. We've said from the beginning that we will fully co-operate, and I look forward of course to fully co-operating in testifying at the inquiry and assisting Mr Justice O'Connor in any way that I can. I think I've made that very clear.

Mr McGuinty: Premier, in the past you categorically denied that your cuts had anything to do with the Walkerton tragedy. You said that you did not cut the number of inspectors. You have denied the existence of cabinet documents calling for more staff to be hired because of public health risks and when one of those very documents was produced, you said it was a phony-baloney cabinet document.

We're wondering, Mr Premier, if asked, will you repeat the same answer, under oath, before the Walkerton inquiry?

Hon Michael D. Harris (Premier): I will certainly—I assume I'm under oath, I'm not sure how these inquiries work, but I'm looking forward to it. I said I'll fully co-operate. Whether I'm under oath or not, I always tell the truth, and I will do so with full co-operation at this inquiry.

Mr McGuinty: Premier, you were warned countless times that your cuts to the environment would put people at risk. The Provincial Auditor warned you, the Environment Commissioner warned you, Ministry of the Environment staff had warned you and we on this side of the House had warned you on several occasions, as well.

I'm sure the commission will want to know, and perhaps you can tell us today, why did you ignore these warnings and why did you make cuts at the Ministry of the Environment that you were told would put people at risk?

Hon Mr Harris: I think it's very important that having called the inquiry and empowered Justice O'Connor—and everybody that he is requesting is testifying—we not prejudge the investigation that Mr Justice O'Connor has undertaken. So we'll await the findings of the commission.

EMERGENCY SERVICES

Mr Dalton McGuinty (Leader of the Opposition):

My question is also to the Premier. The crisis in our emergency rooms has not gone away. You may have made it somewhat more difficult for us to obtain information in terms of what's happening with redirects and bypasses and the like, but the crisis itself has not gone away. People in Toronto, in particular, are still being turned away. People are still having to wait for care.

Do you know why our emergency rooms are in crisis, especially here in Toronto? Because you closed six separate emergency rooms: you closed them at Wellesley, Women's College, Northwestern, Branson, Queensway and Doctors. We're also experiencing an emergency room crisis because you closed 2,200 beds right here in the greater Toronto area.

Premier, will you now admit that the reason we continue to experience these crises in our emergency rooms is not because of the absence of some protocol, or because somehow ambulance attendants and people in emergency rooms can't work together, that it's because of the fact that there is a desperate shortage of beds in our hospitals and that's the result of your desperate cuts?

Hon Michael D. Harris (Premier): First of all, let me say that our sympathies go out to the families of any member who is having difficulty accessing our emergency rooms, or indeed any of our medical facilities. Certainly I understand, the coroner is looking into the three cases that I assume you are referencing that occurred between January and May 2000. Obviously we regret any circumstance where anybody dies, any circumstance where anybody does not received appropriate or what they feel is appropriate care.

With regard to bed closures, I think the record is very clear. No government closed more beds than your government, unless it was the NDP government.

Mr McGuinty: Premier, this is fundamentally an issue about hospital beds. We are short hospital beds in the province of Ontario. You closed 8,000 province-wide. You closed 2,200 in the GTA. You closed six

emergency rooms in the GTA. We now understand you've got plans to shut down two more.

GTA hospitals have an occupancy rate of 96%. International evidence tells us that we should have no more than a 90% occupancy rate in our hospitals or otherwise we're going to have, as we're experiencing here in Ontario, a regular emergency room crisis.

Last September, we put forward a plan to help resolve some of the crisis. Two things in particular we asked you to do then, and I ask you to do the same things again today. Will you, first of all, place an immediate moratorium on emergency room closures?

Secondly, will you reopen 1,600 acute care beds immediately so that we can begin to address the concerns that our working families are having in knowing there is a tremendous doubt when it comes to whether or not they're going to find room at the hospital in the case of a dire emergency?

1410

Hon Mr Harris: As I indicated, most of the beds that have been closed across the province were closed under your administration and then again under the NDP administration. Since then, we've had consultations. We've brought the experts together. We brought in a restructuring commission, headed up by Duncan Sinclair, and these matters were all dealt with.

Since 1998, we've invested more than \$705 million in the most comprehensive emergency room strategy in Canada. We've opened beds, we've provided more dollars and we've worked at better coordination. The system, while it may work very well in 99.9% of the cases, obviously is not perfect. This concerns us, and we'll work with our partners to try and improve the situation. It's tough when your party in Ottawa slashes funding for us, but we'll do the best that we can.

Mr McGuinty: Premier, if you're dedicated to anything, it's to reducing corporate taxes by a further \$2.2 billion. It's perfectly obvious that you're not on the side of working families, whether it comes to protecting and improving their health care or protecting and improving their public education. That's what you are all about: cutting corporate taxes.

The coroner's office is now investigating the death of a critically sick man who had a second heart attack while paramedics struggled desperately to find a hospital that had space for him. You should know that his case is not isolated, and it comes down to the fact that here in Ontario we are short of hospital beds. People inside ambulances can't be admitted to hospital emergency rooms because there are no beds available to accommodate them, should they require admission. That's the fundamental problem. You shut down 8,000 beds Ontario-wide, you shut down 2,200 right here in the GTA, you shut down six emergency rooms in the GTA, and now you've got plans to shut down two more.

Premier, why won't you adopt our plan? Impose an immediate moratorium on emergency room closures and open up 1,600 acute care beds. That is something that is in the interests of our working families.

Hon Mr Harris: Let me first of all correct the record. The tax cuts we brought in were so we could have working families. Your policies led to unemployed families. Tax cuts were to have working families; Liberal policies are for unemployed families. We understand your strategy. You're happy to have unemployed families, but that's a separate issue.

It is because we have working families that we've been able to make up the additional \$5 billion costs in health care, that we've been able to make up the cuts from the Liberals in Ottawa. Only because we've had working families have we been able to do this. We were able to have 371 new acute beds and 38 new ICU beds. It's part of the strategy that we worked out with hospitals, ambulance attendants and front-line workers. Only because we have working families are we able to make up the shortfalls of the beds that you closed and that the NDP closed and the shortfall of Liberal money from Ottawa.

The Speaker (Hon Gary Carr): New question.

Mr Howard Hampton (Kenora-Rainy River): My question is to the Premier. The Minister of Health said today that the situation in our hospital emergency rooms is not getting worse. Meanwhile, just down the street a tragic death occurred because Glenn Garden could not get the treatment he needed in a timely way at the emergency room. The ambulance paramedics were told, "The emergency room is too crowded. Find another hospital."

In January another man, deemed extremely critical due to a heart attack and resuscitation, was turned away by an ambulance from Toronto General when again the emergency room was too overcrowded. He died before he could get to another hospital.

Premier, the Fleuelling inquest recommended that there be no more closures of emergency rooms in Toronto, but you're ignoring that coroner's inquest. How many more people have to die, Premier, while your government goes about closing more emergency rooms?

Hon Mr Harris: As I've already indicated, we're putting more and more money into emergency rooms, into more beds, particularly ICU beds and acute care beds, to support emergency rooms. We've come forward with a comprehensive strategy, working with doctors and with nurses and administrators. It has taken some time to undo the damage your party inflicted on not only the economy, leading to record unemployment and deficits, but on the health care system as well. Your savage attack on cutbacks really has taken some time for us all to try and overcome in a rational and comprehensive way, but we are getting there.

Is everything perfect? No. I'd love to tell you that it's perfect. Did we get any money from the Liberals in Ottawa? No; we got \$100 million less than we did six years ago, which is really one of the greatest tragedies facing this country, all across the country.

Yes, there is a coroner's inquest into the very unfortunate event that you raise, and again, our sympathy to the families.

Mr Hampton: Premier, every day in Toronto, ambulances are lined up for sometimes four hours at emergency

wards because the nurses and the doctors are overworked and understaffed. In case you've forgotten, Premier, it was your government that closed the emergency rooms. It was your government that laid off over 10,000 nurses. It was you, Premier, who referred to nurses as out-of-date Hula Hoop workers.

Hospitals cannot hire and keep the nurses they need to operate the emergency rooms. They don't have the funding to pay nurses adequately and to work them on a full-time basis. That's the root of the problem.

Premier, the question is this: instead of another \$2.5 billion of bloated corporate tax cuts, why not provide the hospitals with enough funding so they can hire the nurses?

Hon Mr Harris: As you know, we'd like to do both. That's why we are heavily involved in nursing in this province: \$375 million annually of brand new funding as part of the nursing strategy, worked out with the nurses themselves.

I think you probably have seen the statistics, that for the first time in a long time there are now more nurses in Ontario. We've reversed the trend that we inherited and that quite frankly did continue in a modest way, not the massive layoffs that occurred under your administration but in a modest way, under our administration. We have reversed that, and now we're starting to get more nurses, and more nurses per capita, for the first time in a long time here in the province of Ontario.

Related to that, we had another problem we inherited from you, and that was, like the Liberals, you supported unworking families, unemployed families. It has been our tax cuts that have turned unemployed, unworking families into working families.

Mr Hampton: As much as you try to avoid it, the problem is not enough nurses working, not enough nurses in our hospitals and in our emergency wards to be able to provide the medical care that people need. Your government talks a lot about accountability, but just in the last year you did away with the ambulance redirect system and the ambulance critical care bypass system. That was the system that actually kept figures so that people would know what's happening in the hospital emergency wards and how long the wait is. You did away with that measure of accountability so that people can't be aware of what's going on. What's happening now is that people are dying in the lineups and people are dying in the emergency wards.

I ask you again, Premier, how do you justify further bloated \$2.5-billion tax cuts for corporations when you don't have enough money to hire the nurses to properly operate our emergency wards in our hospitals?

Hon Mr Harris: As I indicated, I don't know where you get your figures from, but we are a party that favours working families, unlike the Liberals and the NDP which favour unworking families. We believe it's important for the health and the safety, if you like, and the security of families that they have a job and be working. To do that, what we found out from your disastrous policies, piled on top of the disastrous Liberal policies, was that you have

to be tax competitive. So that's the first issue that deals with working families.

The term "working families" really only applies under our administration. Surely you wouldn't talk about working families and the Liberals wouldn't talk about working families with the abysmal record of driving people out of jobs and driving investment out of the province. Only when we have working families are we able to provide the dollars for hiring nurses.

Regrettably, there is a nursing shortage across Canada. There's not a shortage of dollars to pay nurses. We've had a shortage, quite frankly, in being able to recruit. We've been very aggressive in that. This is a challenge we are all working on and we're working with—

The Speaker: New question.

1420

MINISTRY OF THE ENVIRONMENT STAFF

Mr Howard Hampton (Kenora-Rainy River): To the Premier again: the Walkerton inquiry has discovered that your cabinet and the policy and priorities committee of cabinet, which you chair, were warned in writing in 1996, a full four years before the Walkerton tragedy, that your cuts to the Ministry of the Environment would increase "the risk to human health and the environment"—in black and white a warning from your own Ministry of the Environment. Is it true that you knew in 1996 that something like Walkerton could happen?

Hon Michael D. Harris (Premier): No.

Mr Hampton: Premier, it's your government and your Ministry of the Environment that are responsible for drinking water safety. Seven people in Walkerton died and more than 2,000 became seriously ill. They didn't get a warning. The documents at the Walkerton inquiry say that you did get a warning. We've learned today that you have to appear before the Walkerton inquiry and present evidence. What will you say when the commission of inquiry asks, "Did you know that your cuts would increase the risk to human health and safety?"

Hon Mr Harris: No.

The Speaker (Hon Gary Carr): New question.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): This has to do with Ipperwash. The Attorney General, Premier, acting on your behalf, gave reasons yesterday why you will not call an inquiry. He was incorrect in the interpretation of what the George family have committed to. He misrepresented what the George family said they were prepared to do.

The Speaker (Hon Gary Carr): I'm afraid the member for Scarborough-Agincourt can't use—

Mr Phillips:—what the George family said they were prepared to do. He said that—

The Speaker: Sorry to be picky. You need to withdraw that.

Mr Phillips: Withdraw. He said they were not prepared to drop their civil litigation. What the George family said, Premier, in their letter is that they “are willing to fully and finally drop their wrongful death lawsuit if your government commits to and holds a full public judicial inquiry into the death of Dudley George.” They said it “would be formally and finally terminated” the day “the inquiry final report is presented.” Now that you’re aware of what the George family said in their letter, are you prepared now to call for a public inquiry?

Hon Michael D. Harris (Premier): I think you heard the comments from the Attorney General yesterday and that’s our response.

Mr Phillips: The comments from the Attorney General yesterday were that the George family was not prepared to drop the case. I’ve just quoted to you from their letter. It couldn’t be clearer. So we have two interpretations of their letter, with the government saying the George family is not prepared to drop it. The George family in the letter they sent to you is very clear and unequivocal that they “are willing to fully and finally drop their wrongful death lawsuit” if you will commit to hold “a full public judicial inquiry into the death of Dudley George.” It “would be formally and finally terminated.

The reason I raise this is that yesterday, in answer to the question, on behalf of the government, one of the reasons you decided not to hold a public inquiry is because you had not had assurances from the George family that they’re prepared to drop it. I am telling you today that they gave you those assurances completely, totally, unequivocally. Knowing that now, will you agree to hold a full public inquiry?

Hon Mr Harris: I read the Hansard from yesterday. The Attorney General outlined a number of reasons. That’s the government’s position and that’s it.

Mr David Ramsay (Timiskaming-Cochrane): On a point of order, Mr Speaker: I’d like to seek unanimous consent to allow the Premier an opportunity to apologize directly to the member for Scarborough-Agincourt for the—

The Speaker: Order. The Premier did come in and make a statement.

STEEL INDUSTRY

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Minister of Economic Development and Trade. Over the past—

Interjections.

The Speaker (Hon Gary Carr): Order. Sorry to interrupt the member. The member for Scarborough-Agincourt, come to order, please.

Interjections.

The Speaker: OK, folks, last warning. I start naming people.

Interjection.

The Speaker: The member for Simcoe North is now named. I would ask him to withdraw from the chamber.

Mr Dunlop was escorted from the chamber.

The Speaker: Anybody else that starts is going to be named. We’re not going to carry on like yesterday with the shouting back and forth. The Premier has made a statement today, and we’re now going to proceed with the question from the member for Parry Sound-Muskoka.

Mr Miller: I’ll start over. My question is for the Minister of Economic Development and Trade. Over the past few months I’ve been reading in the papers about how foreign countries have been dumping steel in Ontario and grossly undercutting the cost of steel here. Ontario’s steel producers are suffering because other international jurisdictions aren’t playing by the rules.

Algoma Steel in Sault Ste Marie has been forced into CCAA protection because they just can’t compete with price of steel being dumped here by other countries. Minister, could you please update us on the state of Algoma Steel?

Hon Robert W. Runciman (Minister of Economic Development and Trade): The member is right. The steel industry in Ontario has been suffering as a result of unfairly priced imports. Algoma Steel is in the process of restructuring their debt that they acquired while trying to compete in a market flooded with underpriced product. The purpose of the CCAA protection is to give the company time to reorganize its financial situation to find a way to better manage itself. Both myself and my colleague the Minister of Northern Development and Mines have spoken with company president, Sandy Adam, about the filing, and he remains confident that they will be able to resolve their difficulties.

I know these types of announcements are very stressful on everyone in the community of Sault Ste Marie and I encourage them to remain optimistic while Algoma undergoes this restructuring.

Mr Miller: I thank the minister for his answer. Minister, this is not a local phenomenon. Steel producers across Canada and North America are all having trouble surviving because of the games being played by other countries. I understand that the federal government has initiated some trade cases against offending countries. What are they doing? Is it going to protect Ontario’s interests?

Hon Mr Runciman: The answer is yes. The Canada Customs and Revenue Agency investigates these complaints and can take action against offenders. A complaint about hot-rolled steel was initiated by Algoma in January, but it took the federal government three months to process the case. This is one of the reasons our steel companies are having trouble. They’re getting lost in the federal bureaucracy.

I met with Minister Pettigrew last month. I encouraged him to fight for our steelmakers on the international stage. However, I think they could and should go further. Just yesterday the Bush administration announced that they would be putting the steel dumping issue on their national agenda. If George Bush can find the time to talk about steel dumping, where is Jean Chrétien? Where is the Liberal government? It’s time to act.

1430

EDUCATION FUNDING

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Education. Yesterday I pointed out that while you tell us you're spending \$13.8 billion annually now on education, your party documents also told us that back in 1994, this ministry was spending \$14 billion annually on education. That tells us that even though we have had 62,000 new students enrol in public education since 1994, there hasn't been a single new penny made available for them.

I want to tell you what this means to working families across the province in their local school boards. In Niagara, the board there is short \$5.6 million and the board is saying they have no choice, that they're going to have to make some cuts. So the amount of time that educational assistants are allowed to spend with special-needs kids will be reduced by half an hour each day, there will be new user fees for parents, and 25 teaching positions are going to be lost. There is a myriad of examples throughout the province in virtually every single school board.

My question to you is, why is it, when there is such a crying need for funding for basic matters in public education, that you are able to come up with \$500 million for private schools?

Hon Janet Ecker (Minister of Education, Government House Leader): As I said in the House yesterday, and obviously the honourable member wasn't listening, in 1995-96, funding for school boards was \$12.9 billion; today it is \$13.8 billion, and that is a clear, clean number of what goes to school boards for classrooms. Now, if the honourable member would like to do our books the way the Liberals did their books and the NDP did their books, we can add in ministry costs; we can add in the teachers' pension plan. But with all due respect, while those are very important investments, they are not money out there for school boards to deliver education.

Secondly, if you check your figures on some of the boards that you like to mention, you will find that their increase in money this year was above their enrolment increase. That is the way we have continued to fund education. That's over \$360 million in new dollars that are out there for this coming school year. It is money that is more than the growth in enrolment. It's an important investment. We will continue to support the public education system because we believe it is a very important priority.

Mr McGuinty: To listen to you, Madam Minister, our public boards are just swimming in money, times have never been better, and they have never been more empowered to deliver a quality education on the front lines to the two and a quarter million children who are attending public schools.

Let me tell you that there is a very different reality out there. At the Thames Valley board, they are short \$17 million, and they are telling us what that is going to mean

for their students. First of all, there will be larger classes; secondly, the waiting list for psychological help will increase by 14 weeks; thirdly, they are cutting computer spending by \$500,000, which means it will now take 13 years to replace a classroom computer; and finally, they're going to lose 75 full-time jobs, including education assistants, literacy teachers, psychologists and speech-language pathologists.

I ask you again: given the crying need for support from you for our public schools, why is it you found \$500 million for private schools but you can't find any money for our public education?

Hon Mrs Ecker: The honourable member keeps trying to play politics with this issue, but the Thames Valley District School Board last year received over a 5% increase while their enrolment growth was zero. So they got 5% more and their enrolment growth was zero. This year they have over 1.5% and their enrolment growth was less than zero. They actually had a decline in enrolment, and yet we gave them more money because we know the needs in our classrooms are very high.

The needs in our classrooms are a very major priority for this government. That's why we have continued to increase dollars to our public education system. We understand that the pressures and the decisions that our school boards have to make to live within their budgets are extremely difficult. They are just as difficult for a school board as they may well be for an Ontario working family trying to live within their budget. That is a challenge. That's why we ask boards to set clear priorities for the classroom so that we can make sure that every year, step by step, we are improving quality and accountability in our public education system—an extremely important priority for this government.

VICTIMS' RIGHTS

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Attorney General. Minister, in November 1999 I introduced a petition in the Legislature that condemned the Dalton McGuinty cousins in Ottawa, the federal Liberals, on their soft treatment of Paul Bernardo and other serious offenders. Over 4,000 Scarborough area residents signed that petition.

But in December of last year my constituents were shocked to learn that a movie script had surfaced about convicted sex killers Paul Bernardo and his wife Karla Homolka. I was appalled. These monsters committed many unspeakable crimes in my riding of Scarborough Centre which culminated in the deaths of two beautiful, innocent young women in southwestern Ontario. My constituents were outraged that something so recent, so hurtful and so close to home could be exploited for profit.

Minister, could you please clarify what the new proposed victims' bill entails and what it does for victims?

Hon David Young (Attorney General, minister responsible for native affairs): I thank my colleague for the question. Let me be very clear. The legislation we introduced yesterday is the very first of its kind in

Canada. It was introduced because victims and victims' groups from across this country came forward and said that this legislation was necessary. I'm told, by the way, that other provinces, including Alberta, are currently working on similar legislation.

If this Legislature passes the bill that we introduced, it will relieve the burden on victims. It will allow for the Attorney General to go to court to take any proceeds that might exist, any profits, any money, whether it's a penny, whether it's a nickel or a dime, from individuals serving time or who have been convicted of serious crimes. We will not allow them to benefit. We will not allow them to profit from the crimes that they committed. We will not allow victims to be revictimized.

Ms Mushinski: Yesterday, the member for St Paul's spoke in response to the minister's bill entitled Prohibiting Profiting from Recounting Crimes Act. He claims, Minister, that your bill was nothing more than reusing, recycling and restating an idea that stems back to 1995. Also, the member for Niagara Centre said in reference to your proposed bill, "You're confiscating those proceeds and putting them into your little slush fund so that you decide as government how they're going to be divvied up. You'll decide which victims are worthy of receiving the proceeds derived from their particular perpetrator by his or her crime against them."

Minister, can you please explain the facts of this bill to the members opposite. Obviously, they don't understand.

Hon Mr Young: I was frankly disappointed with both the Liberal and NDP comments relating to this bill, this bill that comes forward to assist victims.

This bill would relieve the burden that currently exists upon victims to go to court. Under the current law, they would have to go to court, they would have to retain a lawyer, they would have to incur all the costs and the time that is associated with that. If this bill passes, we will then be in a position as a government to go to court for victims. The money that is collected would be provided directly to the victims through an application process—much simpler, much more direct, to individuals who are certainly deserving of that.

Any excess funds that we get as a government would then go back into the communities. It would go back to support victims' services, not back to the criminals. The bill that they stood in this House to support yesterday, the current law, which was a good first step, would see the money returned to criminals, and we will not allow that to happen. That's why we've come forward with this initiative.

WORKPLACE FATALITY

Mr Peter Kormos (Niagara Centre): My question is to the Premier, Speaker.

Premier, why are you and your government so soft on crime, this time corporate health and safety crime? You see, this is Robyn Lafleur, and I'm sending her photo to you because her life was stolen from her in an explosion and fire at the capgun ammunition factory where she

worked in Thorold in 1999. Investigators looking into her death—to the Premier, please, Danielle—found sufficient evidence to lay charge after charge, under both federal and provincial statute, against the company as well as three individuals.

1440

Her mother, Joanne Stubbins, is here in this chamber today. She's been in court every time the case has been called. She gets no information from prosecutors or government officials. She was shocked to read, as was I, that your prosecutors have cut a deal, they've plea bargained the charges away, so that the individuals charged, notwithstanding the evidence collected, will walk away scot-free.

Premier, please tell Robyn's mother, Joanne Stubbins, here today, how you can justify denying Robyn Lafleur, her family, her friends and her co-workers their day in court.

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

Hon David Young (Attorney General, minister responsible for native affairs): My friend opposite, who I believe to be a lawyer, has raised this issue, and it may well be an issue that is deserving of attention in an appropriate forum. It is an issue that I believe in the premise to his question he confirmed was a matter in front of the courts at this time. Of course, that being the case, it would be inappropriate for us to comment further at this time about that. In fact, if we did, I have absolutely no doubt that the member opposite would be the first to be suggesting that the government was doing something most inappropriate.

Mr Kormos: You bet your boots it's before the courts, and on June 27, this government's plea bargain is going to cut loose all of the perpetrators of what amounts to the life of a young woman worker who was crushed to death under a burning beam, whose body was burned so badly that the hospital pulled the plug on her near-lifeless body.

This Attorney General is responsible for the conduct of his prosecutors. It is his prosecutors who are cutting the deal, who are cutting loose accused people, individuals who are responsible for Robyn Lafleur's death.

You talk about being tough on crime; you talk about standing up for victims. Where are you when it comes to Robyn Lafleur and other workers? Where are you when it comes to standing up for Joanne Stubbins? Robyn isn't left to speak for herself; her mother has to speak for her. Join in demanding that your prosecutors and their federal counterparts engage in a tough and full prosecution of these charges against the perpetrators of that crime against Robyn Lafleur, her family and that working community.

Hon Mr Young: Let me say that we have great sympathy for the family. If there is some way, at this time or in the future, that we can assist the family, I'm prepared to do so.

But one of the things that we cannot do, one of the fundamental principles of our justice system and of this

government, one that dates back over centuries, is that we can't stand in this Legislature and comment upon pending court cases. So if my friend opposite wishes to bring forward information, wishes to facilitate meetings between victims and crowns, which is something that we always make time for, then I am prepared to co-operate in that regard. But public statements at this time are something that we simply cannot do.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

The Speaker (Hon Gary Carr): New question? The member for London-Middlesex. Elgin-London-Middlesex.

Mr Steve Peters (Elgin-Middlesex-London): You got the Elgin in. That's the important part, Speaker.

My question is for the Premier. Your government continues to force persons with disabilities and older adults to live in institutions, rather than coming up with a method of direct funding to them and their families so that they can hire their own attendants. Direct funding is considered appropriate under an independent living model. It is preferred by most members and their families, and it was promised by your party since you were first elected.

Dani Harder, who is sitting in the Speaker's gallery today, is a 26-year-old woman whom your government is forcing to live in a children's hospital, in complete violation of her rights, simply because there is no mechanism in place to help her move to her own apartment in the community with 24-hour attendant care.

Premier, will you stop warehousing people in institutions instead of helping them to live a more independent and dignified life in their own homes and their own communities? When will you finally act to help this vibrant young woman get out of an institution?

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

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Let me indicate at the outset that I'm certainly happy to work with the honourable member and to talk to this family and see what more we can do for this family.

I can tell the member opposite that providing supports to people with developmental disabilities has been an incredible priority for me and for this government. We've brought in a record investment to help people with developmental disabilities, the biggest investment in Canadian history.

I look at the situation in southwestern Ontario, where the executive director of the Wallaceburg and Sydenham District Association for Community Living said, "The minister listened well." He called our announcement, "It's really everything we asked for."

We acknowledge that we can do more. We acknowledge that the plight of people with a developmental disability and their families needs to be improved. That's why we've made an unprecedented five-year commit-

ment to do more to help community living, to do more to provide supports to people and their families right across the province of Ontario.

Mr Peters: I am the critic for agriculture, and there's one thing in agriculture: a lot of silos. What we've just seen today is the problem within this government: silos. Do you know who should have answered this question? Not the Minister of Community and Social Services; it's the Minister of Health. It's the Minister of Health whom Dani Harder has been dealing with, and that's part of the problem we've got in this province right now. We've got government ministries working in silos and not working in the best interests of individuals.

Premier, I am appealing to you for your direct intervention. The difference between what Dani's family requires to care for her and what the Ministry of Health is offering is \$50,000. Money seems more important than the quality of Dani's life.

Why would you be willing to spend \$120,000 to place her in a congregate living situation like New Visions, but you are not willing to fund the same amount so that she can live with dignity in her own home? Why are bureaucrats comparing the cost of her care to what it costs in a seniors' facility, rather than what it would cost in a facility for young people with disabilities who require 24-hour care? Is it your intention to force young people like Dani into seniors' facilities because of your government's failure to act? I implore you, Premier, for the sake of Dani Harder's dignity and for the other individuals in this province like Dani Harder, will you please intervene and help this family?

Hon Mr Baird: I have indicated to the member opposite that I'm more than prepared to work with my colleagues, whether it's my colleagues at the Ministry of Health or it's our colleagues through our regional offices of the Ministry of Community and Social Services.

We've made an unprecedented commitment to community living in this province with more budgets. That commitment is shared by many folks right across the province of Ontario. I support expanding opportunities for community living. We have had a consultation.

One of the members in your own caucus just got up and presented a petition the other day calling on us to keep the institutions open, saying that institutions had a place in Ontario. That hasn't been the policy of successive provincial governments, be they Liberal, New Democrat or Conservative.

We're moving forward, with an unprecedented commitment. We're moving forward to expand the number of services. One individual said, "One of the good things that the budget did is that they did do some good things to help people with a developmental disability and the developmentally handicapped, and they ought to be congratulated, because it was long overdue." That was Greg Sorbara who said that last month.

DRINKING AND DRIVING

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. Unnecessary

carnage still occurs on our highways due to drinking and driving. In fact, statistics suggest that approximately 25% of all—

Interjection.

The Speaker (Hon Gary Carr): The member for Hamilton East, this is his last warning. I'll have to throw him out. Sorry—

Interjection.

The Speaker: Order. I'll make the decisions in here, I say to the ministers. You worry about your own ministries and I'll worry about in here.

Member for Northumberland.

Mr Galt: In fact, Minister, statistics suggest that approximately 25% of all fatal collisions involve a drinking driver. This indeed is unacceptable, as each and every one of these accidents could have been prevented. Many organizations, such as Mothers Against Drunk Driving, Ontario Students Against Impaired Driving, and the Ontario Provincial Police are in fact doing their part.

Minister, what are you doing to reduce and preferably eliminate drinking and driving in the province of Ontario?

Hon Brad Clark (Minister of Transportation): I want to thank my colleague for the question. I want to assure him that this government has taken tough action to reduce the incidence of drinking and driving in Ontario. Since 1996, we have introduced a number of initiatives, one of them being administrative driver licence suspensions. It might surprise people in this House: there have actually been 89,000 people who have lost their licences for 90 days since the program was implemented in 1996.

We've also introduced remedial measure programs as a precondition for licence reinstatement. We've also increased the suspension period for repeat offenders.

1450

Vehicle impoundment is another program which we have put in place for those who were driving while suspended due to Criminal Code convictions. Over 2,800 vehicles have been impounded by this government.

The Solicitor General has also developed a dedicated, multi-year RIDE program, which we have funded to the tune of \$1.2 million annually.

Mr Galt: Thank you very much, Minister, for that answer. Indeed, with every action associated with drinking and driving there is injury and often death and families destroyed. It is reassuring to know that our government is addressing the dangers that drinking and driving continues to pose in the province of Ontario.

Action is only one part of the equation. The other part of the equation—of course, the most important part—is the result obtained. Minister, can you describe to my constituents in Northumberland what effect these measures are having in reducing the problem of drinking and driving and the number of associated accidents, injuries and fatalities?

Hon Mr Clark: Once again I thank my honourable friend for the question. I want to emphasize that the Ministry of Transportation's commitment to road safety

and our efforts to reduce drinking and driving are an integral part of this commitment. Let there be no mistake: drinking and driving continues to be a serious issue in the province of Ontario.

But I also want to make it clear that our tough action against drinking and driving is working. Since 1995, drinking and driving fatalities in Ontario have decreased by over 36%, more than one third. We will continue to make every effort to crack down on drinking and driving in Ontario in the years to come. That includes making use of new technologies. For example, my ministry is working with other ministries to develop a coordinated approach to implementing an effective ignition interlock program. Ignition interlock is a device that will prevent drunk drivers from being able to start their vehicles. It was the basis of a private member's bill that was passed in this House last December, and I'd like to credit the member for Simcoe North, Mr Dunlop, if he were here right now, for his work on that bill to help combat drinking and driving in Ontario.

HOME CARE

Mrs Sandra Pupatello (Windsor West): My question is for the Premier. Premier, I wanted to read to you from your own document that you went to the electorate with and in which you agreed to the people of Ontario to take care of their health needs. What you said to them was that you were going to look at patient-based budgeting. That's what you were going to do. You said that you were going to put the priority on people who need health care. You said that "for many who need this care, this is going to mean an end to rationing and waiting lists." That's what you said.

I want to talk to you about all of the home care agencies now across Ontario that are rationing service and who have longer waiting lists than ever before because your government will not fund these people according to the people that they need to serve.

Premier, what do you have to say about the promises you made before you embarked on all of this massive change to health delivery and what we have now in home care—rationing of service, service cuts, and waiting lists?

Hon Michael D. Harris (Premier): I think it's important to put a few things into context. First of all, funding for community health services has increased by \$658 million since we took office—\$658 million from the province of Ontario. The federal share: zero dollars. That's the first thing that you need to understand. This represents an increase of some 57%.

We have increased in-home services by 72%. Is it enough? Obviously a number of CCACs are saying it is not enough. In spite of the federal Liberal cutbacks and the slashing of \$100 million out of our budgets from 1994, over the last six or seven years, in spite of putting 72% more in, in spite of all these funding pressures, there are still some CCACs who say it is not enough. That's why the minister is in consultations with the CCACs: to review the budgets to see if there are other areas where money can be found. We can't count on—

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

Interjections.

The Speaker: All three of us are up. We look like the Three Stooges here. The member for Windsor West.

Mrs Pupatello: It's not about "in spite of." It's in spite of your promise to the people of Ontario. You promised that you were going to bring in budgets that were patient-based. You said you would end rationing and you would end waiting lists. What you did was you cut hospitals and sent people home sicker and quicker than ever before. You said you were going to spend money in the community before you did that. The community was not ready for that, and that means that home care takes care of 70% of their patients from the hospitals, never mind the elderly women who rely on the most basic of services to keep them in their homes. Let's talk about York region, one of the largest community care access centres, that is facing a \$12-million shortfall in the 905 region. I want to tell you that this affects mostly women; it affects mostly elderly women. What these people are saying is that those who have a personal worker for the basics—housekeeping, shopping, meal preparation, banking—are going to have the service discontinued. Premier, what do you say to the elderly women of the 905—

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

Hon Mr Harris: I say to them that we have increased funding 72%. I say to them that it is a tremendous challenge for the province of Ontario. I say to the Liberals in Ottawa, who contribute not a cent—in fact, they've cut their funding levels to us—that in spite of the fact that they campaigned on a pharmacare program and on a home care program, not one cent has flowed from that, and that has put extra pressure on every Premier and on every government all across the country. I say to them in spite of that, thanks to our tax cuts and our miraculous recovery in the economy, that we fund home care more than any other province does all across the country—more per capita, the most generous program that's there. And I say to them we're working with the CCACs, and in spite of the Liberals' slashing and lack of honouring their commitments, we're going to do our very best to do more.

APPRENTICESHIP TRAINING

Mr Joseph Spina (Brampton Centre): My question is for the Minister of Training, Colleges and Universities. Ontario has seen unprecedented growth in the past number of years and, as we continue to grow as a province, I'm concerned that with the broad base of industry that we have in this province, we don't have enough qualified and well-trained apprentices in place to help continue to build the province's future.

Apprentices are an integral part of our economy, Minister, and we need these skills and these experiences that apprenticeship training can offer. Without the continued supply of young people in training, I'm worried about our ability to foster further economic growth.

Minister, can you tell us what the government and your ministry are doing to build participation in apprenticeship training in this province.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I'd like to thank my colleague from Brampton Centre for his question. Apprenticeship training is something that this province has known for a very long time needed some serious attention.

A few years ago we introduced the Ontario youth apprenticeship program in our schools, which is aiming to get young people opportunities, sometimes credit, for their apprenticeship training so that they will be interested in moving into the trades, which are well-paid jobs, where we actually need them.

In the last budget in May we also had an increase of some \$33 million, and that is to assist us in helping to double the number of people right now in apprenticeship training in the skilled trades.

We take this issue very seriously. We are getting great co-operation from the trades and from people who are interested in assisting government. I know that parents will be looking with their students to make different decisions for their future.

Mr Spina: Thank you Minister. I'm pleased that you're taking this seriously. We know that a lot of Ontario's young people are excited about job possibilities that can result from good apprenticeship training, and there are a number of rewarding careers that are available to these young people with the proper training.

Minister, it's not only critical to invest in students in terms of the place in the operations, but we also have to make sure they are given every opportunity to learn with the most current technology and the most current equipment possible. Minister, what is the government doing to give these young people access to the latest equipment and technologies so that they can pursue their careers in these most needed skilled trades?

Hon Mrs Cunningham: In response, we are committed to doubling the number of people in apprenticeship training in the skilled trades. I have already mentioned the \$33 million in the budget right now to help with this goal to double the number. There's another number in that budget of \$50 million over five years and that's to help our colleges, which are tremendous partners with the trades in different communities across this great province, to provide better equipment so that we can assist these young people in their goals.

But one thing is missing, and I wonder why the Liberals across the House don't speak to the federal members so that we can get the training agreement signed. Therefore, I will be very serious: they would rather spend money on kiosks than on apprenticeship training.

1500

OCCUPATIONAL HEALTH AND SAFETY

Mr Peter Kormos (Niagara Centre): To the Premier: the law says that when a worker believes they're in danger, but the boss disagrees, that worker—

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Order, please. The member for Niagara Centre now has the floor. Sorry for the interruption. The member for Niagara Centre.

Mr Kormos: Thank you. Premier, the law says that when a worker believes that a job puts them in danger and their boss disagrees, they can refuse to do that job, and if she does, an inspector has to come and inspect that work site, take a first-hand look, be there and meet face to face with those involved and make a decision. That law saves lives every day in workplaces across this province and, quite frankly, every one of those lives saved is worth every penny of what those on-site inspections cost. Bill 57 says those inspections are no longer necessary. Premier, how many lives and injuries are you prepared to risk in return for your so-called efficiencies that you seek, that you're going to obtain, by eliminating mandatory on-site inspections?

Hon Michael D. Harris (Premier): I know the minister gave a full explanation of that very same question in the Legislature this week.

Mr Kormos: Premier, your hubris, I tell you, should be alarming to everyone here. We're talking about workers' health, about workers' safety. We're talking about working women's and men's lives.

Look, a decision to refuse dangerous work is one of the most difficult decisions any worker makes in this province. It doesn't happen very often. The worker acts alone and the worker risks antagonizing his or her employer. It's a standoff and the stakes are as high as they get. A much wiser Conservative government and labour minister recognized this historically. They created that law, a solution, and that was a mandatory inspection by a third party who must come to the work site and determine whether or not it is safe to proceed. You see, that saves workers' lives. That protects workers' health and it protects workers' safety. The law works, but you want to undo it.

Premier, we know you can't guarantee that these changes to Bill 57 won't mean another death or injury. Why are you taking that risk with working Ontarians' lives?

Hon Mr Harris: I think the Minister of Labour can respond.

Hon Chris Stockwell (Minister of Labour): I want to go on the record very clearly. This will not be responsible for any death or injury in the workplace. Let me give you an example—

Interjections.

Hon Mr Stockwell: Hold on. Let me give you an example of a situation where the inspector would decide that a site visit isn't necessary. This is an actual example. An employee phoned up the Ministry of Labour and said, "I don't think my boss is qualified to be my boss." The inspector then—

Mr James J. Bradley (St Catharines): That was you, talking about the Premier.

Hon Mr Stockwell: Hold on, member for St Catharines, just listen. The inspector said—

Interjections.

The Speaker: Order. The minister has the floor. Sorry, Minister of Labour.

Hon Mr Stockwell: I agree with the member opposite. This is an important issue and I think we need to discuss it rather than—the comments you made need to be challenged.

The ministry inspector would then have the power to say, "Why don't you fax me the accreditation that this individual, the boss, has. I'll review it and determine whether or not he should be or is capable of being your boss." They went out to the site, reviewed the accreditation and said, "This stop-work order isn't necessary. You can go back to work." Saving that transit for the two- or three-hour trip, shutting down the operation because one employee said, "You're not qualified to be my boss," is asinine. That's why we instituted a provision that said you can fax it to the inspector and They can review this and make a decision. It's simple common sense. Quit going over the top and quit fearmongering.

PETITIONS**NURSES**

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

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

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

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I submit more of the over 12,000 names that have been added to this petition and add my own name in full agreement with their concerns.

EDUCATION TAX CREDIT

Ms Shelley Martel (Nickel Belt): I have a petition that reads as follows, and it is addressed to the Legislative Assembly of Ontario.

“Whereas tax credits for private schools will create two-tier education;

“Whereas the government’s plan is to give a \$3,500 enticement to pull their kids out of public schools;

“Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

“Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

“Whereas tax credits for private schools effectively create a voucher system in Ontario;

“Whereas the Harris government has no mandate to introduce such a measure,

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

“We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario.”

I agree with the petitioners and I’ve affixed my signature to this petition.

ELECTRICITY GENERATING STATION

Mrs Margaret Marland (Mississauga South): I am presenting this petition on behalf of the residents of Mississauga South and the residents of the riding of Oakville, where the MPP is Gary Carr, the Honourable Speaker of this House. This is in a series of now thousands of names. The petition reads as follows, and it is a petition to the Parliament of Ontario.

“Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800 MW electricity generating facility;

“Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

“Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same;

“Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

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

“That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project.”

I add my name to this petition.

NURSES

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario.

“Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

“Whereas there is a chronic nursing shortage in Ontario; and

“Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

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

“We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

“Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions.”

I affix my signature. I’m in complete agreement with the petition.

1510

EDUCATION TAX CREDIT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I’m very pleased to rise in the House today and present a petition to the Legislative Assembly of Ontario which reads:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

I affix my signature.

BRIDGE REPLACEMENT

Mr Michael A. Brown (Algoma-Manitoulin): I have some more petitions to the Legislative Assembly of Ontario, stating:

“Whereas the existing Highway 519 bridge over the Magpie River south of Dubreuilville is a single-lane, 45.7 metre span Bailey bridge; and

“Whereas the safety of the residents, workers and visitors driving into and out of Dubreuilville is constantly jeopardized because of the single-lane capacity; and

“Whereas the minister has been made aware that there is an immediate need to replace this single-lane bridge with a two-lane bridge; and

“Whereas the ministry has agreed to prepare a design for a future double-lane replacement bridge, however, they have not yet approved the project;

“We, the undersigned, petition the Ontario Ministry of Transportation and the Ontario government once again to immediately approve the replacement of the single-lane Bailey bridge by a two-lane bridge.”

Mr Speaker, I agree with my many constituents in Dubreuilville who have signed this petition.

EDUCATION TAX CREDIT

Mr Joseph Spina (Brampton Centre): We have a petition here to the Legislative Assembly of Ontario from a number of constituents of mine and Minister Clement, who is not in a position, obviously, to present for his constituents, and I am pleased to do so also on his behalf. It reads:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

I have a number of people here from my riding, Sharon Mulder, Carlene Moakler, Ted Van Lingen, Sharon Anderson and a number of others, and I'm pleased to present this on their behalf.

The Speaker (Hon Gary Carr): Petitions?

Mr Michael Gravelle (Thunder Bay-Superior North): I've got a petition a large number of people sent in against the tax credit for private education.

“To the Ontario Legislature:

“Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children regardless of cultural, religious or socio-economic status;

“Whereas the education tuition tax credit of up to \$3,500 per child when fully implemented will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

“Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

“Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

“We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation.”

Many people have signed the petition. I am happy to add my name to that list.

Mr Wayne Wettlaufer (Kitchener Centre): The page from Kitchener Centre, Sabrina Wirz, will come up and take this down.

I have a petition signed by a couple of hundred members of my riding of Kitchener.

“To the Legislative Assembly of Ontario:

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

I affix my signature.

NURSES

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

“Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses;

“Whereas there is a chronic nursing shortage in Ontario; and

“Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

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

“We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

“Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time, regular and part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions.”

I sign my name to this petition.

EDUCATION TAX CREDIT

Ms Shelley Martel (Nickel Belt): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

“Whereas tax credits for private schools will create two-tier education;

“Whereas the government plans to give parents a \$3,500 enticement to pull their kids out of public schools;

“Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

“Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

“Whereas tax credits for private schools effectively create a voucher system in Ontario;

“Whereas the Harris government has no mandate to introduce such a measure,

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

“We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario.”

I agree with the petitioners, and I’ve affixed my signature to this petition.

The Speaker (Hon Gary Carr): Petitions?

Mr Bob Wood (London West): I have a petition signed by 177 people.

“Whereas wide parental and student choice are essential to the best possible education for all students; and

“Whereas many people believe that an education with a strong faith component, be it Christian, Muslim,

Jewish, Hindu or another religion, is best for their children; and

“Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

“Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

“Whereas the parents of these students continue to support the public education system through their tax dollars; and

“Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

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

“To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible.”

1520

Mr Ernie Parsons (Prince Edward-Hastings): “To the Ontario Legislature:

“Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children, regardless of cultural, religious or socio-economic status;

“Whereas the education tuition tax credit of up to \$3,500 per child, when fully implemented, will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

“Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

“Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

“We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation.”

I am pleased to add my signature to this.

ORDERS OF THE DAY

PUBLIC SERVICE STATUTE LAW
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS
EN CE QUI A TRAIT
À LA FONCTION PUBLIQUE

Resuming the debate adjourned on May 16, 2001, on the motion for second reading of Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993 / Projet de loi 25, Loi modifiant la Loi sur la fonction publique et la Loi de

1993 sur la négociation collective des employés de la Couronne.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated May 30, 2001, I'm now required to put the question.

Mr Wettlaufer moved second reading of Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993. Is it the pleasure of the House that the motion carry?

Interjections.

The Speaker: We can always hear the member for Niagara Centre.

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1522 to 1527.

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

Ayes

Arnott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Coburn, Brian	Kells, Morley	Spina, Joseph
Cunningham, Dianne	Klees, Frank	Sterling, Norman W.
DeFaria, Carl	Marland, Margaret	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Stockwell, Chris
Elliott, Brenda	Maves, Bart	Tascona, Joseph N.
Flaherty, Jim	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Miller, Norm	Turnbull, David
Gilchrist, Steve	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	Mushinski, Marilyn	Wood, Bob
Harris, Michael D.	Newman, Dan	Young, David

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

Nays

Agostino, Dominic	Duncan, Dwight	Martel, Shelley
Bartolucci, Rick	Gerretsen, John	Martin, Tony
Boyer, Claudette	Gravelle, Michael	McGuinty, Dalton
Bradley, James J.	Hampton, Howard	McLeod, Lyn
Brown, Michael A.	Hoy, Pat	McMeekin, Ted
Caplan, David	Kennedy, Gerard	Parsons, Ernie
Churley, Marilyn	Kormos, Peter	Peters, Steve
Cleary, John C.	Kwinter, Monte	Phillips, Gerry
Colle, Mike	Lalonde, Jean-Marc	Pupatello, Sandra
Crozier, Bruce	Lankin, Frances	Ramsay, David
Di Cocco, Caroline	Levac, David	Ruprecht, Tony
Dombrowsky, Leona	Marchese, Rosario	Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 36.

Pursuant to the same order, the bill is referred to the standing committee on general government.

RESPONSIBLE CHOICES FOR GROWTH AND ACCOUNTABILITY ACT (2001 BUDGET), 2001

LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILISATION (BUDGET DE 2001)

Resuming the debate adjourned on May 30, 2001, on the motion for second reading of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated June 4, 2001, I'm now required to put the question.

Mr Hardeman moved second reading of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1531 to 1536.

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

Ayes

Arnott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Coburn, Brian	Kells, Morley	Spina, Joseph
Cunningham, Dianne	Klees, Frank	Sterling, Norman W.
DeFaria, Carl	Marland, Margaret	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Stockwell, Chris
Elliott, Brenda	Maves, Bart	Tascona, Joseph N.
Flaherty, Jim	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Miller, Norm	Turnbull, David
Gilchrist, Steve	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	Mushinski, Marilyn	Wood, Bob
Harris, Michael D.	Newman, Dan	Young, David

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

Nays

Agostino, Dominic	Duncan, Dwight	Martin, Tony
Bartolucci, Rick	Gerretsen, John	McGuinty, Dalton
Boyer, Claudette	Gravelle, Michael	McLeod, Lyn
Bradley, James J.	Hampton, Howard	McMeekin, Ted
Brown, Michael A.	Hoy, Pat	Parsons, Ernie
Caplan, David	Kennedy, Gerard	Peters, Steve
Churley, Marilyn	Kormos, Peter	Phillips, Gerry
Cleary, John C.	Kwinter, Monte	Pupatello, Sandra
Colle, Mike	Lalonde, Jean-Marc	Ramsay, David
Crozier, Bruce	Lankin, Frances	Ruprecht, Tony
Curling, Alvin	Levac, David	Smitherman, George
Di Cocco, Caroline	Marchese, Rosario	
Dombrowsky, Leona	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 37.

The Speaker: I declare the motion carried.

Pursuant to the same order, the bill is referred to the standing committee on finance and economic affairs.

1540

AMBULANCE SERVICES COLLECTIVE
BARGAINING ACT, 2001

LOI DE 2001

SUR LA NÉGOCIATION COLLECTIVE
DANS LES SERVICES D'AMBULANCE

Hon Mr Stockwell moved second reading of the following bill:

Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.

Hon Chris Stockwell (Minister of Labour): I appreciate the fact that some of the members have stayed. You know you've got a bad bill when the member for St Catharines leaves.

I want first of all to talk about the purpose of the bill and why we did what we did. Let me deal with a general overview of the bill in the first place and tell you how it is we reached what I believe is a consensus by taking into consideration all the parties that were involved in this particular approach.

I think everybody in this House would agree that it is an important and noble purpose to ensure continuous ambulance services during a strike or lockout. If we all agree with that—and I don't think anyone would disagree with that—then we have to move on with a bill that would ensure continuous service. To put it into layman's vernacular, paramedics go to work if their unions are on strike, so people who need a paramedic or an ambulance during a strike period can get one. I don't think anyone in this chamber would disagree with that approach. Obviously it's a public safety issue and it's paramount for us as legislators to ensure that that kind of public safety issue is not disrupted.

We need the legislation because services were transferred from the province to the municipalities in January. The transfer means that the majority of workers now fall under the Labour Relations Act, and under the Labour Relations Act it gives paramedics an unfettered right to strike. We are now faced with a situation, with the passing of ambulance services from the provincial level to the municipal level, that they now fall under the Labour Relations Act, which then gives them full and unfettered access to strike.

I personally don't believe that your average, typical paramedic would strike, even if there were a vote for a strike. I believe that they are professionals and they probably wouldn't strike. Be that as it may, I think we all

agree that, by law, we should implement legislation that says no, you can't strike. So this bill requires negotiation of an essential service agreement prior to a legal strike or lockout.

Having come from the municipal world, I'll tell you that we used to have these in Toronto. They're called essential services agreements. What it basically says is that paramedics are part of a broader union, and in the case of Metropolitan Toronto, they were part of a union that included outside workers. The paramedics would say, before any negotiations took place and long before any potential opportunity for a strike occurred, "We will sign an essential services agreement with Metropolitan Toronto and agree that, should there be a strike, paramedics and those people who provide the services for paramedics—mechanics, people who answer the phone, operators etc—also could not go on strike," so that service itself wouldn't be disrupted.

It came to us, particularly from the union side, that they needed to retain some right to strike but allowing critical services to continue. Let me say that the right to strike is something I think most, probably all, unions hold very dearly to their heart. I've got to tell that normally in a year we have very few strikes or lockouts. There is a 96%, 97% success rate in negotiating collective agreements. But sometimes you get to a point where there could be a strike, so we needed to try and strike a bill—and this is a difficult thing to do—that could balance the right to strike with public safety of paramedics.

Our idea was this: since most paramedics belong to a broader union, in essence, a larger collective agreement, they have what we deem to be a meaningful right to strike. In essence, if they can't reach a collective agreement, and they can't get together and there is going to be a lockout or strike, we believe that if there are enough members of the union, a meaningful right to strike would give those people who are not paramedics the right to strike and withdraw services but allow the paramedics to go to work. At the completion of that collective agreement, after the strike or lockout period, whatever collective agreement was negotiated by those workers with the right to strike would then be given to the paramedics automatically upon ending that particular situation.

Mr David Caplan (Don Valley East): OK, you've sold us.

Hon Mr Stockwell: I hope it would be sold and I would hope this would only take a couple of days of debate. But I tend to think there's always a bit of a fly in the ointment. And I say to my friends in the NDP, I've tried my best to continue the unfettered right to strike, because that's what you tell me is the important part of these things.

Interjections.

Hon Mr Stockwell: Obviously, I've struck a funny bone with the member for Don Valley East. They say, "Ridiculous," but frankly, there are only two ways to go about this, to the member for Thunder Bay. Either you determine that flat out they can't strike and they have to

go to arbitration, period, end of discussion, or you can maintain their right to strike.

Mrs Lyn McLeod (Thunder Bay-Atikokan): But you haven't done this.

Hon Mr Stockwell: Sure we have, because they're part of a broader collective. That right to strike is retained by those people who go out on strike, and whatever they collectively negotiate with their employer is automatically given to those paramedics who went to work because of an essential services agreement.

So, on the one hand, we've maintained the integrity and the importance of providing an essential service to the public so nobody dies during a strike period, but if a withdrawal of services is the only way to reach a collective agreement, whatever they've negotiated in that collective agreement will be automatically given to those paramedics. That does both: that protects the public from a disruption of paramedics and provides the union with an ability to get a better collective agreement through a strike process. That is as reasoned an approach as you can take.

Interjection.

Hon Mr Stockwell: Well, it may be very complicated for you, Mr Caplan. I appreciate that and I understand it may be difficult for you to understand, but if you read it slowly, you might get it.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): You have to read slower.

Hon Mr Stockwell: Very slowly, OK.

If we have that, that protection is put in place. The argument from the other side is, "Oh, no, we don't want that right to strike." That's what I guess the NDP may be saying. And the Liberals, well, I'm not sure, but they'll come up with something. The NDP will probably say, "No, we don't want the right to strike," yet in every other collective agreement, every other piece of legislation, every other thing we bring before this House, it's sacrosanct. They insist there must be a provision to strike. So we've protected that provision in this act. We gave them the benefits of a strike and what you can lever from your employer during a strike period, and they will get those levers.

To me, the only other option is to go to straightforward binding arbitration, which in my opinion serves no purpose. It doesn't reflect a couple of things. It doesn't reflect the economic realities of what collective agreements can lever from employers, and you have one person making a decision, simply because, by going on strike, the economic realities are there. You go on strike and demand certain terms and conditions of your employer.

Interjections.

Hon Mr Stockwell: If you're going to ask the questions, you've got to listen to the answers. You can lever that from your employer. Simply sending it off to an arbitrator provides none of those levers. It's an arbitrated, single-person decision based on submissions from lawyers, which I've heard all the time from the unions they don't like. They don't like that; they want the right

to strike. So I said to them, "If you want the right to strike, I think I can build a piece of legislation which balances both competing aspects: (a) the public's expectation that ambulances will work during a strike, and (b) your ability to lever a good contractual agreement through a strike that's automatically given to you once the strike and collective agreement is done."

That was the approach that we took. I'm very, very disappointed that the opposition parties would think, if this is what they're going to argue, that rather than giving people the right to strike, it's better that we send them off to binding arbitration. That, to me, doesn't make any sense.

1550

For years and years in this province the municipalities that provided ambulance services—I speak of Toronto, for example—worked under exactly this provision. Identical. Exactly this. In instituting Metropolitan Toronto in 1953 and amalgamating the ambulance services from the early 1970s, that's exactly how they did business. The largest municipality in the country of Canada would work out an essential services agreement with their paramedics. The paramedics would give up their right to strike based on the fact that if there was a strike, any collective agreement that was signed would unilaterally be given to them as a pay increase, a benefits increase, holidays, all those benefits that go with the right to strike. That's how the system has worked since the early 1970s in Toronto and in certain other municipalities that provided their own ambulance services.

That was the thought behind this bill. If you're telling me now that it's no longer important—is the NDP saying or will the Liberals be saying that it's no longer important to have the right to strike? Is that not important in this bill? We just want to take these and send them off to arbitrated settlements by one person—who knows who—determining what the pay levels for paramedics are right around the province? Don't let the economy set it. Don't let the strikes and lockouts and negotiating collective agreements settle it. No, don't do that. Just send it off to one person and let them arbitrate it, like that is some kind of panacea, some kind of example of how government should be instituting provisions in legislation to provide people with the opportunity to reach collective agreements.

I don't believe that, personally. I don't think this government believes that. This government also believes in the collective bargaining process. They may have a lot of hoos and haws over there about how we've run the Ministry of Labour, but I'll tell you we haven't stripped one agreement since we've come to office.

Mrs McLeod: You've sure tried—only because we wouldn't let you.

Hon Mr Stockwell: We have not stripped one agreement. I say to the member for Thunder Bay we obviously didn't try hard enough if you suggest we have. My friends in the NDP stripped a number of agreements under the social contract. They stripped collective agreements. We haven't stripped a single collective agreement.

We haven't unilaterally overruled a collective agreement. We have said that when the anniversary of that collective agreement is up, we may make some changes to the legislation.

Another good example is this bill: we're not stripping collective agreements. We're saying in this bill that by passing these ambulance workers and paramedics down, we're going to deem them to be essential. If you have a meaningful right to strike, with literally hundreds or thousands of employees who can go out on strike and they go out on strike, you stay at work. Whatever they collectively bargain, you get.

Now, there are going to be places where we admit there isn't a reason, where there isn't a meaningful right to strike. I'm sure up north I can give you examples—include Toronto. They've got thousands of employees.

Mrs McLeod: Thousands of what?

Hon Mr Stockwell: Thousands of employees.

Mrs McLeod: Thousands of paramedics?

Hon Mr Stockwell: No, thousands of employees. They've got hundreds of paramedics, but they've got thousands of employees. That's the meaningful right-to-strike approach.

Up north, which I was driving at, as an example, say an employee group represents 25 employees or paramedics or an association to the paramedics and they only have half a dozen or a dozen or 20 employees outside of those paramedics. You know what we said? They don't have a meaningful right to strike. There's no point in taking 20 people out and having just as many people go to work, because that's not a meaningful right to strike. We accept that and that's why it was a reasonable approach we took. We said, "Look, even if you went on strike, you haven't got enough people to withdraw enough services that you're going to impact whoever you're trying to impact." Therefore, the paramedics would have to go out on strike. We don't want the paramedics to go out on strike, so we've said that they would be deemed essential and would go directly to arbitration because they don't have a meaningful right to strike.

We've understood that in certain circumstances there are situations where paramedics wouldn't have a meaningful right to strike and the bill reflects that. Speaking as a government member, when we saw the problem with respect to the meaningful right to strike, we dealt with it in the legislation. We said that those ambulance workers, those paramedics will go directly to arbitration. If you have a meaningful right to strike, like Toronto where there are hundreds of paramedics and literally thousands and thousands of union members, so that the thousands and thousands of garbage collectors, water works people, all those people, could go on strike and you could stay at work. That's considered a meaningful right to strike.

I'm slightly aghast that the opposition would suggest—I guess this is what they're going to say. I don't want to portend to read their minds, but I guess this is what they're going to say. They're going to say, "No, we think everyone should go to binding arbitration." I say to the members opposite that you're taking away the funda-

mental right workers have when they organize, and that is the right to withdrawal of services. That seems to be one of the tenets of the labour movement: "We have the right to withdraw our services." We agree that they do. They do have that right. You can't have a meaningful collective bargaining process if one party isn't allowed to withdraw their services and go on strike. We also believe there are certain services provided by the municipalities that would lend themselves to being essential. Paramedics is a good example. They also have these kinds of agreements within municipalities now—waterworks is another one—where a certain number go to work because they deem them to be essential, and they are universally agreed to between the union and the municipality.

All we've said is that paramedics are an essential component. They can't go on strike. But any benefit derived by those workers who go out on strike and withdraw their services will be automatically given to those paramedics who went to work under an essential services agreement. Therefore, we kept to that time-honoured tradition to allow unions to withdraw their services, and at the same time protected the public good so that if somebody becomes sick during a strike, they may expect an ambulance to show up at their door to save their life. I don't think that's an unreasonable approach.

We have also met the concerns without obviously interfering unduly in the collective bargaining process. We've done that also. Listen, if you pull out these paramedics, then obviously the membership rank and file goes down, because you're going to have to have them off from the local CUPE association. They're going to lose benefits. They're going to lose that pay they receive from them. We'd actually be physically reducing the number of people who belong to a union, unilaterally and arbitrarily. There would be a financial component that would also be applied to the unions, which I don't think they'd like.

We also tried to do this to maintain what we believe to be reasoned and fair. Rather than going through the bill and saying, "This is a meaningful right to strike, this isn't, this is, this isn't, this is" etc, we've said it's up to the Ontario Labour Relations Board. Anyone may file an application—union, management—to the Ontario Labour Relations Board and say, "We don't have a meaningful right to strike. We should go to arbitration." Then we're not imposing our opinion on each and every decision. We're leaving it up to a quasi-judicial, adjudicative branch of labour relations, which I think is another step in favour of the union, because their fear is the government will unilaterally walk in and tell everybody who's got the right to strike and who doesn't. We're not saying that. We're saying it's up to the Ontario Labour Relations Board to determine what they consider to be a meaningful right to strike.

We've also said it doesn't have to be a direct arbitration process. They can also go to a mediation-arbitration process. We've allowed a spectrum of approaches. We've said that if you have a meaningful right to strike and you're an essential service, you don't go on strike,

but we don't make that decision; the Ontario Labour Relations Board makes that decision. We have said if you don't have a meaningful right to strike and you might have to go to arbitration, you can go to mediation and arbitration. We've said the Ontario Labour Relations Board is to decide who fits where and how the process is going to work. We've allowed unions to continue to strike and strive for the benefits that paramedics would get in certain cities that have meaningful rights.

Let me tell you, and understand this, if Toronto went out on strike and drove a tough bargain and that bargain was, say, a good pay hike for them, and that was imposed on paramedics, all those small little operations would derive the benefit of that. Because in the arbitration process, the legal arguments from the union side would be, "Look how much money they're making in Toronto. Our people deserve some portion of that or that much." They would derive benefit because there was a strike and they drove up the settlement. There would be a lot of benefits on behalf of them.

1600

In just a nutshell, the role of government in labour relations is to balance the interests of all affected by labour disputes. The balance maintained by giving employees the right to strike in order to apply economic pressure on employers must be maintained, which we've done. We must maintain a balance that promotes positive labour relations climates in which a majority of the collective agreements are settled through negotiations. That's what we've done.

In a strike vote, parties have to face economic loss and the benefits or the detractions from that. This bill does that.

If one party gains an unfair advantage over the other, there is less incentive to negotiate settlements before striking or returning to the bargaining table after strikes begin. We've also done that in this bill, and it's a positive result. Ninety-six per cent of collective agreements in Ontario were settled without a strike or a lockout. I expect this to be in the same number and same category.

I'll be interested in hearing from the opposition. I'll be interested in hearing what exactly they don't like about this particular approach, because in my opinion it does a very good job of balancing competing interests. The two competing interests very clearly are the public's expectation of essential services through paramedics and the union's expectation of the ability to go on strike when they believe a collective agreement can't be reached any other way.

I'm very proud of this bill. I think it's well designed, well crafted, well written and well thought of. I'll have to hear from the opposition, but my take on this always has been, from the beginning, that we have to do the least intrusive thing we can. We have to be the least intrusive when it comes to entering into the collective bargaining process. That means we've got to have it impact as few members of that collective bargaining unit—while protecting the public. Providing to the paramedics that with a meaningful right to strike they get all the benefits from

a striking union, and if they don't have a meaningful right to strike they go directly to arbitration, is in my opinion the best approach to take. I thank the members for their attention.

The Deputy Speaker (Mr Michael A. Brown): Further debate?

Mr R. Gary Stewart (Peterborough): It's my pleasure to rise and speak on Bill 58. It kind of amazes me with this bill that we're having any debate in this House whatsoever. This is a bill that should be automatically passed very quickly. It's an extension of what already existed there. I guess when we talk about people, people's lives cannot be put at risk. The people of Ontario have to be protected by this type of legislation. As I said, to me it's a fait accompli. The opposition should automatically be saying, "Let's go with it. Let's get it into legislation."

Certainly, if you look at what happened with the transfer to the municipalities of ambulance service—I look at our own municipality as well as many other ones. Before the municipalities did take over, this was not a problem. Now that they have, that's why my suggestion is that it's just an extension or a guarantee of what already existed.

It's interesting because, before the municipalities in some cases did take it over, it was either that they operated it or the private sector operated it or indeed the hospitals operated it. It's interesting to realize that there are a lot of municipalities that are suggesting that the cost factor to take this over is extremely high. It's also a factor that many municipalities did not tender out this process, which in my mind should automatically have been done to make sure the municipalities can deliver the service, can operate the ambulance service at the best possible price and, again, to make sure that what they're doing is no risk for the public.

Certainly if you look at what this bill says, making sure that people get that protection of ambulance service, that it is an essential service. Again I go back to what I said when it was in the hospital sector. Certainly the people who work for the ambulance service, paramedics etc, seem to have no problem with this whatsoever. I don't know why we are trying to create a problem now when there really isn't any whatsoever.

If you look at the bill, and I hope that a good number of the people in this House have read it, to me it's pretty simple and straightforward. If you look at section 4, it is suggesting:

"(1) An essential ambulance services agreement shall,

"(a) set out the number of ambulance workers who are required to provide essential ambulance services"—period, protecting the people of this province;

"(b) provide that the required number of ambulance workers shall continue working during any strike or lockout of employees in the bargaining unit of which they are members"—pretty straightforward, and pretty demanding, I believe, by the people of this province. Again, the ambulance workers worked under this situation when they worked for the hospitals prior to the transfer.

Also, “(d) identify the ambulance workers who will provide essential ambulance services under the agreement and the additional ambulance workers who will be subject to being called in to work under section 5”—again making sure that the services are well covered.

“If there is more than one classification for an employer’s ambulance workers, the essential ambulance services agreement shall deal with each classification separately.” So there is a built-in situation there that allows for individual classifications.

The other one that I believe says it all is under section 5: “If, as a result of unanticipated emergencies”—and I think this is a concern for any of us and certainly for the people of Ontario—“the number of ambulance workers who are required to work under an essential ambulance services agreement is not adequate to enable an employer to provide the essential ambulance services, the employer may increase that number for a period not to exceed 72 hours to ensure that essential ambulance services continue to be provided.” That is the bottom line of this legislation.

As I said, this was done before. To me, it should have been just an automatic changeover without legislation to do it. Certainly, if this bill is passed, the employees who work for the direct ambulance, the municipal operators or the services contracted by municipalities, will be covered by this new act, under which essential service agreements must be in place prior to the right to strike or lockout, and binding arbitration is a later option. I believe it will offer the protection for this. When they were under the jurisdiction of hospitals, certainly it was there and it was done. Why would we not be just continuing to do it? The bottom line is protection of the public.

When you start talking about this particular legislation, and the reason I’m looking at the clock, it’s difficult to talk about an act that is so simple, is so necessary to protect the people of this province, for 30 or 40 minutes. How do you knock it? You can’t if you have any type of compassion, if you have any type of feeling for the security of the people of this province. To me, we sit and debate and talk about this when basically there should be none whatsoever because, and I’m being repetitive, the bottom line is to ensure public health and safety so that there can’t be a withdrawal of ambulance services. That will protect the people of this province.

1610

I would highly suggest that the opposition parties agree with this legislation so that it would pass very quickly and the people of this province will have the protection they need, the protection they want and the protection they deserve. Under this act, Bill 58, I believe that protection will be there.

I thank you, Mr Speaker, for allowing me to speak for a few moments on what I class as a very simple but important bill that is extremely necessary for the protection of the people of this province.

The Deputy Speaker: I should just indicate to the government members that it is very helpful if it is indicated to the Speaker whom time is being split with. As

you know, it’s not a requirement that you use all the time. What’s necessary to be helpful to the person in the chair is to know who is speaking, and it also helps out the other parties. The member for Northumberland.

Mr Doug Galt (Northumberland): Thank you, Mr Speaker, and I’ll apologize for the Minister of Labour, who initiated the debate for this hour. Certainly I can follow your concerns. I believe I’m the last speaker during this hour on the part of the government.

As I start, I’d like to compliment first the member from Peterborough for an excellent presentation on this particular bill, Bill 58—

Interjection.

Mr Galt: Do you speak as well?

Mr Beaubien: No.

Mr Galt: OK—as well as to compliment the Minister of Labour both on his 20-minute presentation and on the design of this particular legislation. I believe it is in fact extremely well designed. To me it is just logical, it’s housekeeping and it should go through very quickly.

Just before I really get into my comments, Mr Speaker, I hope you will excuse me if I just speak for a few minutes about the 57th anniversary of D-Day that is happening on June 6.

In 1944, some 150,000 troops left England. Some 2,500 were killed that day in the invasion into Europe, some as young as 18, and indeed this was the start of the liberation of occupied Europe from Nazi Germany. Indeed, we do owe a real debt of gratitude to those young people who fought on our behalf so that we have a country such as we have today that we can be debating an issue such as Bill 58, a bill that’s going to ensure that we have the essential services provided by ambulance operators and all those connected with ambulances and that those services won’t be lost in such a thing as a strike position. I think the Minister of Labour has come up with some very unique legislation here. There is no question that this government has a commitment to essential services such as this.

I reflect back a week or so ago to when we had a resolution before this House, a private member’s bill, and it was concerned with support workers in education, particularly for those with special needs in our education system. He had gone through a bad experience in the Muskoka-Parry Sound area, and in Toronto a similar strike was held. In Toronto the children with special needs were told, “Don’t come to school because the workers are not here.” They were segregated out, basically, from the other students. In Parry Sound-Muskoka all the schools closed down, so they weren’t segregated out. Nevertheless, here was a situation where there were young people with special needs and their training, their education was really interrupted. My understanding is that in some cases it could set them back as much as a year or so in what was being accomplished with them, with the short few weeks’ strike that was going on.

When we come to situations like this you kind of get to, what is essential and what isn’t? I know in many cases it’s subjective, and it might be in the case of support

workers in education, but certainly I don't see this as subjective when it comes to ambulance drivers.

Put yourself in the situation. You're on a highway, there's been an accident, maybe through no fault of your own, and there you are, the ambulance operators are on strike. Any one of us could be in that position on our way home after finishing the sitting of the Legislature this week. I don't think any one of us here would be very happy about that situation. In essence, that's what this legislation is about: overcoming that kind of very, very awkward situation you might have for yourself or for any member of your family or friends that you might have in the community.

We talk about essential services and I look at various services, whether it be teaching—we talked for a moment about the needs of special education and the support workers. But is teaching an essential service, whether it be in universities or colleges or in our public system? Is transportation an essential service? It depends how you look at it. Whether it's moving freight or moving people or it's maintenance of our highways in the kind of weather we have in this country, with ice storms and sleet, is that an essential service? It really comes down to a subjective opinion on the part of this Legislature. I don't think there's any question when we talk about police services, when we talk about firefighters, and I believe as well when we talk about paramedics and all of those that are associated with ensuring that we have ambulances on the road.

As I mentioned firefighters, I was really thrilled last Saturday to be in Harwood at the opening of the new fire hall that I believe holds four fire trucks, and a bay for an emergency boat, half the cost of which was donated by Harris Boat Works, the local Rotary Club has donated \$5,000 and they're fundraising for the other \$5,000.

But I just wanted to zero in for a while on essential services, and I think that's a slam dunk in this case. It's just very, very obvious and, like the Minister of Labour, I'm looking forward to hearing what the opposition might have to say to object to this particular piece of legislation.

It's my understanding that right now we're sort of in the position of an unfettered right that these workers may have to go on strike and shut down that service if they come up to negotiations for a future contract. Again, our government has gone out with extensive consultations on this particular issue, some 18 months ago. It's becoming a hallmark of this government to have extensive consultations.

It was only Monday, I believe, that we had a resolution before this House. The third party wanted to have 80 days of consultation. Well, in their whole five years they barely had 80 days of consultation. The official opposition wanted 370 hours of consultation, when in fact the total when they were in government was 343 hours of consultation in standing committees. That's what I'm referring to right here. They try to embarrass the government on consultations when in fact their record was rather sad on the kind of consultations they had.

I remember the social contract that the NDP government brought in. I recall Sunday shopping. You know, there wasn't a single moment, a single hour, a single minute of consultation, of standing committee on those particular issues.

In this bill there's been extensive consultation with OPSEU, with the Ontario Hospital Association, with the SEIU. They've all had their opportunity, and the general preference was mandatory arbitration. The Minister of Labour, I think, has explained very well why that isn't totally satisfactory. It's one solution, but it has a whipsaw effect as you keep moving up those salaries to the point that someday they might not be affordable.

It's also arriving at a balance, as I see what's happened in this particular legislation, a balance between employers and employees, a balance of their interests. That's certainly important in any kind of legislation when it comes to labour having their rights and their opportunities.

I think this creates a framework that will help to resolve labour disputes in the future and will also ensure that the services will, in fact, be there. There will be conciliatory officers for conciliation purposes. The areas it doesn't cover, of course, are the areas that are already covered under the Hospital Labour Disputes Arbitration Act; obviously we do not need to have duplication.

1620

This is more than just a labour struggle; we're really talking about health care in small-town Ontario and rural Ontario. We're talking about economic development. When it comes to small-town Ontario thinking about putting in or looking at or planning for some industry, for a small plant in a community, whether it be Napanee, Bancroft, Brighton, Campbellford or Port Hope, they're going to wonder, "What are the services?" If there's a lack, whether it be of physicians or ambulance services, that becomes a real concern to industry coming in. Of course the industry is concerned about their employees and what services will be available to those employees.

We think back to 1993 when the brilliant move was made here in Ontario. The problem became physicians. They're the ones who were charging the system and we had to get rid of some of them, so they reduced the number who could enter medical school. Can you imagine anything so silly as to do that, as to reduce the number because they were the problem because they were the ones collecting the money and taking it out of the system? It took six, seven or eight years to reap those results, and we're reaping them here today with a lack of physicians, particularly in rural Ontario. It goes along with health care and with the ambulance services. They're all part and parcel of these emergency services and essential services that are needed.

As to the amount of money this government has put into health care, whether it be ambulances to ensure essential services, whether it be hospitals or whether it be payment for physicians, we're up over a \$6-billion increase. What have our federal cousins been doing? Slashing their transfer payments of health care dollars to

Ontario. Wouldn't it be great if we could get back to the 18% level there was back in 1993? That was the time the Liberals came to power in Ottawa. The Mulroney government was still at 18%. It deteriorated to 7%. That's what the Liberals took it down to: 7% of the health care dollars came from the federal government to help the people of Ontario.

Interjection.

Mr Galt: When? What do we have? In Ottawa, 100 or 103 MPs are Liberals, and that's all the control, all the power they have with the present Prime Minister. I think it's a crying shame that we're caught in that kind of position here in Ontario. I have to admit they let it sneak up. I think it's up around 11% or 12% now, but I challenge them to take it back to the level of the federal PC government at 18%. That would help an awful lot, especially with some of the home care that was mentioned in question period today. The Premier was telling you about the more than \$600 million that it's increased, that is there. What's the federal government been doing? They haven't contributed one single red cent to helping with home care. If they would just come across with that 18% that was there back in 1993, I'm sure we could have some more dollars for the frail and the elderly we want to keep in their homes. That's where they want to stay, with a little bit of extra support, if the feds would only come through.

We're speaking about the essential service of ambulances, and this is just one more aspect of health care that this government is so committed to. I enthusiastically support that commitment.

In conclusion, the bottom line is that if this bill is passed, the public will have continuous ambulance service during a strike or a lockout. The right to strike would still be maintained, but critical services would continue to be delivered. A vote against this bill would place lives in danger, which is why I'm supporting Bill 58 today. I'll be supporting it enthusiastically right through until we accomplish third reading.

The Deputy Speaker: Questions or comments?

Mrs McLeod: I particularly want to address my comments to the opening remarks of the Minister of Labour in introducing his bill, and I must admit he reaches his most persuasive heights when he's trying to sell snake oil.

I couldn't believe the Minister of Labour seemed to be suggesting that paramedics should be appreciative of the fact he did not strip their contracts. It's as if he's saying, "If you don't like this, we'll give you something worse," and that this should be a reason to buy the bill. At least the minister is consistent, because we saw exactly the same approach used when he was dealing with the issue of double-breasting in construction workers' contracts.

I agreed with the Minister of Labour at one point, when he said, "Paramedics are professionals and they don't want to strike," because that is so true. I guess the government feels they're fairly easy targets.

The Minister said, and I agree with this as well, that there are really only two choices here: to declare the

paramedics, ambulance services, an essential service and go immediately to binding arbitration in the event of a dispute, or to protect the right to strike. Theoretically those are clear choices. This government has managed to do neither.

I was interested in the fact that the member for Northumberland, I think inadvertently, indicated that some consultation they carried out actually came down on the side of going to binding arbitration, but that's clearly not what is in this legislation. The government has done neither: protect the right to strike in this legislation, because there is no meaningful right to strike in what is so clearly an essential service and where there is such a scarcity of resources that in fact you cannot pull any of the service off without jeopardizing service, so they haven't protected the right to strike because there is no meaningful right to strike; nor have they provided a fair dispute resolution process through the arbitration process. The Minister of Labour said, "You wouldn't want to go to binding arbitration, because it doesn't serve a purpose." He actually said it doesn't serve a purpose, because it does not respond to the economic reality of the employer.

I can tell you that under this government's legislation any arbitration process does deal with the economic realities of the employer, and under this legislation even more so.

Mr Peter Kormos (Niagara Centre): I've only got two minutes, I suspect I'm going to have an hour to speak to this bill, perhaps even as early as tomorrow.

New Democrats are opposed to this legislation, and quite frankly we're going to do everything we can to make sure this government has to do everything it must, as it tries to force this legislation through this chamber. This is an attack on some of the most committed professional people we have in our province.

It's marching orders from AMO to the Minister of Labour and Mr Harris, who are all so eager to comply. They're like that little dog in the old RCA Victor ad, with the Victrola and the little dog sitting beside the Victrola and underneath it says, "His master's voice." Well, the Minister of Labour is following marching orders and in this instance, like in every other instance, it's workers who get the boot. In this instance it's ambulance workers, it's paramedics who get beat up on.

This Minister of Labour has no respect and no regard for the professionalism of those paramedics across the province. This Minister has no regard for the fact that no worker, least of all paramedics, takes any strike action lightly. This Minister cannot identify a single situation in Ontario where any paramedic has ever jeopardized the safety or welfare of any member of any community.

I defy this Minister, during the course of his insulting attack on paramedics, to tell us what this is in response to, other than yet another tool for the municipal tool box, because this government has downloaded mercilessly on to municipalities, creating property tax increases of 5% to 10% across the province, including the communities I represent in the Niagara region. This government is providing yet another tool in the toolbox.

Unfortunately the people who are going to get ratcheted with this tool are paramedics, who deserve far better and deserve far more respect than this government's giving them.

Mr Beaubien: It's a pleasure to respond, especially to the member from Welland-Thorold when he's talking about this as a vicious attack on paramedics. I find it very disturbing that he would take this type of position, especially today when they were questioning about hospitals and the backup in emergency, and then all of a sudden they're not concerned about this vital service provided by these dedicated, well-trained individuals to make sure that there is no disruption in health care services, especially the emergency services in Ontario.

I wouldn't expect anything else when the member from Welland-Thorold says, "We'll do everything we possibly can to stop this piece of legislation and to make this government go through all the hoops and processes," because basically that is why you're still struggling with 8% and 9% of support in the province of Ontario. That's why there is a problem. That's why people in Ontario cannot see fit to support you people. With that type of support, no wonder you've got this type of attitude. It's totally irresponsible.

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Mr Kormos: Click your heels and put on your arm band.

Mr Beaubien: That's right. That's the only way you can respond. The only way you can respond is to do a personal attack on somebody else. That's the only defence you have, because you cannot defend the position you've taken as an individual, as a member of Parliament and as a caucus member.

Interjection.

The Deputy Speaker: Order. The member for Niagara Centre will need to withdraw.

Mr Kormos: Withdrawn.

Mr Beaubien: When we make comments like the member just made, I find it very abhorrent. I look at it as a personal attack, and that's the only tactic that these people can use in order to try to put their point across.

Interjections.

Mr Kormos: You're a moron.

Mr Caplan: I find it passing strange to watch members of the government skate one way and the other—

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I take personal affront to the member from Welland, who has just referred to a member of this place as a moron.

The Deputy Speaker: Order. He has withdrawn.

Hon Mr Klees: On a point of order, Mr Speaker: This was just spoken after he withdrew the first comment. I'm referring to a second incident.

Mr Kormos: This time I was talking to him rather than to Mr Beaubien, and I withdraw.

The Deputy Speaker: Thank you. I'm sorry, I did not hear the comment.

Mr Caplan: It's amazing to watch members of the government skate back and forth. It is absolutely

phenomenal. Protect workers' rights, on the one hand? This government has brought in more back-to-work legislation, more attacks on the collective bargaining process, than any government, including the third party.

Hon Mr Stockwell: Such as?

Mr Caplan: "Such as?" Come on. You cannot be serious. Such as Bill 148, Bill 69, Bill 55. This is all a matter of record.

Hon Mr Stockwell: You don't even know what they did.

Mr Caplan: Absolutely. I say to the Minister of Labour, for you to stand in your place and say, "We believe that through collective agreements, through collective bargaining and strikes you can get the best economic benefit for your members, but in this case we're going to sort of make you an essential service and sort of not," essentially what you're doing is placing people in an impossible situation where they don't have the benefit of real collective bargaining, where they don't have the benefit of being an essential service and going to arbitration. You've placed them in an impossible situation. You really need to have a definitive position. You can't have your foot on both sides of this argument.

I say to the Minister of Labour, listen, my friend, go get some pins and try to dance on the head of those, because there's absolutely no way that you can find any justification in economic arguments, labour management arguments or collective agreements for what's taking place in this particular legislation. Nobody agrees with this. You may be able to get a few of your backbenchers to stand up and say, "This should be a slam dunk, this should be easy," but nobody else is saying that. Produce one other person, anywhere in the province, who has done that.

The Deputy Speaker: Response, the Minister of Labour.

Hon Mr Stockwell: Sometimes the opposition obviously has the responsibility to oppose, and I think on this one they are taking that responsibility. They are opposing what I think is a rational approach to this collective bargaining. I guess you've got to accept that. There isn't one sensible argument they have made.

The member for Don Valley East quoted a few bills that he clearly hasn't read, because he couldn't give me one example where what we did was breaking down the collective bargaining process. He just invokes those. It's by rote; Pavlov's dog. He just shouts out the number without any content, which is humorous, to say the least, because I say, "Well, give me an example," and he barks out a number. He doesn't know what that number means, he doesn't know what the bill did; he just barks out a number.

The member from Welland said, "Give me an example." The last time the city of Toronto went on strike, the paramedics were going. They were going on strike, the member for Welland. I guess you just didn't know that. You just didn't know that, did you? The local CUPE members said, "The paramedics will go out with us."

We have to deal with that. You can't be irresponsible like you. You can't be irresponsible and just do something after they're on strike and people die. We don't have the luxury of being as irresponsible as you. We don't have the luxury of standing in this place and calling people names. We don't have that luxury. Only you have the luxury of being that irresponsible, that would allow paramedics—

Mr Kormos: Yes, you kill them first. Nobody was on strike in Walkerton.

Hon Mr Stockwell: This is what I get from him. Nobody has that kind of irresponsibility but you and possibly the Liberals. "Don't worry about it. Let them go on strike. A few people may die and then we'll deal with it, because we've got to protect the collective bargaining process and right to strike." If you want to be that irresponsible—not surprisingly—go ahead. I don't. People have an opportunity—

Interjection.

Hon Mr Stockwell: Mr Speaker, I don't know, when I say "boo" you call me to order. He hasn't stopped talking.

When I go in to work, I expect that paramedics would show up should someone have a heart attack. I don't think that's an unreasonable request by the citizens. I expect them to do that and I'd be surprised if you'd be opposed.

The Deputy Speaker: Further debate?

Mrs McLeod: I should indicate at the beginning that I am going to share what time we have with my colleagues from Hastings-Frontenac-Lennox and Addington and Don Valley East.

Before I get into the substance of my remarks, I must say it was really a tour de force to watch the Minister of Labour attempt to muster arguments in defence of this absolute farce of a bill. I think he reached his height, though, or maybe he went over the edge, in his opening comments, when he seemed to be suggesting that one of the reasons paramedics should be grateful for this bill is because he didn't strip your contract before he transferred your employment to the municipalities. That's become the standard, for the Minister of Labour in the province of Ontario to say to people who are employees, "Be glad we didn't strip your contract." It very much reminds me of what this same Minister of Labour was saying to construction workers when he wanted to bring in double-breasting. He said to them, "You'd better take this, because if you don't like this one we'll bring in something that hits you even harder."

I think the paramedics of this province know that this government could not have hit them any harder and, believe it or not, since the government has off-loaded the responsibility for ambulance services to the municipalities, it's too late for the Minister of Labour to strip their contracts now. He has lost his key card to say to paramedics, "You should be grateful for this farce of a bill."

Let me say right at the beginning that we oppose this bill because it does not do what we believed was

necessary in September 1999, when, as the Minister of Labour just finished saying, we were on the verge of a paramedic strike in the city of Toronto, which would have crippled an essential service, regardless of any essential service agreement that could have been made. Dalton McGuinty, the Leader of the Opposition, called then on this government to make paramedics across this province an essential service and to give them a fair dispute resolution process through binding arbitration.

We've staked out what we believe is the answer that the Minister of Labour says is needed. I say to the Minister of Labour that I wish he had had enough courage, or at least had been willing to set aside what I truly believe is his government's constant agenda of union-bashing and stripping away any fair collective bargaining process, long enough to bring forward today true essential services legislation with a fair dispute resolution process. But that is not what we have before us.

This government has put this legislation forward saying that they are putting public safety first. It's ironical, because if you talk to the paramedics and you talk to their legal advisers who have interpreted the bill in the detailed way the Minister of Labour has called on us all to do, the paramedics will tell you that this bill not only does not protect public safety; it jeopardizes public safety. It jeopardizes public safety, because it requires that paramedics go on strike before they can even ask for arbitration to resolve a dispute. If the Minister of Labour wants numbers, let him look at page 9 of his bill, subsection 18(1), clauses (a) and (b) and then subsection (2), where they can only go to the labour relations board to look for a declaration that there is no meaningful right to strike once there is an essential services agreement in place, and the board can only rule on whether or not this can go to arbitration, as it says in subsection (2), if "sufficient time has elapsed in the dispute between the parties" to make the declaration of no meaningful strike a possible ruling for the Ontario Labour Relations Board. This government is just playing games with the important issue of the public safety of the citizens of this province when it comes to maintaining essential ambulance services.

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The minister has made it very clear why they weren't prepared to actually bring in essential services legislation: because he's not prepared, as this government is never prepared, to provide for fair dispute resolution through a fair binding arbitration process. I'm going to spend some time on that before I conclude my remarks today, because I think it is part of a process that this government initiated way back in its first big omnibus bully bill, Bill 26, when they started controlling the rights of public arbitrators to make fair settlements. They've taken it to a new height in this bill, and I definitely want to come back to that.

Before I get into the arbitration process, I want to spend some time making it absolutely clear to the Minister of Labour, to the people on the other side of the House and to anyone else who's genuinely concerned

about the protection of public safety and ambulance services why there is no meaningful right to strike in this bill. You will be aware that what the minister is saying is, "Well, we've protected essential services because you have to negotiate." Paramedics have to negotiate with their employers the essential services agreement. The essential services agreement will determine how many people can go out on strike without jeopardizing the public's safety. Now remember, we're talking about ambulances here, and I ask you, I ask any member of this House, to tell me how any municipality, how any employer is actually going to negotiate a withdrawal of ambulance services. There will be no essential services agreements, certainly not ones that protect the public safety.

I look at my home community. Do you know how many ambulances we have on call overnight? We have three ambulances. We're already getting letters to the editor on a regular basis saying that you cannot get the ambulances to respond in a timely way because we don't have enough ambulances.

We hear regularly from municipalities that say they don't have enough ambulances to handle emergency calls because their ambulances are tied up doing equally important transfers between hospitals. We know, for example, that here in the city of Toronto there are at least two dozen calls a day to transport people from the helipad at Sunnybrook hospital or the Hospital for Sick Children to the hospital where they can get the most appropriate care. These are not non-essential transfers. You can't leave somebody who's critically ill, who's come in in a helicopter, sitting on a helicopter pad waiting for an ambulance to come and take them to a hospital to get care. There is nothing non-essential here.

I submit to you there is nothing non-essential when on one side of the city, in my community, somebody has come in from a car accident with a brain injury and needs to have instant neurosurgery—and thank God in Thunder Bay it's one of the critical services we can provide—but it's provided at another hospital site, and the ambulance has to transport that person from one site to another to get neurosurgery, and it's a matter of minutes. You can't not transfer a patient between those two hospitals, because it is an emergency service.

I would submit that you can't withdraw the ambulances that are going to transfer people from a nursing home, where an 85-year-old woman has had a stroke and needs to be transported to an acute care hospital to get care. That's not a non-essential service.

So exactly what non-essential parts of the service is any employer going to agree to withdraw in order to reach an essential services agreement? I would suggest that if any employers attempt to reach an agreement on what services can be withdrawn, they will be doing so in jeopardy because they are jeopardizing the safety of the citizens they represent.

The simple fact is that ambulance services, paramedic services, are essential. That is why the call that Dalton McGuinty made in 1999 to bring in essential services

legislation with a fair dispute resolution process that involved binding arbitration is the only way to go. I well remember that city of Toronto strike, and it set off alarm bells as well it had to. It was proposed then that there should be essential services. The union wanted to be declared an essential service.

I was intrigued with the fact that the Minister of Labour in his opening comments suggested that the paramedics actually wanted to protect the right to strike. That may theoretically be true, but it would have been a meaningful right to strike that they might have wanted to protect, if in fact that's the case, and certainly not this totally meaningless piece of legislation that they've been confronted with.

I'm also intrigued with the fact that the member for Northumberland in his comments seemed to indicate that the consultation that the government had done did in fact come down on the side of essential services legislation with binding arbitration built in. Clearly, the government rejected that consultation and, as we know, they rejected it because the Minister of Labour, backed by his government—I recognize he's not alone in this—rejects the concept of fair arbitration as a way of resolving disputes.

I do want to touch on the fact that this legislation doesn't provide fair collective bargaining conditions. It doesn't provide a framework for reasonable collective bargaining at all. Neither does it provide the same kind of collective bargaining conditions as are provided to other medical attendants or to other paramedics who work for hospitals. If nothing else should say to the Minister of Labour that this legislation is wrong legislation, it should be the fact that it is completely different in what it provides than is now provided to other paramedics and emergency medical workers who work in hospitals and who are essential services workers and who do go immediately to binding arbitration in the event of a dispute.

This is a central point, because I know that one of the goals of this government has been to try and get the essential services workers, the paramedics, the ambulance services, out of the hospitals, out from under the act governing the hospitals so that they are not governed by binding arbitration. Well, they haven't been able to do that, so they, in typical fashion, have found another way, a back-door way, to break the back of the unions who represent paramedics who work in hospital settings, because that is certainly another intent of this resolution. Far be it from me to suggest that the Minister of Labour is simple and straightforward in presenting his legislation. There is layer upon layer of agenda which this government is advancing in this one seemingly simple bill.

I suggest that when the government says that the goal of this is to avoid labour disruptions, the only way this bill is going to serve to avoid labour disruptions is in making a strike absolutely impossible. In that respect the legislation is probably effective, because I don't believe you can withdraw ambulance services through that essential services agreement, so I don't think we will be seeing strikes under this legislation. So give the minister that.

Maybe he's found a way to avoid strikes because, as he said, paramedics are professionals; they're not going to wildcat strike. But he's done it without being willing to be fair in any way to the professionals whom he has said he respects.

There's an added offence in this bill. There's an added offence because there's a section of this bill that says that if you do decide that you can withdraw a given number of paramedics from their essential service, if those few people can be withdrawn and can actually go out on strike, they can be replaced. Is this the son or the grandson of Bill 7, when this government repealed the NDP legislation that prevented scab labour—to use the appropriate term, the use of replacement workers? I can't remember how many pieces of legislation have come since Bill 7, so I don't know whether it is the son or the grandson or the great-grandson, but it is certainly part of the pattern.

In this case, it's just simply offensive, first of all because there aren't going to be strikes under this legislation, because you can't withdraw the services. There won't be anybody in that defined targeted pool that is deemed to be non-essential and allowed to go on strike. Second, even if you found a group of people and you said, "OK, maybe we can do without your services for a little while," the employer is then permitted under this legislation to bring in replacement workers. Do you know what? There are no replacement workers for trained professional paramedics. Trained professional paramedics are a scarce resource. You can't just go and bring somebody off the street who can drive a truck and say, "OK, you're an ambulance driver for the duration of the strike." These are medical practitioners—fully trained, qualified. They don't grow on trees. They're not waiting on an on-call list ready to be brought in by the government as replacement workers.

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The fact that there can be literally no work stoppage under this bill makes a farce of a bill that stands in the name of collective bargaining legislation. There is no balance of employer-employee interests in the collective bargaining process, as the government claims. There is no balance here at all.

I submit to the government that if you are serious about avoiding labour disputes involving paramedics and our ambulance services, then you want to have a fair collective bargaining framework. Where there is no balance between the employers and the employees, you have a recipe for continuous labour disputes at the local level.

There's a very serious consequence. The government may say, "Who cares? Let them fight it out. We've transferred the responsibility for ambulance services to the municipalities. It's not our concern any more, so let the paramedics fight it out with the local municipalities. Why should that worry us?"

I suggest to the government that there is a very serious danger here. If we operate our ambulance services in an atmosphere of continuous labour disruption and disputes,

whether it means strike or whether it's just ongoing conflict and dissatisfaction, there will be one inevitable consequence, and the inevitable consequence is that we will lose paramedics. We will lose them to the United States, we will lose them to other provinces, and we will have the same kind of shortage of paramedics, essential service medical workers, as we have of doctors and of nurses. We will soon be in the position that we're in with nursing staff and home care, where with the scarce resources the home care system has, they say, "We can't even use those resources because we can't get enough nurses."

What happens when we reach the point in this province where we can't run ambulances because we can't get enough trained paramedics? If the government wants that kind of consequence, then let them be accountable to the Ontario public for jeopardizing their safety in these critical areas. But as I say, this government probably won't bother caring, because they have dumped the total responsibility for our ambulance services on to employers, and what this bill does is dump the total responsibility for any collective bargaining on to the employers and employees at the local level.

I suggest to AMO, the group that the minister says supports the bill—and I accept that to the extent that they may think this bill works in their interests—I suggest to the individual municipalities that will be caught up in the disputes that are an inevitable result of this bill, that they are as trapped in this bad legislation as the paramedics themselves. I suggest that this is a no-win situation both for the municipalities and for the paramedics, and it is certainly a lose situation for the citizens of this province.

The reason I say this, and I want to be absolutely clear about this, is that what this government has done is to say to the municipalities, "You're responsible for ambulance services and, by the way, you're responsible for 50% of the cost of funding ambulance services." They wanted to make it 100%, backed off and decided they had to pay 50%, so they were seen to have some token responsibility for providing an essential medical service in this province. Now they're saying, "Not only are you responsible for the administration of ambulance services, municipality, not only are you responsible for 50% of the funding, but you are also responsible for hammering out at a local level what your agreement is going to be."

They have not said to the municipalities, "Whatever your agreement is, we of course are going to be there at the table with 50% of the cost." I don't believe that this government will ever be at the table with 50% of the cost of a local agreement that has been reached under this piece of legislation. I truly believe that what this government will do is to bring in some kind of single standard—eventually they're going to bring in some kind of single standard—for ambulance services, particularly for response times, for the numbers of paramedics you need and for levels of training. When they bring in that single standard, they're going to say, "Here's 50% of the cost of meeting that standard," and it will be a provincial template—that's the term they use—a funding template to go across the province.

So when Durham region reaches an agreement with its paramedics that is higher than the agreement in Halton county, does the province come and say, "Durham region, we're going to help you out. We're going to pay 50% of the additional cost of your contract"? Not on your life. There's no precedent from this government at all.

What the government has successfully done here as well is basically walked away from any responsibility it has to maintain 50% of the costs of collective agreement settlements, whether they come through a lengthy process of friction at the local level or eventually through hard-won arbitration.

The municipalities should be very wary of this government when it comes to ambulance services and funding. This is the government that dumped ambulance services on to the municipalities. This is a government that wanted municipalities to pick up 100% of the cost of ambulance services even though they had no idea what those costs were going to be and even though they knew that ambulance services in this province were already well underfunded and failing to meet reasonable response times. This is the government that is still not ready to fund 50% of meeting a reasonable standard.

When this government said it would pick up 50% of the costs on an interim basis, do you know what level of funding they chose to give? Fifty per cent of the cost of the service that was being provided at the time that the transfer was made, that the downloading took place. Let me tell you, as of 1999, the most recent figures from the Ministry of Health, 28 out of 49 municipal districts, regions in this province, were not meeting even the outside limits of what's considered an acceptable standard and in fact would have been an acceptable standard for response times in 1996; 28 out of 49 municipalities are way below what would have been considered acceptable in 1996. I'm not talking about outside limits; I'm talking about the rural edge. Fifteen minutes is considered an adequate response time if you're in a rural area. If you're in an urban area it should be within nine minutes. If you're in a semi-rural area it should be 13 minutes. But in the rural areas they say 15 minutes. So let me tell you some of the response times: Bruce county, 20.4 minutes; Haliburton county, 24.36 minutes; Lennox and Addington county, 24 minutes; Parry Sound district, 25 minutes; Sudbury district, 25.4; Timiskaming district, 20 minutes. That's what this government is funding 50% of right now—a totally unacceptable non-standard.

They're supposed to be coming up with a template to reach a new standard. We can only hope that the new standard may at least be the standard that was required in 1996, but we don't know that yet. We're six months into the transfer period and we still can't get any information as to what the standards are going to be or what 50% of funding is going to look like coming from this government. But I can tell you one thing we know for sure: the municipalities, when they took over the service on January 1, were required by this government to maintain 1996 service levels, to meet that standard. The government is only funding the pre-assumption levels when

they took over on January 1. As I've just said to you, 28 out of 49 municipalities are nowhere near the 1996 standard, but the municipalities have to provide the 1996 standard, and to the extent that they've been able to do that, and most haven't, they're doing it at 100% of their own costs. There are in fact municipalities which have said, "We can't live in our area in good conscience with the level of service that we're providing," and they have opted to increase the level of service and again they're doing it at 100% of their own costs.

I would say to the municipalities, be wary of this government, because they have not come to the bar with reasonable funding for ambulance services to date. They are not going to be coming to the bar when this legislation results in a whole hodgepodge of settlements across the province and municipalities come to them and say, "But you owe us 50% of the costs," and the government says, "You're getting 50% of what we agreed on. What you did in your collective bargaining process is up to you."

I would like to go on about the state of ambulance services in the province of Ontario and the way in which our ambulance services have been compromised by this government's refusal to provide adequate funding for emergency medical services, and that would take me into hospital funding. We had a question in the House today prompted by yet another inquest that's going to be done into a death that took place in a Toronto hospital, in fact in a Toronto ambulance, because the paramedics were not able to take that individual into a hospital to get care. The reason for that, the reason for emergency overload, for the fact that hospitals have been on critical care bypass—in March of this year, in spite of the fact that the previous Minister of Health said about four times that she would fix the problem once and for all, the critical care bypass was worse than it had been in any previous month in the history of this province. It was four times worse in March of this year than it was in March of the previous year. That's this government's idea of fixing a problem once and for all.

1700

The reason we've got this problem is because we don't have enough hospital beds. There is no place to take the people out of the emergency and give them care in hospitals. So they stay on stretchers in emergency room hallways and emergency room doctors say, "We can't take anybody else because we can't provide the critical care that's needed."

Just as an example, Mr Speaker, can I tell you that in Toronto alone there were 10,745 lost paramedic hours last year, at a cost of \$1.8 million in direct costs and overtime replacement costs of \$2.7 million? Can I tell you that the city of Toronto has 90 ambulance units, but there are only 10 available for emergency calls, and that's to serve 2.5 million people over an area of 647 square kilometres? The Minister of Labour says, "It may be a problem in northern Ontario, where you don't have enough paramedics, but in Toronto they've got hundreds of paramedics." With 10 units available in the city of

Toronto for emergency calls, which one of those 10 units are you going to pull off under an essential services agreement? The Minister of Labour should talk to the people in the Ministry of Health and get his facts right about the scarcity of ambulance resources in this province.

I'm going to slip by this government's approach, because they're going to try and deal with that problem by simply saying, "You can't go on critical care bypass any longer." They're just going to make a rule, "You can't do it." It's going to make the problem worse. It's going to mean that paramedics are going to be waiting in parking lots even longer and it's going to mean we have even fewer ambulances available for emergency calls. So this problem is not going to get better; it is going to get worse. It is typical of this government's approach that they would rather hide a problem than deal with it, in the same way it is typical of their approach that they'd rather off-load a problem on to municipalities than actually take some responsibility for dealing with it.

I just want to spend a couple of minutes, with my colleagues' indulgence, on why this government has refused to go the route of binding arbitration. It is so clearly because this government rejects any kind of arbitration process which they cannot control almost totally. We saw the beginnings in Bill 26, where they directed, through legislation, that any public sector arbitrator would have to take into account ability to pay, and public sector arbitrators said, "No public sector arbitrator is going to be bound by those kinds of legislative conditions." So it became difficult to get qualified public sector arbitrators. The government decided they could appoint retired judges, their own appointees. They've had some problems with this. In fact, I think they lost a court case over this.

They've had to come back with this legislation to take the restrictions on an arbitration process to even newer heights, because in this legislation the government gets to appoint the arbitrator. The parties have to apply for arbitration. If the parties can't agree on an arbitrator, the Minister of Labour gets to appoint the arbitrator. That's if both parties can't agree. So, needless to say, the Minister of Labour is going to be looked to quite frequently.

When the Minister of Labour appoints an arbitrator, they've made it clear in this bill that you cannot challenge that appointment in court. If the government loses a court case, what do they do? They don't deal with the intent of the court's direction; they simply change the legislation so that the next time they appoint an arbitrator you can't challenge it in court.

With all of these controls, that wasn't enough for the government to go to binding arbitration. In fact, even though they have virtually taken the route of binding arbitration away in this legislation as a way of solving disputes, they felt the need to add a new criterion for arbitration. The new criterion is that in the event that one of these disputes gets to arbitration, the arbitrator must look not at the employer's ability to pay and all of those other factors; they also have to look at the costs that

private employers are experiencing—again, another layer of the government's agenda.

The hope obviously is that they will be able to drive paramedic salaries to the lowest possible denominator. I don't think that's going to happen, because paramedics are a scarce resource and people are actually going to have to start bidding higher to keep the paramedics. One of the things we're going to have with this legislation is competition between regions for paramedic services. But I think that's part of the government's hope. If you can look at the private sector operators rather than the hospital-arbitrated award for paramedics, then you're going to be able to get the lowest possible denominator for paying paramedics. That's their hope.

Their second hope is that if they can drive the paramedics' wages lower in comparison with the private sector, if the private sector is lower and the arbitrator should find that something beyond the private sector lowest bottom denominator is an acceptable settlement, then municipalities are going to say, "Wait a minute, the private employers are paying less," and this opens the door to further privatization—yet another layer of government agenda.

I've already suggested that this bill allows for different ways of approaching collective bargaining for what are truly essential services, and that's paramedics providing our ambulance services. I would also suggest that this legislation is totally different from the legislation that covers other essential health care workers—nurses and emergency workers in our hospitals—police and fire.

I would submit this afternoon that this government should go back to the drawing board. They should recognize that ambulance services, the services that our paramedics provide, are indeed essential services. They should be prepared to treat paramedics in exactly the same way that other essential service workers are treated, whether it's police or fire or emergency medical workers in hospitals or nurses in hospitals or paramedics in hospitals. Treat them exactly the same way and provide them with a fair dispute resolution process through binding arbitration. If the government takes this legislation away and brings back truly essential service legislation, we would be more than happy to support that kind of bill.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'm very happy this afternoon to be able to make some comments following my colleague the member from Thunder Bay-Atikokan, who I believe has made some very salient points about the bill we are debating this afternoon.

When the Minister of Labour provided his interpretation, in his rather flamboyant style, of why the government has presented the bill, he indicated that he was very interested to know how the opposition could possibly not agree with what the government has presented in the Ambulance Services Collective Bargaining Act. I hope that members of the government are listening very carefully, because I believe the points my colleague made were made very well and deserve attention and action by way of amendment.

The member from Thunder Bay-Atikokan made reference to the fact that the Liberal Party of Ontario, my leader Dalton McGuinty, is on record saying that ambulance services and paramedics should be declared an essential service—in a meaningful way, not the way this bill would have it done. I find it interesting when I review the explanatory note of the bill; in the body of the note it indicates, “The agreement would require that essential ambulance services continue to be provided during a strike or lock-out.” That is really the only reference made to “essential.” They talk about the essential ambulance service but not that the workers be considered essential.

It's difficult, I'm sure, or confusing for members of the public who might be watching to perhaps distinguish the significance of that wording. What the government is saying is, “We believe that ambulance services are essential, but we're introducing legislation that will all but declare that the workers are essential. We're providing legislation that will enable some of them to go on strike, but we're going to make sure the service continues.”

For me, the question I have is, what advantage is that, then, for the people who are on strike? What hammer is there for them in terms of their ability to negotiate a fair collective agreement for their employees when services to the public continue? That's sort of the whole purpose of the strike, that “I provide a service to you. I need to have you understand that the work I do is very important, and until we reach an agreement I'm going to withdraw that service.” That certainly does make an employer pay some particular attention to the issues I'm bringing, and usually it precipitates an agreement in a rather swift fashion. But I would suggest that if paramedics don't have that advantage of the removal of their service—and I'm not suggesting that there should be the removal. I am suggesting that it places the paramedics and ambulance service workers at a significant disadvantage.

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I'm also concerned by the fact that those people with the same qualifications who would be employed at a hospital would not be caught with this legislation. So there is an inequity even within the field.

The Minister of Labour suggested that the right to strike is seen as very sacrosanct by the members of the government, and certainly the members of the Liberal Party would agree that the right to strike is very important. But we also recognize that there are certain service sectors within the province that provide essential services to the people where those services should never be interrupted, where the people of Ontario should be able to enjoy the confidence, the comfort and the understanding of knowing that at any time, should they need to access the services of a police officer, of a nurse, of a firefighter or of an ambulance driver—I would suggest that an ambulance driver falls into the same category—they will be able to access that service.

But this legislation does not place paramedics, people who work in ambulances, on that same playing field. It differentiates. It says that for policemen and police-

women, for firefighters, for nurses, if there is a dispute with regard to their compensation, binding arbitration occurs. Paramedics have indicated that they would like to be considered in the same way.

I find it interesting when the members of the government, the Minister of Labour, would say, “We've had consultation.” The member for Northumberland talked about this government's record on consultation. I think it's important that the people of Ontario understand that they will have consultation. They're very, very selective in terms of what information they consider and in fact actually implement in any legislation. I find it interesting that they're very brave to consult and say, “We're considering introducing legislation. Tell us what you think,” and then they go back and write their version of what they heard but then they're very reticent. In fact, they usually do not allow public consultation on bills after they've drafted them, when there could be some really meaningful consultation, when people who would be affected by the legislation could come forward and suggest to the government that this particular section is going to be problematic, and these are the reasons why and these are the areas how.

The government is very brave to have consultation before there's anything concrete put in place. They go away, write the legislation, come back and say, “Here it is and we consulted. You really can't find fault with it, because we've gone to the people in the field and this is what they tell us they want.” Well, it's the government's version of what they've heard. What we hear from people who would have participated in those consultations would be, “They haven't considered what we've asked them to,” or “This does not reflect what we believe is needed within our communities.”

So I think the government needs to understand that what they've presented in this legislation, number one, is not what paramedics in the province of Ontario want. You would suggest that the labour movement would be favour of this because this somehow protects the right to strike. It's interesting that that's not what we're hearing from the people who are actually in the field. We hear members of the government talk about public safety and that they're bringing the bill forward to ensure public safety with respect to providing ambulance services within Ontario. There's no question that in the event that there would be ambulance strike, that would certainly jeopardize lives. I would remind the members of the government that today your policies are endangering lives of people. Read the newspapers. People are dying in ambulances in parking lots across the province because they are not able to get into the emergency rooms; they're full. They're not able to access a hospital bed.

So if you really want to address the issue of safety, then I would suggest that you consider the policies that you've driven, that you've crafted, that have resulted in the serious shortages within our hospitals.

Interjection.

Mrs Dombrowsky: I hear the member from Northumberland making some comment over there and I have

to say I was really interested when he was talking about history and history of other governments and where they've made cuts and how inappropriate cuts in health care and how inappropriate that would be. You know, Mike Harris fired 8,000 nurses and now we have a chronic crisis, a nurses' shortage in the province.

In fact, in the hospital in the member for Northumberland's riding, they've had to close 10 beds because of the nurse—

Interjection.

The Deputy Speaker: Order. The member from Northumberland is not in his seat and he will come to order.

Mrs Dombrowsky: In the hospital in Campbellford they've had to close 10 beds because they can't find nurses to work in the hospital. So when we want to talk about responsible actions, I would hardly think that firing 8,000 nurses, and now hospitals are dealing with staff shortages, has been very prudent.

Mr Stewart: How can you say that?

Mrs Dombrowsky: I say it because it's a fact. The member from Peterborough is challenging that the government has fired 8,000 nurses. I believe that's a matter of public record.

I find it interesting now that he can protest. It's unfortunate he didn't protest at the time they were fired.

Interjection.

The Deputy Speaker: The member for Peterborough will come to order.

Mr Galt: He's in his seat.

The Deputy Speaker: He may be, but he may not be for long.

Mrs Dombrowsky: I was also intrigued with the member from Peterborough's comment about the fact that he thought some municipalities had been not so responsible because they hadn't tendered their ambulance service.

That strikes me as so very strange, because ambulance service is such a specialized service. When I consider the idea of looking for the very best price for health care services within our community and I consider what this government has done in the area of community care, and the fact that we've had requests for proposals that have sought to provide health services in the most cost-effective way, what in fact that has done is it has virtually decimated the community health service sector because it means that the service providers do not have the same kinds of resources that institutions have to compensate the health professionals in the same way.

We see community nurses leaving in droves; we see situations across the province where CCACs just don't have the person power to look after people once they've been discharged from hospitals. The result of that is that people have to stay in hospitals, at a much higher cost, when they want to and should be looked after in their homes.

Now we have the presentation that "Maybe that's how we should be contracting or engaging our ambulance services within communities as well." I would suggest

that any move in that direction on the part of municipalities would relate to the idea that you get what you pay for; that in a very short period of time, with that kind of a race, that kind of a competition within the community, paramedics are going to find better-paying jobs in other centres, in other jurisdictions, and maybe even in other countries. I would caution municipalities across the province who now have the new responsibility of negotiating these service agreements for the people they represent that they have been placed in what I would suggest is a very untenable position.

With regard to the issue of scabs, my colleague from Thunder Bay-Atikokan has, I think, very adequately and appropriately indicated that this is quite unacceptable. Again, it suggests that there are a number of people who are qualified within the community to offer these services. We're talking about very specialized services. I know within my community—in the Denbigh area, for example, it's very difficult to engage people who are qualified to assist a volunteer ambulance service there.

To suggest that, "If there's a labour dispute, we'll simply hire some people to come in and ensure that service takes place," I think is totally unreasonable and reflects the fact that the government really isn't in touch with the people in the field who understand that these are well and highly trained people and there are not numbers of them available to be contracted in this way.

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I know my colleague the member for Don Valley East has some comments to make on this very important piece of legislation as well, and I'm going to conclude now by saying to the government that when the minister opened the debate on this bill today, he indicated that he was very curious and interested to hear what members of the opposition would have to say on this. He suggested, and it's so regularly suggested by members of the government, that in the opposition we just stand up here because we're the opposition and we make statements because we're told to. That's not the case at all. We're committed to the safety of the people of this province. We're also committed to the very fine and qualified professionals who provide those services. We're listening to them. What you are hearing from us is what we've heard from the grassroots.

I would ask that the members of the government listen intently, respect and act on some of the ideas and suggestions that have been put forward in this debate today, because I believe that the people of Ontario will be better served if you do that and not just barrel ahead the way you so regularly do, without making any amendments or considering some of the valid points that are brought forward in the debates in this room.

Mr Caplan: The member for Hastings-Frontenac-Lennox and Addington makes a very good point: review some of the history that's taken place in this province. I find it somewhat ironic coupled with the Minister of Labour not an hour ago standing here in this chamber and saying, "We don't strip contracts, like the third party did with their social contract. We don't believe in that." I

found that really curious because on June 22, 1993, Mr Stockwell, speaking to Bill 48, the social contract legislation, said, "I'd like say at the top that I will be supporting this legislation"—Bill 48, the social contract—"on second reading. I will be supporting it because this is probably, of the pieces of legislation this government has introduced"—that's the Rae government—"as close to the Conservative philosophy as anything that they have ever introduced."

Mrs Dombrowsky: Isn't that interesting?

Mr Caplan: Isn't that interesting? "As close to the Conservative philosophy as anything that they have ever introduced," and then, eight years later, he stands in this chamber—about an hour ago—and says to the NDP, "Isn't that horrible? You stripped their contracts." Well, that's the Conservative philosophy.

A day later, June 23, 1993, on a motion by Mr Laughren, "All in favour, all opposed?" the ayes included one Chris Stockwell. And of course Mike Harris, Ted Arnott, David Tilson, Noble Villeneuve—the entire Conservative caucus—on second reading, approval in principle, supported Bill 48, the social contract legislation. Isn't that interesting? Because I hear time and again members opposite say, "What about the social contract? What about what you did?" They supported it. They believe in that. They believe in stripping workers of their rights. I know that the member for Niagara Centre is here, and he was on the nay side, with the Ontario Liberal Party. He did vote nay to that particular piece of legislation and I say is entirely consistent in this debate on Bill 58, talking once again about collective agreements.

This legislation arises because of an exercise that the Harris government decided to get into: the exercise of downloading on to municipalities. They have downloaded ambulance services, housing, social assistance, roads and bridges—the list goes on. It is a bit of a Machiavellian exercise to say, "We've put our financial house in order," by transferring all the costs and responsibilities on to somebody else, on to the local tax base.

Here we are today having to deal with the fact that the contracts for ambulance services are coming due in September of this year and something has to be done. It is an essential service, but I will get into that in a minute.

This particular piece of legislation is fascinating because it doesn't say very clearly, standing on one side or the other—either you believe that a service is essential, like firefighting, police, nurses working in hospitals or, in my opinion, ambulance service and paramedics, or it's not, and there is the full right to free collective bargaining. This piece of legislation is a very backward and indirect attempt to have it both ways: to prevent paramedics and ambulance workers from having the right to a full collective agreement, but trying, in a through the back-door way, to declare them essential, making them powerless.

You've got to have it one way or the other. I say that to the government members very clearly: be on one side or the other. Either you believe, as I do, and as the

Ontario Liberal Party, Dalton McGuinty and our caucus believe, that paramedics are an essential service and thus do not have the right to strike, but should be granted the ability to go through binding arbitration when the collective bargaining process breaks down, or they have the full right to strike—one or the other. Those are the two choices. Don't try, in a very twisted and devious way, to do something through the back door.

I'd like to talk a little bit about this. What's very interesting about this legislation is that the minister wants to get this done in haste before the contracts come up. I have a letter here I'd like to read to all members of this chamber, from a paramedic who happens to live in my riding of Don Valley East. This is from Roberta Scott. Roberta is a level 3 paramedic with the Toronto Ambulance Service. She writes:

"As a level 3 professional paramedic, I am in my 15th year of service with Toronto Ambulance. I am writing to you with some serious concerns about the recent introduction of a bill"—that's Bill 58—"that will unquestionably have a very negative impact on paramedics across Ontario in regard to labour and contract negotiations. The Ambulance Services Collective Bargaining Act, 2001, introduced on first reading May 17 from the Minister of Labour, Chris Stockwell, intends to guarantee that paramedics become an 'essential service,' therefore taking our right to strike away.

"First and foremost," Ms Scott writes, "as a professional health care worker and a patient advocate, I do believe that essential service for paramedics is the right thing to do in terms of public safety issues. As it has been long recognized among our emergency services counterparts, police and fire departments, the emergency and life-saving services that we all provide should not be at risk of being withheld under any circumstances. Having said this, I would like to comment and express my concerns on the way in which our 'right to strike' is being withdrawn. As the bill stands now, paramedics have been left with no alternative ability or leverage by which to resolve any potential contractual disputes with our employer. I again point to police and fire services, who gave up their ability to strike, and in a fair exchange, were given means to binding arbitration written into their respective acts." Ms Scott asks, "Why have the paramedics of this province not been afforded the same recognition and respect?"

"The job of a paramedic," Ms Scott goes on to say, "is one of very high stress, with constantly increasing workloads (especially with the horrendous RDC and CCB problems in our hospitals)." For those who don't know, RDC and CCB are redirect and critical care bypass. We read daily how emergency rooms are closed throughout not only Toronto but the rest of the province. People are literally dying in the emergency service vehicles. "We work under a physician's licence and perform numerous invasive medical directives. Our responsibility is to make life and death decisions and perform life-saving medical interventions every day. We work under very physically and psychologically demanding and dangerous condi-

tions. Our on-the-job injury risk is very high; so is our risk of 'burnout.' Paramedics have also never been afforded the same recognition of our 'high risk/public safety oriented job' that police and fire have. The other two emergency services workers have an early retirement '25 years and out' package. Paramedics do not.

"I have just mentioned a lot of the challenges of our profession, and yet I must also tell you what a very rewarding and gratifying career it is for myself and my colleagues. We have the ability every day that we come to work to make a huge difference in the lives of many people who are counting on us in their time of greatest need. It is a career we can be very proud of. For fifteen years, I have had the privilege of working with a group of professionals who are dedicated, caring and compassionate. They're excellent at what they do, and do it because they truly care about their patients.

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"I bring the above professional issues up to point out that what we are asking for is not at all unreasonable. The need for paramedics to be an 'essential' service is obvious—it's obvious to any rational, clear-headed, thinking person, but I guess the Minister of Labour would not qualify—"to protect the public interest and their safety. What I would like to stress in my letter is that the bill is very obviously lacking in any fair exchange or compensation to paramedics. It leaves us in a very vulnerable and inequitable position when bargaining for a fair and reasonable collective agreement. All we are asking for is to be afforded the same recognition and respect given to all other valuable emergency and health care professions in this province."

This is signed, "Roberta Scott, level 3 paramedic, Toronto Ambulance Service."

I had a chance very briefly in an earlier exchange to ask the Minister of Labour to cite one person, anyone, who was going to say that Bill 58 is a good idea, that it's a fair and reasonable approach and a fair and reasonable way of treating the paramedics in this province. I have yet to have one person, one reasonable person, come and support the government's position. Bill 58 is, and I think the member for Thunder Bay-Atikokan said it very well, a farce. It's a farce of trying to remove the rights of essential workers, being the paramedics, to free collective bargaining but at the same time to rob them of the ability to exercise those rights.

I can't believe the government has come to this level, instead of being upfront with the people of Ontario, instead of being upfront with the professional paramedics and ambulance workers in the province of Ontario and saying, "This is what we believe. We believe you are an essential worker. We believe you provide an essential service in Ontario." I remember a few years ago when the Premier thought that transit workers should be declared an essential service. Surely to God, if you believe that, then this is a no-brainer. This is a slam dunk. Declare paramedics essential. It's a simple matter. You've heard it from a paramedic herself. I implore any member of the government, produce anyone who will stand up and say that Bill 58 is a good idea.

The Deputy Speaker: Questions, comments?

Mr Kormos: I've only got two minutes to question or respond to that, and I'm going to tell you that the member for Sault Ste Marie is going to in a couple of minutes exercise his two minutes, but then I'm going to be speaking to this bill on behalf of the NDP caucus here.

You know we oppose Bill 58. As a matter of fact, the bill should be withdrawn. Please, this isn't the way to do it. I know paramedics in communities that I represent. I've met paramedics and I know these women and men from across this province. Why is this government beating up on among the most dedicated group of professionals that are in our midst? And they're not well paid. I want you to understand that: these people aren't making the big bucks. They're not like the federal MPs. They can't come forward and say, "We want a 20% salary increase and we'll give it to ourselves in the course of one week." I've heard the rumours and the scuttlebutt around Queen's Park here the last few days: "Oh, here's the entry point for MPPs to give themselves a 20%, 25%, 30% salary increase." Don't forget the minimum wage here is around 80 grand a year. Show me a paramedic who makes 80 Gs a year. You show me a paramedic who makes 80 grand a year and I'll eat my boots.

The fact is, these are not well-paid professionals. They work incredibly hard. They train hard. The level of pre-job training—I'm talking about the level of education that's required of paramedics—has never been higher. The investment that they make in their careers is substantial. Who does the government pick to beat up on? The government pays off its rich corporate friends. They're paying off the richest people in this province who want to send their kids to elite \$18,000-a-year-tuition private schools. The government pays those people off. "No," they tell paramedics, "not only do you not have the right to strike"—that's what this bill does: it takes away the right to strike—"you also don't have access to real or fair arbitration." It doesn't cut it in my books.

The Deputy Speaker: Further debate?

Mr Galt: I have to just zero in a little bit on when the member for Don Valley East was commenting, and he was sort of looking back. I congratulate him for the research he was doing, talking about the social contract and who voted and how.

You know, Mr Speaker, I'm sure you'll recall the state we were in back then. I can understand why Bob Rae brought in a panic type of legislation. First, they were looking at something like a \$17-billion deficit. They finally got it whittled back to \$11 billion. I can understand why anyone might try to support it just to try to get some control in this place, in spite of breaking absolutely every contract. It was a sad situation that this province was in. Was it right? Probably not, but under the circumstances something very, very drastic had to be done.

The other thing he talked about—he just loves to use the word "downloading" when in fact there was transfer. Their government never had the intestinal fortitude to have a look at it. At least the NDP government looked at disentanglement, as they referred to it.

After working with AMO and all the rest and having an agreement, with the government taking over a lot of the education tax—what was the complaint from municipalities throughout the 1970s and 1980s and 1990s? It was that spiralling education tax on our properties. What did our government do? First we froze it; then we set it at 0.46%; then we reduced it to 0.4116%; and now, with the newest assessment, it's down to 0.38%. Not only that, but we returned the library grant—this was after everybody agreed to it—and then we went to 50% of the ambulance costs. And he goes on talking about downloading? This is uploading. This is helping the municipalities: a simple transfer and giving them opportunities.

The Deputy Speaker: Questions or comments?

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) :

Je dois féliciter mes collègues pour la position qu'ils ont prise sur ce projet de loi 58.

Mais lorsque je regarde ce projet de loi, actuellement, le gouvernement ne veut pas déclarer ces services essentiels. Nous savons que le Parti libéral de l'Ontario a pris une position en septembre 1999 qui disait que les services paramédicaux devraient être des services essentiels dans toute la province.

Si je regarde actuellement la position que le gouvernement a prise avant de procéder au délestage des services ambulanciers aux municipalités, il faut dire qu'il y avait des régions où l'aide financière était apportée pour la formation de paramédics avancés. Je regarde, par exemple, la ville d'Ottawa. Avant le 31 décembre, les cours de paramédics avancés étaient défrayés à 100 % par la province, et depuis le 1^{er} janvier, maintenant, 50 % des frais sont payés par la province. Mais les autres régions de la province qui n'avaient pas eu le bénéfice qu'avaient les grands centres, aujourd'hui, s'ils veulent faire prendre des cours avancés de paramédics, ils doivent défrayer les coûts à 100 %. Ce sont les payeurs de taxes. Donc, je vois que ce n'est pas un système uniforme.

Je regarde dans les régions rurales actuellement. Encore, même si nous avons développé un service beaucoup plus avancé que celui que le gouvernement provincial avait en place, nous avons encore un manque et on demande encore de l'aide financière au gouvernement.

Je regarde les services d'ambulance dans le secteur rural. Ce n'est pas rare que nous attendons 15 ou 20 minutes pour avoir l'ambulance sur les lieux, et j'ai vu, même sur un terrain de balle où une personne s'était brisée la jambe, qu'on a attendu 45 minutes pour avoir le service d'ambulance.

Aujourd'hui on dit que le service va être essentiel seulement en cas de grève. Je crois que c'est injuste.

Mr Tony Martin (Sault Ste Marie): I think the question that needs to be asked here this evening as we begin debate on this piece of legislation is, just what exactly is it about?

In my view, it's about this government wanting to deem the work that ambulance workers do essential services, but not pay them what that really calls for by way of their remuneration package. So what you'll see over the course of the next few days and weeks, however

long this government allows for this bill to work its way through the system—we know that in short order, at some point, because there are only about three weeks left before we all break for the summer, there will be closure brought in, there will be a time allocation motion, and we won't have any more time on this side of the floor to put on the table some of our very real and serious concerns where this bill is concerned.

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The government has a track record where these kinds of things are concerned, when dealing with organized labour, the workers of the province, those people who keep the public services that we all depend on so very much—particularly in this instance when we get sick—on the road and rolling; this government has a habit of demonizing these folks, of somehow making them out to be selfish money-grubbers wanting way more money than they're worth and, at the end of the day, presenting them as a group of people who would in fact put lives at risk if they don't get that money, when we know, and anybody who understands the contribution that these very highly motivated and educated and sincere and concerned individuals who operate our ambulances knows, that that is so far from the truth it's frightening. We on this side will be putting our case, given the opportunity.

The Deputy Speaker: Response?

Mrs McLeod: I appreciate the comments of my colleagues. The member from Niagara Centre asked, "Why would any government want to beat up on this dedicated group of professionals?" I think the answer is pretty obvious. It's because this government takes as an economic principle that it should beat up on union members whenever it has an opportunity to do so. That's reason number one.

Reason number two is equally obvious. This government hates arbitration. It's determined to destroy the arbitration process whenever it gets the chance to deal with any kind of collective bargaining legislation. This legislation certainly achieves that goal for the government.

The third one is the fact that this government wants to pay its professional workers, in whatever field, less. It's another economic principle for this government that you join the race to the bottom. They believe that how you produce some kind of economic benefit is to allow private sector employers to pay people less and less. I don't happen to believe that; neither does my leader and neither does my party. We happen to believe that you can achieve economic success as a province if you recognize good professional work and you pay people well and you have a good health care system and a good educational system.

That's not where this government is coming from. They want to pay people less, and they believe this legislation will do that. I don't think it will because I think paramedics are too valuable a resource. They are a scarce resource. I think, in fact, contrary to the government's wishes, people will be having to bid to get the services of our paramedics. My great concern is that the

highest bidders are going to be south of the border by the time this legislation works its way through, for the purpose of this government, the reason for this legislation is that they truly do want to open every door they can to increase privatization in every single field of public sector service. Today it happens to be ambulance services, and they hope that by maybe having some ultimate arbitration award that might be a little higher—in hospitals, for example—than the private sector employees are paying, in fact the next round of contracts will go exclusively to private sector employers. I think those are the government's goals.

This is such serious legislation. I share the concern of the member from Sault Ste Marie that we don't have time to have the public realize what a threat this poses. I wish we had that time.

The Deputy Speaker: Further debate?

Mr Kormos: I've only got 15 minutes of what is an hour that I'm entitled to, and I'm going to spend every minute of that hour.

New Democrats oppose Bill 58. We would dearly love to see this—to the government: withdraw the bill. Set it aside. Readdress the issue. One of the things you ought to do, please, is talk to the people that you're going after, because you haven't consulted with paramedics. You haven't consulted with paramedics in OPSEU, the Ontario Public Service Employees Union. You haven't—the government hasn't—talked to or consulted with paramedics who are part of the CUPE, the Canadian Union of Public Employees, collective bargaining units. The Minister of Labour and this government hasn't, didn't, did not—understand this—talk to or in any way consult with paramedics who are members of the Service Employees International Union. You didn't talk to them.

Withdraw the bill. Set the bill aside, because I know. Because I have talked to them. I have talked to them and I know that they're prepared to do what has to be done to avoid any risk whatsoever of a labour dispute endangering the lives or welfare of any Ontarian. Quite frankly, I still defy the Minister of Labour to name one person who has ever been put at risk as a result of any work action or collective bargaining strategy utilized by any paramedic in this province of any of those three collective bargaining units. The Minister of Labour can't identify one.

Quite frankly, nobody has ever died as a result of the actions that from time to time any number of collective bargaining units have had to engage in as strategic actions to give effect to a negotiating process. Increasingly it's just, "Come on, people are dying in this province." Not because of paramedics; people are dying in the province of Ontario because this government doesn't adequately fund emergency rooms. It can't get its act together, and people are still being routed from one hospital to another.

It wasn't paramedics that killed people in Walkerton. It was this government's abandonment of the Ministry of the Environment, and that evidence is becoming clearer and clearer as that Walkerton inquiry progresses. Perhaps we will hear even more, because I understand—now all

of us do—that Mr Justice O'Connor has called upon the Premier himself to tender some evidence at the Walkerton inquiry.

I do want you to know—and heck, I've only got 12 more minutes and we're going to be gone. It's going to be 6 o'clock; the House is going to adjourn for the day until tomorrow. I don't know whether this bill is going to be back on tomorrow afternoon or not. If it is, I'll be back here for the balance of the hour that I've got to speak to it. There are a whole lot of things I've got to address. I want to take you through section by section, and I would ask government members, as a little bit of preparatory work—I'm not asking a lot of you—please, this evening read the Arbitration Act, 1993. Read that major renovation of the Arbitration Act that brought it in line with most other jurisdictions. It was a harmonization action back in 1993. Please, Conservative backbenchers, read the Arbitration Act, because I suspect you haven't, because if you had, you would be as shocked as I am and you'd be as shocked as paramedics are about what this bill replaces arbitration with. They call it arbitration but it ain't arbitration. Read the Arbitration Act, please.

Quite frankly, while you're at it you might as well read the bill. It would be helpful if, before members of this House voted on a piece of legislation, and in this case, in the event of government members, before they follow their marching orders to pass what is a very bad and dangerous bill, I implore you to read it.

I should mention that tonight at around 7:30 I'm going to be over at The 360 at 326 Queen Street West. It's a book launching, a collection of essays edited by Ruth Cohen, and it's called *Alien Invasion: How the Tories Mismanaged Ontario*. Jimmy Coyle did a review of the book back on May 29—Jim Coyle, the columnist. Jim Coyle's column in itself is rather interesting because Jim Coyle talks about how this government is obsessed with testing urine, yet when it comes down to the real important stuff like testing water, it doesn't test water. This government tests urine when nobody wants urine to be tested, and to no positive end, but it won't test water, for Pete's sake. It tests grade 3 students, but it won't test the water. There's something wrong, there's something skewed about the priorities of a government that's obsessed with testing urine but refuses to test water, because we know people die when you don't test water. We know that.

So that's going to be at 7:30 pm. Join the editor of that book, Ruth Cohen, at The 360. It's a club on 326 Queen Street West, a block east of Spadina. There is going to be a whole lot of folks there. Ruth Cohen's book, *Alien Invasion: How the Tories Mismanaged Ontario*, is at 7:30 this evening. It's a book launch. Everybody's welcome. You can get autographed copies of the book. You can talk to Ruth Cohen at The 360, 326 Queen Street West.

Later tonight, at 10 o'clock, I'm going to be on the Coren show—you know, the talking heads panel. That should be a relatively interesting one because I suspect that tonight on the Michael Coren show at 10 pm on the CTS network—

Interjection.

Mr Kormos: Oh, I'm getting to the bill. I'm getting to the bill, Speaker. I'm getting to 58. Trust me. You bet your boots I'm getting to it.

1750

Tonight on the Coren show at 10 pm I have no doubt that the issue of this government's investment of public funds, public funds as taken from the publicly funded educational system that's already in an incredible state of disrepair and despair—this government is taking money from public education and investing it in high-priced private schools, some of them even for-profit.

This government wants to beat up on paramedics, tell them they have neither the right to strike nor recourse to arbitration, and that's what this bill does. It says to paramedics, "You don't have the right to strike and you don't have recourse to arbitration." What it means, if Bill 58 becomes law, is that there is no free collective bargaining for paramedics employed in the municipal sector. That's what it means. It's as simple as that. It's not complicated at all. It's pretty straightforward. Even a cursory reading of the bill will tell you that.

We know this government doesn't like workers. It likes trade-unionized workers even less. Poor workers it despises, and unemployed people it just has nothing but disgust and disdain for. It's true. My colleague from Thunder Bay was right. I asked the rhetorical question, "Why is the government going after these people?" She said, "Because they're workers and they're trade-unionized workers." She's right, but there's far more to it than that. It's all part, among other things, of the privatization agenda.

You see, this government has very much as part of its plan the complete abolition of ambulance services in the public sector. This government doesn't like Dan Tyo. He's a young paramedic from the London area, a bright, capable, incredibly committed, well-trained young professional. He saves people's lives. Do you understand me? Dan Tyo and others like him, women and men across this province, save people's lives. It's not celluloid, what they are doing. It isn't like on TV, those 10 pm TV shows or the occasional movie. It isn't like that. When Mom or Dad falls down the stairs or simply falls down or has the heart attack, or when—look, you can go on and on—the baby ends up face down in the pool or any other number of incredibly dramatic and traumatic things happen, it's paramedics like Dan Tyo who show up there. I quite frankly can't think of any worker I would want to ensure is better paid or more secure in the knowledge that they're going to be treated fairly and, more importantly, treated with regard, treated with respect, than a paramedic.

You see, when paramedics get home from work, they don't do it driving home in their BMW 5 series or in their Mercedes-Benz or in their Lincoln Town Car. They go home in Cavaliers and the occasional Corolla. It's not the glamorous end of the health care system, but I tell you, I consider it an integral part of the health care system and I consider it a critical element or facet of that front line of

community safety workers. I put paramedics shoulder to shoulder with police officers, firefighters and correctional officers. I do. They are the people there at the front line. They are the ones up to their elbows literally in guts and gore. The paramedic starts treating you long before you ever get to a doctor, if you ever get to a doctor in Mike Harris's Ontario.

Interjection.

Mr Kormos: Well, it's true. How many more deaths do you need en route to overcrowded, understaffed or locked, bolted and barred emergency rooms before you understand that, people over there in the Tory back benches? How many more? Seven dead in Walkerton. People die en route to hospitals not because they couldn't have got to that hospital in time, because paramedics are taking them there, but because that hospital can't receive them and the paramedics have got to go off on bloody—yes, literally bloody; I wasn't being profane—excursions across town as they look for emergency rooms that will take their patients. During the course of that time it's paramedics who are working on that patient, and if that patient does survive it's because of paramedics. It's not because of Mike Harris's locked, bolted, barred-door emergency rooms. It's not because of Mike Harris's doctor shortage. It's not because of Mike Harris's nurse shortage.

So these paramedics are under attack.

Let me make something perfectly clear—yes, I'm watching the clock too. I know you're going to stand up at 6 o'clock and shut me down, Speaker, but I'll be back. I'm coming back, and it's going to be 45 more minutes because I'm going to use every minute I'm entitled to.

I want to talk about the sections of this bill that, among other things, create a non-arbitration in the guise of arbitration. You see, it's not going to end with our sisters and brothers who are paramedics. Oh, there, I've done it. I've said it. I've called them sisters and brothers. Yes, they are. I confess I like trade unions. I do. I thank God for Sid Ryan and for Leah Casselman and for the unions they represent, because I'm going to tell you right now, those trade unions, their members and their leadership, have done more to create economic and social justice in this province than any other institution ever could. I tell you that they are more relevant now than they have been, not less, when you see this concentrated attack on public sector work and on the public service by this government.

This government wants to dismantle the public service. This government doesn't believe in the public service. This government wants to privatize all of those things that you and, more importantly and with far greater sacrifice, your folks and your grandfolks have built over the course of decades and generations. They do. Government didn't build hospitals and schools, your folks did and your grandparents did, and they built them brick by brick and they built them dollar by dollar with their taxpayers investing in their communities. And this government wants to hand those hospitals, those schools, yes, those ambulance services over to their private sector

corporate friends so that profits can be made as a result of significant public investment over the course of decades and generations.

I tell you that's wrong. It's unfair, it's unjust and it's wrong. I'll stand with trade unionists any day of the week, shoulder to shoulder, arm in arm, when it comes to fighting that agenda, when it comes to fighting for economic justice for workers and for job security for workers and for fairness for workers. I have no qualms about identifying clearly with OPSEU or identifying clearly with CUPE, no qualms whatsoever in identifying clearly with the SEIU, no qualms whatsoever in acknowledging the leadership of Leah Casselman and others like her, no qualms whatsoever in acknowledging the leadership of Sid Ryan and others like him, and no qualms whatsoever in acknowledging people like Dan Tyo, who's not only a darned good paramedic, but a trade union activist.

There, how do you like it? He is, and I don't think he's at all afraid to say it. I think he's proud of it. His co-

workers put him into a position of trust because they have confidence in his abilities and his leadership, and he, along with other OPSEU and CUPE and SEIU members, is here at Queen's Park trying to talk to Tory backbenchers, who end up slamming the door in their faces because Tory backbenchers don't want to hear from the people who are out there delivering those paramedic and ambulance services on the front line. The government hasn't consulted, and every single effort by paramedics and other ambulance workers to talk to Tory backbenchers has been met with a slammed door.

That's not how you treat committed professionals saving people's lives. That's not how you do it. I'm calling upon this government and I'll call upon them again at the next opportunity to speak: 7:30 at The 360 at 326 Queen Street West; 10 o'clock, Coren show tonight.

The Deputy Speaker: Thank you very much. It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1800.

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