



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)**

Tuesday 19 June 2001

Mardi 19 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

Tuesday 19 June 2001

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

NORTHERN CANCER TREATMENT

Mr David Ramsay (Timiskaming-Cochrane): Mr Speaker, as you know, I and all the other northern members in this assembly have tried to press the point to the government that their two-tier travel system is discriminatory against northern Ontarians. We have debated this issue in this House through resolution, through questions and through statements, to say that the re-referral program of southern Ontario cancer patients to northern Ontario being given the full benefit of all their travel discriminates against northerners, who, as you know, are only paid a one-way mileage fee for wherever they travel in the province for their cancer treatment.

Last week, as you also know, we had third party validation of that argument through the Ontario Ombudsman, Mr Clare Lewis. He said, as we have said in this House, that the program the Ontario government has discriminates against northern Ontarians.

We think it's time that the government own up to this discriminatory policy and fix it, to make sure that northern Ontarians receive the very same benefits that southern Ontarians receive when they have to travel to seek radiation treatment for breast and prostate cancer. Basically, this policy is rubbed in the faces of my constituents when they are in a waiting room in Sudbury and meet up with southern Ontarians who invite them out to dinner, saying, "All our expenses are being paid," and yet they come there with a very meagre allowance, hardly enough to even get home. It's time this policy is changed. It's time to end the discrimination.

SENIOR CITIZENS

Mr Norm Miller (Parry Sound-Muskoka): It is a pleasure to rise today to acknowledge and thank our seniors for the contributions they have made to our province. For more than 20 years, the month of June has been Seniors' Month in Ontario.

This week, in our riding of Parry Sound-Muskoka, the first intergenerational volunteer initiative took place in Huntsville. This initiative, funded by our government, brings together high school students and seniors to develop a variety of programs to help people with Alz-

heimer's. This is a great opportunity for seniors and youth to come together to help one another.

I would briefly like to mention and thank some of my constituents who were directly involved in organizing the intergenerational volunteer initiative in Huntsville: Linda McElroy, Debbie Deluca, Jackie Latham, and the coordinator for the intergenerational volunteer initiative, Trudy Bauer. The project was tremendously successful in Huntsville because of the energy of those involved in planning and carrying it out and those who volunteered in the project. These projects are invaluable because they increase our understanding of ways in which community involvement can make a positive difference.

The province of Ontario has committed \$68.4 million over five years to develop a comprehensive strategy to help people with Alzheimer's disease and their families.

I believe all seniors should be recognized for the contributions they have made in the past and for what they continue to give our communities today.

CEMETERY MAINTENANCE

Mr Steve Peters (Elgin-Middlesex-London): I rise in the House today to bring to your attention a very serious issue that must be addressed immediately: the inadequate funds for proper care and maintenance of small, rural Ontario cemeteries.

As a nation, we've always approached the death of our loved ones with both dignity and respect. Over the years, 5,000 cemeteries have been established in this province. Unfortunately, many do not have sufficient funds for their proper maintenance.

In the May 2000 edition of *Municipal World*, the situation was described as a "real ticking time bomb." The lack of sufficient interest income from inadequate trust funds could eventually mean that smaller church- or community-based private cemetery boards would have to declare these cemeteries abandoned. If this occurs, the acquisition and maintenance of these cemeteries falls upon municipalities. These additional financial burdens could be devastating. Translation: more unnecessary downloading.

In my riding, the Fingal Cemetery faces such a dilemma. What did the Ministry of Consumer and Business Services officials do? They referred the cemetery chairman to the Alcohol and Gaming Commission of Ontario. Why? So we could stage bingos and sell beer to bury our loved ones? Minister Sterling pointed out in a May 31 letter that the responsibility for upkeep of a cemetery falls first to the owner of the cemetery and, if unable to

maintain the cemetery, to the local municipality. There is no provincial funding available for cemetery operations.

This is not a simple matter of dollars and cents, nor should it be another opportunity for more downloading of services on to our municipalities. We are not about to stage bingos or erect beer tents to ensure an eternal resting place for our loved ones.

LOBO TOWNSHIP ANNUAL PICNIC

Mr Bert Johnson (Perth-Middlesex): I rise today to inform my colleagues that the community spirit is alive and well in Lobo township.

It was my pleasure recently to take part in the 113th Annual Lobo Union School picnic. Since 1888 the children and adults of Lobo township, now part of Middlesex Centre, have been getting together once a year to enjoy a fun-filled day that includes events and activities enjoyed by the whole community, young and old.

This year's picnic featured a number of events, including children's races, a baby show, a euchre tournament, a parade with a Christmas theme, and a community challenge. Proceeds of the picnic are directed toward many worthwhile groups and projects in the area.

I'd like to recognize Heather Bradley, Marilyn Campbell, Lorie Davis, Bob Dale, Wendie Dale, Heather Grieg, Cathy O'Brien and Marilyn Thomas for helping to organize this year's picnic and for their commitment to preserving this annual celebration. In fact, they've already started planning for the 114th annual picnic next year.

I also want to commend the Poplar Hill and District Lions Club and many other local sponsors that make the event such a great success year after year.

Please join me in recognizing the residents of Lobo township for keeping this long-standing tradition alive.

ELISE HARDING-DAVIS

Mr Bruce Crozier (Essex): I am pleased to advise the House that Elise Harding-Davis, curator of the North American Black Historical Museum in Amherstburg, has been named a recipient of the Windsor-Detroit International Freedom Festival's 2001 Freedom Award. Previous award recipients include former Prime Minister Lester B. Pearson, former President of the United States Gerald Ford and freedom fighter Rosa Parks. Ms Harding-Davis has, among other recognition, received a lifetime achievement award from the Ontario Museum Association and is the 2001 Amherstburg Citizen of the Year.

Elise was instrumental in the recent restoration of the Nazrey African Methodist Episcopal Church which, also through her untiring effort, has been declared a national historic site, the first dedicated to black history in Canada.

Reflecting on her love of the Nazrey AME church Ms Harding-Davis said, "It is a beacon and it will remain so. A beacon of freedom. The very freedom that this country stands for."

I ask the members of this Legislature to join me, Elise Harding-Davis's family, friends in the riding of Essex and indeed all Ontarians in extending our congratulations and our pride in her having been named a recipient of the 2001 Freedom Award.

NORTHERN CANCER TREATMENT

Ms Shelley Martel (Nickel Belt): Last Thursday, northern Ontario cancer patients were vindicated by the Ombudsman when he clearly noted in his report to this Assembly that the government has discriminated against these patients.

He concluded, "The Ministry of Health and Long-Term Care's omission to provide equal funding for breast and prostate cancer patients who must travel for radiation treatment is improperly discriminatory." His remedy was, "The Ministry of Health and Long-Term Care should provide equal funding to breast and prostate cancer patients who must travel for radiation treatment."

The source of the discrimination was the government's refusal to fund northern cancer patients in the same way as southern patients who had to travel far from home to access timely cancer care. Specifically, this government paid 100% of the travel, accommodation and food costs for southern patients but would only compensate northern cancer patients for a fraction of their travel costs. This discrimination continued for over two years, from April 1999 to mid-June 2001, when the last southern cancer patients were referred out of province for cancer care.

1340

This government has a moral obligation to respond to the Ombudsman's recommendations. This government must retroactively compensate northern cancer patients for the very same costs as southern patients had covered when they travelled far from home: that is 100% of their costs of food, travel and accommodation. No other solution is acceptable. Northern Ontario cancer patients have waited long enough. This government should do the right thing and do it now.

EVENTS IN SIMCOE NORTH

Mr Garfield Dunlop (Simcoe North): I am pleased to rise this afternoon and invite all Ontarians to visit beautiful Simcoe North this summer. There are a number of events occurring this summer that may be of interest to most of our Ontario residents. To begin with, I'm honoured to be participating in the official opening of the new entertainment centre at Casino Rama. Country star Faith Hill will be feature entertainer when the 5,000-seat facility opens on July 18.

On the weekend of July 6 to 8, the city of Orillia will host the Mariposa Folk Festival and on the same weekend, the town of Penetanguishene will host the Huronia Open Fiddle Contest. On July 20 to 22, the Royal Canadian Legion, Branch 34 in Orillia, will host their annual Scottish festival, followed one week later on July

28 when Burl's Creek Family Event Park will host their annual Celtic games. On July 27 to 29, the Georgian Bay Poker Run, featuring some of Ontario's finest boating will be held at the town dock in Penetanguishene. On August 23 to 26, the Battle of Georgian Bay, featuring tall ships and hundreds of soldiers dressed in 1812 clothing, will be held in Huronia.

These are only a few of the dozens of events that the communities of Simcoe North are hosting this summer. Whether you enjoy boating, boat cruises, golfing at any of our 16 golf courses, shopping on our beautiful main streets or enjoying theatre and dinner at a number of theatres, you will enjoy the hospitality and friendship that our citizens give to our guests.

HAZARDOUS WASTE

Ms Caroline Di Cocco (Sarnia-Lambton): Yesterday I asked the Minister of the Environment about stricter rules regarding standards for landfilling of toxic hazardous waste in Ontario. It is my view that these rules should be at least as stringent as those of the United States legislation that requires treatment of hazardous waste before it is landfilled. By her response the minister either did not understand the question or she made an error in her response. She responded, "We test more stringently, and we expanded the list of toxic chemicals," but the minister forgot to say that landfill hazardous waste is simply dumped into the ground.

Her ministry has the authority to not accept hazardous waste from outside the province. The lax standards for incinerating and landfilling of hazardous waste in this province ensure that we're open for toxic waste business in Ontario. No, the minister has not put into place rules to safeguard and protect public health, safety or the environment when it comes to accepting toxic hazardous waste from outside the province, nor do we have better regulations for landfilling or incinerating hazardous waste. This government is endangering our groundwater, people's health and doing irreparable damage to the environment in St Clair township by the current approach, which is simply to talk a good line.

DR ROBERT ELGIE

Mr R. Gary Stewart (Peterborough): It gives me great pleasure, as chair of the Ontario Progressive Conservative caucus, to rise today to honour an alumnus of this House. Robert Elgie was a PC member for the riding of York East from 1977 to 1985. As well, he was a lawyer, a neurosurgeon and even occasionally a civil servant.

Just this past May 23, Dalhousie University awarded Bob Elgie an honorary degree for a lifetime of achievement and public service—fitting recognition of someone personifying a true Renaissance man. Dr Elgie served Ontario as an MPP, as Minister of Labour, Minister of Consumer and Corporate Relations and Minister of Community and Social Services. He was also chairman of the Ontario WCB for six years. Presently he chairs the

Patented Medicine Price Review Board. He has taught at both the University of Toronto and Queen's medical school. He is also the founding director of Dalhousie University's Health Law Institute. The Dalhousie citation grants an honorary degree "in recognition of his pursuit of excellence in law, medicine and public service and his lifetime of achievement."

On behalf of the Progressive Conservative caucus of the 37th Parliament of Ontario, I congratulate Dr Robert Elgie on his latest degree and I wish him the very best in his ongoing endeavours.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On June 13, 2001, the member for Chatham-Kent Essex raised a point of privilege concerning purported activities of the Minister of Transportation relating to the possible forthcoming passage of Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs.

The member asserted that a draft letter, a copy of which was provided me, was apparently recently sent by a regional director in the Ministry of Transportation to some staff in the ministry who would be affected by Bill 65 if the bill is passed by this House. The letter describes options and decisions these staff will be required to make for themselves regarding their employment with the Ministry of Transportation, and the member is of the view that this improperly anticipates a future legislative outcome.

The member for Chatham-Kent Essex asserts that the issue he raises is different from ones ruled upon by Speaker Edighoffer on December 20, 1989, and by me last November 27, in which the validity was confirmed of plans being made in the public service to prepare for the possible passage of legislation. I respectfully beg to differ with the member on this point. In my view this matter is identical with those other times. I can in no way come to the conclusion that providing ministry employees with advance information about their employment status, if Bill 65 passes, infringes the rights or privileges of members of this House.

In my view, the letter from the Ministry of Transportation not only did not improperly assume the outcome of this House's deliberations on Bill 65; the letter in many passages goes to some lengths to indicate how conditional these changes will be upon the passage of Bill 65. As well, the template form that accompanied the letter contains blank spaces where dates will be required, clearly indicating the prospective nature of the document. These documents explicitly and thoroughly acknowledge the prior and superior role of the Legislature in this matter. Such an approach has been repeatedly called for in numerous Speakers' rulings, and I applaud the Ministry of Transportation for heeding those calls.

I therefore cannot agree with the member's view that the ministry's action constitutes a case of contempt, and would further note my view that the employment

relationship between the Ministry of Transportation and its civil servants is a matter of law and beyond the competence of the Speaker to address. I thank the member for his submission.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Steve Gilchrist (Scarborough East): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993.

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

All those in favour 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 1349 to 1354.

The Speaker: Mr Gilchrist has moved the adoption of the report from the standing committee on general government respecting Bill 25.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Johns, Helen	Stewart, R. Gary
Baird, John R.	Johnson, Bert	Stockwell, Chris
Barrett, Toby	Martiniuk, Gerry	Tasca, Joseph N.
Clark, Brad	Maves, Bart	Tilson, David
Coburn, Brian	Mazzilli, Frank	Tsubouchi, David H.
Cunningham, Dianne	Miller, Norm	Turnbull, David
DeFaria, Carl	Molinari, Tina R.	Wettlaufer, Wayne
Dunlop, Garfield	Munro, Julia	Wilson, Jim
Elliott, Brenda	Mushinski, Marilyn	Witmer, Elizabeth
Flaherty, Jim	Newman, Dan	Wood, Bob
Gilchrist, Steve	Ouellette, Jerry J.	Young, David
Hodgson, Chris	Sampson, Rob	
Hudak, Tim	Snobelen, John	

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

Nays

Agostino, Dominic	Cordiano, Joseph	Lankin, Frances
Bisson, Gilles	Crozier, Bruce	Levac, David
Bountrogianni, Marie	Curling, Alvin	Martel, Shelley
Boyer, Claudette	Di Cocco, Caroline	Martin, Tony
Bradley, James J.	Dombrowsky, Leona	McLeod, Lyn
Bryant, Michael	Duncan, Dwight	McMeekin, Ted
Caplan, David	Gerretsen, John	Parsons, Ernie
Christopherson, David	Gravelle, Michael	Peters, Steve
Churley, Marilyn	Hampton, Howard	Phillips, Gerry
Cleary, John C.	Hoy, Pat	Pupatello, Sandra
Colle, Mike	Kormos, Peter	Ramsay, David
Conway, Sean G.	Kwinter, Monte	Ruprecht, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 37; the nays are 36.

The Speaker: I almost had to break the first tie. I declare the motion carried.

Pursuant to the order of the House dated May 30, 2001, the bill is ordered for third reading.

Mr Gilchrist: We had so much fun the first time, I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table: Your committee begs to report the following bill as amended:

Bill 33, An Act to amend the Highway Traffic Act to prohibit persons from riding on the outside of a motor vehicle / Projet de loi 33, Loi modifiant le Code de la route pour interdire à des personnes de circuler à l'extérieur d'un véhicule automobile.

The Speaker: Shall the report be received and adopted? Agreed.

This bill is therefore ordered for third reading.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On June 13, 2001, the member for Niagara Centre (Mr Kormos) and the member for Elgin-Middlesex-London (Mr Peters) rose on separate but related questions of privilege concerning the 2000 annual report of the Information and Privacy Commissioner, who is an officer of the Legislature. The commissioner's report expressed concerns about some aspects of the government's management process on freedom-of-information requests made by journalists, special-interest groups and politicians for information on politically sensitive issues. The member for Niagara Centre and the member for Elgin-Middlesex-London were particularly concerned about the part of the report that indicated that there were inappropriate delays in complying with such requests, and they gave specific examples of where they and other members had encountered such delays.

Both members were of the view that the government or unnamed government officials were in contempt of the House by obstructing not only the commissioner but also members of the House. The government House leader (Mrs Ecker) also made submissions.

I have had the opportunity to review the Hansard of the day, the Information and Privacy Commissioner's 2000 annual report, the written submissions of the member for Niagara Centre and the member for Elgin-Middlesex-London, and the relevant authorities and precedents.

Both members recited the general authorities on contempt in the course of their submissions, so let me proceed by applying them to the case at hand.

Dealing first with the concern that an officer of the Legislature was being obstructed, there was no mention in the commissioner's report that the commissioner was being hindered or obstructed. The report was simply expressing serious reservations about the impact of the government's policy, and it was requesting a change in

that policy. Unlike the situation that was the occasion of my May 18, 2000, ruling respecting the commissioner's Special Report on Disclosure of Personal Information by the Province of Ontario Savings Office, Ministry of Finance, this report does not specifically state, in very clear terms, that the government was deliberately obstructing her investigation of a specific file.

Indeed, on page 6 of the current report, the commissioner indicates that, "We recognize that the Ontario cabinet's contentious issues management process was designed so as to not interfere with the administration of access requests within the time limits specified in the act."

1400

Turning to the concern that members were being obstructed, there can be no question that members of this House have special rights that non-members do not have. For example, they have entitlements under the standing orders, such as being able to request information from the government pursuant to those standing orders. However, when it comes to requesting information from the government under the Freedom of Information and Protection of Privacy Act, members of this House stand in the same position as non-members. In this regard, I refer to rulings dated June 7, 1988, at page 219 of the Journals, and October 6, 1992, at page 2458 of Hansard.

I understand that the member for Niagara Centre and the member for Elgin-Middlesex-London contended that their effectiveness as members of the provincial Parliament was being compromised by delays in receiving information that they had requested from the government. However, it is very clear to me that the government's management process on contentious issues did not obstruct the members in their strictly parliamentary duties in this chamber.

For these reasons, a prima facie case of contempt has not been established.

I want to thank the member for Niagara Centre and the member for Elgin-Middlesex-London for their submissions.

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: I just want to thank you for your consideration of that matter.

The Speaker: I thank the member.

INTRODUCTION OF BILLS

CITY OF TORONTO ACT (HERITAGE PROPERTIES), 2001

Mrs Mushinski moved first reading of the following bill:

Bill Pr20, An Act respecting the City of Toronto.

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

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

STANDING ORDERS

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: I refer the Speaker to standing order 59(e) on page 48 of the standing orders. Paragraph 59(e) reads, "No estimates shall be considered in the committee while any matter, including a procedural motion, relating to the same policy field is being considered in the House."

Members of the NDP caucus have been very busy preparing for the standing committee on estimates, meeting today in room 228 at 3:30 pm. This is our only opportunity to grill the Minister of Education on the very controversial tax credit for private schools proposed in this government's budget legislation before it's rammed through the House next week. We have a lot of questions for the minister, and we believe the people of the committee and of the province deserve answers.

However, we were informed late this morning that the government plans to call Bill 80, legislation introduced by the Minister of Education, under orders of the day this afternoon. We're asking you, Speaker, to find that the government has violated its own standing orders and created chaos and contradiction by having this education bill in the House at the same time as the Minister of Education is called before the estimates committee.

The Speaker (Hon Gary Carr): I thank the member, and I will confer over that standing order.

I thank the member for his submission. He is correct; the standing orders do say we cannot have a bill in the House and at the same time before a committee. However, on the order paper today, what is expected to be called is Bill 60, which does not deal with a related matter.

If in fact Bill 80 is called in the House, what would have to happen is that the committee would have to deal with the fact they are dealing with something that is in the House. The House could proceed, and the committee would have to deal with the issue of the same bill being in committee as well as in the House at the same time. But as I said, on the order paper, what is expected to be called today is Bill 60.

As a follow-up on that, the member for Niagara Centre.

Mr Kormos: Merely for direction, Speaker: would the Speaker entertain—and we're not expecting you to indicate what your ruling would be—a point of order, when the government is called upon to call orders of the day, for instance, with respect to Bill 80 being called?

Hon Chris Stockwell (Minister of Labour): I would just like to add my comment to this procedural issue that's before the House. Firstly, it isn't the same bill. We're dealing with estimates on one hand and the bill on the other. Secondly, the bill being called today is a finance bill, with respect to the tax credit to the schools.

Therefore, we have two distinctly different issues being dealt with here.

Interjection: Wrong bill, Chris.

The Speaker: Order. The Minister of Labour is familiar with the procedures, and I'm sure he knows what he's trying to say. Sorry, Minister of Labour.

Hon Mr Stockwell: I'm just talking about the estimates with respect to a bill. They're different issues. It's the same bill or a related bill for the ministry.

Ms Marilyn Churley (Toronto-Danforth): It's Bill 80, Chris.

The Speaker: As you know, on a couple of occasions I've said it's fine to heckle over political issues. This is something dealing with the House. The opposition obviously feels the Minister of Labour is incorrect in what he's saying. That's why we have rulings by the Speaker, because members don't often agree. I would appreciate it if they wouldn't interrupt him. It's not like dealing with a subject matter where it is political and you can yell at him. I would like to hear the Minister of Labour's input on this point of order. Sorry again, Minister of Labour.

Hon Mr Stockwell: I'm presuming the argument is with respect to estimates being in committee. Estimates are a distinctly different issue from what is being debated, or potentially could be debated, in this House this afternoon. Of course, nothing is debated until the order is called, so there can be nothing out of order. Nothing can be out of order, because nothing has been done at this point in time. So there's not necessarily a need for a ruling from the Speaker at this time, considering the fact that no bill has been called. No order has been called by the government; therefore, nothing can be out of order at this time.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I refer you to the orders and notices of the day. The orders do call for order G60 to be called. However, the government House leader's office did advise the opposition parties this morning that in fact Bill 80 would be called this afternoon.

The other concern I have, sir, given what you ruled initially, is that if the government calls an education bill, the time in estimates not be lost to the opposition parties because of the way the scheduling has happened. I point out again that last week we were informed by the government House leader's office—indeed, it was reported on Thursday afternoon in the House—that in this afternoon's session we would be dealing with Bill 60. This morning we were informed, without any other notice, that in fact we would be dealing with Bill 80, the so-called stability in education act.

The challenge from our perspective as well is that if the government, without any notice and without consulting the opposition party, calls Bill 80 and the estimates committee is forced to contend with that, we will not lose the hours that are contemplated today for the Ministry of Education in the estimates committee. We will be calling upon you, sir, if that's the case, that those hours would be restored.

The Speaker: I thank the member for his input as well.

Hon Mr Stockwell: Again, I would make the point that nothing is out of order until it's called. If it makes the opposition feel better, then we will call Bill 82 and give them as much notice as possible now that we'll be calling Bill 82 for this afternoon's debate.

Mr Duncan: The other concern you need to be made aware of, sir, is that these estimates were called over a week ago. The Chair of the committee has informed me that the concern would be that the government could call a bill related to that portfolio simply to preclude those hearings from happening. Again, in the context of what happens later this afternoon, my hope would be that the government would call a bill not related to the estimates committee, legislation before estimates; and if in fact an education bill is called, sir, we will be back here to you in addition to deal with those issues that are properly the purview of the Legislature and not of the committee itself.

1410

The Speaker: I thank the member for his point of order.

Just for clarification for those who aren't familiar with 59(e), I will read it out for you. Standing order 59(e) is very clear. It says, "No estimates shall be considered in the committee while any matter, including a procedural motion, relating to the same policy field is being considered in the House." So, as I said earlier, if in fact it is a bill in this House and estimates is dealing with the same policy field, the committee would not be able to proceed. Now that all members are aware of that and clarified, I'm sure they will take that into consideration. The only way around that is to have unanimous consent in here, which all members could do on any issue. But the member is correct on that. There isn't need for a ruling now, because in fact it hasn't been called, but now that everybody understands that, we may not need to have a ruling later on.

I thank all members for their input. Hopefully, we've been fairly clear, and for those who are not, as you know, you have standing orders in your desk, and I would encourage you to read 59(e) very clearly. Again, I thank the member Niagara Centre, the Minister of Labour and the member for Windsor-St Clair for their input.

ORAL QUESTIONS

SENIORS' HEALTH SERVICES

Mrs Sandra Pupatello (Windsor West): My question is for the associate Minister of Health. Our seniors are very concerned with all the talk about means testing in drug coverage. I'd like you to tell us today whether you are not only considering means testing for drug coverage but whether you are also considering increasing user fees and copayments for drugs for our seniors.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'm pleased to stand up today and tell you that this government, the Mike Harris government, takes the concerns of seniors across the province very carefully. What we do is try to provide high-quality programs for seniors in Ontario and we look at ways that we can do that. As everyone in the House knows, and as the seniors all across this province know, we have invested heavily in services that seniors use in Ontario, and that includes supplementing and increasing the drug plan so there are drugs available for all seniors, increasing the funding that goes to home care and facilities. We have done our best to make sure that seniors, who have made a great contribution to Ontario, continue to be able to live and have a great quality of life in the province.

Mrs Pupatello: Seniors wanted to hear you say no, but you didn't say no. Instead, you said—well, we don't know what you're saying but we do know that seniors are very worried about what it is you're going to be introducing or doing. Even through sleight of hand, in the heat of the summer, when the House recesses, after the by-election in Vaughan, all you need to do to increase user fees and copayments is change the regulation—it's not even an act of this Legislature. We want to know exactly what you're intending to do. Are you intending to raise the user fees and copayments in drug coverage for our seniors? That's the question, and we are asking you to answer that question.

Hon Mrs Johns: I have to admit that it seems ironic that the Liberals would be asking this question when they funded the drug program, back when they were in power, at \$600 million, and we're now spending \$1.8 billion. I have to say that was with not one federal Liberal dollar. Without one federal Liberal dollar, this government is committed to making sure the quality—

Interjections.

The Speaker (Hon Gary Carr): Order. Sorry, Minister. They're getting a little carried away there. I'd appreciate it if all members would allow us to be able to hear the associate minister.

Hon Mrs Johns: As I said, the Liberals put \$600 million into drugs, the Mike Harris government, \$1.8 billion into drugs, and that is without one cent from the federal Liberals for drugs.

Mrs Pupatello: Minister, I think most of us realize that seniors don't make all that much money. In fact, the average income of a 64- to 69-year-old in Ontario is a little over \$16,000. If this government is intending to save money on the backs of seniors in their drug program, what would you do? Save 10%? To take 10% off, that means you would have to drop the bar in means tests to \$30,000. Do you think that is a rich senior in this province, when seniors who may be afflicted with Parkinson's spend \$10,000 on drug coverage just for that disease?

I am asking you again, and we are demanding to know, what you'll do by sleight of hand again, this summer when you think no one is looking, to our seniors and their drug coverage. Will you be intending to change by

regulation, just like you did last time? Nothing in your Blueprint talks about seniors' user fees or copayment. Nothing in the Common Sense Revolution did either, and yet that's what you did.

We are asking you again: are you intending to raise the copayment? Are you expected to raise the user fees in drug coverage for seniors?

The Speaker: The member's time is up.

Hon Mrs Johns: Let me say that I find the question amazing when we have 1,200 new drugs on the formulary—

Interjections.

The Speaker: Order. Will the member take her seat. The member for Kingston and the Islands, come to order, please. You can't shout across and pound the table when we're trying to hear.

Interjection.

The Speaker: This is the last warning to the member for Windsor West, who has asked the question. It is her last warning. If she speaks out again, she's going to be named.

The associate Minister of Health.

Hon Mrs Johns: Thank you very much, Mr Speaker. As I was saying, the Ontario drug benefit program, which assists seniors to be able to have drugs in Ontario, has 1,200 new drugs listed on it since 1995. Those are new drugs that increase the quality of life for seniors all across this province. If you're talking about the Liberal plan when you're talking about all of the things you're talking about today, we're not interested.

RED TAPE COMMISSION

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Chair of Management Board and it concerns the Red Tape Commission. Yesterday in a response to a question of mine you said, and I quote from yesterday's Hansard, "The Red Tape Commission deals with processes; they don't deal with confidential information."

Minister, are you aware that in recent times your cabinet office, in a submission to the Information and Privacy Commission, said that the Red Tape Commission is inextricably connected to the cabinet's decision-making process, that ministries are asked to appear before the Red Tape Commission to discuss their policy proposals and their draft legislation before they appear at cabinet or any of its committees? Furthermore, according to the cabinet office submission to the Information and Privacy Commission, the Red Tape Commission serves now as a screening process for cabinet and its committees on a wide range of policy items.

Surely, Minister, you are aware of that. Would you not agree that according to that cabinet office submission, the Red Tape Commission obviously deals with substantially more than just process?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): The Red Tape Commission deals primarily with process. They deal with other issues

as well, but I might say to the member that the members of the commission are required to give the same oath of secrecy as do members of ministries, as do ministers' staff. That's to protect certainly the confidentiality of the information that's dealt with.

The end result of all this of course is that the Red Tape Commission assists us with removing roadblocks to economic growth in this province. This is something we keep constantly hearing about out there in the business community. Of course, they're required to have an oath of secrecy, the same as members of ministers' staff and the staff of the ministries themselves.

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Mr Conway: I'm going to have a page take over to the Chair of Management Board some documentation, and I'd like him to respond to it. I have in my hand, Minister, a letter sent to the environment minister, Norm Sterling, on March 2, 1998, signed by Mr Frank Sheehan, then as now, chair or co-chair of the Red Tape Commission. In this letter, Frank Sheehan upbraids the Minister of the Environment about the prosecutorial activities of the Ministry of the Environment. Let me just quote from the letter, which you now have:

"Dear Minister,

"I would like to bring to your attention the case of a landfill operator being prosecuted by your ministry." The Ministry of the Environment, according to Mr Sheehan's letter, "is continuing to pursue enforcement of this matter with a vigour that might be better applied elsewhere."

Minister, do you think it is an appropriate function of the Red Tape Commission to be aggressively pursuing the Ministry of the Environment, or any other government department, in the discharge of its enforcement or prosecutorial functions?

Hon Mr Tsubouchi: What I will say is this: the Red Tape Commission is there to provide advice to the government and, in fact, they have provided us with very good advice on many issues—issues, in fact, that the business community was identifying prior to 1994. We identified that as a very important part of our platform. We thought it was very important to have the creation of jobs. We thought it was very important to make sure the economy does well. That way, we have money to spend on our priority issues such as health care and education.

Clearly, we require all members of the Red Tape Commission to sign an oath of secrecy. If that's the concern, which it certainly was in the first place, that confidentiality is the same type of oath that's required by all members of ministries and all people on ministers' staff who are required to have access to confidential information. This advice has been good over the years. It certainly has had its effect on the creation of jobs.

The Speaker (Hon Gary Carr): Final supplementary?

Mr Conway: I just want to bring the minister and his colleagues back to the evidence. We have a letter from Frank Sheehan in 1998, in his capacity as chair of the Red Tape Commission, aggressively upbraiding the Minister of the Environment for the prosecutorial activities of

the Ontario Ministry of the Environment. How many times have we all heard the Attorney General rightly observe that none of us, as elected officials, has a right to interfere in the prosecutorial functions of the government?

We also have, as part of the package of evidence, the response from the Ministry of the Environment. We have Mr Merritt's response, from which I will quote briefly. Who is Mr Sheehan intervening on behalf of? He is intervening on behalf of a landfill operator who had been previously convicted, and one of the principals of which had, just months before, been convicted of uttering a death threat to Ministry of the Environment supervisors.

So, my question remains: what is this Red Tape Commission up to? Do you condone that this commission, now headed by Frank Sheehan, private citizen, should be aggressively inserting itself into the prosecutorial activities of the Ontario Ministry of the Environment?

Hon Mr Tsubouchi: I certainly can repeat what I've already said, but I might remind the member that in 1998 Mr Sheehan was an MPP in this Legislature. Many MPPs in this House do provide advice and their opinions on matters, whether it's opposition members or not, including the member who is sitting there as well.

What I might say is this: the Red Tape Commission has had a very positive effect. We believe it has. The Red Tape Commission has repealed more than 50 outdated acts and amended more than 200 acts. It has eliminated more than 1,700 unnecessary regulations which the business community out there has identified as blockages to the creation of jobs that certainly existed under the previous two governments.

This government decided to do something positive to create jobs, to boost the economy, to make sure that Ontario certainly does strive. We believed cutting red tape then was a good idea; we believe cutting red tape today is a good idea.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier. The Walkerton inquiry has revealed another example of how your government wilfully ignored an important warning that might have prevented the tainted water tragedy.

Last week we learned that your government ignored direct warnings from the Minister of Health about the need to protect water quality. But yesterday we learned that your own Minister of the Environment warned the agriculture minister as far back as 1998 that he had "serious concerns" that the Farm Practices Protection Act would "severely limit a municipality's ability to protect its water supplies." Sadly, the Minister of Agriculture simply shuffled off that warning.

My question, Deputy Premier, is this: on the important question of protecting Ontario's water quality, can you tell us how many people in your government shuffled the responsibility and simply shuffled the decision?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As the member knows, there has been a production of—I believe the number is something like a million documents. An incredible number of documents have been produced. There has been full co-operation by the government of Ontario, by the ministers of the government, by the ministries of the government, in providing the documentation requested by Mr Justice O'Connor and the inquiry he has been conducting at Walkerton. That co-operation continues to the present time.

As the member opposite also knows, there are some ministers and former ministers who will be giving evidence directly, *viva voce*, at the inquiry within the next couple of weeks, I believe.

Mr Hampton: This was a specific warning from the Minister of the Environment, saying that he had “serious concerns” about the capacity of municipalities to protect their water quality. Do you know that the Minister of Agriculture didn't even dignify that warning with a response? He totally ignored it. Your own Minister of the Environment says, “Look, we've got serious concerns here that this could severely damage the capacity of municipalities to protect municipal water supply,” and your Minister of Agriculture ignores it. You had a responsibility to act. You were warned. Your government did nothing.

Minister, tell us, why did your government fail to protect the water quality in this instance? Why did the province fail to protect the people of Walkerton when you had warning after warning?

Hon Mr Flaherty: What I do know and what I can assure the member opposite is that we want answers to what happened at Walkerton, to the tragic events that happened at Walkerton. That's why we called the inquiry quickly last year. That's why the terms of reference for the inquiry headed by Mr Justice O'Connor are very broad and encompass the activities of this government and other governments in Ontario; the governments that preceded our government as well as this government since 1995. That's what I know.

I also know that this government has co-operated fully with Justice O'Connor's inquiry to ensure that from the beginning there has been the degree of co-operation that's essential so that he is able to arrive at conclusions.

I would not, as suggested by the member opposite, usurp the function of the commission and of the commissioner in purporting to come to conclusions before the judge has an opportunity to assess all of the evidence and come to his own informed conclusion.

The Speaker (Hon Gary Carr): Final supplementary.

Ms Marilyn Churley (Toronto-Danforth): Minister, stop stonewalling this House. You have a responsibility to the members here—

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The Speaker: Order. You can't use language like that.

Ms Churley: Stonewalling?

The Speaker: No, you can't use that. We ask you withdraw it, please.

Ms Churley: You have a responsibility to tell this House what happened. You had all kinds of warnings about your right-to-farm legislation, but your government, as usual, was too arrogant to listen. I know, because I sat on the committee that looked into the right-to-farm bill, and I was one of the people throwing up warning flags that something like Walkerton could happen in Ontario. I even put forward amendments to address these concerns, but your backbenchers literally laughed them off. They said, “Don't worry. This is not going to happen in Ontario. Be happy. We're all responsible here. We'll take care of it. Don't worry.”

Well, Minister, it did happen. And now we learn that your own Minister of the Environment expressed serious concerns that it could happen. It did happen. Why did you ignore his concerns, Minister?

Hon Mr Flaherty: I think it's probably likely that the member opposite would be quite concerned if anyone on this side of the House were to jump to conclusions about what Mr Justice O'Connor and his commission ought to conclude or not conclude, based on the evidence he has been gathering and that he has heard over the course of time since he began his work last year.

It's not our place, I say respectfully, to substitute our views for the views of Justice O'Connor. The entire purpose of appointing His Lordship to conduct the commission of inquiry was so that he would be able to gather all the evidence, assess it in time and report fully, not only to the members of this House, but to all of the people of Ontario, about the events at Walkerton.

AIR QUALITY

Mr Howard Hampton (Kenora-Rainy River): To the Minister of Energy: your air pollution policy is re-defining the words “dirty deal.” Ontario Power Generation's coal plants have exceeded voluntary pollution caps for greenhouse gas by more than 12 million tonnes. Why? Because of a loophole you created: pollution credit trading. It's the worst of all worlds: people get more pollution, and it adds millions of dollars to hydro bills. Meanwhile, you're so out of touch on this issue that you identified the dirtiest plant in the fleet as the, “cleaner Nanticoke plant.” Today the Sierra Club of Canada says your government is the worst in Canada on climate change. They gave you an F minus.

Minister, will you do something right? Will you today suspend your program that allows Ontario Power Generation to buy the right to exceed pollution limits?

Hon Jim Wilson (Minister of Energy, Science and Technology): Emission trading is a requirement. In fact, it's accepted worldwide by all the signatories to the Kyoto Protocol. I'd also note that today's Toronto Star article, quoting the Sierra Club, talks about the energy and environment ministers' meeting in Quebec City just last April.

Mr Newman and I attended that meeting, and what the federal government wanted us to sign were emission standards that were lower than are currently the standards

in the province of Ontario. We challenge them today, and we challenge every province and jurisdiction in this country, to come up to the high emission standards we have today in Ontario and the new high standards the Minister of the Environment is currently putting in place—not voluntary submission standards but tough new standards—that exceed those of the Environmental Protection Agency in the United States.

Mr Hampton: Minister, the issue is fairly simple: your government's shameful refusal to curb pollution at the dirtiest coal plants, both for greenhouse gas and for smog.

In light of today's announcement about pollution overruns by OPG, I want to ask the question your government refused to answer all last week during the smog alerts: when will you implement the policy you announced in this House on May 3 that Ontario Power Generation curtail its production at all coal plants during smog alerts? It's your policy, Minister. You have an obligation to tell us when it will be implemented.

Hon Mr Wilson: I've answered this question before for the honourable member, but I'm happy to do so again. That policy went into effect last year, in the year 2000, and it's in effect today.

Also, I remind the honourable member that Ontario has five coal plants. Again, our emission caps, our standards, are tougher than anywhere else in Canada. When the new standards come in, certainly they will be tougher than in the United States, and meet or exceed anything the EPA has today or may come up with in the future. That's the commitment of the government.

There are five coal plants in Ontario. In our US-Ontario airshed there are 205 coal plants, and remember, their air comes up here and pollutes, particularly southern Ontario and Toronto. Every one of those coal plants is dirtier than our fleet in Ontario. The Americans have to clean up their act. We're cleaning up our act. We're leading this country and we call on the federal government to get their facts right and to challenge other provinces and the international scene and make sure others follow the lead of Ontario.

WALKERTON TRAGEDY

Mr James J. Bradley (St Catharines): I have a question for the Deputy Premier. Day after day at the Walkerton inquiry some very revealing and embarrassing documents are brought forward and there is some devastating and embarrassing testimony that points the finger directly at the Harris government for its neglect and negligence.

Today we heard of another bizarre and unheeded exchange of warnings between the Minister of the Environment and the Minister of Agriculture that "would severely limit the ability of municipalities to deal with the protection of water supplies and the anticipated impacts of highly intensive agricultural operations that could have a devastating impact if located near homes." Earlier we heard of Jim Wilson running to Norm Sterling

about the danger to the water supply. We have some kind of WWF wrestling match going on here, some performance going on where the only power the ministers seem to have is to write memos to file to protect their own posteriors.

Isn't the real truth that the Premier's office knew all about these files going back and forth and failed to take action because you were determined to pursue cuts at any cost?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): It's apparent that the leader of the third party doesn't discuss his questions with the member for St Catharines. The same question was asked just a few minutes ago by the leader of the third party.

The answer has to be the same. Mr Justice O'Connor is conducting the inquiry. I say respectfully to the member opposite that it's not for him and it's not for me to prejudge the conclusions the judge may or may not arrive at after he's heard all the evidence. I say respectfully to the member opposite that he should have the patience to wait and the caution to ensure he has all the facts and all the evidence, as the commissioner will have, before jumping to conclusions and jumping to whatever other conditions or thoughts he may have about the matter. The purpose of having the inquiry, as the member opposite will remember from last year when Mr Justice O'Connor was appointed, was to have a highly respected judge in Ontario hear it all, balance what he hears and come to informed conclusions.

Mr Bradley: Sheila Willis, assistant deputy minister, writes to Richard Dicerni, deputy minister, about your cuts, "Increased environmental risk resulting from our inability to conduct proactive inspections" and "reduced level of responsiveness resulting in lowering of ministry credibility and damaging of our community relations" and "reduced ability to investigate and successful prosecution resulting in increased non-compliance and illegal activity." It says, "The government is prepared to accept increased risk (legal/environmental/public health) in the short term to achieve the desired levels of reduction."

Minister, here's the one that is the most revealing, "There are health and environmental risk associated with changes of this magnitude; and without significant legislative changes, that can only be expedited through an omnibus bill, this scale of downsizing exposes the government to unprecedented legal and public challenge."

Does that remind you of Bill 26? Was the purpose of Bill 26, hatched in the Premier's office, really to bury all the warnings about the consequences for the people of Ontario, their drinking water and their public health and safety? Wasn't that the real purpose of Bill 26 and wasn't that the gem of the Premier's office?

Hon Mr Flaherty: The member opposite refers to one document. The government of Ontario alone has provided the commission of inquiry with a million documents, in fact more than a million documents, and those are only the documents that have come from the government of Ontario. There are many other sources of

documents and there is all the in-person evidence that has been heard by the commissioner at Walkerton. He is conducting a thorough examination of the issue, and I'm surprised, quite frankly, that the member opposite would want to take one document and then make such a large leap to such a large conclusion, without wanting to take a balanced and informed view, as I'm sure we'll have from the commissioner.

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POST-SECONDARY EDUCATION

Mr Steve Gilchrist (Scarborough East): My question is for the Minister of Training, Colleges and Universities. Minister, I was troubled this morning to read an article in the National Post suggesting that our country is facing a decline in the number of students who are attending college and university, according to the OECD. The article went on to suggest that Canada is facing a drop in financial support for post-secondary education. When the world trend is toward a greater investment in post-secondary education, this would certainly be a concern.

While the national numbers are cause for attention, and I can certainly understand why a national newspaper would want to dwell on Canada-wide averages, before anyone draws the wrong conclusion about post-secondary trends in Ontario, could you tell the House whether the national averages apply here or what the true situation is here in Ontario?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I appreciate the question from the member for Scarborough East. While the OECD study focused on all of Canada, right here in Ontario all members of this House know that we have more students in our post-secondary system than we've ever had before. The numbers basically have remained stable but the rate of 18- to 24-year-olds has increased.

To prepare for the increased enrolment, which all of us are doing as we look at the double cohort and the increased number of 18- to 24-year-olds, we have invested about \$1.8 billion, along with our private sector partners, to increase the number of our buildings. It's the highest infrastructure capital announcement we've had in over 30 years. So this is a historic time in Ontario for all the members in this House as we look to prepare for some 73,000 new students. Ontario is not facing a decline in post-secondary enrolment.

Mr Gilchrist: It's good to know that whatever the national trend, Ontario continues to have a good, strong demand for post-secondary education. What I found particularly disconcerting about the media suggestions of diminished support by our government for post-secondary was the glaring inconsistency with the announcement this morning of increased operating funds to support the growing number of students in Ontario.

While operating funds are important, I know you'll agree that we must support post-secondary education in a

variety of ways. Minister, what are you doing to ensure that Ontario's colleges and universities are ready to meet the challenges of increased enrolment in the years ahead?

Hon Mrs Cunningham: We have made a promise to all the students and their parents that every qualified and willing student will find a place in our post-secondary system. I will repeat that over \$1 billion in public money has been invested to create some 73,000 new spaces.

Today and at budget time we announced some \$297.5 million over three years. This is for the operating dollars. We've worked these numbers out with the chairs of the colleges and the university boards and of course the presidents. This is going to upgrade existing buildings for a new generation of students. We have invested \$228 million to expand the access to opportunities program, which will accommodate some 23,000 new students, and these are in areas where industry really needs them: in science and technology, computer science. We have increased funding through the Ontario research performance fund, \$30 million; the Premier's Research Excellence Award, \$85 million over 10 years; the Ontario Innovation Trust, \$750 million; the research and development challenge fund, \$550 million—

The Speaker (Hon Gary Carr): You couldn't quite get it all in.

CORPORATE TAXATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. The 2001 budget announced that corporate taxes in Ontario were going to be moving to 25% lower than our competitors: 25% lower than the US, 25% lower than neighbouring US states.

Recognizing that the business community will locate and will grow in jurisdictions where they have a quality workforce, where there is investment in our universities and colleges, a quality health care system and a good environmental community, I want to ask the question: why has the Harris government concluded that in order to compete we now need to have corporate taxes 25% lower than our competitors?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As the member opposite knows, the proposal in the budget is to legislate the remaining steps to reduce the corporate income tax rate to 8% by 2005, and the small business tax rate would be 4% by 2005. Yes, that would make the combined corporate tax rate in Ontario as low as any other corporate tax rate in Canada, and it would be lower than any of the corporate tax rates in any of the 50 states. It's important to be competitive. Our taxes are high; our taxes have been historically high. In 1995, Premier Harris led Canada when he began to reduce taxes. Every other provincial government and, finally, the federal government in October last year, having something to do with the federal election, I suppose, got on board and realized you have to reduce taxes if you want economic growth in this country. The government of British Columbia, a Liberal government,

just got elected last week. The first thing they did was reduce personal income tax by 25%. Lower taxes create jobs and economic growth. I wish the members opposite would understand that.

Mr Phillips: I return to the question of why Ontario needs corporate taxes 25% lower in order to compete? I go through a few things. According to your budget, we are now spending \$200 million less on our universities and colleges than five years ago. We heard earlier today that you're considering putting means tests on seniors to purchase drugs. We know the crisis we have in health care. We know the crisis we have in education. We know the crisis we have in the environment.

So I return to you: the business community says to us, "We want competitive taxes," and we agree 100%. But the business community also says, "We want a quality education system, a quality health care system and a quality environment." I want you to answer this question very directly, Mr Minister: tell me again why Ontario, in order to compete for the future, needs to have corporate taxes 25% lower than our competitive states, with a result that \$2 billion less is available to the province to invest in our universities, our colleges and our health care system? Why 25%?

Hon Mr Flaherty: In 1994-95, the member opposite was saying the same thing. They still don't get it on the other side of the House: if you reduce taxes, you will increase government revenues. They said it wasn't true then. I'm surprised he's still saying the same thing now. In fact, the revenues of the province of Ontario have gone up about \$15 billion since our government started reducing taxes in 1995. That's why you reduce taxes. It increases government revenues. It allows us to spend more than \$1 billion to create the spaces in our community colleges and universities, so those spaces will be there in 2003 and 2004. It permitted the Minister of Training, Colleges and Universities and me, as finance minister, to make a three-year commitment in this budget to our community colleges and universities. Listening to Howard Rundle from Fanshawe College, listening to Paul Davenport from the University of Western Ontario—

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

SENIORS' HEALTH SERVICES

Mrs Tina R. Molinari (Thornhill): My question is for the minister responsible for seniors. As you know, on July 10, I will be hosting a seniors' lunch and seminar at the beautiful, historical Heintzmann House in Thornhill. I want to thank you for accepting the invitation to be our guest speaker at this luncheon. Health care and services for seniors will be topics they will want to talk about.

Last week, provincial finance ministers from across the country met in Montreal with the federal Minister of Finance, Paul Martin. I'm aware that health care funding under the Canada Health Act was a priority on their agenda. It is my understanding that the Ontario government challenged the federal government as to why the

costs of drug benefits, nursing home and home care for seniors are not included in the Canada Health Act, leaving all provinces to pay—

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

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I'd like to thank the member for Thornhill for her question and reassure her of what I think all people in this House know: that Ontario is a leader in providing health care services to seniors. In fact, in my 15 years in this House, I recall well over a decade ago that under the McGuinty Liberals we were not even getting as much as \$600-million worth of financial support for the drug program for seniors. In fact, they held up the formulary for over two and a half years, not allowing new drugs into the formulary for seniors. The Liberals, in both their 1995 and 1999 election red books, were absolutely silent about expanding the drug program, access for seniors, home care or nursing homes.

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The truth of the matter is that the Mike Harris government, which has increased funding to the drug plan to historical levels of almost \$1.9 billion, three times—

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

Mrs Molinari: York region has experienced tremendous growth in the last 15 years, while in some parts of Ontario the population has actually dropped. What efforts have been made to ensure that care for seniors is consistent where seniors choose to live?

Hon Mr Jackson: This government has expanded home care to the highest levels in Canada. Not only did we increase the drug program threefold, we've increased in some parts of the province fivefold over the Liberal government's commitment of home care.

The member for St Catharines will remember that he was receiving some of the lowest levels of care. So was Greg Sorbara in York region receiving some of the lowest care. In fact, the last year that Greg Sorbara served in a Liberal government in this House, they actually cut the funding to the York CCAC. This government, under the leadership of Mike Harris, Al Palladini and Tina Molinari, has increased it five—

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

COMMUNITY CARE ACCESS CENTRES

Ms Frances Lankin (Beaches-East York): My question is to the associate Minister of Health.

Interjections.

The Speaker (Hon Gary Carr): Stop the clock, please. We've finished with that question. We're now on to the member for Beaches-East York. I'd appreciate giving her consideration.

Ms Lankin: Minister, you will know that for the last number of weeks I have been raising the issue of cuts to home care for our seniors in communities across this province, and every time your government has very

artfully sidestepped the issue and talked about your base budget levels or your investments over the last number of years. I want to really bring it home because there are community care access centres that are receiving less money this year than last year. I wish you would admit that.

Let me talk about my community, East York. The East York CCAC is receiving \$1.4 million less this year to provide services than your government gave them last year to provide services. Today there are home care workers here from Community Care East York. They are on the front lines. These wonderful workers know the heartache their clients are facing with the decisions that have been made to cut their services.

I just want to ask you today, will you explain to them why you are providing East York with \$1.4 million less in home care? How do you defend the consequential cuts in services?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say first of all that when I look at the statistics from the Ministry of Health, they tell me that in 1995 Metropolitan Toronto region received \$111 million and now they're receiving \$238 million. Let me say to you that I think across Metropolitan Toronto it's indicative of the fact that we have invested into home care more than 72% increases. We want to make sure that quality services are as close to home as they possibly can be and we're working hard to do that. We've put dollars into that to ensure that the Mike Harris government shows its commitment to health care in Ontario.

The Speaker: Supplementary?

Ms Marilyn Churley (Toronto-Danforth): Minister, listen: this question is about my community of East York. Because of your budget freeze, in order to continue to care for the women and men currently receiving services, East York has had to cut out homemaking, reduce personal care to all but the most at risk—as you know, that's very narrowly defined—and will have to turn down 100 patients recently released from hospital every month—100 every month.

These 100 people cannot expect to get care from the Toronto East General Hospital in their community, because you've underfunded our hospitals by more than \$700 million this year. The frail people served by East York CCAC will not get the range of services they need because of your funding freeze. Tell me, what are these 100 people a month going to do?

Hon Mrs Johns: Let me say that we stand by the numbers. In 1995 Metropolitan Toronto received \$111 million, and it now receives \$238 million.

We have quotes from a number of CCACs across the province, and I want to say that The Liberal, the paper the minister talked about yesterday, said, "How many private corporations can say their budgets have grown 193%"—

Ms Lankin: Would you talk about East York?

Hon Mrs Johns: That's the growth in the York CCAC budget, so it's not specifically East York, but it's

since 1995—"over the past seven years because they are serving a growing clientele?"

"The province and the entire country is re-evaluating how health care services are delivered," because of these large increases in population and growth demands. "Perhaps Ottawa will take home care agencies into account" when they decide how they are going to hand down funding to the province.

That's the problem. The province of Ontario and the Mike Harris government have made a substantial commitment—

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

ORGAN AND TISSUE DONATION

Mr Ernie Parsons (Prince Edward-Hastings): My question is also to the associate Minister of Health and Long-Term Care. Your government is committed to doubling the number of organ transplants in this province. I hope you're successful, although at the present time the numbers are actually declining. For an organ transplant recipient, the operation is just the beginning of a new life. They are faced with having \$25,000 to \$35,000 worth of anti-rejection drugs every year. Without a drug plan or an extremely good income, the recipient is not able to obtain those drugs in this province. If they are low-income or retired, it becomes absolutely worthless to have the transplant without the follow-up drugs.

My question to you is, what are you doing to ensure that every Ontarian has equal access to an organ transplant and an absolute guarantee that they will have the life-saving drugs they need for the rest of their life?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): As a result of the commitment by Mike Harris, we have moved by leaps and bounds. We have made a substantial commitment to make sure that organ and tissue donations in this province continue to increase and that more and more needy people receive these. In fact, I want to say that I was at the Hospital for Sick Children's event in the last month, and they have already gone through 100 heart transplants for young children this year in Ontario, an amazing statistic. What that really means is that people and young people across the province are getting life-saving organ transplants, which is what we should all be working toward. I say to everybody, if you haven't signed your donor card, it's time you do.

Let me say that the Trillium Gift of Life Network has been working to make sure people across the province have all the services they need to be able to receive organ and tissue transplants in Ontario.

Mr Parsons: That's a nice answer to some question, but it's not the question I asked.

I would like to tell you what is going on out in the real Ontario. I have a constituent who had a transplant a year ago. She now is faced with \$25,000 worth of drugs that she must purchase each year. She has a good job with a

partial drug plan, but she must now work two part-time jobs in addition to her full-time job just to pay for the medication. It is somewhat ironic, you must agree, that having had the live-saving operation, she can now not afford to live.

Minister, I want you to solve not her problem, but every problem. I want you to forget about the corporate tax cut that is your obsession. Will you immediately commit to ensuring that every Ontario citizen has quick, easy and affordable access to the necessary drugs after the organ transplant?

Hon Mrs Johns: Let me say first off that we on this side of the House and the people of Ontario know that tax cuts allowed revenue to increase in the province. That allowed us to increase spending in Ontario. That allowed us to invest \$5 billion more in health care in the province, and we all know that.

Let me also say that in 2000 we introduced legislation that talked about the Trillium Gift of Life Network. It's a new organization, and we've asked them to come up with a plan that will plan, promote, coordinate and support organ and tissue donation across the province. They came into effect in February 2001. I was at their opening, where their members came together. Let me say that they are going to do a terrific job to ensure that people across the province get the services they need so that we can begin to double heart transplants in the province of Ontario.

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HIGHWAY 400

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a question for the Minister of Transportation. Highway 400 and associated interchanges in the Barrie, Innisfil and Bradford areas are experiencing considerable traffic growth due to development pressures. The minister recently retained Cole Sherman and Associates to carry out a planning study for the Highway 400 corridor, from one kilometre south of Highway 89, northerly 30 kilometres to the junction of Highway 11.

Minister, can you update us as to the status of this planning study?

Hon Brad Clark (Minister of Transportation): I thank the member from Barrie-Simcoe-Bradford for this question. In the area of Barrie, Highway 400 is experiencing development pressure beyond anyone's wildest imagination. The growth has been absolutely phenomenal. Because of this growth, improvements to Highway 400 and its interchanges need to be evaluated in order to accommodate the current and future expansion in the Barrie area and the commercial and tourism traffic to the north.

The study my ministry is undertaking is examining the improvements required over the next 10 years to address traffic operation, capacity and safety needs that have been identified for the Highway 400 corridor. The study follows an environmental assessment process which includes full public and municipal consultation. The first

public information centre was held May 22 and 23 in Stroud and in Barrie.

At these events, the public have an opportunity to review and comment on alternatives under consideration, which encompass widening, interchange improvements, commuter parking lots etc. I stress, however, that our—

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

Mr Tascona: Thank you, Minister. I and many of my constituents are opposed to and very concerned with an alternative that is being considered for Highway 400, which could result in the widening of the highway from six to 12 lanes. Minister, can you give us your position with respect to this proposed alternative?

Hon Mr Clark: I appreciate the member's concern and that of his constituents, and I say, at this date, that no decisions have been made as to the final configuration of the highway. Some public consultations have already been conducted, and my ministry is now reviewing the public input that we've received.

I assure you this input will be instrumental in our work to evaluate the alternatives under consideration. Once a preferred alternative is identified, we'll go back to the people once again for more consultation. This gives the residents and the municipalities an opportunity to provide direct input on the proposed plans. Even then there's another opportunity for another 30 days of study, which enables the residents and the community leaders again to consult with the Ministry of the Environment and the Ministry of Transportation.

I'm confident that the concerns of the member and his constituents will be fully addressed through the avenues that we have outlined.

COMMUNITY CARE ACCESS CENTRES

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Health. Minister, we've had a situation where there has been a clear crisis in home care in the city of Hamilton. You've had a report you've been sitting on since April 2, which was leaked to the Hamilton Spectator, which is starting to unveil some of the difficulties. Minister, you have sat on this report now for three months. You've hidden this report from the public; you have failed to act.

The report clearly has a number of recommendations that are marked "urgent" as a result of the health care crisis and the fear that seniors, the elderly and disabled individuals are being forced back into hospital because they're not receiving the adequate level of care that they need in their home.

Minister, you have had three months with this report. It was submitted to you on April 2. The crisis continues, and you have been irresponsible in not acting.

Will you commit today to release the report and take the necessary steps to deal with the situation and fix the situation you have caused in home care in Hamilton?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to thank the

member opposite for the question, and I'd also like to thank the Minister of Transportation, who has continually been raising this issue as a concern in his community.

It certainly is an important report that we have received, and as the member opposite knows, the Ministry of Health takes time to review reports that they've received, so that we can have a close look at them. As soon as we've reviewed the report, we certainly have every intention of releasing it to the public, because we think it's important that the public knows what's going on in the CCAC in that district.

Mr Agostino: The report is out there in bits and pieces. You are the ones who failed to act. It was given to you on April 2, Minister.

Let's get some facts on the table. Since 1998, the shortfall between what you have funded for home care in Hamilton and the need is a 22% gap between the need and the funding. Minister, do you understand that people who are released from hospitals, who are sent home, can't get the level of care they need and are being forced back into the hospital? You have known about this at least since April. You've had three months. It is irresponsible not to act on such a serious concern. The recommendation will be marked "Urgent."

The media, the public, home care workers and patients now have bits and pieces of the report. You have a responsibility and a duty, Minister, to release that report today, to act on it and to take the necessary steps, because someone will die if you don't act. People aren't getting the care they need and are being forced back into the hospitals. Again, Minister, will you step in today, release the report and commit to implementing those recommendations to fix the problem that you have caused as a result of your lack of funding, directions and initiatives?

Hon Mrs Johns: I'm actually surprised by the members opposite. Let me say that this government entered into the operational review—we commissioned the operational review—because we wanted to ensure that the people of Hamilton and Wentworth were receiving the services, the service delivery and the financial wherewithal to be able to provide those services.

Let me tell you, the important thing to remember here is that in the Hamilton area, funding has increased dramatically, from \$35 millions in 1994-95 to \$53 million. It's an incredible increase. It should be good news for the people of the community.

What the report says is that some things need to be changed within the Hamilton CCAC. We certainly intend to release that report. We intend to follow through with the Minister of Transportation, as the member opposite has asked us to do. But let me say that that kind of increase, from \$35 million to \$53 million—

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

MERC SWITCH-OUT PROGRAM

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): My question is to the Minister of the Environment. I read this morning that Pollution Probe has announced

Switch-Out, a program to recover mercury. I understand that the Ministry of the Environment is involved in this initiative. This seems to be an excellent example of a partnership between government and industry, as recommended by Val Gibbons in her report *Managing the Environment*.

Minister, can you tell us who was involved in this partnership and how this compares to Val Gibbons's report?

Hon Elizabeth Witmer (Minister of the Environment): We were very pleased yesterday to be involved as a partner in the initiative entitled the MERC Switch-Out program. It's intended to reduce the amount of mercury that is emitted into the air. We were very pleased to partner with Pollution Probe, Environment Canada, OPG, the Canadian Vehicle Manufacturers' Association and the Ontario Automotive Recyclers Association. In fact, the Canadian Auto Workers and the steel producers are involved as well.

I think this is a very good example of what Val Gibbons talks about: moving forward voluntarily in order to ensure that steps are taken in partnership to protect our environment. In this case, what we're trying to do is to ensure that we reduce the emission of mercury into the environment.

Mr Gill: This sounds like a great initiative. Initiatives like this will certainly add to the protection of the environment in Ontario, as well as in Canada. I understand that the release of mercury from switches when they are not extracted from cars is responsible for polluting Ontario's lakes and streams and may be a concern for aquatic life.

Minister, are there any other jurisdictions in Canada that are moving forward with this type of initiative, and can you tell the House what this will mean for Ontario?

Hon Mrs Witmer: I'm very pleased to say that Ontario is the first and only province that is taking steps to remove mercury switches from cars when cars are recycled. This is a pilot project, and we hope the project will be expanded across the entire province. We also hope this will be expanded across all of Canada.

I don't think people realize the tremendous negative impact when just one mercury switch is removed from a car, the damage that it can do to our lakes, and in turn, the damage it can do to human health when fish that contain mercury are ingested. So this is a very, very worthwhile project and I want to compliment all of the partners for their participation.

1510

ENERGY RATES

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Energy about his job-killing policy of hydro deregulation. In meetings with Falconbridge back in Timmins, I am being told that energy industry analysts are telling them that after the opening of the market, after your deregulation policies take effect next summer, they're expecting that peak power costs

will more than double by the summer of 2002. If that happens, they're telling me it puts in jeopardy hundreds of jobs at the metallurgical sites on the property at Timmins.

My question, Minister, is simply this: when are you going to stop this job-killing policy of deregulating Ontario Hydro and privatizing the same?

Hon Jim Wilson (Minister of Energy, Science and Technology): It's not been the experience in most other jurisdictions. Some 40 jurisdictions in the world that have undergone deregulation—in our case, it's reregulation. Electricity never was regulated in the province of Ontario, so it's not deregulation here, it's reregulation. It's introducing competition, it's trying to get rid of a \$38-billion debt legacy that's dragging down our economy and costing us unnecessary interest charges on our electricity bills every month. It's all about trying to get rid of the sins of the past and moving forward.

In 40 jurisdictions in the world, prices are lower today than they otherwise would have been under the old monopoly systems. That's been the positive experience.

Mr Howard Hampton (Kenora-Rainy River): California? Alberta?

Hon Mr Wilson: California and Alberta are anomalies. It's recognized around the world that the politicians in those jurisdictions simply failed to build enough power plants to keep up with demand. That's not a problem we have in Ontario at this time, and we expect that we'll move forward and have a very competitive and robust market.

Mr Bisson: Anomalies? I think the minister has been smoking what's coming out of those smokestacks and is starting to hallucinate.

The reality is, there are plants in this province that are saying they're going to be in a position of having to shut down their operations in Timmins, part of the metallurgical sites, and move off those properties either to Quebec or Manitoba, where there is publicly owned hydro, where it is regulated. Why? Because it's cheaper for them to do business there because of the competitive advantage of hydro prices.

I say to you again, Minister: we see jobs being killed in Kenora, and there's a possibility of jobs being killed in the city of Timmins. I want to know from you, when are you going to stop this policy that is leading to the loss of jobs across this province?

Hon Mr Wilson: Indeed, Falconbridge is one of the companies that's represented on the minister's electricity transition committee and also on one of the regulator boards—the independent electricity market operator. Falconbridge from the top down has consistently urged this government to move forward, to introduce competition so they can better manage the challenges they're having with respect to energy prices, particularly in the northern part of our province.

Those companies that this member is to represent—he is in fact not representing their views in this House with this question. Those companies have said very clearly in writing and in meeting after meeting, as recently as two weeks ago, to this minister and this government, “Please

open up the market as quickly as possible so that we can take advantage of competition and move to expand our presence in Ontario.”

They look forward to a very robust and competitive electricity market. In fact, the experience in some 23 states in the United States is that the number of jobs in the electricity sector has doubled since deregulation or competition was introduced in those jurisdictions.

PETITIONS

HOME CARE

Mr Michael A. Brown (Algoma-Manitoulin): I have petitions from hundreds, if not thousands, of my constituents.

“To the Legislature Assembly of Ontario:

“Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

“Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

“Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

“Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

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

“(1) That the Legislative Assembly direct the provincial government to take control of policy setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

“(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing” demands; and

“(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year.”

These are signed by constituents from Mindemoya to Killarney and places like Webbwood.

EDUCATION TAX CREDIT

Mr Peter Kormos (Niagara Centre): I've got a standing-up-for-public-education petition 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 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 have signed that petition as well.

Mr Wayne Wetlaufer (Kitchener Centre): I have a petition here from Ted McMeekin’s riding of Ancaster-Dundas-Flamborough-Aldershot. It’s signed by 397 people.

“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 will be signing this in support of it and I will be replying to each one of those people.

Mr Dave Levac (Brant): A petition against tax credits for private schools:

“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 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.”

It’s signed by hundreds of people, and I affix my name to it and provide this to Sarah, our page.

PROVINCE OF ONTARIO SAVINGS OFFICE

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly of Ontario that reads as follows:

“Whereas the Province of Ontario Savings Office was created in 1922 by united farmers and labour as a unique banking facility that allowed Ontarians to invest in their province; and

“Whereas the Province of Ontario Savings Office enjoys a strong popularity among Ontario residents, with over 100,000 accounts and over \$2.8 billion on deposit; and

“Whereas the Province of Ontario Savings Office offers customers attractive interest rates, generous chequing privileges and personalized efficient service, and every dollar deposited is guaranteed by the province of Ontario; and

“Whereas POSO has 23 branches serving 17 communities across Ontario, including Hamilton, Windsor, Ottawa and small communities in northern Ontario not served by other banks or trust companies. Places like Pickle Lake, Armstrong, Killarney, Gogama and Virginiatown; and

1520

“Whereas the Harris government announced in its latest budget that it will put the Province of Ontario Savings Office on the auction block, even though it is a consistent revenue generator, and even though this revenue could help Ontario’s crumbling infrastructure after years of Tory neglect;

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

“To save the people’s bank, the Province of Ontario Savings Office so that it can continue its historic role of providing excellent banking services to families in communities across Ontario; so that people in small towns will not be forced to go farther afield for banking services and forced to go to private, for-profit banks.”

On behalf of myself and my NDP colleagues, I add my name to this petition.

EDUCATION TAX CREDIT

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

“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, Sikh, Muslim, Jewish, Hindu or other 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 these 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 am pleased to affix my signature to this petition.

SALE OF SCHOOLS

Mr Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario and it reads as follows:

“Whereas Hughes Public School at 17 Innes Avenue in the city of Toronto closed down and its premises have been declared surplus by the Toronto District School Board;

“Whereas the city of Toronto has issued a building permit to the Toronto District School Board permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;

“Whereas the Beatrice House is not a private school registered with the Ministry of Education, nor a mident has been issued to that organization;

“Whereas local taxpayers’ concerns have been ignored...

“Whereas other locations, such as the Brother Edmund Rice School ... or the Earls court Public School ... which are being closed down, have been offered to Beatrice House to no avail;

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

“That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

“(1) Boards are to seek fair market value when selling, leasing or otherwise disposing of schools...

“(2) Boards are to offer the property to coterminous boards and other public agencies operating in the area...

“(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents;

“Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail.”

Since I am in agreement, I’m ready to sign this as well.

EDUCATION TAX CREDIT

Mr Gilles Bisson (Timmins-James Bay): I have a petition here to the Legislative Assembly of Ontario. It reads as follows:

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

“Whereas the government plan is 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 a two-tiered education system and properly fund public education in Ontario.”

I sign that petition.

The Speaker: Petitions?

Mr Bob Wood (London West): I have a petition that’s signed by 1,058 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.”

EDUCATION FUNDING

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition. I want to thank M. Georges Albert for circulating it.

“To the Legislative Assembly of Ontario:

“Whereas we believe that all education resources should be directed to our public schools, not private schools;

“Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

“Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

“Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

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

“Do not turn your back on Ontario’s working families. Fight Mike Harris’s voucher system for private schools. Fight for smaller class sizes. Fight for public education.”

As I said, these signatures are mostly from the Blind River area in my constituency. I support this petition.

EDUCATION TAX CREDIT

Mr Gilles Bisson (Timmins-James Bay): This time I have a petition from the town of Kapuskasing. It reads:

“To the Legislative Assembly of Ontario:

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

“Whereas the government plan is 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; and

“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 Ontario government to withdraw its plan for a two-tiered education system and properly fund public education in Ontario.”

I sign the petition.

PROPOSED INDUSTRY SITE

Mr Wayne Wettlaufer (Kitchener Centre): I have a petition here to the Legislative Assembly of Ontario. It is signed by 6,036 people from in and around my riding of Kitchener Centre.

“Regarding the applications by General Environmental Group Inc ...

“Whereas the proposed site is in the middle of several long-standing residential neighbourhoods;

“Whereas the proposed site is within 600 metres of a major hospital, and the largest public park in Kitchener-Waterloo, as well as numerous schools and churches, and is within 100 metres of a public outdoor swimming pool and the TransCanada Trail;

“Whereas the high volume of heavy truck traffic associated with this industry would worsen the already seriously poor air quality in the city core;

“We, the undersigned, petition the Legislative Assembly of Ontario and the Ministry of the Environment for the province of Ontario as follows:

“We call on the Legislative Assembly of Ontario and the Ministry of the Environment for the province of Ontario to immediately suspend consideration of this proposal;

“Further, we call upon the Legislative Assembly of Ontario to initiate a full environmental assessment and open public hearings before any further consideration is given to the proposal.”

I’m pleased to affix my signature.

ORDERS OF THE DAY

MPP COMPENSATION REFORM ACT (ARM’S LENGTH PROCESS), 2001

LOI DE 2001 PORTANT RÉFORME DE LA RÉTRIBUTION DES DÉPUTÉS (PROCESSUS SANS LIEN DE DÉPENDANCE)

Resuming the debate adjourned on June 18, 2001, on the motion for second reading of Bill 82, An Act to amend the Legislative Assembly Act to provide an arm’s length process to determine members’ compensation /
Projet de loi 82, Loi modifiant la Loi sur l’Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.

1530

The Speaker (Hon Gary Carr): Further debate? The member for Nickel Belt.

Ms Shelley Martel (Nickel Belt): Thank you, Speaker. In the time that I have today to deal with Bill 82, I'm going to try and deal with two areas of concern that I have. They are serious areas of concern and I will do this in as serious a manner as I can.

The first has to do with my concern with respect to the process the government has introduced through Bill 82. The second has to do with my concern with respect to the context, or the environment, within which the government would bring forward a bill that would lead to an increase in pay. By the environment, I mean the environment out in Ontario with respect to other workers and what other workers have experienced in terms of pay over the last two years.

Let me deal first with my concerns about the process. I don't think I have an overwhelming concern with respect to an outside body dealing with what will always be a very controversial issue: members' pay. Let me begin there. The concern I have with the proposal the government brings forward, however, is that at no point in time will that outside body, charged with making a recommendation about pay, ever have to bring that recommendation back to the Legislature for MPPs to ultimately vote on.

At the heart of my concern really is the question of accountability. If, as legislators, we deal with the pay of other people in this province, and we certainly do, with respect to the pay particularly of public servants, where we have to have votes about what those increases would be, why is it that we are not prepared to also exercise accountability when it comes to a vote on our own pay? It seems to me we have a responsibility to be accountable in that way. We should be fully prepared to say to our constituents, "Yes, I voted for that increase and here is why I voted in the way I did," or, "No, I did not vote for that increase and here is the why and the reason for that."

We are elected by our constituents. On every other issue of public policy, when we vote, we are accountable, whether that's voting with respect to changes in social assistance, changes to MNR policy or changes that affect privatization. In every way we are accountable for the decisions that are made in this place that affect all of the public of Ontario, so there should be no reason why, in the same way, we would choose not to be accountable for the issue of our own pay.

I don't understand the distinction the government would like to make, to have a separate body deal with the issue and for us not even to be accountable enough to vote on that at the end of the day. I think we should be. I think that's our responsibility as legislators. We would expect that in every other jurisdiction, I gather, except for Nova Scotia, which has a proposal that is similar to the one this government brings forward in Bill 82. We should bring those things back to this place as an amendment to the Legislative Assembly Act, have a debate and have a vote. That's the right thing to do. That demonstrates accountability. That demonstrates responsibility.

The government will have this issue, which I admit is a controversial issue no matter what day of the year it is,

go to an individual, the Integrity Commissioner, and he will make a decision. Herein lies my second concern. The Integrity Commissioner is an officer of this House, of this assembly. He is, at the end of the day, chosen by the members of this assembly, as is the Environmental Commissioner and the other officers of the assembly. It seems to me that if the government wants to go down this road, and it seems that they are prepared to go down this road, then the government would at least want to give every perception that there is no link between that body or that individual making a decision about pay and us as MPPs.

I'm not questioning the integrity of the Integrity Commissioner, whoever that may end up being on a permanent basis. But it seems to me there is a very legitimate public argument that there is too strong a link between the two. We as MPPs select the Integrity Commissioner. We deal with his or her pay. We deal with all the rules surrounding that position. And now we would be asking that individual to make recommendations about our pay too. For too many members of the public, I think, that is too close, too cozy, a relationship for comfort. It gives the impression, completely unwarranted I argue, that if we do something for the Integrity Commissioner, then he or she would do something for us with respect to pay. I don't like that link. I don't like it at all.

I think there's an obligation on the part of the government, if they're going to proceed in this way, to make a choice about who will deal with the issue and have someone who has no link back to us, who is not beholden to us for his or her position, not beholden to members for his or her pay and not beholden to members for his or her conditions or terms of employment. I think it is incumbent on the government to recognize that a perception of conflict will exist if this continues to be the individual who will be responsible for dealing with this issue. The government would be wise—very wise—to cut our ties with respect to having any officer of the assembly deal with the issue of pay and instead move it to a truly independent commission, a body of individuals who are not beholden to us as MPPs for their pay or conditions of employment, who have no link back to us whatsoever, so clearly there is no room for even the slightest perception of a conflict of interest between the two.

Thirdly, the bill, as I read it, lists nothing with respect to the comparators the Integrity Commissioner would be asked to examine in dealing with the issue of pay. It seems to me there are some likely comparators that this individual should be charged to look at. For example, there are any number of other provincial jurisdictions which have provincial MLAs, as they are usually described in other provinces, who also deal with the issue of pay. It seems to me that some terms of reference should be clearly outlined that say the comparison will be to other MPPs, to men and women in other provinces across this country who do the same work we do, who have the same responsibilities that we do, who deal with the kind of travel between their ridings and the assembly that we do and who deal with provincial budgets that are similar to ours.

If we were to do that, we might give the public a clearer sense that the comparison would be a fair one, would be an appropriate one, would be a reasonable one. But there are no guidelines in Bill 82 with respect to the comparators or the comparisons. As I read it, there's no direction given at all to the individual who will come back with a recommendation about our pay to say to whom it is legitimate to compare us in terms of pay. Again, I think there is some kind of obligation on the government, if it wants to proceed down this road—and surely they do—to set in place some really clear rules about comparators, so that the public of Ontario can make realistic decisions about whatever pay comes back. Is it appropriate? Is it reasonable? Is it legitimate? Does it reflect the pay of other provincial politicians doing similar work in other provinces across this country?

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None of those things has been taken into account by the government. Instead, we are facing a process whereby the thorny issue of pay will be taken out of our hands. I guess that makes it easier, or is supposed to make it easier, for all of us. But it takes away our accountability and our responsibility in that effect. If we are accountable and responsible for every other bit of business we do in this place, then we should be accountable for the issue of our pay.

I continue to be very concerned that we set up different rules in the province, a set of rules for ourselves as MPPs where an issue will be decided out of this place, where a recommendation will be made. There will be no debate; there will be no vote. It will be automatically implemented even if it's retroactive, regardless of the amount of salary and the situation with other people in the public, where we have to make a decision about their level of pay, where there is debate, where there is a vote. Why are we setting up a completely different structure for ourselves? Doesn't anyone else worry about the public perception of setting up very different rules for ourselves when it comes to the issue of pay?

I think we should be voting on the issue of pay. I think there should be a debate. If there is going to be an independent commission, then I think the individuals involved have to be separate and apart from officers of this assembly, no connection whatsoever. If they bring that recommendation back, it should come back in the form of a report. Its recommendations should be included as amendments to the Legislative Assembly Act, which has been the practice that we have followed in this province for many years. Those recommendations should then be the subject of debate and public scrutiny and, finally, a vote. That's the way it should be done.

My second concern outside of the process has to do with the environment in which the government brings this bill forward. I ask members of the assembly to consider the following. The government brings this bill forward at a time when many other people in our society have not had a raise in pay for many years now, and in some cases—the people I am going to reference—a decade. I wonder about the government bringing forward

a bill that I think is going to lead to probably a substantial increase in pay, if the comparator becomes the federal House, at the same time that any number of individuals have not seen a change in their pay despite the economic times that this government has boasted about.

A couple of groups, if I might: minimum wage earners in this province, who last saw an increase in pay January 1, 1995, under our government. I was proud to be part of a government that every year during our mandate raised the minimum wage and recognized that people who were making the minimum wage were the lowest paid in the province and deserved to get a pay raise every year so they could keep up with trying to feed their families and keep a roof over their heads.

Our party has on two occasions moved forward a private member's bill to increase the minimum wage to \$7.50 an hour, which would be the comparator to the minimum wage in the United States. It's interesting that in the United States on two occasions, under a Republican Congress, those congresspeople voted to increase the minimum wage to what would be a comparable \$7.50 an hour, and it is clear that when they did that, the economy continued to boom. There was no negative consequence or impact whatsoever.

Yet this government and this Minister of Labour continue to insist that there is no need to raise the minimum wage, which is now \$6.85 an hour and which is not even a living wage in this province. We know that people who are on minimum wage in Ontario don't have a pension plan that they're contributing to, don't have their benefits paid for. They are trying to make ends meet on \$6.85 an hour, and even over a 40-hour workweek would be lucky to pay their rent at the end of the month, much less having much money for much else after that.

So I say to the government as it brings forward a bill that's going to raise our pay, what happened to minimum wage earners in this province? Why are you leaving them behind yet again? You've done nothing for them, the poorest-paid in this province, for six years now, but it seems we've got some money to increase our own pay. What about people earning the minimum wage? Where do they fit in?

Let me deal with those people who receive a personal needs allowance. We had a group of them from Hamilton in the gallery last Thursday. They made it clear that they have received \$112 a month to meet their personal needs, be they in nursing homes, their long-term-care facilities, hostels, shelters, homes for special care, and that has been the case for a decade now. For a decade, these same individuals have received \$112 a month. The last time they got an increase was in 1991 under our government. They have been frozen at \$112 a month since then.

In the good economic times that we've had, why hasn't this government been able to do something for these people, the seniors, the disabled, some of the people receiving the lowest amount of income in Ontario? As we bring forward Bill 82, which will no doubt lead to an increase, we say nothing to these people, we have nothing to offer. The government brings forward nothing

with respect to doing something about the personal needs allowance.

I refer the government to women who are waiting for proxy pay equity, 100,000 women in the province who are the lowest paid, who work in the public sector doing incredible work in child care centres, in homes for the aged, in nursing homes, in libraries etc. One of the first actions this government took was to cancel pay equity for these women, the amount of money that would bring them up to recognize the important work they do.

You will recall, Speaker, that Mary Cornish and other Ontario trade unions took the government to court and won at the Court of Appeal in 1997, and the government was told, "Pay pay equity to these 100,000 of the lowest-paid women working in the public sector in this province." What did the government do? The government made a payout up until the end of December 1998 and then put a cap. We see now that Mary Cornish and those same five unions went back to court in May of this year because, as they said clearly, the government owes another \$140 million to these women, and the current \$500-million payout, which has been capped, will cover only the non-proxy pay equity workers. Mary Cornish said another \$505 million is required to bring all female workers up to par over the next five years. So they're back in court for the second time, trying to force the government to do what it should have done after the first court ruling, which was to pay these women the money they were owed under the pay equity law in this province.

Here we are again. The lowest-paid women in Ontario, doing incredible work in the public service, working with our seniors, working with our kids, our most valuable resource, and they haven't seen their pay equity increases. They've been frozen, capped by this government, as of December 1998.

What about the people on social assistance? They haven't even been frozen; they were cut by this government over 21%. We know, because of the many reports on child poverty that have been issued, particularly in the last 18 months, that that cut has had a dramatic impact on families in this province, that many of those families on social assistance are using food banks and many of those families on social assistance are having a heck of a time paying their rent. Many of them have been forced into hostels.

As we bring forward this bill, this government again has nothing to say about doing something with respect to increasing pay for these folks. Remember, 400,000 of these folks are kids. Surely, after being cut 21% and then frozen, they deserve to see a benefit from this economy too.

Those are but a couple of the groups in this province who have seen nothing with respect to increase in pay or special-needs allowance or social assistance under this government, despite the boom over the last six years, when this government has had more than enough money to do something for the poorest of the poor.

I regret that the government brings this bill forward in that context, in that environment, and has nothing to say,

nothing to offer, and presumably no action they want to take to deal with the pay of the poorest in the province of Ontario.

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The Speaker: Questions and comments?

Mr Wayne Wettlaufer (Kitchener Centre): I'm surprised to hear the member for Nickel Belt say that there's nothing to say. This bill is all about process and keeping conflict away. I cannot imagine any greater conflict than to have members of this place vote on our own salaries. By appointing an independent third party, ie, the Integrity Commissioner in this case, to review any increases or reductions or whatever as he sees fit from time to time is the greatest accountability that I can imagine in this place.

Mr Gilles Bisson (Timmins-James Bay): I just want to comment on a couple of aspects of the speech given by my colleague from Sudbury. First, and this really needs to be stressed, there is a difficulty in our minds, as New Democrats, that we should allow an outside body not only to determine what our rate of pay should be but actually at the end of the day to be able to enact whatever that pay raise is without us, as members, voting on it. What we're being asked to do here today, if we vote in favour of this motion, is to basically vote carte blanche to accept whatever the recommendation will be. I find that somewhat difficult, as I think the vote might be a different outcome if we knew what the outcome of the report would be. To vote on something carte blanche, without knowing what the outcome is going to be, I think is a little bit beyond the pale. I believe we have a responsibility to our constituents and we have a responsibility, I would argue, to ourselves, at the end of the day, to stand and say, yea or nay, "I'm in favour" of a 10%, 15%, 20% or as much as a 70% increase, which could happen if the commissioner comes back with that.

The second point she made that I want to comment on is true. In comparison to other people out in society, it's difficult for me as a legislator, as I think it is for everybody here, to accept an increase of the magnitude that is possible, considering these people haven't got anything in the last number of years. I look at minimum-wage workers across the province, particularly in my communities, who have not had a pay increase since 1995. I say, why don't we do something for them? Certainly we know they deserve it; they work hard. What about all the people who work in the public sector and broader public sector who have taken wage reductions or freezes or very little increases in some cases? What are we doing for those people? We're saying to them, "You should tighten your belt, but we shouldn't tighten ours." I believe it's important that we, as legislators, lead a little bit by example and that we say what's good for the goose is good for the gander. If we're telling people to tighten their belts, we should do the same.

Mr Steve Gilchrist (Scarborough East): I'm going to be very brief, except to suggest to the member for Nickel Belt that this bill is quite consistent with what we've done about the perks and privileges that were

historically accorded to members in this chamber. We were the government that got elected in 1995 saying we would eliminate the gold-plated pension, and we did. We said we would eliminate the per diems, and we did. We eliminated all sorts of things the public didn't even know existed, like the free \$200 briefcase you used to buy for yourselves every session; every member of Parliament was given a free briefcase every session—a preposterous waste of money.

The bottom line is that this is about making sure we aren't in the conflict-of-interest position of setting our own salaries. If the members opposite are uncomfortable about that—we heard one member suggest a second ago that it would depend on the percentage increase. Perhaps in her two-minute response the member, if she agrees with that point, would like to lay out what percentage she is comfortable with or whether she'll be opting out of any possible increase, or decrease, if that were the recommendation of the Integrity Commissioner.

Mr David Caplan (Don Valley East): I have a question for the members of the New Democratic Party. I certainly do appreciate the arguments they make. Back in 1988, then-opposition leader Bob Rae had these comments when it came to salaries for members of the Legislative Assembly: “I do not think it is right that we should be put in the same position every year of having to determine our own salaries. It is inappropriate and it puts us in an invidious position, and I think it is wrong.” He says in the Hansard, “Let the commission decide what the raise should be and let that be the end of it. I hope we never have to have another debate in this place or any other place in terms of what our salaries should be.”

Mr Gilchrist: Who said that?

Mr Caplan: That's Robert K. Rae. That was on January 19, 1988. My question to the member from Nickel Belt or any other member of the New Democratic Party is: that was your position then; has your position changed today?

The Speaker: Response?

Ms Martel: I say to the member from Scarborough East, yes, you were the group that got rid of the gold-plated pensions, and your backbenchers have been whining about it ever since.

Interjections.

Ms Martel: A number of them are nodding over here.

That is why we're in the position that we are today of having a bill that sends pay out for someone else to deal with. Let's be clear about how we got here, if we were being honest about the situation.

I think we should continue with the process that we have in place. Look, if you want to send it out to an independent body, make it an independent body, someone who has no ties back to this assembly, as the Integrity Commissioner obviously does. His pay and his terms and conditions depend on us. If you want to make it independent, cut that tie and find an independent body that looks at comparisons that are relevant, ie, comparisons to what other MLAs make in other provinces who do the work we do. Bring that recommendation back to this

House and move it as an amendment to the Legislative Assembly Act, which is the process we have followed in this House when we have been dealing with pay. When it is moved as an amendment to the Legislative Assembly Act, it must be passed as any other bill. It allows for debate, it allows for public hearings, and most of all, it obliges us to vote—to vote. We are setting up a scenario where we would vote on the increase of everyone else but not our own pay. Why are we doing that? Where's the accountability? If we want to be accountable, we make the change through the amendment and we vote. That would be the responsible thing to do.

In conclusion, I say to the government members, consider again the context, the environment in which you bring this forward. We have people who have been frozen, who have not had a pay increase in over 10 years, and you say nothing to them today about what you're going to do to help them.

The Speaker: Further debate?

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity to put a few words on the record this afternoon on this very difficult subject, one that's very delicate and certainly charged with all kinds of political intrigue and, at the end of the day, consequence for everybody concerned. However, being here today in this place dealing with this process in this manner should not surprise anybody who's been watching this Legislature for the last five or six years. This is a government that has set quite an obvious pattern for itself and in this instance is continuing down that same road.

This is a government that doesn't deal with controversy or difficult political issues well. From our perspective, certainly from their own perspective, they've been quite adept and intelligent where that is concerned. Their approach to issues of political delicacy is to shift it as far away from them, in terms of responsibility, as they possibly can. We've seen that with the kind of downloading of responsibility that has happened over the last five or six years from this government to all kinds of boards and agencies, all kinds of municipalities across this province, where there have been issues of some political negative consequence such as cutting programs or raising taxes, so that at the end of the day they couldn't be in any way smeared with the brush that would give them the taint of having done something that didn't sit well, particularly when it came to the next election and trying to reap some of the benefit of that.

So the process we're dealing with re this increase in salary for members of the Legislature shouldn't surprise anybody. They tried a couple of times to bring it forward in the House but failed miserably, I suggest because they didn't have the courage or the integral backbone to bring the bill they floated, that we all heard about, that hit the press, that the general public rose up in great distress about, to bring that forward so we might have that debate here, as we've had for many, many years now, about the issue of salaries for the members of this place, and a discussion that at the end of the day usually wound up with an increase that was probably fair and balanced but,

yes, that the government of the day took most of the flak for. Usually it lasted about a week or two and then life went on.

This government hasn't had the intestinal fortitude to bring that kind of bill forward and to have that kind of debate here so it might play itself out in the best democratic fashion we have access to.

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The other side of this process is the habit of this government of contracting out or shunting off issues of some sensibility when dealing with organized labour or government agencies or, in particular, the poor. This is a government that believes the rich don't have enough and the poor have too much. They've been consistently introducing initiatives in this House over their five or six years to indicate that they are going to fix that reality, that they're going to make sure that those who are well off get more, as in this instance, and that those who don't have very much get taken away from them the meagre little they do get.

They don't have the stomach for it themselves, although from time to time they do get up, at press conferences and in this House, when they know it's politically a positive thing to do, to hammer away at the poor or the disabled or the workers or government, but when it comes to actually getting your hands dirty, rolling up your sleeves and doing the deed yourself, they don't seem to have the stomach for it; for example, the way they're dealing in this province with those who are most vulnerable and marginalized.

This place has been, over a number of years, the conscience of the province, the place where communities across this province send members to speak on their behalf, to debate issues and then to make decisions that reflect that we have a collective and communal conscience in the community of Ontario.

We now have two instances where they've reneged on that responsibility, the bill that is in front of us and, over the last two or three years, where when it comes to dealing with the marginalized, those most vulnerable and at risk among us in our communities, they've shunted that responsibility off to one of the biggest multinational corporations in the world today—it used to be called Andersen Consulting; it is now called Accenture—so that they can go out and actually dream up all the new and innovative ways to take away from those who don't have, from the poor, that which they already have, so that they might have in their coffers enough to actually balance the budget, so that in turn they can bring forward a bill such as the one we have here so that they can live up to a commitment they made in a budget some few years ago, where they said, "As soon as we balance the budget, then we will consider increases to the income of the members."

The point I'm making is that the process that's in place should not surprise anybody. This government has a penchant for handing off, passing off, tossing off to somebody else those hot potatoes that they don't have the intestinal fortitude to do themselves. As with the instance

of tossing off issues of how we deal with the most vulnerable and marginalized in our community to Andersen Consulting, we have a toss-off to the Integrity Commissioner who, yes, will come back later in the year with a recommendation that will become what we will all have to deal with ultimately and take the political heat for.

The next question I want to deal with in the time I have this afternoon is the question of why we're here in the first place, why this is such a difficult issue, why it would be that people out there, confronted with the possibility of an increase to the income of members who serve them in this place, who work with them around all kinds of interesting and challenging circumstances—why they would be so incensed about the fact there may be the possibility of some significant increase in our income here.

We have a group of members across the way who came here in 1995, convinced that government was no good, that government was actually a hindrance to any progress we as a province might make. Whether it was in terms of the economy, whether it was in developing social programs, whether it was in delivering health care or education, that was all we heard throughout the election of 1995.

Then we came here and listened for the first time to members opposite speak about government, the delivery of government programs and the efficiency—or lack thereof, in their minds—of that delivery, the inadequacy of government. So they moved very rapidly and quickly to devalue the work we all do here, devalue the role of government in our society and devalue, in connection with that, the work that so many, literally thousands of people across this province, do every day in their attempts to deliver programs that government delivers.

As this government is beginning to realize in so many areas across the board, you ultimately reap what you sow. This is a government, as the member from Scarborough said a few minutes ago, that moved very aggressively and quickly to change the way we members were remunerated for the work we do. They did away with what they called "the gold-plated pension plan," only to realize three or four years later, particularly after the second election, when most of them got re-elected, that what they'd done was diminish the income of members here to a point where it began to be difficult, particularly for members of the government side who came here from pretty impressive executive positions in some of the bigger corporations around the province—they realized they were going to be here for a while, and the income, all of a sudden, wasn't what they expected it would be. You only begin to realize that after you've been here for two or three years and discover the cost of doing business as an MPP.

The so-called gold-plated pension plan wasn't so gold-plated in the first place. The pension plan they put in place by way of a pension for members, for all intents and purposes, had nothing except for a small contribution to an RRSP that, at the end of the day—I think mine,

over the last five or six years, has amounted to about \$29,000. That doesn't buy you much in today's world.

So they diminished—I suggest they made a mistake, initially, in their evaluation and analysis and understanding of the work of this place, of the work of the members in this place, of the work of government, of the value of government to the quality of life we all participate in in this province and that we oftentimes take for granted.

That's another reason we're here today: the government of the day devalued the work we do, that government does, driven by their friends and benefactors out there who very seriously and sincerely want to do away with government so the market can take over and have its way. It's that work that you have done, you and your friends in the media, particularly the folks who own the media. I'm not speaking of individual reporters, who do a very good job of trying to ferret out the truth of issues, but the newspaper barons, the media barons out there and so many others who have devalued the importance of government in our society today and thereby devalued the contribution that everybody who works in government makes, including members of Parliament.

So here we are at a very difficult juncture in time. Government is pushing through a raise in income for members of this place at a time when they're beginning to reap what they sowed, which is a diminishing value put on that work by the general public out there. So it becomes difficult. Because it's difficult, this government has chosen, after two attempts to bring it forward in the House now, to toss it off to the Integrity Commissioner to do with it what he will. We'll see the result.

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The other thing I think we have to consider here this afternoon very clearly is, who is driving this particular piece of business that we're dealing with? Is it the New Democratic Party caucus? I think not. Is it the Liberals? I think not. It's the members of the government party driving this. It's the backbenchers in particular recognizing that, as I said a few minutes ago, the income that we all make here, even though substantial and something that a lot of people out there would love to have, is not in keeping with the incomes that some of them had before they came here. After being here now for five or six years, they are beginning to realize that in an important and significant way, in their pocketbooks and in their bank accounts.

In looking at the result of the new pension scheme that was put in by the government, they're beginning to realize that even with pension—and pension becomes more important around here the longer you serve, because the longer you serve, the less opportunity you have to get out there into the bigger world to generate the kind of pension that many of us will probably need to maintain the standard of living and quality of life that we've become accustomed to, particularly the folks across the way. So it becomes a huge problem, because for five or six years you're not working for GM and you're not working for Chrysler, and the nice, big

pension plan that was rolling up and all the stock options and things like that that get put in place for you when you work in those kinds of private institutions are not there for you when you become a member of this Legislature.

So it becomes a problem, and so the chattering starts and the backroom discussion starts and the pressure starts on the cabinet and on the Premier. We know, because as we said a few minutes ago, this is the third attempt at this. The first time around, the backbenchers weren't successful. We're told that Ernie Eves, who was the finance minister at the time, said, "Boy, that's not going to sell. Besides, we have to wait until we balance the budget." They came along a second time and said, "Let's give another go at it," at that time to the great surprise of a lot of us here. I know I was back in my constituency when I read in the newspaper that the government was pondering an increase of some 43%. I was shocked, because that was not a number certainly that was floated around here before we left. So that got shot down in flames.

So here we are back a third time, because the government backbenchers are not going to let go of this. They've got the bit in their mouths and they're running with it and they're going to make this happen come hell or high water. It has to happen now, because there's only about two years left before they have to go before the electorate, and this is their chance. So they, through the ingenuity of the member for Bruce-Grey-Owen Sound, came up with a little bit of a side road here that they could take that would get them through this nicely, consistent with the way they've dealt with so many other political hot potatoes. So here we are. Who's driving it? It's the government members, particularly the government backbenchers.

Let's talk, then, after we've put that on the table, about what this is all about. It's about this government rewarding itself for doing such a wonderful job in the attack they have waged over the last five or six years on everything sacred and good in this province: the attack on the poor, the marginalized, the most vulnerable, the most at risk in our province. As a matter of fact, the first thing they did, as I said before, in keeping with their edict that the rich don't have enough and the poor have too much, was to announce in June 1995 that they were going to cut welfare rates by some 21.6%.

This is the way that they balanced their budget. This government balanced their budget on the backs of workers. This government balanced their budget on the backs of the poor in this province, the most vulnerable and the most marginalized, on the backs of the disabled, on the backs of government workers, and on the backs of the public institutions that have served this government so well over so many years. So what are they doing here in this place these few days as we push this bill through to allow the Integrity Commissioner to decide on how much money we should get by way of income? Well, they're rewarding themselves for that work.

What would I suggest? I'd suggest that if they really wanted to make it even a slight bit more palatable there are a couple of things they could do. We've already

spoken about them in our caucus here over the last couple of days. One of them, to make this even the slightest bit more palatable, is to raise minimum wage. Give some other folks out there the benefit of an increase in their income at the same time as you're giving yourselves and us that increase. It wouldn't cost you much. As a matter of fact, it would cost you hardly anything at all to do that.

Let me tell you something else you could do to make this a little bit more palatable. You could stop the clawback of the National Child Benefit Supplement to the poorest, most vulnerable and at-risk of our families out there. It averages between \$80 and \$100 per month per child to go to poor families to put food on the table, to pay the rent, to clothe their children and to allow them to participate in their communities. Stop the clawback. Again, it wouldn't cost you a penny, not a penny, because that money is coming from the federal government. So there are two things you could do.

A third thing you could do is sit down with me and talk to me about an act that I'm going to table in the very near future which will call for an increase in the income of everybody in Ontario dependent on the Ontario disability support program for their income and to tie that increase annually to the increase in the cost of living that happens every year. It's very simple. It's a little one-page bill. It wouldn't take long to get through the House here. I'm sure if you talk to the Liberals and you talk to us we would give you unanimous consent. We would give you unanimous consent to support this bill that would give immediate relief, year over year, the same as you're asking with this bill here for members of Parliament, that the Integrity Commissioner be allowed to increase our income now and from here on in every year, looking at the cost of living, etc. Do that for the disabled.

Take my bill, run with it and pass it. Bring in your own. Stop the clawback of the national child benefit supplement. Give poor working families out there some relief by increasing minimum wage. Thank you very much for your attention this afternoon.

The Deputy Speaker (Mr Michael A. Brown): Questions or comments?

Mr Gilchrist: I would say to the member opposite if he is suggesting—and it certainly sounded like he was—that we restore the gold-plated pension plan that would be illegal in any private sector workplace—and the only other place in Canada that has it is the federal Parliament—that's just not going to happen, sir. You got your payout, and the bottom line is that we are not going to go back down the road of outrageous pensions that no one else in this country could legally apply to themselves in any private workplace.

The bottom line here is this is all about process. I understand that you disagree with the idea of ratification of arm's-length authorization for any change in remuneration. I hope at some point you will put on the record that means that if anything were to occur as a result of that process, you will donate 100% of the money you get, because I'm sure you wouldn't want to be accused of the inevitable conflict that would occur.

The Deputy Speaker: Questions or comments?

Mr James J. Bradley (St Catharines): I want to first of all commend the member for Sault Ste Marie on his moderate, non-confrontational and non-pious approach to this issue this evening, because that is not the way the debate has gone entirely. I had to listen to his leader last night pontificating and poking fun at others in the Legislature, and I used words which were unparliamentary. I used the words "phony" and "hypocrite," which I withdrew at the insistence—the proper insistence, I must say—of the Speaker on that occasion.

The Deputy Speaker: You probably want to withdraw again.

Mr Bradley: I do. I would never, ever use that.

But no matter what process you choose, you're wrong. If you say, as Bob Rae did in 1988, that it should be somebody totally independent and that should be the end of it, then they say you're copping out. If you say the politicians should do it, then it's the politicians voting for themselves.

I think the commissioner is going to read what's in this Hansard. I don't believe that there is any justification for a huge increase for members of provincial Parliament. I happen to personally believe that what the greater public sector received is the same as what everybody else in government, including members of the Legislature, should receive.

1620

I'm not entirely happy by any means with this particular procedure, but when people are voting no, when people are portraying themselves—and the member for the Soo didn't do this, to his credit—as the heroes, the bastions against the pay raise, then I have to ask the question, "Then I assume you're not taking the pay raise?" because that would be consistent, that would be non-hypocritical, that would be non-phony. That's the question I ask. It's a tough question, I understand that, because there's good reason to oppose this legislation. But are you going to take it at the end of the day?

Mr Bisson: I enjoyed listening to the comments made by my good friend the member from Sault Ste Marie. One of the points I want to stress, which I think the member made quite well and tied together well, is that there's a whole bunch of people in society who have been doing without for a long time. I think we can all agree on that. There are people on minimum wage, there are people, as he pointed out, who are on the Ontario disability support program who have actually had their benefits reduced by 20% under the Mike Harris government. It's difficult for us as legislators to say, "It's OK to reduce people on disability by 20%," such as we did when we cut back the welfare benefits in 1996, through the Harris government, at the same time cutting down the benefits of those people on disability, if I remember correctly. It's difficult to see that happen and then for us to say that it's important for everybody else to tighten their belt, but somehow it's OK for us to give ourselves an increase.

Do members work hard? Of course we do. This is not about devaluing the work of members. Mike Harris did

that in 1995, prior to the election, when he attacked us on pensions and he attacked us as a bunch of overpaid and underworked people and made fun of politicians. That's not the point we're making as New Democrats. We value the work that elected members do in their constituencies as well as in this House. It's not devaluing the work, and it's not about us saying we're better than you. It has nothing to do with that.

What we are saying, however, is that it's important to take note; if you're going to do something that treats us extremely fairly, to a large degree I would argue, by way of a pay raise, I think we owe it to other people in society to try to do something for them and that we should lead by example.

I want to commend the member from Sault Ste Marie for his comments. I think he was bang on. I think he understands it well. As the critic responsible for poverty issues within our caucus, he deals on a daily basis with people who are doing with very little. From his perspective of saying, "It's difficult for me to accept this as a premise of an increase when those people have been doing without," I want to commend the member from Sault Ste Marie for making those comments.

Mr Wettlaufer: I think the member from Sault Ste Marie has misunderstood what this bill is all about. As I've mentioned before, it is about process. A couple of weeks ago the federal Liberal government voted themselves some rather substantial increases in addition to increasing their pensions to about \$95,000 a year after they retire.

What we are trying to do here is establish a rather transparent process. We cut our pension entirely in 1996, and now, with this bill, we think that a truly independent commissioner, in this case the Integrity Commissioner, should be the one determining MPPs' salaries and benefits.

The Deputy Speaker: The member for Sault Ste Marie has two minutes to respond.

Mr Martin: I just want to say a couple of things in wrapping up. First of all, to respond to the members from Kitchener and Scarborough when they talk about doing away with the so-called gold-plated pension plan, your members have been whining ever since about that. Twice you've tried to bring it back here, twice you got shot down, and now a third time you've found a way to do it that you won't be castigated for, and that's exactly what's going on here this afternoon.

In a budget a few years ago, the government said that if they ever balanced the budget in the province, then they would return to taking a look at increases in pay for members of the Legislature. Well, they have balanced the budget, but I think it's important to understand how they did that. They balanced the budget on the backs of the poor. They balanced the budget on the backs of workers. They balanced the budget on the back of government and those who deliver programs on behalf of government across this province. My own community lost, on average, between \$35 million and \$40 million a year in income to our community by way of the cutbacks, just as

an example, to the civil service across this province. That's why you're seeing the problems that you are today in delivering clean water and delivering health care in communities.

If this government was really serious about bringing balance to this whole question of income for people in this province, including ourselves, they would move, as I said earlier, to do a few things to give it even a modicum of acceptance, certainly in my mind anyway.

The first thing they could do is to increase the minimum wage for the working poor across the province. The second thing they could do, that wouldn't cost them a penny and they could do it tomorrow, is to stop the clawback of the national child tax benefit supplement. The third thing they could do is to move with me to introduce this bill that would amend the Ontario Disability Support Program Act to provide for regulations requiring annual cost-of-living adjustments to income support maintenance for the disabled.

The Deputy Speaker: Further debate?

Ms Frances Lankin (Beaches-East York): It hadn't been my intent to be here this afternoon and speak to this bill. A couple of our members are down in committee, however, who do want to speak, and so I've been pressed into service. I don't expect that I will take my full amount of time, but there are a few things, now that I have the opportunity, that I would like to put on the record. I oppose the government's bill, but I think my reasoning is slightly different from some of the others who oppose the bill who have spoken already to this. It is an opportunity for me to set out some of my thoughts.

Firstly, for years, long before I was an elected politician, I found it abhorrent when elected politicians set their own salaries. I think that is wrong. I disagree with it at a school board level, I disagree with it at a municipal level, at a provincial level and at a federal level. I don't think it is the right way to go. Quite frankly, there is never a good time for politicians, in an unbiased way—I don't know how you do it in an unbiased way; it is your own salary—to look at it and make a rational decision that is defensible to the public. There are always other issues that should be considered at the same time. I don't think it can be perceived that politicians can independently and fairly assess their own situation. For years I thought it should be done by an outside reference group of some sort.

Secondly, I would say if you're going to have it done by politicians, I'd be absolutely the worst person to have there, because I can always look to see other circumstances that other people face that would lead me to argue, "No, it is not a good time. No, you can't increase politicians' salaries." When I was a member of the Bob Rae cabinet, I voted for a decrease in my salary as a cabinet minister for two years in a row, and then for all MPPs in the Legislature in the third year. I was part of taking it in the neck by my own volition and argument, because I thought that was the right thing to do in the conditions in the province, when we were facing a recession, when we were looking at restraints and that we had to show leadership in that. And we had to start by

looking at our own salaries. I suspect, I say to my colleagues in all parties of the House, if you left it to me, we would be down to a salary that wouldn't be livable very quickly, because I really am moved by those comparisons. I feel a lot of guilt when I look at other circumstances in society around me.

For a lot of reasons, to me it doesn't make sense to have politicians voting on their own salaries. However, the bill that's before us gives me serious cause for concern. This bill simply refers this issue to the Integrity Commissioner. I've heard members opposite, some of the members just a few minutes ago, talking about this being a fair, impartial third party. It may be. But let me put some points on the record. First of all, the Integrity Commissioner is an officer of this Legislative Assembly. He reports to this Legislative Assembly, is responsible to us and relies on us to determine in fact the salary, the budget, the office of that—

Interjection.

1630

Ms Lankin: I'm being told I'm wrong on that point. If I am, my apologies there. I believe that the individual or group that should be reviewing this should be a commission of remuneration, not an individual person who does not have an expertise or capacity in reviewing appropriate wage comparisons to arrive at this determination.

I spent a lot of years as a negotiator. People in this Legislative Assembly know that. I've spoken to issues of arbitration settlements and salary arbitrations before. I can tell you that the in-house capacity to do an appropriate compensation review does not exist in the office of the commissioner. There is nothing in this bill that suggests that that capacity will be built, nor is it appropriately placed, in the office of the Integrity Commissioner. I believe there should be an independent commission of remuneration; that is the appropriate body, with the appropriate resources, to make these determinations.

But the more significant point that I would like to make to the members opposite is that I have stood on a number of occasions in this Legislative Assembly and have spoken about successive pieces of legislation that you have brought into this House that put restrictions on arbitrators and their decision-making ability with respect to public sector interest arbitration. I can talk about back-to-work legislation in the education sector, I can talk about general public sector arbitration legislation and, most recently, legislation that has been brought forward that is dealing with paramedics in the province. I ask the members opposite, on the basis of fairness and equity, how can you put forward here a piece of legislation that refers our salaries to one whom you are calling an independent and fair arbiter, with no conditions on the decision-making ability of that individual?

In every other circumstance in the public sector where there is no right to strike and where there is a referral to a third party for an arbitration determination of salaries, you have placed fettering provisions on the decision-making power of those arbitrators. You have said in legislation, for example, that they have to consider the

employer's ability to pay. You have said that they have to take a look at comparisons of what other people in the same public sector are receiving. You have said that if the arbitrator gives any award that increases salaries on average at all in that sector, they must provide written reasons regarding how that public sector employer is going to be able to pay for it and what impact it will have on that public sector employer's budget and budget allocations.

I'm having trouble getting the attention of the members opposite. I really would like your answer on this. This is the thing that gives me the most problem about your bill. I don't understand, from an honest perspective of fairness and equity, why we continuously pass legislation that restricts the ability of arbitrators to make fair and independent decisions with respect to a whole range of public sector workers out there, and yet we refer our own salaries without conditions.

I would like to suggest to you that we take the language that has been written into all those other bills: the need to consider ability to pay; the need to give written reasons why if there is an increase in salary, and a written determination of where in the budget it comes from and what other areas of the employer's operations it will affect; the need to consider other public sector entities in the same area. In this case, what kind of increases is the government contemplating for broader public sector employees like nurses and paramedics and others? What kind of increases are they considering for their own direct employees in the Ontario public service? It should be mandated in the law that this fair, independent, third-party arbitrator that they're referring us to absolutely must consider those items.

In some ways, I am speaking to a point that would defeat all the points that I've made in the past in this House, because I think that public sector arbitration should be fair, impartial, independent and unfettered. I think the government's restrictions in those other sectors are completely unfair. I think they're draconian measures on the part of the government of the day. But what I find very difficult to take is the lack of equity and fairness; that in a referral of our own salaries, we would not place the same kind of restrictions on the arbiter that we're sending that question to. There is something basically wrong about that, and I think we should all come to terms with it.

I don't want to engage in a debate about how high our salaries should be. I've given you my reasons why I think I'm not an unbiased observer on that point. I think many other members in this House would feel equally comfortable that it is not an issue to be debated here. I know there are others who have spoken to this bill who have made the point that they think it is a responsibility of elected politicians to take a position on that, and I respectfully disagree with them. I think it is better when it's taken out of the world of politics and when there is a process for looking at it. But surely it must be bound by something.

If we as a Legislative Assembly are prepared to pass legislation—and we've done it many, many times—that

binds other arbitrators of public sector salaries and places conditions on the measures they may take, on the things they absolutely must consider and on the types of decisions they must render in the end, then on the basis of fairness, there's got to be a parallel that all reasonable members in this House can see. I don't know whether the government members opposite would entertain such an amendment. Perhaps, if I can get their attention again, I could ask them whether an amendment like that would be welcomed by the government.

I know that in the many times I've stood in this House and spoken about the need for a fair and unbiased arbitration process, despite my pleas, despite my protestations that the legislation they passed does not provide a fair and unbiased arbitration process, they have stood and claimed that it does. They believe the rules they've put in place are reasonable and fair. If that's the case, then shouldn't those same rules be put in place with respect to our salaries? It's a pretty simple point that I'm trying to make here, but it's a point on which I'm not seeming to get any response from the members opposite, so maybe I need to continue to make the point in hopes that someone over there is listening and will give me an indication of whether an amendment like this would be accepted.

I think that one of the problems we've run into with debate of this sort in past years and here currently is the kind of, I don't know, elevated sense of rhetoric that some members get into, and I think it's problematic. I heard a member opposite heckling when the member for Sault Ste Marie was speaking, and I think some of his comments were really inappropriate. The member for Sault Ste Marie has some very strongly held and well-known views on the issue of poverty, on the campaign he is waging to stop the clawback from the poorest of our citizens. I think those are legitimate points to put on the table in comparison to a piece of legislation that has no fettering restrictions on it at all. For the member opposite to heckle in the way he did, and to attempt to suggest—I can't use the words, because they're unparliamentary, and he should have withdrawn them—that the test of whether you truly believe the remarks in this Legislature is what you do down the road when a salary is imposed by this commissioner—I think, in his official response on the record, he said the test was that you give 100% of it to a charity.

I'm sorry: the very reason politicians shouldn't be given the right to set their own salaries is the nature of the debate we get into in this place, which strays off issues and gets into personal attacks. I hope that at the end of the day we're able to avoid that. I guess that is one of the reasons why, even though I think this bill has flaws, I think the concept of referring it out of this place to a third party to determine is, in the end, the right way to go.

But the government cannot escape the circumstances it finds itself in right now, a time when the Premier of the province has told nurses that they shouldn't expect a big increase; when the finance minister has told Ontario nurses, when they've looked at the increase nurses in Alberta got, "If you want to go to Alberta, so be it"; in

the context of telling paramedics in this province that their process of negotiation and their right to strike and their referral of salary disputes to arbitration is going to be fettered by these new rules that the Tory government is imposing on arbitration, unfair rules that will not allow them to arrive at an arbitrated contract that is a fair reflection of what takes place in free-market collective bargaining.

1640

In that context, this particular bill and this referral to an officer of the Legislative Assembly falls short of the standards of integrity that I would hope we, as members, would want to see in the way in which we handle this issue in the context of the politics of the province.

So I have a problem with the bill. I'm concerned that constituents will not understand a government that can make such restrictive laws for other public sector workers and yet deal with MPPs differently, that differential treatment of politicians from the rest of the world in the public sector, from the people who are out there delivering the programs and services that we in the New Democratic Party, I know, believe in very strongly, and I'm sure there are other members in the Legislature who would speak to that as well. They don't see that there are reasons for us to be treated differently or specially, and I agree with them on that.

I'm going to wrap up my comments now. I see others have returned from committee. I will indicate that I will be voting against this bill. I think the government actually has an opportunity to improve the bill on the basis of equity and fairness if they were to be consistent in terms of criteria for decision-making on arbitrators and were prepared to say that we should live by the same rules they've put in place for paramedics and for nurses and hospital workers and nursing home workers and education workers and teachers. Then perhaps we could see that there was some justice in the route that we are going.

So for different reasons than others, I find myself in opposition to the bill. I hope that perhaps, after having spoken, the government members might actually give consideration to moving amendments of that sort or to working with me to bring that kind of amendment forward.

The Deputy Speaker: Questions or comments?

Mr Gilchrist: I appreciate the thoughtful comments by our colleague opposite. She has raised a couple of interesting and new points.

I would say to her, though, that I don't think the question has ever been raised before in any other context about the ability or lack thereof of the Integrity Commissioner to contract out for the appropriate expertise to undertake any review that he or she would be required to undertake, consistent with their duties under the legislation. I would imagine that this would just be one more case, and whatever expertise that he—currently he—requires to arrive at an informed conclusion I would assume his budget could assimilate.

You talked as well about ability to pay as a standard under arbitration. I think you'll recall back to 1996,

where we said, "We'll take a pay cut here," and we all voted for that bill. Then we said, on the flip side, that when there was the ability for the province to pay the MPPs even the salary they were making back then—namely a balanced budget, a surplus, a greater increase in revenue than increase in cost—then and only then would this government, and, I would remind you, both opposition parties at the time consider the issue of a change in remuneration in any form. That's precisely what we're doing here today.

Mr Bradley: Again, a very thoughtful and reasoned speech on the issue, but it's a contrast to what I hear in the public media or the characterization of other members of the Legislature.

I appreciate the reasoning the member has brought forward on this issue. She mentions an independent commission. The interesting thing about independent commissions, in my experience, whether it be local government or provincial government, is that invariably, when given the task, they recommend something higher than the elected representatives would ever recommend for themselves. That's pretty consistently happening, and very often—on some occasions not so, quite obviously, but very often—the members who are affected by it refuse to increase it. That is when the members have the ultimate choice.

I agree with my leader, Dalton McGuinty, who suggested that the appropriate increase, if there is to be one, would be 2% to 3%, which the greater public service has recommended. The commissioner no doubt, as I say, reads the Hansard and will recognize that for those who are at present members of this Legislature, a raise in that category would be acceptable. I like the idea of the same restrictions that are on arbitration for others being applied to members of the Ontario Legislature.

I'm wondering, if the minimum wage were increased, if other public payments were increased, if the procedure were changed and if at the end of the day it were constitutional, whether those who vote against this are going to refuse to accept it. If the process is flawed, if it's wrong to raise the pay of members of the Legislature, the final question is, if you vote against it, are you going to take it?

Mr Bisson: I want to thank my colleague for her comments on this issue. What I'd like to ask and comment on is the point she makes in regard to what's happening out there when it comes to people and their ability to bargain successfully a pay increase with their employers, either in the private or the public sector.

One of the things that bothers me to an extent is that, as she does and as every other member of this assembly has done, men and women who work, in both the private sector and the public sector, who are out there in our communities, who work hard, who give a lot to their employers, who are doing work as hard as we do here in the Legislature, every three or four years in some cases go off to try to negotiate an agreement with their employer and are being told, in the case of public employees, "You've got to tighten your belt. There's not a lot of

money to be given out. We need to keep an eye on the deficit and make sure that we don't spend more than we've got."

Because of those reasons, people in the public sector and the broader public sector have been asked to keep, have been told to keep and in some cases have been legislated to keep those demands of salary at or below the rate of inflation, and in many cases have gone the other way and have actually taken decreases.

For people who work in the private sector, I know as you all do as members of this assembly who have people who have had to go out and bargain in the private sector, you're not seeing huge increases from the private sector being awarded to employees when they try to negotiate their collective agreements. Again, they're at or close to the rate of inflation.

I look at that and it's kind of difficult for me to go back to our constituents and say, "We deserve 30%, 40%, 50%, 60%, whatever it might be, but you deserve less." It's a bit of a problem.

I agree that what we do here is important as work and it's valued. It's not an attack on other members of this assembly, but just on the point, what's good for the goose should be good for the gander.

Mr Wettlaufer: All the talk in this place today about raises and the amount of raises is rather disturbing to me. I don't think we should be talking about raises; I think we should be talking about process. I'm quite concerned that the process be emphasized over and over, because I recall a couple of weeks ago, when the feds brought through their monumental increase, I spoke with a number of my constituents at that time and they thought that we were getting the increase too.

I said, "No, what one of the private members has done here"—Mr Murdoch, if you will recall, Speaker—"was that he introduced a private member's bill, which is now a government bill, to dictate that our raises or our salaries or our benefits should all be set by an independent third party, that being the Integrity Commissioner." Really, that's what the people want to hear. The people think that's a fair process. That avoids any conflict of interest.

Ms Lankin: All the time I was talking I was trying to get the attention of the member from Kitchener, and I guess I failed, because all I talked about, really, was the process. The point I'm trying to make is that an independent and fair process is what I think all Ontario working people who do not have a right-to-strike situation deserve.

What I said is that every arbitration bill you've brought forward, you've changed the rules, you've tightened it up, you've placed restrictions. But on this one, which is an arbitration bill—you're sending it off to a third party, an independent arbitrator—you've not put the same restrictions in place. So I'm saying from a basis of fairness and equity I don't think this bill meets a test of fairness and equity.

1650

The member for Scarborough East: on ability to pay, you're saying that's what this government is doing. Well,

I'm sorry, I do remember back, and I made the point that when I was in cabinet and we were going through a difficult recession, we cut cabinet salaries twice and we cut all MPPs' salaries. Obviously, we also considered that. But do you know what? You've written it in, plus many other restrictions, to legislation for other public sector workers, and you've not done the same for ourselves. I think that's a problem.

I appreciate the point you make about the ability to contract out. It's not the biggest point that I make, but I think the Integrity Commissioner is the wrong commissioner to send it to. But as I said, I agree with the principle that it should go to an independent third party.

I say to the member for St Catharines that an independent commission of remuneration process does exist—for example, in Nova Scotia—with the same legislative provision that whatever is arrived at is imposed and doesn't come back to be voted on. So there are ways around the problem you raised.

I do think we should try to get this out of the partisan arena. I say to the member for St Catharines that the shot you took at the end at members here is just as partisan as what some people who have spoken on this were doing. I think we don't have room for that.

The Deputy Speaker: Further debate?

Mr Peter Kormos (Niagara Centre): I've been looking forward to my turn in this debate, and I'm pleased to be here with my colleagues in this—this is a small caucus. We know it. We understand that.

Let me open by making a reference to something that virtually every other commentator on this has referenced, and that is that a whole lot of people here work hard. I understand that as well. Let me tell you that when you're in a caucus of nine, I suspect that maybe—I'm not wanting to play a game, saying who works harder—you work even a little harder. I have no hesitation in putting that to you.

You heard me say yesterday that I have grave concerns about the delegation of this authority. I disagree, quite frankly, with those who would advocate an absolute delegation of the power to set salaries. It's quite right: politicians have the power and responsibility to set their own salaries. I think that's a power that has to be exercised judiciously, cautiously and in a way that's cognizant of all the factors.

I have concerns about the delegation of power to set MPPs' salaries because, as I questioned yesterday, what's next? Politicians also have the power to set taxes, and they have the power to reduce taxes. We've seen that happen here. Quite frankly, the reduction of taxes by the Harris government begins to kick in most at the upper levels of income, and MPPs are among those who started to get more of the benefits of those tax cuts than our constituents who are making \$15,000, \$20,000, \$25,000, \$30,000 or \$35,000 a year. I understand that.

But that didn't stop MPPs from debating that issue and New Democrats from opposing those tax cuts for the more prosperous and certainly the very wealthiest people in this province. People across the way talk about having

balanced the books, and I heard my colleague from Hamilton West mumble, "Yeah, on whose backs?" You balanced the budget all right. You balanced the budget on the backs of the poorest people in this province. Cutting welfare rates, slashing them by about 22%, sure helped you balance the budget. Keeping disability pensions at the same miserable level they are, at that sub-poverty level for over six years, helped you balance the budget.

You heard the member for Hamilton West yesterday point out to a group of his constituents, just like constituents from my riding and the ridings of every member in this Legislature, that they haven't had their comfort allowance increased from a meagre \$112 a month for how many years now?

I'm amazed at how quickly this particular bill is receiving passage through this Legislature. I'm amazed at the focus of, I suppose, political will to see this happen lickety-split, to see this happen with the most modest level of debate. Quite frankly, it has only been New Democrats who have been standing up taking their spots in this Legislature speaking out on this bill, and I'm proud of my colleagues who have spoken out here in the New Democratic Party caucus.

The comment was made about some external source providing a reference point. You see, that's exactly what happened, because last year an independent commission came back with salary recommendations that were 30%-plus, as I recall, and members of the assembly in the opposition said, "No. We know what the recommendation is, but no." They said no. Political decision-making by elected representatives in opposition caucuses caused them to say, "No, that's not acceptable; it's not appropriate."

What happens here with this absolute delegation is, it's, "Oh, gosh golly. Oh, really? Oh, 30%, 40%?" I have no idea what. I know what the benchmarks are, just like every other member of this assembly does. The benchmark is very much the federal MP's salary. I suggest to you it would be a rare day when members of this assembly would feel comfortable, would feel responsible, would feel judicious giving themselves raises so that their salaries would equal that of federal members.

Having said that, do MPPs work as hard as federal members? I read it in a number of places over the course of the last week and a half as this bill has been here in this Legislature. There has been a substantial amount of even editorial commentary acknowledging the fact that MPPs may well work even harder than their federal counterparts because we're dealing with those day-to-day issues. We're dealing with health, we're dealing with social services, we're dealing with those nitty-gritty sorts of things that people tend to come to our offices for, rather than the federal member's. I acknowledge that. I know it. My staff know it. My staff down in the constituent office in Welland, serving Niagara Centre, and the one staff person up here in Queen's Park, know that full well. But please, there's a whole lot of other folks out there who work really hard too. Let's understand that.

I don't care whether you talk to auto workers, whether you talk to people in the health care professions, talk to

nurses, talk to the folks who work in our seniors' homes down in Niagara, places like Rapelje Lodge and Sunset Haven in Linwood and so on. Talk about working hard—the nurses, the RPNs, the support staff and the kitchen staff are increasingly understaffed and doing hard, hard work. Ms Lankin was up in Ottawa spending a shift doing that kind of work. She can tell you about it from a very first-hand experience.

I am very concerned about the eagerness with which members of this Legislature are to see this bill accelerated in its passage when, at the same time, one would search for some support for, let's say, an examination of minimum wage. One can find nothing akin to any similar enthusiasm. Where's the enthusiasm? Please tell us, where's the same gusto about getting some increases to minimum wage passed through this chamber? Because it could be done just as fast. It could be done just as quickly.

But no, we don't see any government bills advocating increases in the minimum wage, not by a long shot. We see government bills advocating 60-hour workweeks, we see government bills reducing workers' health and safety, and now time allocation on Bill 57, the omnibus bill that this government has accelerated through this Legislature that attacks working women and men. But no, do we see an interest in increasing disability pensions, increasing social assistance rates? Please, talk to some of these folks.

1700

Do you know what? Talk to the 55-year-old seniors, many of them single women on so-called workfare. Sorry, many of these people suffer serious illnesses. Some don't quite make it into the ODSP system. They are lined up—I suppose they're going to be lined up now for literacy testing and urine testing. This government has that incredible obsession: this government will test urine, but it won't test water. Think about it. The government is obsessed with testing people's urine, but it refuses to test the water, as a result of which seven people died in Walkerton, and how many others were left sick?

This government wants to test social assistance recipients for—please, I've been around the block a couple of times. There was a social assistance system in this province at one time that had sufficient workers in it, who worked one on one with the clientele and steered them into various community things that would help them develop as human beings and help them get out of incredibly imprisoning situations. Long before this government ever talked about workfare, there were case-workers—that's what they used to be called, case-workers. There used to be social workers with any number of skills and any number of backgrounds who would work with those people on social assistance, work with the single mom to help her find daycare. That's a whole 20-minute, if not two-hour, address in itself.

These people are going to be tested for literacy, when the government hasn't suggested any program whatsoever that it can access for these people. The public school

system is being gutted. Where are these people going to go to get their literacy training? Adult re-education has been cut, kiboshed. It has been deep-sixed. This government acts like it's inventing something new. Treatment for drug and alcohol problems? There are lineups blocks long, around the block, at our treatment centres here in the province, every single one of them. The ones down in Niagara and northern Ontario—heck, you can't find them. You can't access them.

So you see, I have a suspicion about this government's plan for the poorest people in Ontario and some of the most troubled people and some of the most disabled people, that this exercise is all about screening more people off the system, that's all. It's nothing to do with improving literacy rates. Please. It's nothing to do with the meaningful effort to tackle drug and alcohol problems. Please. Quite aside from the fact that drug and alcohol problems are going to be as prevalent in any other social class, economic class, group of people in our provincial community—and quite frankly, according to the statistics and the relationships of some of those problems to certain professions, even more prevalent in groups of people other than those groups of people on welfare. That's true. It's the case. Take a look at the sort of research that has been done. There are certain classes of people who have a greater exposure to these types of things and have a greater risk of getting caught up in it. We know that.

As a caucus, we knew that our position was going to be—the only response that those supporting the bill have for New Democrats is, “Oh, are you going to take the money?” That suggests a couple of things: one, it suggests—and I appreciate that some people have been saying, “Oh, we'll submit that a 2% or 3% increase would be appropriate.” But the, “Oh, are you going to take the money?” suggests that folks here know it's not going to be anything akin to 2% to 3%. Think about it.

I'll put this to you: I don't expect any of my colleagues in this caucus to earn a penny less than a Tory backbencher—I don't—from the basis, quite frankly, of simple fairness. I wouldn't suggest or expect them to earn less money now or to receive a smaller paycheque than any Tory backbencher, nor would I in the future. But I as a member of this Legislature, as a New Democrat, feel that it is our responsibility as legislators to accept that obligation, yes, to set our own salaries.

You'll recall the last round—42%, 32%—but oh, when suggestions were put to the government House leader, “Hey, Mr House leader, what about 2%?” the government was, “We're not even going to bother drafting a bill for 2%.” That was the response. I've got some problems. If a salary increase is too high for people to vote for it, maybe it's just too high.

The government wants an independent commissioner. Heck, I suppose that's one model. What about a panel of citizens—a senior citizen, a single woman or man living on their pension and maybe even a little bit of a factory pension, you know, from the old Inco or Union Carbide or up north any number of mines. What seemed like big

bucks 25 years ago—we're talking about folks who maybe saved up \$25,000 or \$30,000 in their lifetime and thought this was a pile of dough. Now in the year 2001, sorry, the 4.5% return a year income on that money doesn't go very far. These people thought they were doing quite well in their day. So why not a senior citizen? Why not a person on ODSP? Why not a worker in any one of those—especially in the service industry. Heck, jobs are just a-booming down in Niagara Falls. You want a job? Go down to Niagara Falls and get yourself a job, minimum wage, part-time, temporary because it's seasonal.

Ms Martel: No benefits, no pensions.

Mr Kormos: No pensions, no benefits, nada, zip. So let's get a person on minimum wage who works real hard. Let's get some of the people I know who work as chamber persons in the hotel industry in Niagara Falls. A lot of new Canadians do that work. Their English isn't quite as good as other people's. Quite frankly, there have been a whole lot of doctors, architects, engineers, veterinarians doing that work too because of the barriers to foreign-trained professionals.

So we've got a person on a disability pension, a senior citizen and a minimum wage worker. Let's pick somebody from the higher-wage-sector industrial area. Let's pick a hardrock miner or a GM worker or a Chrysler or a Ford worker, because among other things, I've had the pleasure, a unique pleasure, of spending a shift in Oakville. The local 707 CAW sisters and brothers took me right out on the floor with them for eight hours on their assembly line.

Mr Bisson: They work hard.

Mr Kormos: I'll tell you my friends, those folks work hard too. They're among the higher wage sector; we'll throw one of them on the panel.

Why not a university student, especially a university student from a less than very affluent family? Throw a university student on that committee.

Barring that, why doesn't this bill go out to committee? Why isn't there wide-based exposure? I believe we undergo far more scrutiny by our constituents across the province than do our federal counterparts. The fact is there are simply fewer of us. The fact is that for most of us, we're speaking in the House more often than any federal member ever gets to speak in the House. The fact is we're identified with issues because our participation in question period as opposition members tends to be more pointed, more focused than what federal members get. People know what we do in our constituencies. I'm prepared to go to the public if this government really wants to carry on with this bill.

But at the end of the day be very careful, my friends, because the delegation of this power—saying we're the only people in all of Ontario who get to set our own wages. We're also the only people in all of Ontario who get to set taxes. We're the only people in all of Ontario who get to approve legislation or express our disapproval of it. Yes, we are in a very unique position and when we start shying away from it, when we start saying, "Oh

gosh and by golly, I don't want to incur the wrath of making my position very clear about what it is I think I should get by way of a salary increase," well, heck, why don't we do it with taxes, refer it to Andersen Consulting? If there was a bill delegating the power to Andersen, "Sorry, guys." They pull another big whack of taxes out of the tax obligation of the wealthy and then you tell the educators, "Oops. Sorry, guys, there's no more money. There was less money, but now there's no more. But don't blame us, because we passed a bill delegating that power to Andersen"—wouldn't that be a slick world? It is a very dangerous precedent that's being set. I acknowledge that it may well be done in other jurisdictions, but I say it is an incredibly dangerous precedent.

1710

I mentioned to you that in the United States there's a non-delegation principle that prevails at the congressional Senate level. That non-delegation principle is not a part of our constitutional law. It appears, as I indicated, based on my research, that yes, the Legislature has the power to delegate this way, subject to anything else I may discover in research. But the Legislature has avoided doing that for so many years around so many issues for the obvious reasons. We have seen enough abdication of responsibility, quite frankly, by cabinet ministers who don't want to accept responsibility during question period for things that happened in their ministries which impact in a very negative and serious way on our constituents.

So I say to you, let's be very cautious. I will not be supporting this legislation, neither on second reading nor on third.

Mr Gilchrist: Unlike his colleague, the previous speaker, I can't agree with very much that Mr Kormos has put on the record as part of his justification for opposing this bill, whether it is his former colleague and ex-Premier's very clear support of this concept back in 1988 or whether it is the fact that in 1996, if my memory serves me correctly, he personally voted in support of the bill that said it would go arm's length via the Speaker and that we would have that arm's-length process. I guess at the time maybe he didn't give enough thought to what the outcome might have been to that process.

I don't recall, in the debates, anyone in that party saying, "I'm voting for this conditional on it being 5% or 10% or a decrease." I'm a little troubled by the fact that when the Speaker then did follow the law, they decided to take a different direction.

The bottom line in this is, it is all about maintaining the integrity of a system where the MPPs would not be the people setting their own pay. It would avoid that obvious conflict.

When I hear from some of his colleagues, and even his own suggestion, that somehow the problem in all this isn't so much that there would be somebody recommending a specific salary but that we then wouldn't have the chance to vote on the final judgment of that consultant, or in this case the Integrity Commissioner, how is that any different than just picking a number and setting the pay

ourselves? At the end of the day, what you are espousing would be the same conflict of interest. Whether it came from Deloitte and Touche or whether it came from the Integrity Commissioner, a recommendation brought back here that you then had the power to decide if it was right or wrong is just as biased, has just the same conflict of interest, as if you picked the number in the first place. That's why we want a process that's completely arm's-length.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I, as a relative newcomer here, have struggled with the politics of this place, and I've argued both here and in my riding that we need, where possible, to find new ways to do politics.

That having been said, I want to note that I agree with many of the comments that have been made. Like many members, judging from the attendance here and previously when this bill was discussed, I resent, frankly, spending very much time at all on this.

We have, on good days, a relationship of trust in motive with the people who send us here. I think we heap cynicism and distrust on that when it appears, as one of these speakers to my left said earlier, that we are trying to direct things. Being very frank, I think it is unseemly, inappropriate and, as one former member of the House stated, invidious to be dealing with this in such an obvious conflict way. I agree with many who have said that we should be spending our time dealing with other real issues, minimum wage or whatever. I'd like very much to get on to some of those, although that's difficult sometimes given the priorities of this government.

I'm very concerned too with this reference to the criteria. I think when one insists on setting the criteria for a so-called independent review, you really steer the outcome.

I just want to make the observation about two problems with recent events. The previous so-called independent review that was commissioned provincially made reference to moving to parity with the feds. That obviously wasn't independent. I think at the federal level, when the so-called independent review came in, some of the recommendations around pensions and retroactivity were ignored.

Mr Martin: The member from Niagara who just spoke mentioned that the balanced budget this government crows about here so regularly now that gives them the right to bring this piece of legislation forward was done on the backs of those who are most put upon in our society: the poor and the most vulnerable. Let me give you a short list of some of the things they've done in the five or six years they've been in power to do that.

In October 1995, they cut welfare rates by 21.6%. In 1999, sole-support parents moved from family benefits to Ontario Works and were required to do job searches and other workfare requirements. In 1995, the government changed the definition of "spouse" in welfare law. This was part of "define poverty out of existence." The government abolished pregnancy allowances of \$37 per month. This was called the mother's milk allowance. The

government cut daycare subsidies while requiring single parents to participate in workfare, including job searches and community placements. Adults on welfare can't live with parents and receive shelter allowance. If welfare decides you are not financially independent, an adult will receive no benefit, although eligible children will receive a small benefit. If welfare finds an adult financially independent, they may receive a basic border allowance of \$50.

The government fails to keep another promise made in 1995, that welfare recipients could earn back the 21.6% cut in welfare through earnings on the STEP deduction. Further, they've cut back the amount of employment earnings that you can keep on STEP. The variable exemption is reduced from 25% to 15% after 12 months.

The list goes on. Cut off welfare for three months for the first failure to meet welfare requirements. Cut off welfare to people who are found to be convicted of welfare fraud. What they mean by that is that if your parents give you a little bit of food on the weekend to carry you over, you could be convicted of welfare fraud and lose your allowance. That's what this balanced budget is based on.

Mr Wettlaufer: The member for Niagara Centre certainly espouses some of what he spoke about but, as usual, he and I don't agree politically. It's not a surprise.

Like my friend from Ancaster-Dundas-Flamborough-Aldershot, I feel like we shouldn't even be here discussing this. This is a bill that we should be sending our pays and benefits off to an independent third party to rule on, and that's the way it should be. There shouldn't even be any discussion.

The Deputy Speaker: The member for Niagara Centre has two minutes to respond.

Mr Kormos: This is the last that I'll be able to speak to this bill until of course third reading.

Interjection: Unless there's time allocation.

Mr Kormos: I don't expect that the government would time-allocate this. After all, it's only the New Democrats speaking to it and there are only nine of us. The nine of us are in here working hard and out there working hard. I tell you that we have taken a position that's at odds with the other parties here. Once again we've taken a position at odds, but I'm telling you that there is a strong feeling. I'm worried about the wink, wink, nudge, nudge part of, "Oh well, we'll refer it out. It'll be independent." See, you've got a smile over there. That's right: wink, wink, nudge, nudge. I'm worried about that and I'm worried about the abdication of that responsibility.

Yes, I say it once again. We have the power to set our own salaries just like we have, as a Legislature and as parliamentarians, the power to set taxes or to eliminate taxes or to create new ones. We've got the power to decide policy around education, the power to decide policy around health care. This government in the chamber, in theory, as a whole has the power to determine budgets: how much money is going to be spent where. We vote on a budget. Do New Democrats support the Tories' budget

bill? Of course not. It's Bill 45. It's the one that gives public funds to private schools. There legislators have the power—and every indication is that the government is going to exercise that power as the government and as the individuals within that government—to decide that public dollars are deflected out of public education and into private schools.

1720

Nobody is suggesting that those powers and responsibilities be abdicated. I'm suggesting it makes this bill rather unique. I'm also suggesting it's remarkable that this bill is proceeding through this Legislature with such incredible, unprecedented speed.

The Deputy Speaker: Further debate?

Mr David Christopherson (Hamilton West): Let me begin with why we're here, why we're dealing with this. I want to refer to Hansard. The minister responsible for carriage of this bill, the Honourable David Tsubouchi, Chair of Management Board, went out of his way to say in his opening remarks, brief as they were, "I would like to remind the House that in 1996 our government ... got rid of the gold-plated pension plan." As has been pointed out by my colleagues, the fact of the matter is that the government members, particularly the backbenchers but even cabinet ministers, have been whining about that decision ever since.

Interjections.

Mr Christopherson: Now, look, that's the absolute truth. Earlier on, somebody was saying, "Name names." Call that out and I will start naming names, because there have been discussions and you know it. I'm not about to do that, but I am setting the stage as to why we're here.

The fact of the matter is that the government recognized they got absolutely no political credit whatsoever for eliminating the pensions. I believe a lot of them wish they had modified it, the way the federal government did, so it wasn't quite so rich. But they do note that we all of us, at one time or another, still have constituents say, "Yes, but if I had your pension plan." There's total confusion between the federal and the provincial, and I'm just pointing out that at the end of the day you realize that while it looked like a good political move on paper, it didn't really achieve what you wanted and has hurt a number of people who otherwise would have had some security in the future. On this one I want to end by saying I was in this House. I served with a member who had to deal with the reality of leaving here and not being able to pick up his life, and he ended it. Now, that's the extreme, but that happened.

The other thing is, of course, the government says there are larger ridings; therefore there's more work. Fair enough. But you made them larger. That was your doing. I've got to tell you, I still think that at the end of the day you haven't served democracy well by having done that, because given the issues we deal with day to day and the quality of life issues we deal with at this level of government, constituents are best served when we have a manageable riding, where we know that riding inside out and there is a community of interest between the varying parts of our ridings. That doesn't exist now.

Lastly, when the federal government went ahead with their increase, that was it for some folks. All of us were pretty upset, but some folks, particularly on the government benches, were apoplectic about it because they just couldn't get over what Liberal backbenchers are getting versus them, recognizing that on a day-to-day basis, MPPs, I believe, have more responsibility and more interaction with their constituents and, therefore, one could argue, have a heavier workload.

Having said all that, like all the members of this House, I've thought long and hard about what my vote would be and what I would do on the crucial question of, "Yes, but will you take it or not?" In that regard, let me just say there are a number of things my leader said yesterday that I agree with wholeheartedly, and enough so that I cast my precious vote against, simply because if someone asked me, "If you had your druthers, would you prefer this was dealt with affecting the next Parliament or just not dealt with at all, given the agenda of this government?" my answer to that question would be, "Yes, I would prefer that we waited, that this not take effect now and that in this climate—our House leader has mentioned all the reasons why one feels uncomfortable talking about an increase, recognizing that an adjustment, in my opinion, is warranted, but not now.

I'm not going to give government members an opportunity to say, in or out of context, "Yes, but you wanted it. You voted for it. You supported this initiative." I would rather deal with the issue of the possibility of looking like you want it both ways. That's a fair criticism and that's coming across the floor, and every one of us who voted no and has indicated that "Whatever Judge Evans decides, we're going to live with, we're going to accept," has to live with it. But I would rather live with that than the other way. I say to all members, for the government backbencher who's doing all the laughing and scoffing over there, that if he added his vote to ours and we got enough of us, this wouldn't be in front of us. That, to me, is that appropriate thing, that it ought not even be here.

My leader pointed out the minimum wage issue. It's in the Hansard, page 1591. He pointed out that "After six years in power, we're still at \$6.85." That's a real issue. It ought to bother all of us that there's a potential increase in our wages and for people who earn the minimum wage, the lowest you can possibly pay someone, they haven't had an increase and they didn't see one penny benefit of the economic boom that, quite frankly, an awful lot of other people have enjoyed. That's the same government that, let's not forget, in 1995, a few weeks after you took power, attacked the poorest of the poor, cut back social assistance by 22%, knowing that if you ever said to any other group in society, "We're going to cut your pay by 22%," you'd still be hearing the howling, a very legitimate reason for us to say—although it's said all the time—this really is not appropriate in this milieu.

On page 1589, my leader talked about the fact that, "We need to have a debate here," and our House leader referred to that too, and we should. One of the things that

upsets people the most is when it looks like and/or is a fact that we're trying to rush things through, hoodwink them, move it so fast that they can't catch up. Believe me, I think we are doing this issue a lot of good and that we are doing a proper service in the NDP by forcing this debate, by at least having it long enough that people can absorb what's happening and afford people who want it the opportunity to stand up, state their case and then live by what they say and do. That's important. It's important for us to message that a democracy doesn't have to be made up of people who look like they're trying to hoodwink the public. If we honestly believe that—and we do in this caucus—then take the time to talk about it and let people see what's going on and put some real transparency in the process.

My leader and other caucus members, particularly my friend from Sault Ste Marie, talked about the clawback of \$80 to \$100, money the federal government gives to the poorest of the poor for their children, a special acknowledgement that they need more assistance than they're getting, and you claw it back. That is unconscionable. Yet here we are, dealing with our wages.

Lastly—well, a couple of things: 2% is usually about the amount that has been negotiated for the public sector. Again, my leader pointed out that had you implemented the 2% for just the last three years, our wages would be up around \$85,000, which would start to move us toward that adjustment that I think everyone realizes at some point needs to take place. Why couldn't you have done that? In fact, had you done that from the beginning we'd even be closer, so the gap wouldn't be as big as it is.

Those are valid reasons for this caucus to say no and to cast our votes in the negative. Yes, this is like sending it to an arbitrator, no question about it, but my colleague from Beaches-East York makes the point that when you draft legislation that has other workers' wages going to an arbitrator, they're fettered by all kinds of conditions. Ours isn't. There's nothing attached to it. So for all those reasons, as difficult as it was, I voted no.

1730

There are, however, areas where I disagree with my leader and with some of my colleagues. On page 1588 of Hansard, my leader said, "There won't even be a vote in the Legislature any more. This whole matter will be turned over to someone who is not accountable to the citizens of Ontario, who is not elected by the citizens of Ontario, does not have to account in any way to constituents or to the broad public of Ontario. It will be turned over to someone who can, with a stroke of a pen, avoid all that accountability."

Fair enough, but if we take a look at what former Premier Rae said, and it was Mr Brown, our Speaker right now, who originally brought these quotes into the debate, it shows that where the NDP should be on this issue is open for legitimate debate and that there isn't one place with the angels where the NDP should be, given where the former leader of our caucus and the former leader of this province was on this very issue.

It breaks down into two parts. One is, should we give it to someone else to make a decision and abdicate our

responsibility to vote on every measure of spending? Second, is the Integrity Commissioner the appropriate place to send it?

On the first issue, most members have said, and I haven't heard anyone say anything different, that the whole notion of us voting on our own pay they find distasteful, to say the least. When we ask the public, our constituents, certainly that's one of the issues they feel strongest about. We can't have it both ways. Either we have that responsibility, or that opportunity as some folks might see it, or we give that to someone else and say, "You decide, arm's length, and what you decide goes, whatever that is." They are really the only two ways to go.

At this point I'd like to read a little more extensively, cover some of the issues you raised, Speaker, in your remarks earlier, but also cover some of the other ground I've raised here, and I'm rapidly running out of time.

This is Bob Rae, on Thursday, January 7, 1988. I want to emphasize that he was the Leader of the Opposition at the time, and if ever there was someone who needed or wanted—not needed, necessarily, but wanted—and could use a wedge issue, particularly between us and the Liberals, this would be the guy and this would be the time. Yet here's what he had to say:

"We are subject to an extraordinary degree of public scrutiny as members of a profession that deals with the public and for whom publicity is a way of life for us. The question is raised on many occasions, whenever salaries are raised, that it is not the right time. People say this is not the right year. Let me tell you, Mr Speaker, there is never a right year to deal with this question. It is always going to be one which will raise eyebrows and obviously one which will raise concerns from a public which in many cases does not have the highest opinion of those of us who are in elected office.

"I want to make it very clear that I do not have any figure in my head that is an ideal figure for what a member should be paid, or for what a cabinet minister should be paid, or for what the Leader of the Opposition or the leader of the third party should be paid....

"I do not think it is right that we should be put in the position every year of having to determine our own salaries. It is inappropriate. It puts us in an invidious position, and I think it is wrong....

"I think it is unhelpful to our own job. I think it is unnecessary. I do not think we should be put in a position of having to do it or in the position of doing it....

"I happen to think there is a good solution, which I have urged publicly and will be doing so again today. What we should be doing in this bill is establishing a commission—it could be the elections commission; it does not matter—and giving to that commission the power to establish salaries; not simply to make recommendations, the power to establish what they should be."

Ms Lankin: I agree.

Mr Christopherson: My colleague from Beaches-East York says, "I agree." Obviously I do too, or I wouldn't have read that into the record. It makes a whole

lot of sense if we accept the fact that we don't want, nor should we, and nor do our constituents want us setting—excuse me. I've got to take my coat off; it is so warm in here. I don't like to do that, but—

Mr Kormos: Take the tie off.

Mr Christopherson: I'd look far too much like Kormos. That wouldn't work for any of us.

But given the fact that so many of our constituents feel so strongly, I do believe there's a fair argument for giving this away. I understand the concerns of some of my colleagues and my own leader about, "Where can this lead us?" and, "If we delegate this, we could delegate to other places." But at the end of the day, that can only be done by legislation and the scrutiny of this place, which is why we have so many concerns about what's been put into the regulations, which go into the cabinet room. But things like that would have to come here, and I have faith in the system, in the process in parliamentary democracy, that if a government tried to do that, the hue and cry would be strong enough even for this government that they couldn't withstand it. So I think that part is correct.

When we talk about where it goes, again, I started out where I agreed. I disagree with my colleagues who say the Integrity Commissioner is not the right person. It may be that there's somebody better, but I don't think there's anything inherently wrong with the Integrity Commissioner being responsible for this, and for one very good reason: we, all the members of this place, and all the citizens of Ontario look to the Integrity Commissioner to make rulings and decisions that are of far greater consequence than what we get paid. The Integrity Commissioner decides when there's an allegation that a cabinet minister or the Premier of the province has been not criminally wrong, because that has a different process, but politically wrong, that he or she has been involved in a process in a way that is unacceptable in this parliamentary system, particularly in judicial or quasi-judicial decisions, and matters having extremely important dollar figures attached.

Those decisions, in my opinion, that we give to the Integrity Commissioner are a lot more serious and of greater consequence to the people of Ontario than what our wages are. So I don't see anything wrong with our sending it to the Integrity Commissioner, and certainly it's consistent with what former Premier Rae said about "to some commission." No matter how you do it, you're always going to be responsible in some way for who gets appointed, what they're getting paid, and the whole question of political allegiance. You can't escape that. So let's go to somebody to whom we've given decision-making powers that affect us in a way that has consequences already beyond this. That makes sense to me.

Second to last—I'm down to just a little over two minutes—is the issue of whether or not we should take it. I want to just read into the record what transpired the other day between Marilyn Churley and John Gerretsen. Marilyn was making a speech, and along the way Mr Gerretsen said, "Are you going to take it?" Ms Churley said, "Absolutely. Do you think I'm going to take any

less money than you or you across the floor?" I would also add to that that there's a new member in this place; he's only been here for a few months. Nobody in my caucus has suggested that he's not entitled to the same wages as the person beside him. The same goes for my colleague from Ancaster-Dundas-Flamborough-Aldershot, who hasn't been here that long either. No one is suggesting that he's not entitled to exactly the same amount of money as every Tory backbencher and every member of the NDP caucus.

My own leader made the point very eloquently and very firmly and showed greater leadership when he said, "I know that members of my caucus work quite hard; they work very hard. I don't expect members of my caucus to come here and work, put in hour after hour, and then take less pay. That's just not on. I don't expect them to somehow say at the end of the day, 'If Liberal members and Conservative members vote themselves an increase in pay, I'm worth less than a Liberal backbencher or a Conservative backbencher or, for that matter, a cabinet minister.' I don't expect that of them." That is leadership, in my opinion, and I appreciate the fact that he has come forward and said that.

Unfortunately, when he was asked by Mr Klees in a heckle, "Are you going to take it?" he waffled, in my opinion, and I don't think he needed to. If he feels strongly enough that we're entitled to it, no matter what we're debating here, then I want to argue that he's entitled to it too. If the Premier and the leader of the official opposition start to play games, fair enough; there's no way my leader should be put out there. But I don't think he should have to worry about whether or not the media—and I suspect he's got a good reason to worry about the media and how they'll play it in terms of him and the member for Nickel Belt, his wife, Shelley, when they lump the wages together. If she were a lawyer and made even more money, that wouldn't happen. So I understand why he's reticent, but I think he ought to stand behind the arguments he made about us taking it and he should feel comfortable himself taking it, because otherwise the message becomes foggy.

1740

My last point in the last 23 seconds: I'm counting on Judge Evans. I called the office; he is following these debates. I'm counting on him to be fair—fair to us and fair to the public. I'd love to see him give us a marginal increase now, perhaps phase in some, but make the bulk of it in the next term of Parliament. That makes the most sense. That would be fair.

The Deputy Speaker: Questions? Comments?

Mr Gilchrist: I'm having a very difficult time reconciling the very last sentence of our friend from Hamilton, who says he trusts the Integrity Commissioner, he trusts that his process will be fair and his outcome will be appropriate, and even suggests that the consequence might be a bit of an increase now but a greater increase on which everyone would be accountable when we go to the polls next time. If that's truly your expectation, why in the introduction to your comments did you say you're

voting against the bill? Because that's all this is: a bill that gives the power to the Integrity Commissioner, at arm's length from us, to look at the issue of pay and benefits and judge all of the other criteria that he believes are appropriate—not you or me. And while you stand there all very pious and suggest that members on this side of the House are concerned about some of the decisions we've taken—

The Deputy Speaker: I don't think we need to ascribe values and such things to other members.

Mr Gilchrist: I'll certainly withdraw that, Mr Speaker, although it was used earlier this afternoon.

I'm going to say to the member opposite that the bottom line is that this is all about the process, about being at arm's length, and we think it's an appropriate step to take so that we're never in a conflict-of-interest position again.

Mr Bradley: Another good speech, I must say, on the issue of members' compensation this afternoon from a member of the New Democratic Party, the member for Hamilton West. He was moderate. He was reasonable. He did indicate that he and his party would be voting against this.

The difficulty I have as a member of the Legislature is that I turned on the radio this morning—I have to turn on the radio and listen to the fact that it's the bloody government and the Liberals who are shoving this through. But it is the New Democrats who are going to get the money as well. I know you think I'm being partisan to say that, but fair ball. If I have to listen to your leader poke at this opposition party over this and make fun of this opposition party and have a smirk from ear to ear about it while he's doing it, then I think it's fair for me, when I turn on the radio and hear that somehow we're going to force this increase on members of the NDP and they're going to take it—somehow the NDP gets the best of both worlds. You can be populist and oppose it. Let me get this straight: I believe that you genuinely do oppose it. I'm not saying it's done for those reasons. You get the credit for being against it, but you're still going to get the pay increase, if there is a pay increase.

I thought it wasn't going to be acceptable—what happens if there is an increase in the minimum wage? Then would it be OK? What happens if it were a slightly different procedure? Then would it be OK? I sat on a municipal council. I used to watch people on municipal council who would vote against a pay increase while secretly, behind closed doors, they were promoting it and happy it would be there. That's my problem. I don't like this process; frankly, I think it stinks. I don't like this bill; I think it stinks. But when people take credit for opposing it, I think then they have to look at themselves and say, "Can I accept it if I oppose it?"

Ms Lankin: I appreciate the opportunity to respond to the member for Hamilton West. I also want to say to the member for St Catharines that I think it's a darned shame that his party won't let him actually participate in the debate and he only gets these little two-minute shots. I'd like to hear a whole speech from him on this.

The other thing I want to say to him on this point he keeps getting up on is, if you're going to receive at the end of the day whatever Judge Evans says, then you should be in favour of the process. I fought for years in this province for equal pay legislation and I am not about, on anyone's description, whether it is words that have been withdrawn or other allegations that have been made, to see differential levels of pay introduced in here. I'm also not about to be hijacked by that and not be able to express an opinion.

What I want to say in response to the comments from the member from Hamilton is how much I appreciated him bringing the legislative debates from 1988. I was unaware of that. I was not a member of the House at that point in time. But when I spoke earlier, I expressed a very similar sentiment, that I don't think it is appropriate for members of the Legislative Assembly or any elected members to actually vote on their own salaries. I appreciate the comments made by my House leader and I understand the principle of accountability that he is speaking about. There's a difficult balance to be struck. But I have never seen a time when members of the Legislative Assembly could agree that it is a good and appropriate time, or what a good and appropriate number would be for a salary.

As I said earlier, I used to be a negotiator. I am a tough negotiator on behalf of workers, and I can come to really good settlements. But you talk about doing it for myself? No way. It's not possible. I look out and I see people in very difficult situations and I always feel that we shouldn't be as well off as we are. If you left it to me, I'd bargain us down to nothing, so don't put it in my hands.

I appreciate the comments that the member from Hamilton West has placed on the record. I understand why he's voting no. They're the same reasons that I'm voting no.

Mr Bob Wood (London West): I have to express some disappointment in the remarks of the member who just spoke. By that I mean the member from Hamilton West. I was rather hopeful that he might see fit to support this bill. The reason I say that is I think since this has been an issue in the last year or so, since it became known that the budget was balanced, we've had to take a look at how to arrive at fair compensation for members of this House. I for one listened to the people of London West, and what they said to me was this—and I think what they said to me was probably rather typical of what people said across the province. They said, "We want to make sure that you get fair compensation. But on the other hand, we'd prefer that you not make that decision, because you have an inherent conflict of interest."

This bill, I think, after considerable discussion, input and comment from people across the province, a good number of them in London West—and I appreciate all of those—we seem to have got the message that what they want is an independent person to set rates of pay in a fair manner. I would have thought that proposition might have appealed a little more than it has to the member for Hamilton West.

I would say that if we end up with an increase—and we don't know whether we will or we won't—if someone feels that that increase is not appropriate, all they have to do is give the money back to the province. Frankly, I think that's the obligation of each of us. If we think we're getting more money than we should, we have the obligation to stand up, say that, and give it back to the government. I would invite those who ultimately, once they see the decision, feel that they're being paid too much to come forward, announce what they're doing, write a cheque to the province of Ontario, and then I think they can be fully satisfied that they're not being in any way unfair either to the people of the province as a whole or to their own constituents.

The Deputy Speaker: Response?

Mr Christopherson: I thank all the members, Scarborough East, St Catharines, Beaches-East York and London West, for taking the time to listen and respond.

To the member from Scarborough East, you asked the question, why did I say I was putting faith in Judge Evans if I didn't want this to be dealt with. I don't see any consistency there at all. If you asked me initially, do I wish that this wasn't going to him and it wasn't being dealt with at all, that after you had tried twice before and failed, this was best left alone to the next Parliament, my answer to that question would be yes, that's what should happen. But in the absence of that, and since you've got a majority and this is going to pass, I'm stating and appealing to Judge Evans to weigh all of this in his capacity as the Integrity Commissioner, bearing in mind the issue of integrity, and that the public's opinion and all of the issues we've raised here are valid and ought to be factored in. I'd be thrilled if he made the bulk of the adjustment—and I do believe there should be an adjustment—take place after the next Parliament.

To the member from St Catharines, fair enough. I take your comments and agree that you've got a point. But let me also say to you, you've got to take responsibility for the fact that the government knew ahead of time they had your vote, that you agreed to put this through as quickly

as possible—I didn't raise any of this in my debate; I'm responding to you—and that there would be limited debate on your part. The only ones debating this, as pointed out by my House leader, is us. So we've all got a little bit to wear in this thing. Beyond that, though, I appreciate the comments you made.

Lastly, the member for London West said he was disappointed. He thought I might see fit to support this. As I said, yes, I agree there ought to be an adjustment. If you take a look at what we do and where the feds are and do all the proper comparators, I think an adjustment is warranted. But I also believe it's best, particularly if it's going to be a lot of money, to make that decision and have it take effect with the next Parliament. That's the right thing to do.

The Deputy Speaker: Further debate?

Hon Elizabeth Witmer (Minister of the Environment): I move that the House do now adjourn.

The Deputy Speaker: It's out of order to move adjournment of the House. Instead of a motion to adjourn the House, we can move adjournment of this debate or, if no further people wish to debate, we can dispose of the question.

Hon Mrs Witmer: Mr Speaker, I move adjournment of the debate.

The Deputy Speaker: Mrs Witmer has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

Hon Mrs Witmer: I move that the House do now adjourn.

The Deputy Speaker: Mrs Witmer has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Carried.

This House stands adjourned. We'll resume at 6:45 of the clock.

The House adjourned at 1753.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr
Clerk / Greffier: Claude L. DesRosiers
Clerk Assistant / Greffière adjointe: Deborah Deller
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
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Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
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Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	Jackson, Hon / L'hon Cameron (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	Witmer, Hon / L'hon Elizabeth (PC) Minister of the Environment / ministre de l'Environnement
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Davenport	Ruprecht, Tony (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
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Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Hon / L'hon Brenda (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	Hodgson, Hon / L'hon Chris (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

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Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
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Oakville	Carr, Hon / L'hon Gary (PC) Speaker / Président	Stoney Creek	Clark, Hon / L'hon Brad (PC) Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
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Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
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Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor-St Clair	Duncan, Dwight (L)
Sault Ste Marie	Martin, Tony (ND)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

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

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

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