



Legislative Assembly
of Ontario
Second Session, 37th Parliament

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

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 13 June 2001

Mercredi 13 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

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

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

Index inquiries

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

Copies of Hansard

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

Le Journal des débats sur Internet

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

Renseignements sur l'index

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

Exemplaires du Journal

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



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 13 June 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 13 juin 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

COMMUNITY CARE ACCESS CENTRES

Mr John Gerretsen (Kingston and the Islands): Mike Harris says that it's a shoddy ploy for our volunteer community boards at the community care access centres to get more money to provide critically needed home care and nursing care services for our seniors, frail and elderly and those individuals released from our hospitals quicker and sicker than ever before.

His own government-commissioned report clearly states that all of our access centres across the province lack money and have staff shortages and excessively long waiting lists for our parents, grandparents and loved ones requiring health and personal care so that they can stay in their homes longer at a much lower cost than if they were institutionalized in hospitals or long-term-care facilities.

Mike Harris is providing \$175 million less than the government actually paid for home care and nursing services last year. His actions clearly show that as far as he's concerned, it's more important to provide a \$2.2-billion corporate tax cut, cut hospital budgets, slash home care and the universality of drug benefits programs for seniors than to put adequate, much-needed funding to help our incontinent seniors and to bathe and dress our frail elderly who want the dignity of living in their own homes.

Premier, are you now inventing and continuing a crisis in home care as well so that you can destabilize our precious health care system as you did to our public education system?

As my leader, Dalton McGuinty, said yesterday, "The only thing that is shoddy here is Mike Harris's continuing disrespect for the people of Ontario."

CAMPING

Mr Doug Galt (Northumberland): Today I rise in the House to recognize a local non-profit camp for youth that has been operated since 1993 in Northumberland by Joe and Christine Schur of Dartford. Under their stewardship, some 22 acres of land have been transformed into four beautiful campsites that can accommodate up to 150 people. With help from local service clubs, there are now

10 buildings located on the campground as well as indoor camping for up to 40 campers. Many groups have had the opportunity to use this land, such as Scouts Canada, Girl Guides, 4H and other youth groups. It provides opportunities for youth to learn through experience in an outdoor setting.

This past weekend was the annual Warkworth scouting camp, where 75 beavers, cubs, scouts and venturers were at the camp. The weekend is always a tremendous event that I've had the honour of attending over the years. I always appreciate meeting the youth and enjoying the activities of the weekend.

This year the highlights of the weekend were a visit from the folks and animals from Jungle Cat World to enhance the African theme, a 100-foot waterslide, a church service and the annual banquet. Joe and Christine Schur have been wonderful supporters of youth over the years, and I commend them for their hard work and their dedication to operating this non-profit facility.

COMMUNITY CARE ACCESS CENTRES

Ms Caroline Di Cocco (Sarnia-Lambton): My statement is to drive home to Mike Harris the reality faced by seniors and their families who require home care in Sarnia-Lambton.

Ivan Morrison was ill. He had vascular dementia, diabetes and heart disease. His daughter sold her home to live with her dad in order to care for him. She also worked as a nurse in the local hospital and requested home care for her father. All that was provided was two hours a day.

In April, Ivan was forced into hospital because there was just not enough home care, and the family could not keep up with the father's needs. The hospital kept him only for a short period and, because of lack of home care, told his daughter to look for a nursing home or else be forced to pay for the hospital stay.

The family and Ivan just wanted enough home care to keep him at home. Instead, Ivan was put into a nursing home in Forest, which was about an hour of travel time away. Ivan Morrison didn't want to go away from his family, his daughter didn't want to put him into a nursing home, but there was not enough home care provided by the CCAC to keep him in his home.

Ivan Morrison passed away two weeks ago at the nursing home. And the Premier had the arrogance and the ignorance to suggest that seniors should just be grateful to live in this Ontario.

ONTARIO'S PROMISE

Mr John O'Toole (Durham): I rise today to talk about yet another strong initiative launched by Premier Harris, as part of the government's ongoing commitment to the children in the province of Ontario, called Ontario's Promise.

Launched last November, a series of 47 community volunteer summits are taking place in centres across Ontario. On June 22 in my riding of Durham, the Volunteer Resource Centre for Durham Region is inviting the public to come to an Ontario's Promise session. It's at Durham College in Oshawa, from 9:00 am until 11:00 am.

Ontario's Promise is a program designed to help children and teenagers develop interests and skills that will help them build a strong foundation in their future lives. This new and interactive program is a non-partisan project that reaches out to communities across our province and challenges our business, service clubs and individuals to get involved in the lives of our young people.

Businesses and organizations get involved in many ways, like contributing space or resources for meetings and activities or by making financial contributions. The Ontario government has committed \$2 million in annual funding over the next three years.

The five promises that form the basis of Ontario's Promise are as follows: a healthy start for all children; an ongoing, positive relationship with a caring adult; a safe place that affords positive, meaningful activities outside the home; marketable skills through effective education; and an opportunity to give back to their communities.

As you know from my previous statements in the House, there is a strong, thriving community spirit in Durham region. I know that many volunteers in the area will welcome an opportunity to learn to participate—

The Acting Speaker (Mr Bert Johnson): The member's time has expired.

COMMUNITY CARE ACCESS CENTRES

Mr Ernie Parsons (Prince Edward-Hastings): My office is inundated with calls from seniors who need home care health care. I know the government members must be receiving the same calls. I say to the seniors of this province, this government is failing you.

We are talking about people who have made sacrifices and know what they are: the Depression, world wars. They have gone through them without complaint. It is incomprehensible to me to think now that we have veterans in this province who are not getting the services they need.

When exactly did we lose our compassion in this province? When did we realize that seniors aren't good business? When did we realize that seniors do not fit into a business plan? The members on this side of the House never realized that, because we respect seniors, but on that side they have become numbers in a formula.

The seniors are not asking for a free ride. They've paid for each and every one of us. What they're asking

for now is that they get the services they need. The people of Ontario are willing to pay for those services. The priority should not be a tax reduction for the American corporations operating in Ontario; the priority should be basic delivery of services to seniors.

The seniors respect this government. The seniors are not by nature complainers. It is wrong of Mike Harris to take advantage of them on this. On behalf of the Liberal Party: the seniors need better treatment than they are now receiving.

1340

AIR QUALITY

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for—

Ms Marilyn Churley (Toronto-Danforth): Toronto-Danforth.

The Acting Speaker: I'm sorry, Toronto-Danforth.

Ms Churley: That's the first time you've forgotten, Mr Speaker.

A US study just released in the latest issue of *Circulation: Journal of the American Heart Association* makes for the first time the link between smog and heart attacks. This is very disturbing news, given that we already know that up to 1,900 people die prematurely in Ontario each year because of smog-induced asthma and other respiratory problems.

Smog is caused by a lot of things, but what I'm going to focus on today is the 40% of smog that's caused by vehicle emissions. Yet this government continues to refuse to fund public transportation in this province. When the government came to office in 1995, one of the first things they did was withdraw all funding for the operation of the TTC here in Toronto and for any public transportation across the province.

The Minister of the Environment recently attended a smog summit here in Toronto and, when asked about what her government was going to do to help with the problem, this is what she said: "In the months and weeks to come, we're going to make some announcements regarding the province's reinvestment in transit. We have made a commitment." We need that announcement made here and now, today. Smog season has started. This is the fourth smog alert. We need the announcement today.

AVIATION PROGRAM

Mrs Tina R. Molinari (Thornhill): Students from St Robert Catholic High School in Thornhill were soaring high over York region last week and reaching new heights. These students are part of an exclusive co-operative education program. St Robert was chosen as one of 10 schools across the country to participate in an aviation course and teach students about the art of flying. The school was chosen by the Canadian Aviation Council as being suitable for development of the aviation maintenance technology program.

This program, which was implemented last September, offers students a chance to explore career possibilities in the aviation and aerospace industry. Combining theory, in-flight lessons and an internship within the industry, students make informed decisions about their career. The in-flight experience that many of these students have received will further their thirst for flying, as many of them had no prior interest in aviation. Because of this program, many are considering applying to post-secondary education programs in this field.

The program is also proving to be very popular, with next year's enrolment doubling. Many friends of the students think it's quite interesting and joke around, not believing this program is actually offered in high school because it's usually only a program for college.

The program is doing a wonderful job teaching young people about a subject that not many know about. Programs such as these provide information about the aviation industry itself and the career potential it has.

I wish the students who are part of the program the best of luck in the future.

HEALTH CARE FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): The Mike Harris government would rather dismiss and demean its critics than deal with the crisis we face in health care.

Mike Harris says he suspects that the plea of community care board members to save home care services might be just a shoddy ploy to get more money. The Minister of Health says that hospital board members are guilty of intellectual dishonesty when they say they don't have enough funding to keep the doors of their emergency rooms open. And Cancer Care Ontario board members were accused of lying when they exposed the government's plans to shut down Cancer Care Ontario.

But the crisis in access to health care is only too real. Let me give you a few examples of what's happening, cases that came to my office just yesterday.

There was the heart attack victim who was treated initially in the walk-in centre that Queensway hospital has become and who was transferred to Markham-Stouffville because there was no bed for him in a Toronto hospital.

There was the 26-year-old Ontario woman who was seriously injured while on a visit to Thailand three weeks ago who was waiting to be brought home until a bed could be found for her.

There's a 54-year-old woman in my home riding who is physically disabled and has now been diagnosed with cancer. She cannot get out of hospital because she cannot manage with only two hours of home care.

I received a letter from a recent graduate of the University of Toronto, a specialist in cancer care, who will leave the province if there's no clear commitment to the provision of cancer treatment in this province.

There was another letter from a man who waited so long in an emergency room that he checked himself out

and decided to take a chance that his chest pains would go away, and there were the paramedics here with stories of the critical care they're providing while they wait in hospital driveways.

That was just yesterday, and it is just a sample. It is truly shoddy political posturing to deny the reality of what's happening to people who need care.

ACCESS TO PROFESSIONS AND TRADES

Ms Marilyn Mushinski (Scarborough Centre): I'm proud to stand before the House today to announce the tabling of my resolution, a resolution to streamline government bureaucracy, to strip away the red tape that stunts our province's growth and to open doors to more opportunities for the people of Ontario.

The Mike Harris team has already taken the steps to improve access to trades and professions. We've attracted the world's best and brightest to Ontario by keeping our economy strong. We have committed to helping skilled newcomers enter our labour force quickly and easily. We have improved access to education and training opportunities for immigrants and citizens.

I can go on for hours about the many initiatives our team had the common sense to introduce; however, we must never stop looking forward. We would hurt our communities and ourselves if we remained satisfied with the status quo. That is why I have chosen to table a resolution to encourage our team to look at the issue of access to trades once more.

My resolution, if passed, would appoint a special adviser to look at the big picture to find new and innovative ways to cut through red tape and make access to trades simpler for all skilled immigrants. We need the continuation to encourage growth in our province and to create the best Ontario in which to live, work and raise a family. I am honoured to be part of a team that has nurtured strong leadership for a strong Ontario.

FREEDOM OF INFORMATION

The Acting Speaker (Mr Bert Johnson): The Chair recognizes the member for Niagara Centre on a point of privilege.

Mr Peter Kormos (Niagara Centre): Thank you kindly. The Speaker will know that I served notice upon the Clerk and Speaker earlier today, and I have a copy, sir, if a page will deliver this to you, of my submissions and the material referred to and relied upon. To the Speaker, please, Dustin.

Pursuant to standing order 21, I rise today on this point of privilege, and I ask you to take very seriously the very important issue I am bringing before you and this Assembly.

The government likes to talk about accountability and responsibility. The terms "accountability" and "responsibility" are really the essence of this point of privilege. I submit to you that the government stands in contempt of

this Legislature by way of political interference with the disclosure afforded under the Freedom of Information and Protection of Privacy Act.

I bring to your attention comments made by Information and Privacy Commissioner Ann Cavoukian when she released her annual report. Ms Cavoukian condemned the government's "contentious issues management process," which she describes as "a clandestine policy of flagging any politically sensitive freedom of information requests such as those from journalists, opposition politicians or special-interest groups." She went on to explain that the number of responses to politically sensitive requests that are delayed beyond the 30-day deadline have doubled since 1999.

I would ask you to refer to section 4.1 of the Freedom of Information and Protection of Privacy Act, which clearly states that the Information and Privacy Commissioner, in this case Ann Cavoukian, is "an officer of the Legislature." As an officer of this Parliament, Ms Cavoukian is mandated to ensure that ministries and government bodies comply with the terms of freedom of information legislation.

1350

Speaker, I submit to you that the government's obstruction—and I put to you that it is an obstruction—of freedom of information requests constitutes contempt of this Legislature. Please let me clarify the term "contempt."

The 22nd edition of Erskine May defines contempt in this way: "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence." That's at page 108.

Erskine May goes on to outline contempt as it applies to obstructing officers of either House: "It is a contempt to obstruct or molest those employed by or entrusted with the execution ... of their duty." The text continues, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty." That's at page 125.

The Canadian House of Commons Procedure and Practice text by Marleau and Montpetit also speaks to this issue in its reference to a ruling by then-Speaker M^{me} Sauvé in 1980, which said, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred." That reference is at page 67.

The Information and Privacy Commissioner cites a government policy we have never seen but that the government has used countless times to avoid its accountability and responsibility. Speaker, this is a deadly serious allegation. Ms Cavoukian has told us in her own

words how, time and time again, this government has wilfully obstructed her work, and, I put to you, our rights individually and collectively as members of this Legislature. I know exactly what she was talking about, Speaker, because all of us on this side of the House and, I'm sure, many of the journalists in the gallery, have had the same experience.

In a ruling on May 18, 2000, concerning the release of private information in which the Honourable Gary Carr found that a prima facie case of contempt had been made, he referred to section 46 of the Legislative Assembly Act, which defines the jurisdiction of this House to inquire into and punish, as breaches of privilege or contempt, a range of matters, including "assaults upon or interference with an officer of the assembly while in the execution of his or her duty."

Speaker, I submit to you that the government's actions have prejudiced the proceedings of this House. On many occasions, requests under freedom of information that have been made by members of the New Democratic Party caucus have been interfered with, delayed or denied. There is a direct connection between our ability to gain access to information and our ability to perform our duties in this House, in this chamber. I ask you, Speaker: how may we, as members of the opposition, act responsibly and accountably when we are denied access to vital information?

Let me cite a few examples for you, Speaker, just to make my point.

(1) On March 27, 2001, New Democrats submitted a request for all documents related to the expert panel review of specialty geriatric services. We were told we would get a response by April 29, 2001. That date came and went, the deadline was ignored, and 78 days after our request, we're still waiting for our answer.

(2) On April 18, 2001, we submitted a request for all copies of correspondence between Cancer Care Ontario and the Minister of Health and Long-Term Care on the subject of the after-hours treatment clinic at Sunnybrook hospital. We were told we would get a response by May 25, 2001. That date came and went. On seven separate occasions we contacted ministry staff, who have yet to reply in writing as to why the deadline was ignored. Fifty-six days after our request, we're still waiting for our answer.

(3) On February 23, 2001, we submitted a request for a copy of the report submitted to the Ministry of Health and Long-Term Care on an investigation into allegations that Ontario residents with brain injuries were abused while being treated at US hospitals under OHIP. Incredibly, ministry staff informed us that they did not open the correspondence until May 1, 2001, 66 days later. They didn't open the correspondence for 66 days. That's what they told us. We were promised a response by May 31, 2001. The May 31 deadline obviously came and went. We are still waiting for our answer 110 days after our request.

(4) On September 13, 2000, we requested a copy of the report entitled Patient Travel Assistant Programs in

Ontario in the possession of the Ministry of Health and Long-Term Care. We requested this information because we believe the report documents the discrimination against northern cancer patients and the inadequate northern health travel grant set up by the Conservative government. Nine months, 273 days, after this request the New Democrats are still waiting for an answer.

(5) On February 8, 2001, we requested the billing information for the legal representation for the former Minister of Municipal Affairs and Housing, Tony Clement, regarding his libel lawsuit against Dalton McGuinty. We have never been informed whether we can access those records. New Democrats are still waiting for our answer 125 days after our request.

(6) On April 6, 2001, we requested the legal fees charged to Ontario taxpayers above and beyond the half-million dollars Premier Harris has already spent with respect to the civil lawsuit filed by the family of Dudley George, who was killed at Ipperwash Provincial Park in 1995. The 30-day deadline was ignored, and 61 days after our request we were denied access to the information and we have now appealed to the privacy commissioner.

(7) On March 28, 2001, we requested a copy of the final report of the special task force review of sexual abuse of patients by regulated health professionals. We received no response within the required 30 days. We are still waiting for an answer 77 days after our request.

(8) On May 1, 2001, New Democrats requested the cost of the Ministry of Natural Resources' provision of material such as CDs, calendars, posters and brochures to 103 MPPs to celebrate Earth Week and Ontario's Living Legacy. We're still waiting 36 days later.

It is our respectful submission that the government has displayed and conducted itself with contempt time and time again. It is our submission as well that the contempt is aggravated and that the repetition of the conduct confirms the contemptuous nature. It cannot be argued or suggested and the only inference one can draw is that this is specific behaviour by the government that has indeed been determined by the policy Ms Cavoukian speaks of.

As former Speaker Stockwell stated in his January 22, 1997, ruling on government advertising, "It is not enough for yet another Speaker to issue yet another warning or caution." I submit to you, sir, that a mere warning, a toothless warning, will have no impact on this government's contemptuous and arrogant behaviour.

As outlined in Maingot's Parliamentary Privilege in Canada, on page 221, the responsibility of the Speaker is to determine if "the evidence on its face as outlined by the member is sufficiently strong for this House to be asked to debate the matter and to send it to a committee to investigate."

With respect, Speaker, I believe that we have made that case, that we have made the strongest of cases, and I call upon you to find this government in *prima facie* contempt.

The Acting Speaker: I'd like to thank the member for Niagara Centre for his presentation. Because it is similar

to a notice of a point of privilege by the member for Elgin-Middlesex-London, I'd like to take his presentation now, if I could.

Mr Steve Peters (Elgin-Middlesex-London): I rise in accordance with section 21(c) of the standing orders to raise a point of privilege.

It will be my submission that various officials in the government have perpetrated a contempt of this Legislature through a systematic program that is impeding and obstructing members of this House, myself included, and an officer of this House.

What is it to be in contempt of Parliament? Let me quickly cite two references from the 22nd edition of Erskine May.

Quoting from page 108 of Erskine May on contempt, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence." It is clear what authority is indicated in that case.

1400

On page 125 of Erskine May, 22nd edition, under the subtitle "Obstructing Officers of Either House," I read: "It is a contempt to obstruct or molest those employed by or entrusted with the execution of the orders of either House while in the execution of their duty."

Further on it is indicated, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty."

In the recently published House of Commons Procedure and Practice, by Marleau and Montpetit, it is similarly affirmed that it is such a contempt of Parliament to stand in the way of an officer of Parliament who's doing his or her duty. Let me cite one reference from Marleau and Montpetit on page 67. This refers to the ruling of M^m Sauv , who was Speaker in 1980, when she wrote, "While our privileges are defined, contempt of the House has no limits.

"When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred."

The case of privilege I rise upon stems from the annual report of the Legislature tabled yesterday. It is from the Information and Privacy Commissioner, Dr Ann Cavoukian, an officer of this House. Section 4 of the relevant statute, the Freedom of Information and Protection of Privacy Act, states very clearly that the Information and Privacy Commissioner is "an officer of the Legislature." She is appointed on an address from this Parliament, and she has duties set out for her or any officeholder in that position in the legislation. So my first point is that the Information and Privacy Commissioner is clearly an officer of this Legislature.

The mandate of the commissioner is in part to ensure that government organizations comply with the act. Dr Cavoukian expresses her concerns that there may be a systematic problem, unrelated to the requirements of the act, that is contributing to the relatively low compliance rates within the provincial sector. It clearly states her belief in the existence of a “contentious issues management” process within the government for dealing with the Freedom of Information and Protection of Privacy Act requests. This process identifies those making access requests under the act and singles out the media, interest groups and members of this House for obstruction and delay.

I submit that the government is systematically impeding and obstructing the performance of my functions and duties as a member of this House. Dr Cavoukian cites a significant number of “deemed refusal” appeals and other appeals where access decisions have been delayed, due at least in part to the apparent conflict between the statutory obligations provided by the act and the contentious issues management process. I submit, based on her report as an officer of this House, that I believe I am speaking on behalf of many members of this Legislature.

I will cite just one example of this obstruction from a freedom of information and protection of privacy request filed by me on January 5, 2001, six months ago. On that day I requested documents referred to and displayed by a Ministry of Agriculture biosolids specialist at the South-west Agricultural Conference held at Ridgeway College. They are training manuals for the utilization of biosolids on agricultural lands, printed two years ago, prior to the Walkerton disaster. My request was transferred, just like silos on a farm, from one to another, from the Ministry of Agriculture to the Ministry of the Environment, who denied access to these documents.

I appealed to the Information and Privacy Commissioner on March 12 of this year and sought mediation. During mediation, the government denied access to the documents on the grounds that they were not found to be acceptable, and then found that the grounds of appeal were strong enough to allow a full inquiry into the matter. At the same time, the government argued that the documents did not require to be released since they would be publicly published by April 30, 2001. Well, April 30, 2001, has come and gone. I will note for the Speaker that they have yet to be published to this date.

It is my contention that these delays are due to the political interference cited by the privacy commissioner, particularly the process of the contentious issues management. Further, I contend that the Information and Privacy Commissioner is also being denied and obstructed due to the existence of this contentious issues management process.

The report by the commissioner states, “Our office also encounters conflict with the contentious issues management process even after a substantive decision has been made to a requester and an appeal has been filed. Mediation efforts are often protracted due to the multiple layers of approvals and sign-offs required for contentious

issues requests.” Finally, the commissioner mentions in her report that she has not been provided with the details or copies of any policy documents related to this process.

I have provided to you copies of a Ministry of Community and Social Services Web site which describes the contentious issues reports. These are filed when a member of the media, interest group or a member of this House files a request under the Freedom of Information and Protection of Privacy Act. I also provided copies of the Ministry of Transportation Web site, which divides requests into priority levels if one is of a contentious issue.

This is a core issue of access to information and access to truth. As the member of Parliament for Elgin-Middlesex-London, I take very seriously my role to represent the concerns and issues of my constituents. The issue of spreading biosolids on agricultural land and the government actively encouraging this practice is a serious issue of public health and safety. It is of utmost importance that I be able to expeditiously access government information in order to adequately perform my duties as a member of this Legislature and as a representative to my constituents. I believe this demonstrates a systematic program within the government that is impeding and obstructing members of this House and an officer of this House.

I submit to you, Mr Speaker, that that does constitute a prima facie case of contempt. I submit these matters to you for your urgent and serious consideration and trust that you will agree with me that there is a prima facie case of contempt.

This is only one of many outstanding requests that my colleagues and I have at this time. I’ll tell you and my colleagues today that I will be expecting, in that event, that this House will take up this important matter on a priority basis.

Hon Janet Ecker (Minister of Education, Government House Leader): I rise to respond to the points from our two opposition parties about this matter. First of all, I think it’s fair to say that all members of this House support the legislation, support the guidelines that are there to protect the public, are there to ensure that appropriate information is released in a fashion that is timely, that is fair, that answers to legitimate requests, not only of members of this House but to members of the media, for example.

That’s important, because everyone quite recognizes the importance of that process, the importance of that legislation, the importance of the good work she has been doing as commissioner on behalf of the citizens. But I would have to differ very much with—

Interjections.

The Acting Speaker: I want to be able to hear every word that is said.

Government House leader.

Hon Mrs Ecker: Thank you, Mr Speaker. I would have to object very strongly to the honourable member’s characterization that somehow or other something has occurred to obstruct, because nothing could be further

from the truth. There is no question that information is being released. It is being released according to guidelines. I appreciate that the commissioner is concerned about the timeline, the timeliness that has taken in some circumstances. It's a concern that the government shares. The government has taken steps to try and make sure that it is not happening continually like this.

For example, in her own report she says, "Commitments to performance standards, including response times in dealing with requests, were, for the first time, included in deputy ministers' performance contracts" last year. "This is an extremely important first step.... Deputy ministers must now account for ministry performance on FOI programs as part of the annual appraisal process with the Secretary of Cabinet." So there is certainly an awareness that timeliness has been a concern and we are taking steps to make sure that that is indeed dealt with.

1410

I would also like to point out that the number of requests has increased substantially. Many more requests are coming in. Some of those requests are exceedingly complex. There is certainly—and one would hope—due diligence exercised in making sure the information that goes out is accurate. I don't think anyone here would want the civil servants who are in charge of this process to shirk on that due diligence. They are indeed doing that and that information is going out according to the guidelines. So there's not a question of obstruction at all. Timeliness, yes; we're taking steps to fix that.

The other thing that I know has concerned people and concerned members here is the question that somehow or other there is some sort of clandestine thing going on here. First of all, there is nothing clandestine about the process that is used to deal with freedom of information requests. The guidelines are very clear. The process is very clear. There is a process by which cabinet office is involved and ministers' offices are involved. That has been very open. It was something the Liberal government set up. It is something the NDP government formalized. It is something this government continues to follow. To use the meaning of the word "clandestine," there is no secret, private or concealed process here whatsoever.

As a matter of fact, the freedom of information commissioner has also said, "We don't object to them being alerted to these matters. We understand that cabinet needs to be notified of what may be coming down the road." We've had other comments that have been made in speeches and remarks from the commissioner's office, because they quite recognize that this process is important. For example, "There is recognition that cabinet office's issues management process is designed to not interfere with the process of FOI requests within the time limits specified in the act, and that the process is designed as a 'heads-up' and not a 'sign off.'"

They also say, "We recognize that the Ontario cabinet office's contentious issues management process was designed so as not to interfere with the administration of access requests within the time limits specified in the act." Again, "It is intended to be a heads-up process not a

sign-off process." I think that's a very important distinction, Mr Speaker, that you need to be aware of.

Also, just by way of background, the issues management process for freedom of information requests was first implemented by the Liberals, who centralized it in the cabinet office in 1988—many years ago. The NDP kept it in a November 1990 memo to all deputy ministers from the secretary of cabinet, which read, "Ministries will also be receiving freedom of information requests of a contentious nature and I would ask that these issues be reported to the current issues unit," the personnel in the current issues unit.

This is a process that has been very open for all three governments. It's a process that has continued to be followed. It is a process that ensures information. There is due diligence. The time is taken in some of those requests to make sure it's accurate, to make sure information is being released so that it is responding to what the law and the guidelines say.

The other thing I should say is that my colleague the Chair of Management Board, David Tsubouchi, has indeed written to all his colleagues about ensuring that that process is timely, to make sure we are doing what we can to speed up where we can. But as I say, there has been a 200% increase in those requests. They are larger; they are more complex. I think due diligence is extremely important.

With due respect, I would say to you, Mr Speaker, that the points made by the opposition, the allegations made by the opposition, are indeed not accurate and not a reflection of what is really going on, and I submit that for your consideration, sir.

The Acting Speaker: Thank you. There has been a very thorough and complete presentation on these points of privilege, and the response. Please be assured that the Chair will take all of those submissions into consideration in reporting back in due course.

PRIVATIZATION OF PUBLIC SERVICES

Mr Pat Hoy (Chatham-Kent Essex): Mr Speaker, I rise on a point of privilege in accordance with section 21(c) of the standing orders to raise a matter that I consider a very serious breach of democratic process and disdain for the members of this Legislature. I ask the House's indulgence to make my case.

My case of privilege involves a sad contempt of the Minister of Transportation for the rules of process under which this great institution should operate. I refer to the minister's precipitous meeting last Saturday with Ministry of Transportation workers to force them to accept a job without any security with some unknown company or lose their jobs. Yet the legislative authority for this action, Bill 65, an act improving customer service for road users, has merely been introduced for first reading. Bill 65 is currently at the second reading stage only in the legislative process. There has been no debate on second reading of this bill at all.

Despite the fact that this bill has not received the proper attention of this Legislature, has not received second or third reading or royal assent, the Minister of Transportation has proceeded to disenfranchise 750 government workers. Though this is apart from the contempt case I wish to cite, I find it shocking that they have been given five days to make a choice about their futures and those of their families, in the complete absence of any information.

But my point is that the Minister of Transportation has done this without legislative authority. I believe that constitutes a case of contempt of this Legislative Assembly. Let me remind the House of Erskine May's definition of "contempt." Let me quote from page 108 of the 22nd edition: "Generally speaking, any act or omission which obstructs or impedes either House of Parliament ... in the discharge of" its "duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even" when "there is no precedent of the offence."

Clearly, considering the status of this bill's progress, Bill 65 is far from being a *fait accompli*. In fact, given the ministry's inability to hit its targets for the RFQ process, and every other target set in connection with the privatizing and outsourcing of driver licensing, I would find it highly doubtful that Bill 65 will even pass before the House recesses for the summer.

Speaker, I would refer to a previous ruling by Speaker Stockwell on January 22, 1997. In that case, the Ministry of Municipal Affairs and Housing had issued a pamphlet dealing with the government's program for reforming municipal government in Metropolitan Toronto. Two members indicated that the advertising occurred in advance of consideration by the House of the legislative measures that would be necessary to implement the reform agenda and in advance of public hearings on these measures. Speaker Stockwell found that a *prima facie* case of contempt had been established. In his ruling he said about the brochures, and I quote:

"In my opinion, they convey the impression that the passage of the requisite legislation was not necessary or was a foregone conclusion, or that the assembly and the Legislature had a pro forma, tangential, even inferior role in the legislative and law-making process and, in doing so, they appear to diminish the respect that is due to this House. I say in all candour that a reader of that document could be left with an incorrect impression about how parliamentary democracy works in Ontario, an impression that undermines respect for our parliamentary institutions."

That was Speaker Stockwell's ruling. I think it is a precedent for the precipitous actions taken by the Minister of Transportation with respect to Bill 65.

There is one other precedent I would like to talk about, Speaker, and then I will conclude.

On November 27, 2000, Speaker Carr talked about a point of privilege that was raised concerning the contempt of the Public Appointments Secretariat because it had acted on legislation that had not been passed by

recruiting members for a board. The Speaker referred to past precedents where previous Speakers had ruled that the public service has a responsibility to prepare for the possible passage of legislation. He referred to a ruling by Speaker Edighoffer on December 20, 1989. That Speaker said, and I quote, "It is perfectly valid for the public service to proceed with plans based on a bill that is already in the system in order to be able to act swiftly, once the bill becomes law."

I urge you, Speaker, to recognize the difference between that situation and what we have before us now. It is one thing to allow the government to prepare. According to the Oxford Dictionary, "prepare" means to make oneself ready for something, to be mentally ready or fit. It is an entirely different thing for the minister to force individuals to sign their rights away, to force workers to give up their liberties and privileges irrevocably, before this legislation has passed, before even it has had second or third reading and the debate that the members of this Legislature and the people of this province have a right to expect. Then, after that process is complete, it finally needs royal assent from the Lieutenant-Governor that makes the bill become law.

1420

The implications of this bill will have a serious and lasting impact on road safety in this province. The Minister of Transportation must give this bill full public hearings before it passes. He must listen to the experts who want to warn him that this bill could pose a serious safety threat to the driving public, just as the Minister of the Environment should have listened to the chief medical officer of health on another issue where the government failed to ensure accountability from the private sector to ensure safe drinking water.

It is an abuse of the privilege of the members of this Legislature to allow irrevocable decisions to be made before a bill has completed its legislative cycle and become law, just as it is total folly—and I will say this even more strongly—it's undemocratic for public policy to be pursued in the absence of full public debate.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, and through you to the honourable member, as the honourable member should well know, there are specific requirements in the contracts of employees that clearly stipulate that procedures must be followed, the timelines for those procedures when changes are even being contemplated, that information and notice must be given to staff. In this case, with the transfer of the driver examination services, this is indeed the case. The OPSEU agreement requires that staff whose jobs could be—could be—affected by any transfer of functions must be advised, and there's a timeline in place and a process in place.

The minister in this case is doing good government, is following his obligations, his responsibilities. He's following the obligations in the contract. I'm sure the honourable member would be the first one to stand and complain if this government did not follow what the collect-

ive agreement is clearly stipulating. So I do not agree that there is any such evidence for the case that he is making.

The Acting Speaker (Mr Bert Johnson): I thank the two members for their presentation. The Chair will consider those submissions in giving its response in due course.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Acting Speaker (Mr Bert Johnson): I beg to inform the House that today the Clerk received the seventh report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr John Gerretsen (Kingston and the Islands): I beg leave to present a report on Agricorp from the standing committee on public accounts and move the adoption of its recommendations.

The Acting Speaker (Mr Bert Johnson): Mr Gerretsen has presented the committee's report and moves the adoption of its recommendations. Does the member wish to make a brief statement?

Mr Gerretsen: Since this is the first report issued by the public accounts committee based on the 2000 report of the Provincial Auditor, I would first of all like to thank the Provincial Auditor for his involvement. I'd like to thank our clerk, Tonia Grannum, and Ray McLellan, the research officer, as well as all of the members on the committee from both sides of the House.

This is a unanimous report in which the committee basically makes seven recommendations. If I could just touch on the two highlights, it states that Agricorp should prepare regular reports for the board of directors on its new accountability mechanisms to safeguard the integrity of the investment strategy. It should introduce internal fund administration safeguards to ensure the integrity of its funds. Finally, it should report to the Ministry of Agriculture, Food and Rural Affairs on the planned improvements to corporate governance to be made through the restructuring of the board of directors.

I hope that all of these recommendations will be accepted by the ministry.

With that, I move adjournment of the debate.

The Acting Speaker: Mr Gerretsen moves adjournment of the debate. Is it the pleasure of the House the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

It is carried.

STANDING COMMITTEE ON ESTIMATES

Mr Gerard Kennedy (Parkdale-High Park): Pursuant to standing order 59(a) and 60(a), I beg leave to present a report from the standing committee on estimates, on the estimates selected and not selected for consideration by the standing committee.

Clerk at the Table (Mr Todd Decker): Mr Kennedy, from the standing committee on estimates, presents the committee's report as follows:

Pursuant to standing order 59, your committee has selected the estimates—

Interjections: Dispense.

The Acting Speaker (Mr Bert Johnson): Dispense? We will dispense.

Pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

INTRODUCTION OF BILLS

569924 ONTARIO LIMITED ACT, 2001

Mr Parsons moved first reading of the following bill:
Bill Pr19, An Act to revive 569924 Ontario Limited.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? It is carried.

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

NUTRIENT MANAGEMENT ACT, 2001

LOI DE 2001 SUR LA GESTION DES ÉLÉMENTS NUTRITIFS

Mr Coburn moved first reading of the following bill:

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts /
Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? It is carried.

The minister may make a brief statement. Do you wish to do that now or under ministers' statements?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Under ministers' statements, thank you.

MPP COMPENSATION REFORM ACT
(ARM'S LENGTH PROCESS), 2001
LOI DE 2001 PORTANT RÉFORME
DE LA RÉTRIBUTION DES DÉPUTÉS
(PROCESSUS SANS LIEN
DE DÉPENDANCE)

Mrs Ecker, on behalf of Mr Tsubouchi, moved first reading of the following bill:

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.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, 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 1429 to 1434.

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

Ayes

Agostino, Dominic	Elliott, Brenda	Molinari, Tina R.
Arnott, Ted	Galt, Doug	Munro, Julia
Baird, John R.	Gerretsen, John	Mushinski, Marilyn
Bartolucci, Rick	Gilchrist, Steve	Newman, Dan
Beaubien, Marcel	Gravelle, Michael	O'Toole, John
Boutrogianni, Marie	Guzzo, Garry J.	Ouellette, Jerry J.
Boyer, Claudette	Hardeman, Ernie	Parsons, Ernie
Bryant, Michael	Hastings, John	Ramsay, David
Caplan, David	Hudak, Tim	Ruprecht, Tony
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Smitherman, George
Cleary, John C.	Kells, Morley	Spina, Joseph
Clement, Tony	Klees, Frank	Sterling, Norman W.
Coburn, Brian	Kwinter, Monte	Stockwell, Chris
Colle, Mike	Lalonde, Jean-Marc	Tascona, Joseph N.
Crozier, Bruce	Levac, David	Turnbull, David
Cunningham, Dianne	Marland, Margaret	Wettlaufer, Wayne
Curling, Alvin	Martiniuk, Gerry	Witmer, Elizabeth
Di Cocco, Caroline	McLeod, Lyn	Wood, Bob
Duncan, Dwight	McMeekin, Ted	Young, David
Ecker, Janet	Miller, Norm	

The Acting Speaker: All those opposed?

Nays

Christopherson, David	Kennedy, Gerard	Marchese, Rosario
Churley, Marilyn	Kormos, Peter	Martel, Shelley
Hampton, Howard		

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 62; the nays are 7.

The Acting Speaker: I declare the motion carried.

Does the minister have a brief statement?

Hon Janet Ecker (Minister of Education, Government House Leader): The proposed legislation very simply ensures that in future, salaries paid to members of the provincial Parliament will be determined by an impartial third party, Ontario's Integrity Commissioner. At

such intervals as he or she considers appropriate, the commissioner shall review the salary paid to members and determine the appropriate salary.

I believe this proposed legislation will ensure that the process is fair to taxpayers, fair to MPPs and that the process is at arm's length from the politicians.

MOTIONS

COMMITTEE MEMBERSHIP

Hon Janet Ecker (Minister of Education, Government House Leader): I move that the following amendments be made to the membership of the following committees: that Mr Mazzilli replaces Mr Kells on the standing committee on government agencies, that Mr Kells replaces Mr Mazzilli on the standing committee on regulations and private bills and that Mr Wettlaufer and Madam Boyer be added to the standing committee on regulations and private bills.

The Acting Speaker (Mr Bert Johnson): Is it the pleasure of the House that the motion carry? Carried.

1440

**STATEMENTS BY THE MINISTRY
AND RESPONSES**

NUTRIENT MANAGEMENT

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): A few moments ago, I introduced for first reading the proposed nutrient management legislation. I am pleased now to be able to elaborate on its goals. I'm also privileged to speak on behalf of my colleague the Minister of the Environment. Just as we've worked in partnership to develop this proposed legislation, we'll continue to work together to ensure that its implementation strengthens Ontario's position as a leader in environmental stewardship.

If passed, the proposed legislation would further the government of Ontario's Operation Clean Water. It would put in place preventive measures to address the effects of agricultural practices, especially as they relate to land-applied materials containing nutrients, and protect the environment and quality of life for all residents in this great province. And it would provide the clear and consistent rules so necessary for farmers, like all businesses, to make sound investment decisions.

The bill we have introduced today follows logically from the consultations conducted in the winter and summer of 2000 by the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment. During those public consultations, we heard from farmers, rural residents, municipalities and environmental groups. They all told us the same thing: there is a province-wide

need for clear, consistent and enforceable standards and regulations for all nutrients to ensure that our agri-food industry and our rural communities continue to thrive together and that our natural resources of land and water are protected.

Most Ontario farmers are good environmental stewards and good neighbours. As with any business, though, there are risks, and they need to be properly managed. Nutrients are needed to grow our crops. Manure, biosolids and other materials have beneficial properties but also hazards such as pathogens, and so these materials must be well managed.

The proposed legislation, in fact, builds upon the best management practices that the vast majority of Ontario's producers have worked to develop and have already adopted voluntarily. Farming practices have changed dramatically in recent years as economics demand and technology encourage ever-enlarging farming operations. Rural Ontario has changed just as dramatically. For the first time in decades, more people are moving out of the cities and into the countryside, and they are increasingly interested in, and concerned about, their environment and seeing it as a key element in the quality of all our lives.

What we are now proposing will address those concerns, safeguard our environment and ensure continued prosperity for our agri-food sector, a key contributor to our economy. This proposed legislation will make the voluntary best practices followed by the majority of farmers mandatory practices for all farmers in Ontario. We intend to achieve this goal through a phased approach. All farms would ultimately be governed by new regulated farm practice standards. First, new standards would immediately be established for the new construction or expansion of large livestock operations. These standards would be applied to existing larger animal operations within three years, and appropriate standards for all other farms would be phased in over five years.

Specifically, we propose to take the following steps. We propose to develop, in partnership with our stakeholders and the Ministry of the Environment, strong new standards for all land-applied materials containing nutrients relating to agriculture, including livestock manure, commercial fertilizer, municipal biosolids, septage, industrial pulp and paper sludge. We propose to make nutrient management plans mandatory. We propose to build on the work already done by some municipalities and establish a registry system that keeps a record of applications of materials containing nutrients, focusing initially on biosolids and manure. We propose to require the certification of commercial applicators applying those materials. We propose to ban the land application of untreated septage over a five-year period.

We propose to establish and deliver the required education, training and certification programs. Because we understand that enforcement is the key to the success of this initiative, we propose to put in place highly trained provincial inspectors who are knowledgeable in agriculture and the environment to enforce the new stan-

dards. Finally, because we realize that this is an extremely complex issue, we will ensure our many stakeholders have an opportunity to comment on this framework. We know just how important it is to every one of us who lives in this great province to make sure we do this right.

The Ministry of Agriculture, Food and Rural Affairs will continue to focus on research that will move agricultural industry ever closer to our goals. We will make continuous improvement a priority: to study and understand the challenging new technologies and new approaches to nutrient management; to continue to update our standards and our expertise; and to transfer this knowledge to the farmers of this province.

I am confident that if the proposed legislation is approved and we are allowed to follow this course of action, we will enhance the reputation and the competitiveness of our agri-food industry. We will protect the quality of life we all value so highly and Ontario will continue to be a leader in environmental stewardship.

Mr Steve Peters (Elgin-Middlesex-London): This legislation has been a long time in coming. I looked over and saw the former Minister of Agriculture with a smile on his face and I think this is some vindication for former Minister Hardeman and his efforts in dealing with this legislation. People across this province—farmers, municipalities and the public at large—have been calling for this legislation for a long time. It was promised by the former minister last fall and finally we see that legislation introduced today.

It is legislation that is of extreme importance to the farmers, the municipalities and the public of this province. It's imperative that this bill go to public hearings in rural communities across this province, because this is a piece of legislation that isn't made-in-Toronto legislation. This is a piece of legislation that is going to affect rural Ontario, and having hearings here at Queen's Park is not the way to do it. You need to go province-wide with this.

The minister has committed to consult on the regulations, and I think it's very important. The bill is one thing, but the details, as we always know, are in the regulations. It's imperative that as the consultations begin on this legislation, we also see those regulations in front of us. We need to see an overall package so that the MPPs and the entire public have an opportunity to provide full input into this most vital and important piece of legislation.

It's good to see representatives here from a wide cross-section of agricultural commodity groups from across this province, but one thing that's glaringly absent from this bill is the question of money. We know that as this legislation is implemented and the regulations are rolled out, there are going to have to be capital upgrades made to farming operations across this province. We know these initiatives are going to benefit everybody in this province, yet glaringly absent is the issue of money. I hope that is something that is clearly addressed during the public consultations. It can't all be on the backs of the farmers. Farmers, we know, are facing extremely diffi-

cult times with low commodity prices and are facing unprecedented subsidies from other governments, be it the United States or Europe. We need to do everything we can, and I hope the minister will work with the agricultural community as this legislation unfolds.

There are other aspects in the legislation that need to be addressed. The backgrounder talks about fees. We need to hear very clearly what these fees are all about. Some of the timelines, I have to admit, may be of some concern. I think, as an example, that dealing with untreated septage within a five-year period is too long. I think we need to address that issue immediately, as one only needs to read the media from across this province to see that this issue of untreated septage and biosolids is something that is in the newspapers every day.

I certainly hope the Minister of Agriculture has resources made available to him, along with the Minister of the Environment, because we know that both ministries have been drastically cut by this government over the years. For this legislation to be properly implemented is going to require the resources, and good resources, of both of those ministries. I hope that with the Premier and the Minister of Finance here they'll recognize the importance of this legislation in ensuring those government ministries have the dollars to back up this legislation.

1450

You're going to have to ensure that there's proper education in place for the staff so that they're educated in how to inspect, how to enforce and how to monitor. It's going to be imperative that we know who is going to do this and where the staff dollars are going to come from. We definitely need to know that.

This legislation, though, we know is an investment in the health and safety of all Ontarians. I repeat, glaringly absent from this legislation is the money needed for necessary improvements for the agricultural operations that will, in effect, protect all citizens of this province. In no way, shape or form will the Liberal Party tolerate the entire cost to be borne on the backs of our Ontario farmers.

Mr James J. Bradley (St Catharines): I would like to add to the remarks of our critic for agriculture my concerns as well that there be full hearings on this piece of legislation so that we're aware of all of its implications. It's taken this government six years to respond to the Provincial Auditor and to the two Environment Commissioners to come forward with legislation of this kind. It only happened after the tragedy at Walkerton that we have any movement on the part of this government toward this kind of legislation, toward looking after these problems.

You have to recognize that farmers themselves are the people who feel the most direct impact of this particular problem. When there's an environmental problem in the rural community, farmers themselves feel the impact of that. They have the greatest interest in seeing that this matter is addressed appropriately.

We want to see necessary staff at the Ministry of the Environment and the Ministry of Agriculture, Food and

Rural Affairs. We want to ensure that the farmers themselves are given financial assistance to be able to implement this successfully.

Mr Howard Hampton (Kenora-Rainy River): I believe that people across Ontario need to know what's in this bill and what's not in it. But to get a full appreciation of this, we have to go back over two years ago, because it was over two years ago that this government was finally dragged into doing some consultations on nutrient management.

A report was prepared a year and a half ago, and that report was ready before the tragedy unfolded at Walkerton. We asked for that report. They government said, "We can't provide it." They would only provide a summary, which was so general and so vague as not to inform the public about anything. Then, as Walkerton unfolded, the government said that they were going to use the report for legislation, and legislation would be ready for last fall. Then they got engaged in another round of consultation, which produced nothing. Finally we saw a report which was going to throw all of the responsibility on to municipalities. Imagine, Speaker, throwing the regulation of such an important industry on to municipalities, which are already cash-strapped and simply don't have the geographic scope in which to do a decent job.

So that wasn't successful. The government had to go back and do another round of consultations. At long last, finally, they're prepared to come forward with a bill, but people had better read this bill carefully, because once again the devil is in the detail.

First of all, this is only enabling legislation. In fact, in itself it does nothing. It only enables the government at some future time to develop standards for nutrient management. It says that eventually, and I use the government's own words, farms will be governed by new standards. It says that for large livestock operations, new standards won't be in place for three years. For medium-size operations, they won't be in place for five years. What I see here is another strategy by this government to engage in yet more delay on what is a critical problem in rural Ontario.

Then we come to enforcement. The government says that there will be provincial enforcement officers. I don't know where they're going to come from, because they're not in the Ministry of the Environment. The government fired all of those enforcement officers, and we've heard chapter and verse out of the Walkerton inquiry that they're not there to do the job. Are they going to come out of OMAFRA? You can't find them there, because this government has been busy closing OMAFRA offices from one end of the province to the other and downsizing that ministry. So the government's got to be clear: if you're serious about this, tell us where the enforcement potential is going to come from.

Farmers had better be aware, because part of the review and the administration of this will be turned over to private hands. Farmers need to know that means a lot of new user fees, co-payment fees, administrative fees—

taxes by another name. In other words, farmers will be taxed by this government for something this government should have been doing a long time ago.

This needs to happen, there is no doubt about that, but further three- and five-year delays and a government that doesn't have the enforcement strategy and is going to say that all of this will be borne by new costs, new fees, new taxes on farmers, is inadequate.

We know that this issue of nutrient management is causing a great deal of controversy in rural communities. For example, in Huron-Kinloss, residents are in a bitter fight over a proposal to build a barn to house 6,000 hogs. According to the many letters I've received on this issue, more than two million gallons of raw, untreated liquid manure from these hogs will be spread over surrounding land every year. People who live in the area are concerned about the emergence of such large, intensive farms, and they are concerned about the safety of their water source.

I want some assurance from the Ministry of Agriculture that that kind of operation will immediately be brought under regulation, that it won't be three years or five years, that this is going to happen immediately. If it's not going to happen immediately, the controversy out there in rural Ontario is simply going to continue, the threats to the environment, the threats to practices of farming are going to continue and you will have done nothing except delay, delay and delay, and create a bigger problem by so delaying. So give us some assurances that that kind of operation is going to be brought under regulation immediately, not three or five years from now.

BREACH OF SECURITY

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: We who were in the chamber last night were shocked at the revelation by cabinet minister Cam Jackson that there had been a breach of security, that his cabinet briefing notes had disappeared. He called upon the Sergeant at Arms for assistance. Could this House please be advised of the course of that investigation and whether or not it has been resolved?

The Acting Speaker (Mr Bert Johnson): It may very well be a valid point of order. I don't see the member here and I haven't heard anything.

I just wanted to remind the members that there has been a little flaw in the cooling equipment. That very well could have an influence on the temperament of the Speaker.

VISITORS

Mr Dominic Agostino (Hamilton East): Mr Speaker, on a point of order: There are three friends visiting from Bermuda who are here for the first time. I just want to acknowledge them in the gallery: Susan Clarke, Florence Ottewell and Robert Simpson. Welcome here and welcome to the Legislature.

The Acting Speaker (Mr Bert Johnson): That is not a point of order but we do welcome guests.

1500

ORAL QUESTIONS

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition): My questions are for the Premier. Premier, you advised Ontario seniors earlier in the week that they should be thanking God that they lived in Ontario.

I want to tell you the story of Mr Edward Kenny, who lives in Windsor with his wife. He is 76 years of age. He went into the hospital on May 11 to have two cysts lanced and drained. He was immediately discharged and was given specific instructions from the surgeon. He was told to have the wounds cleaned and repacked twice a day by a nurse. Unfortunately, there was no home care available until the Tuesday following, four days later. So on Saturday, Sunday and Monday, Mr Kenny spent \$25 for each trip into the hospital to have his wounds cleaned and dressed.

Sadly, he was only able to have that done once a day rather than the recommended twice a day. Premier, is this the kind of care that can potentially—

The Acting Speaker (Mr Bert Johnson): Thank you. Premier?

Hon Michael D. Harris (Premier): You know I can't comment on any individual cases, but let me say I thank God every day that I've had the privilege of growing up in what I think is the greatest province in the greatest country on earth. I know my parents do too. The vast majority of seniors and working men and women I talk to also feel we are very privileged. I can tell you that we value very much the contributions seniors have made to this province and to this country. When I look at the record of a 73% increase in home care services, of total funding of \$1.6 billion, and of over \$1 billion in new home care spaces, we try and demonstrate that commitment and that priority over and over again.

Mr McGuinty: It gets worse. Because Mr Kenny didn't get the home care he needed, he developed an infection, and this is what his daughter writes:

"After receiving a desperate phone call from my elderly mother, I drove to Windsor. Once being in their home only 15 minutes, I called an ambulance ... my father ... was gasping for air, could not talk, was unable to drink, and then passed out.... Once into the emergency, it was identified that the infection had progressed ... causing a significant strain on his heart, his oxygen intake to be depressed, his blood pressure to be elevated. He was completely unable to communicate with me.... I want to state very clearly that my mother and I came close to losing him on Thursday evening."

Premier, would you please tell the Kenny family why they should thank you for the work you're doing on their behalf when it comes to meeting their home care needs?

Hon Mr Harris: Whenever anybody suffers in Ontario, of course our sympathies go out to them. The system is not perfect. That's why we're constantly trying to improve the system. For example, a number of questions have been raised about long-term-care facilities. We're funding \$98.50 this year. It was \$84 and frozen by the New Democratic Party when they were in office. This is what we inherited.

Is the system perfect? Of course not. Are we constantly trying to make it better? Of course we are. Are we spending billions of dollars on health and seniors' care? Yes. Do we continually increase it? Yes, far in excess of inflation and we do so without a penny from the Liberal government in Ottawa.

Mr McGuinty: Premier, I want to bring you the case of Mr Kenny, and I'm sure there are countless others just like his. Let me tell you a bit more about him. Mr Kenny is a husband, a father and a grandfather. He's worked hard all his life, played by all the rules, paid his taxes and went to war for Canada. He's had a lung removed and a knee replaced. Today he finds himself in a position where he is frail and elderly. I believe we owe it to Mr Kenny and other seniors, parents and grandparents just like him around the province to make sure we're there for them in their time of need. You may say that all is well, but I'll leave with you the words of the daughter: "There is something very seriously wrong with the health care system in Ontario that elderly people are receiving inferior care, are being neglected, and having their lives put at risk."

Hon Mr Harris: Nobody has ever said the system is perfect. You're talking, I think, about the Windsor area. We've increased funding to home care in Essex from \$30 million to \$39 million. That's about a 25% increase, and yet I think you would argue that it is not yet enough and that even more needs to be done. As you know, we are looking at the efficiency of our CCACs because some seem to be able to provide better and more services for the same dollars than others do. Certainly we owe it our seniors to make sure every dollar is being spent just as efficiently and as effectively as possible. But again, there are individuals who feel the system has not served them as well as it should, and whenever that happens we like to investigate, we like to take a look at that and, of course, that's why we're spending—

The Acting Speaker: Thank you. The Leader of the Opposition, second question.

AIR QUALITY

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. Today the smog is so thick in the city of Toronto that this morning I couldn't see the CN Tower. Today, our emergency rooms are packed with people who cannot breathe. Seniors and children are being warned not to go outside.

During the past six years, you have abdicated your responsibility to protect our environment and to make sure the air is safe for our working families to breathe. You have abandoned public transit in Ontario, forcing a record number of cars into gridlock on our roads, and you have actually increased the amount of pollution coming out of our coal-fired power plants.

You are now Premier of the second-worst polluting jurisdiction in North America. That, Premier, is your legacy when it comes to the environment. What specific responsibility are you willing to accept for the smog that our families are breathing today?

Hon Michael D. Harris (Premier): The Minister of the Environment can answer.

Hon Elizabeth Witmer (Minister of the Environment): I had the pleasure this week to participate with the city of Toronto and the federal government in the second annual smog summit. At that time I was pleased to announce that this province has successfully implemented eight of its key commitments that had been made the year before.

We indicated at that time that we have successfully expanded the Drive Clean program, which deals with car emissions, and also we have been able to reduce emissions by 11.5% since 1998 in the first area, including the GTA. We've also expanded the Drive Clean program into the Peterborough, Windsor and Waterloo areas, and we're looking to further enhance that particular program in order that we can reduce car emissions. I'm also very pleased to say that during that time we have proposed emission caps for the electricity—

The Acting Speaker (Mr Bert Johnson): Supplementary.

Mr McGuinty: You have been part of a government which has been in place in Ontario for six years, and during each of those successive six years we've had to deal with more and more smog. The plans you're talking about now are merely tinkering around the edges. Why did you abandon public transit in the province of Ontario? Why are you telling families that you're not going to invest in some kind of alternative? You leave them no choice but to get in their cars and be stuck in gridlock. Why do you refuse to convert Nanticoke, the single greatest source of pollution in Canada—I'll repeat that—the single greatest source of pollution in Canada. Why have you not converted that to cleaner-burning natural gas? You talk about shutting down our lawn mowers, you talk about shutting down our cars. Why don't you stop tinkering around the edges and do something that's really going to count: invest in public transit and convert Nanticoke?

Hon Mrs Witmer: We have very aggressively taken steps in the last number of years to reduce smog in Ontario. As the member knows full well, 50% of all air pollution in this province comes across the border from the United States. Recently, we did successfully intervene in a court case in the United States to ensure that the American states would move forward and implement

plans that would reduce the amount of pollution that was coming into Ontario.

Furthermore, we have moved beyond the commitments we made at the smog summit, and I'm very pleased to say we have announced plans that would require the Lakeview generating station to cease burning coal by the year 2005. We've also introduced a new policy for boilers and heaters which will reduce NO_x emissions by 29,000 tonnes by 2015.

Mr McGuinty: Madam Minister, you well know this will be burning coal and generating tonnes and tonnes of toxic emissions for four more full years. If you don't understand that it's a matter of our children not being able to go outside and play when the air is bad, if you don't understand that it means our seniors have to stay inside their homes when our air is bad, then you should understand, especially as the former Minister of Health, that this bad air is costing health care over \$1 billion every year. The single greatest cause of hospital admissions for our children is asthma, which is aggravated by bad air. The single greatest cause of absenteeism in our elementary schools today is asthma, aggravated by bad air. That's what's at stake here, Madam Minister.

You continue to tell me that all you're prepared to do is tinker around the edges. Prove to me that you are really committed. Get back into the business of public transit in the province of Ontario and convert Nanticoke into a cleaner-burning natural gas power station.

1510

Hon Mrs Witmer: I find it interesting that the leader opposite stands up and has only one proposal to deal with the issue of smog.

Our government recognizes, as does the federal government, as do the municipal governments that were at the smog summit on Monday, that it's going to take a very comprehensive plan of action, and it's going to require all three levels of government. That's why our government is moving forward with the Drive Clean program. That's why our government is moving forward to close the burning of coal at Lakeview. That's why our government has moved forward with a comprehensive regulation to ensure that the electricity sector is regulated. That's why our government is going to expand the Drive Clean program, and that's why we recently expanded the smog patrol to 20 officers, in order that we could further reduce the pollution coming from grossly polluting vehicles—

The Acting Speaker: Thank you.

VISITORS

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: I know you and the members on both sides of the House would want to welcome to the Assembly parents, teachers and students from MacLeod Public School. In particular, I'd like to recognize Reinisa MacLeod—

The Acting Speaker (Mr Bert Johnson): It's not a point of order, but we're very pleased to have them as our guests.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): Premier, well before the Walkerton tragedy, you received three warning bells: the Ministry of the Environment 1996 business plan, a letter directly from your Minister of Health and a letter from the medical officer of health for Ontario, all warning you that cuts to the Ministry of the Environment would increase the risk to human health and the environment.

You said here yesterday, and previously, that you didn't ignore those warnings. Well, if you didn't ignore those warnings, Premier, can you tell us exactly what you did in response to those warnings?

Hon Michael D. Harris (Premier): You have an interesting way of rephrasing what I said. I think what I said is a matter of record. It's also a matter of record that it's the same question you asked yesterday. It's also a matter of record that all these issues are before Justice O'Connor, and we'll await his findings.

Mr Hampton: We talked to the counsel at the inquiry, and they tell us that the fact there's an inquiry does not stop you, here, now, where you're accountable to the people of Ontario, from telling us. You say you didn't ignore those warnings. Well, what did you do? Did you do something? Did you talk to your Minister of Health? Did you talk to your Minister of the Environment? If you didn't ignore the warnings, what did you do? What did you do to put in place something that would prevent the loss of life and the illness that happened at Walkerton, Premier? I think you owe the people of Walkerton and the people of Ontario that answer.

Hon Mr Harris: I think our actions are a matter of record, and I do plan to testify before the inquiry. I do owe the people of Walkerton and the people of Ontario that, and that's why I've offered and volunteered to do so.

Mr Hampton: Premier, maybe I can help you practise your answer. Because it's very clear in the 1996 Ministry of the Environment business plan—they were very clear. They said that cuts to the Ministry of the Environment by your government would increase the risk to human health and to protection of the environment. That document came before cabinet, and we know what you did when you got that warning: you ordered those words to be taken out of that business plan, because in the next draft which came out, those words of warning were taken out.

So, Premier, isn't it the case that the draft plan that came before cabinet had those exact words in it, but after it came before cabinet, those words were taken out? Isn't that what you did, Premier, in response to the warnings you got?

Hon Mr Harris: You can make things up, and you can send them off to the commissioner. Listen, I appreciate your advice, and I'm sure he does too. For our

part, Justice O'Connor is undertaking a comprehensive review. I look forward to receiving his recommendations. We have indicated we want to co-operate with all the documentation that we can and with whomever in our government he wishes to talk to. That, of course, is what we're doing.

I welcome your advice. I don't always follow it. If I did, we'd still have record numbers of people dependent upon welfare, we'd still have unemployment in the double-digit range, we'd still have massive deficits, and we wouldn't have any money for the environment or health care or education. So you would understand why I don't always follow your advice.

Mr Hampton: Premier, it's pretty clear what you did. You took those words of warning out and you continued down your road of more tax cuts and more cuts to the Ministry of the Environment. That's what's got us into the tragedy we're in.

COMMUNITY CARE ACCESS CENTRES

Mr Howard Hampton (Kenora-Rainy River): Again to the Premier, I want to ask you about your comments yesterday to the seniors of Ontario. You said they should say, "Thank God we live in Ontario, the best province, with the best services anywhere in world." Well, I think seniors are wondering what world you're in, Premier, because report after report has been printed which points out that seniors don't enjoy the best services.

This is just one of the reports from the Centre for Health Promotion, University of Toronto. It says, "Effects of government policy decisions on Toronto seniors' quality of life," and then it says, "At the provincial level, policy emphasis on program reduction continues, eroding supports for seniors."

Premier, how do you square your answer with the studies out there that show that supports are being eroded, and in this particular year, you are eroding those supports all across the province?

Hon Michael D. Harris (Premier): I think no government has recognized the achievements of our seniors more than our government has. No government has cut taxes more for low-income Ontarians, and many seniors do fall into that category. No government has done more to increase substantially funding for drug programs, for long-term care, for home care.

When you froze the levels of funding for care in our long-term-care facilities, you didn't build one new bed, and you were spending some \$600 million or \$700 million less on home care, I don't know how you have the gall to stand up and ask the question.

Mr Hampton: Again, Premier, you must be on another planet, because I actually attended the openings of some of those new beds.

The issue is this: across Ontario CCACs are put in a position where they're cutting the wages paid to those health care workers. In fact, some of those home care workers are leaving because the pay and other benefits

have been cut. They're cutting services to the very seniors who are out there. They're putting together strategies that they don't like, to cut even more services. Meanwhile, you and your government are going to hand over another \$2.5 billion in bloated tax cuts to your corporate friends.

Tell us, Premier, how is it that you can't afford to help the seniors with the services they need and deserve, but you've got another \$2.5 billion of bloated tax cuts for your corporate friends?

Hon Mr Harris: You know, you can say the figure over and over, but it doesn't make it the fact. If you look at the budget this year, there are some modest reductions in taxes that have been announced, but our biggest tax cuts have been for low-income Ontarians.

Many of our seniors have benefited immensely from getting our tax rates in order, leaving more dollars in their hands, leaving them free to make more spending decisions, leaving them free to make more choices. Quite frankly, those tax reductions we brought in are what has led to the \$15 billion in new revenue, the new people working, the new jobs, the new corporate profits that we tax. That's why we put \$5 billion more into health care, much of it consumed, of course, by our seniors.

Gosh knows, they're entitled to it. They've worked hard all their lives. I have to tell you that I believe this province of Ontario, with all its imperfections—nobody would say it's perfect—

The Acting Speaker (Mr Bert Johnson): Thank you.

1520

WALKERTON TRAGEDY

Mr James J. Bradley (St Catharines): My question is for the Premier. It's about a subject he doesn't want to talk about, and that is the complicity of his government in the Walkerton tragedy.

Your spin doctors, Mr Premier, have tried to convey the message that there was no smoking gun, that somehow you're off the hook for any blame in Walkerton. Now we have documents submitted to the Walkerton inquiry that show your fingerprints all over that smoking gun. That comes from the testimony of Dr Richard Schabas, the medical officer of health of Ontario, warning that after you closed down the highly regarded Ministry of the Environment labs, you were leaving the people of Ontario vulnerable because there was no notification going to the medical officer of health from anybody, no requirement for that.

Premier, why did you ignore the clear and specific warning of the medical officer of health? Were you so obsessed with getting tax cuts for the richest people in this province that you were prepared to ignore the warning of a highly respected individual such as Dr Schabas, or did you think that his warning, like that of the seniors' home care administrators, was just another shoddy grab for more money?

Hon Michael D. Harris (Premier): I've answered that question, I guess, five or six times now, and if that

question is one that the commission of inquiry that we set up, that we all agreed to, is interested in, I'll be happy to answer there as well.

I appreciate the member's advice, as always. We seek advice from members in this Legislature and from the public all across the province.

Mr Bradley: I remember yesterday, Mr Premier, when you were talking about people advocating on behalf of seniors, that you said those people were engaged in just another shoddy ploy for more money.

The officials of the Ministry of the Environment were operating some outstanding laboratories which tested drinking water in this province for years. They were renowned around the world. You had some of the top experts on the purification of water, on the testing of water, on the evaluation of water. You had some outstanding laboratories under the auspices of the Ontario government through the Ministry of the Environment.

You decided, when you wanted to give a tax cut to the richest people in this province, that you would just cast them aside, that you would close them down and leave the municipalities at the mercy of only private laboratories in this province. When you did it, you did it like a bull in a china shop and did not look after the reporting mechanisms.

Why did you close down those laboratories, which were so successful and which would have avoided the problem that occurred in Walkerton?

Hon Mr Harris: I'm surprised, being one, I think, who advocated we have a public inquiry, that you wish to be judge and jury all at once and draw a conclusion. I think it's very foolish on your part to do so, but nonetheless you've done foolish things before and you'll do foolish things in the future. That's why we have Judge O'Connor to take a look, obviously, at the actions of all governments and of individuals.

With regard to the tax cuts, I think the record clearly shows that the biggest tax cuts went to the lowest-income and poorest people here in the province of Ontario, and that only because of those tax cuts did we have the resources to make up for the Liberal cuts in health care, to put the new funding into the Ministry of the Environment, to put the new funding into education.

I know you oppose tax competitiveness; I know you opposed all of the tax cuts. I know Liberals don't like to see jobs and prosperity—

The Acting Speaker (Mr Bert Johnson): Thank you.

DOCTOR SHORTAGE

Mr Wayne Wettlaufer (Kitchener Centre): I have a question for the Minister of Health. Throughout Ontario right now there's a rather serious problem, and my riding of Kitchener Centre is one of those that is affected. It is impacted very greatly. In Waterloo region and in Guelph, there are currently 60,000 adults and children who don't have physicians due to the shortage of doctors. Some 40,000 of those residents are in Waterloo region alone. I accept that there's a nationwide shortage of medical pro-

fessionals, but cities in Ontario are pulling out their cheque books to give signing bonuses to doctors because of the shortage. Minister, there's a problem.

While we have that problem, Waterloo region has at least 85 foreign-trained doctors and specialists who want to work but are prevented from practising in Ontario because the College of Physicians and Surgeons, the self-regulating body for medical doctors in Ontario, claims that the doctors don't meet our standards. What are we doing to help the situation?

Hon Tony Clement (Minister of Health and Long-Term Care): The honourable member has an excellent point. This is the first time this question period that there is something of value in terms of the political discourse of this province.

I can tell the honourable member that during the April throne speech this government committed to finding a whole series of solutions to address the doctor shortage. Part of it has to be streamlining the process for accepting foreign-trained doctors. It is not only we who see the need for it to be done. The member for Beaches-East York has said on occasion that it's unacceptable for the province to have qualified physicians driving taxicabs while families go without a family physician. I agree with the honourable member. Obviously there's a valuable pool of talented and skilled professionals that can alleviate some of the physician shortages in our communities and provide the specialties necessary in our communities. I think we can take less time to certify those individuals while still upholding the standards of medical care that we want to have in our—

The Acting Speaker (Mr Bert Johnson): Thank you.

Mr Wettlaufer: Minister, I know you see the problem, except that there are only 36 residency positions available for hundreds of foreign-trained doctors languishing on the lengthy waiting list. This was even indicated by Frank Etherington of the Kitchener-Waterloo Record recently. Other provinces, as well as many states in the United States, have taken the step forward and put in force less discriminatory standards for immigrant doctors. In my own riding this problem is acute. Our previous Minister of Health told us that we would see speedy action on this subject, and I'm wondering when we're going to see it and what it's going to consist of.

Interjections.

Hon Mr Clement: The honourable member has obviously hit upon a popular vein, although our government is doing more about it than the rhetoric on the other side, I can tell you that much.

In terms of the people's frustrations, we hear the people's frustrations. We are setting a target date to more than double the capacity for the assessment and training programs. Of course we have to work with some of our independent partners, like the Council of Ontario Faculties of Medicine, the College of Physicians and Surgeons and the existing international medical graduate program. I think you can rest assured that we'll soon be announcing an outline of this, of the government's not just rhetoric but action plan to streamline the process. I

encourage the honourable member, who asked the question in good faith, to stay tuned.

COMMUNITY CARE ACCESS CENTRES

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Health and it concerns this truly tragic set of circumstances that the frail elderly are facing in Ontario today. I have in my hand a report from the Champlain District Health Council, a health council serving Ottawa and the Ottawa Valley, a report that was tabled earlier this week that makes plain that the challenges and pressures facing community care action centres in my part of eastern Ontario are real and serious and building. On behalf of hundreds of frail elderly I represent in the largest county in Ontario, many of whose families are watching this exchange right now, these frail elderly want to know, what are you going to do to address the kinds of pressures this Champlain health council has so clearly identified as out there requiring an immediate response?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for the question. Indeed we take this challenge very seriously. That is why on all the fronts that affect, in terms of the delivery of health care, our frail and our elderly, this government has been there for those patients, for those citizens here in Ontario. Funding for community health services has increased by 58%. Funding for home care has increased by 72%. I know that in the honourable member's catchment area, in Renfrew county the home care has increased substantially over the last few years. That is a trend I'm sure will continue.

When it comes to the question of long-term care, I believe the Premier made the remark that we are the ones who increased the per diem rates, the payments per resident. We were the first to do so after a freeze of many years. So we understand the problems and we think there happens—

The Acting Speaker (Mr Bert Johnson): Thank you.
1530

Mr Conway: Listen, there is no question they have been increased somewhat, but as this just-released health council report indicates, the single biggest issue facing people like the community care access centre in Renfrew county and elsewhere is that the downloading by your government of hundreds, if not thousands, of acute care hospital patients into the community and home care sector has, more than anything else, driven up the need well beyond the resources you're providing. So I say to you, Minister, on behalf of scores of seriously worried, frail elderly from Arnprior to Deux-Rivières and from Pembroke to Palmer Rapids, in a community where, as we speak, the CCAC is planning to cut over \$2.5 million worth of program spending—12% to 13% of their program budget for these frail elderly—what are you going to do for these vulnerable and terrified frail elderly?

Hon Mr Clement: I believe that this Legislature, this government, need not answer to anyone in terms of the commitment we have made. This government has supplied more per capita per senior than in any other province in this Dominion, some \$128 per capita. I can tell you those are 100% provincial dollars. I know the honourable member asked this question in good faith, but his colleagues, if they wish to be helpful in this area—zero dollars from the federal government when it comes to long-term care, zero dollars from the federal government when it comes to community care, zero dollars from the federal government when it comes to home care—instead of sitting in your place and complaining, do something useful and get your federal brethren to live up to the expectations of the people of Ontario.

Interjections.

The Acting Speaker: Order.

Interjections.

The Acting Speaker: It's very unparliamentary to shout and so on. Actually, you've asked me to enforce the rules that do that, so I don't think it will come as any surprise that I'm quite willing to do that.

The government's second question.

Interjection.

The Acting Speaker: The member for Hamilton East, again.

AIR QUALITY

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of the Environment. We know that summer is approaching and we look forward to warm and sunny days. Certainly that is obvious in this place today. Unfortunately, it's also a time when smog increases, which affects the health of many of my constituents in my riding of Scarborough Centre. I wonder if you could tell us what initiatives you are taking to reduce smog and improve the quality of air, especially in the city of Toronto.

Hon Elizabeth Witmer (Minister of the Environment): Yes, certainly smog is an issue of concern for all of us, and that's why the government introduced the anti-smog action plan and is working in a very comprehensive manner with industry, environmental groups, health groups and other government groups, in order that we can take actions to further reduce the amount of smog. I'm pleased to say that in recent years we have been able to reduce the level of smog below the 1990 levels.

Interjections.

The Acting Speaker (Mr Bert Johnson): I'll not warn the member for St Catharines again.

Hon Mrs Witmer: When smog occurs early, as it has this year, it's important to remember that much of the smog is coming from the United States.

Interjections.

The Acting Speaker: I'll not warn the Minister of Labour again.

Hon Mrs Witmer: In fact, Lois Corbett, the executive director of the Toronto Environmental Alliance, said that

when smog arrives early it means it is created in the United States. So, as I've said before, we're experiencing smog and much of it is coming from the US. However, having said that, we have undertaken the anti-smog action plan. We have moved forward with the Drive Clean program, which I'm pleased to say is the most comprehensive program for vehicles anywhere in North America—

The Acting Speaker: Thank you very much.

Hon Mrs Witmer: —and as a result, we've seen a decrease in car emissions.

The Acting Speaker: Supplementary?

Ms Mushinski: Thank you, Minister, for sharing those particular initiatives with us.

My constituents are particularly interested in knowing what the government specifically does when it issues a smog alert.

Hon Mrs Witmer: What happens, as a result of information that we receive from across the border and also from Environment Canada, is that we issue a smog advisory. The smog advisory tells individuals that within 24 hours there is an 80% chance that there will be some very high smog conditions.

On June 12, for example, the ministry issued a smog advisory for the Windsor-Chatham area, Sarnia-Lambton, Elgin, London-Oxford and Waterloo-Wellington-Dufferin. Also, there are smog watches issued over the next three days. This indicates that there's a 50% chance of high smog conditions. On June 12 this year, the ministry issued a smog watch for most of southwestern Ontario and also a number of communities in the north.

This is available to people on our Web site, and we also issue a press release, and I notice now that many in the media—it simply enables the public to take the necessary actions in order to make sure that smog is not a—

The Acting Speaker: Thank you very much. The third party, third question.

Ms Marilyn Churley (Toronto-Danforth): My question is for the Minister of the Environment. Speaking of smog, we just got another smog alert issued today, and there are 28 regions clear across the province on this list.

Last week your Minister of Energy told me in this House that you curtailed production at the coal-fired plants during smog alerts, but Ontario Power Generation says that they increase dirty coal-fired power production on smog days. Yesterday, when I asked the confused minister who was right, he then said your smog action is to shift production to the cleaner Nanticoke plant. The cleaner Nanticoke plant, Minister? Nanticoke, as a coal plant, is the biggest and dirtiest ship in the fleet.

Minister, I'm asking you as the Minister of the Environment, will you phone Ontario Power Generation today and direct them to cut back production on all of the smog-causing coal plants during smog alerts so that people won't suffer so much?

Hon Mrs Witmer: I'd just like to share a little bit of information. I think it's important to mention to the member opposite that we have been expanding the smog advisory in order to ensure that we can include more and

more regions within the provision of timely information to the public when high smog conditions are expected. I think that is important, because it then allows individuals to take the necessary precautions if there are health conditions. It also allows them to take actions which will reduce smog. For example, it has been suggested that people not idle their cars, that they participate in teleconferencing, that they not use their barbecues, that they not use their lawnmowers and that they not use their other equipment that would produce power.

Ms Churley: Minister, that wasn't the question. Let me put the question to you again. You said earlier to a question that this is a very complex problem and it's going to take time to figure out different resolutions to this. I have a suggestion for you, something that you can do today that would make a difference to the thousands of people who suffer from asthma, some of whom die on bad air days. I am making a concrete suggestion now. Would you answer the question? Would you phone Ontario Power Generation now and tell them, in no uncertain terms, to cut the power production of smog-causing plants on bad air days? It's as simple as that. You can do it now and you can do it today.

1540

Hon Mrs Witmer: In response to the question, in 2000 OPG did announce the very first policy to directly address the issue on days when there is a smog advisory. OPG did commit to dispatch the Lennox generating station, which operates on natural gas or oil, ahead of the coal-fired Lakeview generating station.

Under your government, and perhaps you've forgotten this, electricity exports went as high as 11.2 kilowatts. That's 67% more than OPG has exported under our watch.

Again, we have taken steps. We have announced caps on NO_x emissions from electricity for the very first time. That's a step you could have taken and you chose not to take.

Interjection.

The Acting Speaker: Order. I'm not warning the member for Toronto-Danforth again.

Hon Mrs Witmer: OPG's voluntary commitment will be to reduce to 18,000 tonnes in the year 2007. We've also taken another step that you did not choose to take. We've planned reductions in the SO₂ cap to 157,500 tonnes initially, and—

The Acting Speaker: Thank you.

PARAMEDIC SERVICES

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Labour. I want to ask you about Bill 58 as it impacts paramedics and essential services in this province. It's a bill that you brought into the House that claims to proclaim paramedics as an essential service in the province but does not give them the protection that other groups who are regarded as essential services, such as firefighters and police officers, have in Ontario.

Minister, Dalton McGuinty and the Liberal Party very clearly believe that paramedics are essential to this province, as essential as police officers, firefighters and hospital workers. We believe that they're necessary, that they're part of that health care system that we cannot do without in Ontario. They save lives.

This bill doesn't acknowledge that. It sort of gives them the right to strike, and it doesn't. It sort of gives them collective bargaining, and it doesn't. It talks about replacing workers, as if you can replace an ambulance driver with a truck driver if some of them are out on strike.

Will you today acknowledge that they are as essential as firefighters and police officers and change your legislation to declare that, to make them truly essential services and not second-class citizens, as you are treating them with this bill?

Hon Chris Stockwell (Minister of Labour): If you were so clearly concerned with the fact that they were essential when you were in government, why didn't you declare them essential services? It's kind of strange how you just forgot to do that when you were in government for five years.

There is a difference in the declaration of this bill; you're right. Police officers are a stand-alone unit. They negotiate collectively as police officers. Firefighters negotiate collectively as firefighters. If you're a stand-alone unit as a paramedic, then you will in fact go directly to arbitration.

But there are a number of unions out there with paramedics in them that are blended. There are many outside workers who are blended with the paramedics. In that scenario, like the city of Toronto, the city of Sudbury and places like that, what we have said is if you have a meaningful right to strike—in essence, if there are thousands of outside workers who can go out on strike while the paramedics go to work as an essential service—then you don't need to go to arbitration. Whatever they collectively negotiate, if they go on strike, those dollars are given to the paramedics at exactly the same rate that they've collectively negotiated.

Mr Agostino: This government has had six years to fix this problem. We believe that paramedics are an essential service in Ontario. They protect Ontarians. They save lives. They often make a difference between someone getting to the hospital alive or dead. They are essential and should be treated as such.

The minister and the government can get around the changes that he just talked about. We can put legislation in place that would ensure paramedics are treated on a footing with police officers, with nurses and with firefighters. This government likes to talk the talk about how important paramedics are, but it does not deliver essentially to ensure that paramedics in Ontario are treated with the dignity and respect they deserve. This is a second-class arbitration system that this government has put in place.

Again, Minister, will you withdraw this bill and bring in legislation that will treat paramedics on a footing with

police officers and firefighters—unless you believe they're not essential to the health and well-being of Ontario? We do on this side of the House.

Hon Mr Stockwell: What we believe on this side of the House is that you shouldn't take away the collective bargaining process, and if you can maintain the right to strike, that you should leave the right to strike in place.

Let me just say to the member for Hamilton East, this is exactly the way the city of Toronto has managed their ambulance paramedics for the last 30 years. They reached an essential services agreement with the paramedics. The paramedics agreed to that. If there was a strike, the outside workers went on strike; the paramedics went to work; whatever they collectively negotiated was given to the paramedics. That's the deal the paramedics made. They agreed to it, CUPE agreed to it, all the unions agreed to it. All we're saying in legislation is, "Since you've been operating this way for 35 years, let's formalize it, declare them essential and ensure they never go out on strike." That's what the bill does. It's not too complicated, and I'm not really surprised you don't understand it.

IMMIGRANTS' SKILLS

Mr John O'Toole (Durham): My question is to the Minister of Training, Colleges and Universities. As our economy continues to grow and the demand for skilled workers also continues to grow with it, as you know, technology and globalization change the way we work. We will not only face a demand for more skilled workers but more highly skilled workers as well. As you know, many newcomers to Ontario arrive here only to discover that their education and training do not meet our requirements. As a result, many end up making smaller contributions to our economy than would otherwise be possible. It seems to me our government should be taking steps to assist foreign-trained individuals in evaluating their readiness to work in Ontario before they arrive. Minister, what has the government done to make the transition to the Ontario labour market easier for foreign-trained professionals?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): We know in Ontario that more than half of the immigrants to Canada choose Ontario as their home. We welcome them and want to make sure they can do the trades and jobs they've been trained for as fast as possible once they arrive. To do that, it's extremely important that they get good information before they come. Therefore, we have at our immigration offices around the world various trades and requirements to practise various trades and professions clearly written in all languages so that they will understand what the requirements are to begin with. This is something we've accomplished over the last couple of years. We continue to work on it, and this is progress.

Qualified journeypersons from foreign countries can now write the certificate of qualification exam to get

Ontario apprenticeship certification. ACAS is a great success story. Working with all members of this House, we now can assess people to evaluate credentials from over 180 countries against Ontario standards.

Mr O'Toole: Minister, I know how very skilled you are in negotiating and navigating this important achievement. On top of that, it's infectious. The member from Scarborough Centre had a statement on this very subject today, and she has filed a resolution in support of foreign-trained professionals.

Helping skilled immigrants understand Ontario's requirements and providing the opportunity to prepare in advance is certainly common sense. But once we've identified the gaps between Ontario's requirements and the qualifications of a particular individual, the next challenge is to bridge these gaps effectively and as soon as possible. Every individual and foreign jurisdiction is different. Some newcomers may require significant training, while others may simply need to write a professional exam. What is the government doing to help newcomers get the training and supports they need to make full use of their skills and be productive Ontario citizens?

Hon Mrs Cunningham: In the most recent budget we did commit some \$12 million over three years to help foreign-trained individuals employ their skills more quickly. This is on top of the \$3.5 million announced in last year's budget to support bridging programs for foreign-trained nurses—the program we announced not too long ago was the CARE for nurses project at the Yee Hong seniors' centre—and pharmacists. I should take this opportunity to thank the College of Pharmacists for working with us in this regard.

Our Job Connect program: \$9.3 million to help newcomers prepare for the job market through training, information and employment preparation.

I'd like to thank my colleague for the compliment today, but I am not that skilled in getting people to do things for newcomers. My colleagues here in the House have not helped me get the training agreement with the federal government, and I need their help. More newcomers could get trained if we would work with the federal government to get our training agreement worked out in their favour.

1550

Mr Tony Ruprecht (Davenport): On a point of order, Mr Speaker: If this minister had voted for my resolution, which would help these people 100%—

Interjections.

The Acting Speaker (Mr Bert Johnson): Order. I'll not warn the Minister of Universities again.

The Chair recognizes the member for Davenport on a point of order.

Mr Ruprecht: On a point of order, Speaker: I just wanted to repeat myself, that I've said that this minister—

The Acting Speaker: No. There's no point of order to repeat yourself.

OAK RIDGES MORAINÉ

Mr Mike Colle (Eglinton-Lawrence): My question is for the Minister of the Environment. As a minister, you know that you and your government, for months and years, refused to listen to our requests for protection for the Oak Ridges moraine and refused to implement the freeze that we asked for until the very last minute on the eve of the Vaughan-King-Aurora by-election. You saw the light and, with unanimous consent, we had the freeze.

Now, Minister, the problem is that part of the legislation gives the power to cabinet, which you're part of, to exempt developers from the freeze by passing behind-closed-doors regulations. Madam Minister—

Interjection.

The Acting Speaker (Mr Bert Johnson): I'm not warning the Minister of Education again.

Mr Colle: —can you inform this House and the thousands of concerned citizens across the moraine, from Caledon to Cobourg, how many of these requests have come to the cabinet asking for exemptions from the freeze? How many?

Hon Elizabeth Witmer (Minister of the Environment): I'm a little surprised at the member's question, because I know he voted in support of the legislation, but let me tell you that the minister responsible for carriage of this issue is not here and I will certainly take your question under advisement.

Mr Colle: Madam Minister, so far the press is reporting that up to 50 requests have gone to cabinet. OK? What we're asking is if you, as Minister of the Environment, will ensure that this freeze doesn't become a snow job; that in essence every exemption that comes before you and your cabinet will be made public and there will be no exemptions given.

That's what we're asking for, Madam Minister: no exemptions given behind closed doors and that these exemptions be made public so there can be input from conservation authorities and input from the citizens on each and every one of these exemption applications.

Will you ensure that, as Madam Minister of the Environment, these exemptions will not proceed unless they're brought to the public?

Hon Mrs Witmer: Again, I'm very surprised at the member's question. He voted in support of the legislation. He didn't try to change any aspect of the bill. He supported the legislation just the way the legislation was written.

By the way, I think it was the right thing for all of us to do, to support the legislation, because it is about planning for our future. It is about protecting what we all believe needs to be protected, and I believe that we need to do everything we can to ensure the environmental integrity of the Oak Ridges moraine. That's what this government plans to do. We plan to protect the environmental integrity of the moraine.

INVESTIGATION INTO CHILD ABUSE

Mr Garry J. Guzzo (Ottawa West-Nepean): My question is for the Attorney General.

Mr Minister, yesterday you were in the House when I asked your colleague the Solicitor General, with regard to the 67-week delay between the service of documentation on our government and the subsequent service by the committee of Cornwall residents upon the investigating officers, and the indication that that valuable evidence resulted in an additional 40 charges after July 31, 1998.

Mr Minister, I have to tell you, there are some people who feel that that evidence was never intended to reach the officers on the streets of Cornwall. Those are the people who believe that it was never intended that anybody be charged in Cornwall and they refer to the Christmas Eve press release of 1994.

The Acting Speaker (Mr Bert Johnson): Question.

Mr Guzzo: My question, sir, is with regard to your department's role in the service of that documentation which you received on April 8, 1997. Your department didn't forward it to the OPP headquarters, you did not forward it to the officers on the street in Cornwall—

The Acting Speaker: Thank you.

Hon David Young (Attorney General, minister responsible for native affairs): I thank the member for his question. I know that this is a matter of great concern to him and to many across the province, and that is indeed understandable.

In anticipation of his question today, and as I looked into this matter I have made some inquiries, it is my understanding that the materials in question were indeed provided to the OPP. I have confirmed that by conferring with representatives of the Attorney General's department. I've also spoken directly to the municipal representative that he referenced at the conclusion of his question.

Mr Guzzo: Mr Minister, I know they got to the OPP and I know how they got there. I don't understand what your department was doing. I go back to the documentation that I forwarded with my bill in October 1990 and the covering letters that I included therein when I outlined for a full page and a half a discussion I had with the assistant deputy minister of your department, and his admission to me on the telephone that they were sent not to the OPP but to the municipal police chief in a town 900 kilometres from Cornwall.

I'm having difficulty, sir, and there are many people in eastern Ontario who are having difficulty maintaining confidence. I put this question to your assistant deputy minister in that telephone conversation; I got one answer. I put it to Detective Sergeant Hall on November 22, when he visited my office here at Queen's Park; I got another answer. I want to know why it was sent to a municipal police chief.

Hon Mr Young: I have indeed spoken to the municipal police chief in question who the member referenced. That individual has indicated to me that the material he received came from a private citizen and not

from the Attorney General's department. As you are aware, any individual is free to forward any information they believe should be in the hands of police to local police forces.

As to which force they choose to send it to, that is their prerogative. In any event, I'm advised by this municipal police representative that after he received the information, he did forward it on to the OPP for their use in the Project Truth investigation.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): A question to the Acting Premier: there's some confusion arising out of what your government's true intention is with respect to privatizing and deregulating the hydro-electricity market. The Minister of Energy says that it's going to lead to more green energy. The Premier continues to talk about building more nuclear plants to fit into George Bush's strategy, as the new President of the United States, for electricity for the US.

I wonder if the Acting Premier can tell us, what is it going to be, more green energy or more nuclear plants to sell the electricity into the United States?

Hon Elizabeth Witmer (Minister of the Environment): I think our government has made it quite clear that we are interested in ensuring that any new energy certainly is produced in a way that will not have a detrimental impact on our air quality in the province of Ontario. Certainly it is our intention to move forward in a way that will indeed ensure that air quality is protected for all residents in this province.

Mr Hampton: Minister, the chief executive officer of British Energy yesterday in a speech said that they're very encouraged by your government's signals that more nuclear plants are welcome in Ontario. The only thing that would provide a market for new nuclear plants would be the export of power to the United States, which means opening the market, which means in effect creating a continental energy market, which means that Ontario consumers now start paying the much higher American prices.

So which is it, Minister? Are you in fact interested, as the Minister of Energy keeps trying to say, in environmentally responsible green energy proposals—wind and solar—or is it, as the chair of British Energy says, more nuclear plants in Ontario opening up the market to the United States and American prices? Which is the true signal?

Hon Mrs Witmer: I would just reiterate to the member opposite that our government has always indicated that we believe it is important to have a balanced generating portfolio. That would include nuclear energy.

The Acting Speaker (Mr Bert Johnson): It being 4 pm, pursuant to standing order 30(b), I am now required to call orders of the day.

1600

ORDERS OF THE DAY

TIME ALLOCATION

Hon Janet Ecker (Minister of Education, Government House Leader): I move that pursuant to standing order 46, and notwithstanding any other standing order or special order of the House relating to Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers, when Bill 58 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on justice and social policy; and

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the standing committee on justice and social policy shall be authorized to meet at Queen's Park on Tuesday, June 19, 2001, for clause-by-clause consideration of the bill, and that in addition to its regularly scheduled meeting time, the committee be authorized to meet in the morning but not during routine proceedings, and that the committee be authorized to meet beyond its normal hour of adjournment, until completion of clause-by-clause consideration; and

That at 4:30 pm on that day those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than June 20, 2001. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the standing committee on justice and social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

When the order for third reading is called, that 90 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to

dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr David Christopherson): The government House leader has moved government order 28. The floor is now open for debate.

Mr Bruce Crozier (Essex): Most times when I say I am pleased to stand in the House and address my colleagues, I say it's a pleasure, but on these occasions of limiting debate it can't be a pleasure. On this particular bill I'll give an example, in that again the democratic right of each of the members of this House to have an opportunity to speak to legislation has been choked off. I was on the list of speakers, hoping that today or tomorrow or sometime next week I would have the opportunity to speak to this very important bill. Because of the resolution just read by the government House leader, I won't get that opportunity.

I want to emphasize what has been mentioned in this resolution by the House leader, to show just exactly how draconian this choking off of debate can be. This bill will be immediately sent to the justice and social policy committee when it's called for second reading vote. The committee will have one day to do clause by clause, that's all, one day to go through this bill, and it's obvious by the omission that there will be no public hearings.

Once again this government either wants to limit the input from the public of this province and from those who are affected most directly by the legislation, or they don't want to hear from them at all. In this case, the government doesn't want to hear from them at all. What a shame.

Then, when it comes back to the House no later than June 20, which is only seven days away—sometime next week; next Wednesday, I guess—it will get 90 minutes, 30 minutes presumably from each party. I continue to say it's an absolute shame that the constituents of Essex send me to this place to represent them and I don't get an opportunity to speak on their behalf, or in this case, on behalf of the emergency service that serves them.

I'm going to take a few more minutes, Minister, because I'm frustrated at the way these closure motions are continually put to us. I get the impression that we spend more time speaking about closing down debate in this Legislature than we spend speaking about the legislation itself.

I haven't any idea what it is the government's afraid to hear. They're apparently afraid to hear, I can suggest, the opinions of the opposition in this Legislature. They're afraid obviously, because there are no public hearings, to hear from the public. Again, I say that's a shame.

Relatively little is asked of the government, with this piece of legislation, by the Ontario Paramedic Association. They simply want to be put in the essential

category, the same as other health care workers in the province, firefighters in the province, police services in the province. For giving up that right to strike—this is a very important decision for these paramedics to make—for the benefit and in the best interests of the citizens of Ontario, they merely want to be treated like the other essential services, and that when it comes to arbitration, when it comes to a decision as to what their next contract will look like, they be given a fair shake. That's all they want, and they don't feel they're being given that in this piece of legislation.

I'm going to read a letter into the record, because I've referred to it in part up till now. It's signed by Roberta Scott of the Ontario Paramedic Association. It's dated June 11, just a few days ago.

"I am contacting you on behalf of the Ontario Paramedic Association. Bill 58, Ambulance Services Collective Bargaining Act, 2001, as it stands now, is of great concern to the paramedics of Ontario. As professionals and patient advocates, we see the need for the government's move to make paramedics an 'essential service.' It will ensure that the public's safety is always protected. However, the bill as it is currently written, falls far short of providing the paramedics of this province with a fair and equitable system of binding arbitration to adequately compensate for taking away our right to strike.

"We would like to request that Bill 58 be sent to a committee and public hearings to afford our profession the opportunity which we have not yet had for some consultation on the issue. We have suggestions for amendments to the bill which would basically include the recognition of our profession with an arbitration system similar to other essential services in this province, such as police, firefighters, nurses and other health care workers.

1610

"Presently, Bill 58 will clearly put Ontario paramedics at an extreme and unfair disadvantage in the collective bargaining process. We ask, out of respect for our profession and the essential services that we provide, that you take the time to consult with us, listen to our specific amendments and provide a more equitable and balanced bill for paramedics. Our hope is that after being given the ability to add some important input and amendments to Bill 58, it will become a bill that the Ontario Paramedic Association can publicly support and endorse. The bill should become one that formally recognizes and declares paramedics as an essential service, while providing them with an acceptable system of binding arbitration. We only ask that you afford us the same professional recognition and respect that all other essential services in this province have already been given, no more, no less.

"We would appreciate the opportunity to speak with you personally about our concerns and present our proposed amendments."

It goes on to say where they can be reached.

"Thank you very much for your prompt attention to this matter, which is of the utmost importance to our profession.

"Sincerely, Roberta Scott, Ontario Paramedic Association."

They want no more, no less. They are being given less by this government.

Mr Alvin Curling (Scarborough-Rouge River): What a privilege it is to speak on this matter of importance. I'm not as happy as I thought I would be, because I didn't know I'd be confronted with closure and a restriction of expression of the democratic process. There's a consistency with this government that there's no adequate debate, no adequate consultation. This is quite regular and consistent with this government.

I want to spend a few minutes first to speak about that. One of the things we hold most precious in this democratic society is the fact that one is able to have legislation made for the people and by the people, and the only way we can do that is by proper consultation. This government does not, in any way, have any public hearings unless they're forced to. Not even adequate debate within the House is being allowed. Many times, when many of us who are elected by the people want to bring forward the issues and concerns of those individuals, it's been denied. This is one of the most blatant insults in the face of democracy. Often, the people of Scarborough-Rouge River will ask, "When are we getting an opportunity to be heard?" I tell them we tried—Dalton McGuinty and the Liberals here—to indicate to the members on the government side that the people want to be heard, but they are shut out.

I was appalled again today that the government House leader stood up to say there would be a restriction, a closure and limited time in which one would be able to debate this very important piece of legislation, and many pieces of legislation. I think they intend to break the record of how dictatorial they can be in this province.

One is appalled. They use many things—the Common Sense Revolution. I've always said that when they started this revolution, any revolution, a lot of people would die in the process. What they've done is killed democracy to begin with, and they've attacked the poor and the most vulnerable in our society.

Furthermore, when a bill like Bill 58, the Ambulance Services Collective Bargaining Act, comes before us, there are many concerns that are brought forth: the bill is limited, it's inadequate, it's very discriminatory. You hear the wonderful words, "collective bargaining act," and you think that justice and democracy are more or less being done.

The first thing the paramedics are complaining about is, "If we are being considered essential services like the nurses and the firefighters," they would say to themselves, "I hope we are treated equally and not inconsistently." That is to say, "Part of you are essential and the other part are not." It's just basic. They said, "If you're going to treat us like nurses, treat us like nurses. If you're going to treat us like firefighters, do that."

I don't have to emphasize the importance of the paramedics. They have done a tremendous job, and it's very important that they are there at all times and their services are not broken. That's why we call it an essential service. They have saved many lives, and of course we wouldn't like them to go on strike when there are lives to be looked after. So they're saying, "OK, this is the way we'll do it."

The Minister of Labour should be knowledgeable about procedure. As a matter of fact, he was a former Speaker of the House, who would more or less defend the kind of democracy and the parley that happens here in the House, giving each person a right to speak. Sometimes I find him rather funny, but very arrogant in a way. He's restrictive, and he knows it all. That bothers me, because what it does is send an awful signal outside. Those outside say, "It seems to me he knows it all. He doesn't want to listen, and the paramedics who are coming are saying, 'I'd like to sit down with the minister to say to him that the law he has here, the bill he's introducing, is discriminatory.'" But somehow you feel that one is not being listened to by this minister, and he doesn't want anyone to be heard on this issue.

We know that what they're saying here is, "We will determine what is full service. After we have defined what is full service in the paramedic field, we will call that essential, and we can deal otherwise with the rest." There's an opportunity, of course, to have some scabs come in, maybe, to drive the ambulances. I thought we were on the procedures that handle the nurses and the firefighters. But no, they are treated differently.

The basic question they are asking is, "Why?" I heard the minister saying in the House today that they agreed to all this, and it is fair because that's what the paramedics want. The paramedics have said that's not what they want. They want to be treated fairly and equitably, just as the others are. I don't think he hears that; I don't think he wants to hear that. I think he, like his government, the Mike Harris government and all the ministers over there—you can hear the frustration in the voices and the actions of the backbenchers each day. They don't seem to be getting answers. It seems that many of these are falling on the deaf ears of these ministers. They have an order, and they carry out the order without any sort of consultation.

We see the same thing happening with the tax credit for schools. People are saying, "We want to be heard." It is restricted. There are huge omnibus bills. Then, when we come forward to speak, it's restricted.

Therefore, as I said, there are two areas of this that bother me. One aspect is that one is not given the opportunity to speak. All the members represent a wide, large province that has different viewpoints that should be heard, so that when legislation comes forward, it reflects Ontario—not Mike Harris's thoughts or the Minister of Labour's thoughts alone, but the thoughts of the people of Ontario. The only way we can have that is if we have contributions, discussions, debate and amendments in the process. But when you cut it off, you don't

get an opportunity to do that. They are frustrated about that. The people of this province are frustrated.

We know their view is that democracy only allows one day, in this state of rule, and that day is election day. He doesn't have to listen to or do anything else during that time. On that one day at election time, Mike Harris, the Premier, and the Tory government over on that side feel that the people will forget about their arrogance and how they have behaved in many ways to the seniors and the children of this province, that those who are vulnerable and poor in this province have been abused by this government.

1620

But the people also know—those who are more privileged are finding out that if you abuse the most vulnerable in society, it has a way of creeping up and affecting them. They themselves would say, "This is not the type of government we want. This is not the type of democracy we want in this province, the one-day democracy of today." Maybe on that day, what will happen is that they will not forget. They will say, "You think we forgot," and they will be replaced by people who want this to be the kind of province we have worked and lived in, where our children grew up and were educated, especially to stay the way we were and to be treated fairly.

Collective bargaining means for all, not the discriminatory half-measure situation in the Ambulance Services Collective Bargaining Act today. If the minister would just withdraw this bill or extend it for more hearings, we would have legislation that is rather effective and able to accommodate the things they are saying.

I am extremely disappointed and the people of this province are very, very disappointed at the way the government is going. My colleague from Essex, Mr Crozier, has stated there's a letter from the Ontario paramedics, and we would like you to address the concerns put forward in the letter he read. Even on that, I'd like to hear the minister comment. I'd like to hear the minister decide, just for basic democracy, a simple thing like democracy—our young children here today as pages would say, "What is all that?" That little thing of democracy was fought for by people. Your grandparents died just to have what we have, a free say in our state. Today that is lost because the dictatorial attitude of this government has lost all of that. We want you to know that we shall stand up for this great Ontario and represent all so that legislation reflects all the people, their concerns—not the legislation of Mike Harris but the legislation of the people of Ontario.

I know my colleague is very anxious to express his views later on, in the limited time we have. He wants to express his views, as do many of my colleagues, so I will sit now. I hope we will follow those thoughts and that the minister will rescind the dictatorial attitude he has behaved under in the past.

Ms Shelley Martel (Nickel Belt): It's Wednesday, and the tradition in here, when the House is sitting, has

become that Wednesdays are time allocation days. The government, of course, doesn't disappoint me again today. I believe that last Wednesday I might have been speaking here on a time allocation motion too, and I believe the week before that. True to form, here we are, the middle of the week, and the government is moving yet again to end parliamentary debate, which is supposed to be an important part of this democratic process. The government is moving yet again to use its majority to shut down debate on a bill that has some very serious consequences for people who do incredible work on behalf of the public.

I'm speaking about those paramedics who, Speaker, in your community and mine and every other community across the province, are on the front lines, the first people we see in an emergency, picking our loved ones up, taking them to hospitals—God knows, in Toronto when they take them to the hospital they sit out on the pavement for another 45 minutes trying to find a bed, or they get those people in and then they're lying on a stretcher in a Toronto hospital because of all the cuts this government has made during its hospital restructuring process, which I remind you was a forced one. Those are the people who are going to be dramatically affected.

You know, they've been in the gallery. They're not here today because they've seen the writing on the wall, of course, when the government moved this motion last night and it was printed in the Orders and Notices paper. They certainly have seen the writing on the wall. The government is going to end this. The government has heard enough. The government wasn't really interested in hearing from them in the first place, because the fact of the matter is they weren't even consulted about this bill, but I'll get to that later in my remarks. They have been here because they were hoping that perhaps one day the Minister of Health or maybe the Minister of Labour might have some time to meet with them, but that didn't come about. Of course, why should I be surprised? The government doesn't have much time to meet with workers, especially those in trade unions, do they, Speaker? You're well aware of that because you were our labour critic. How many times did the government move on draconian pieces of labour legislation and have no time to talk to those people who were most dramatically affected?

The government is shutting down this debate. I want to just look at the time allocation motion. It's interesting that in this piece of legislation—again, maybe I shouldn't be surprised—this government is not even allowing for some limited public hearings on this bill. If I read the first part of the time allocation motion, it says:

“That the standing committee on justice and social policy shall be authorized to meet at Queen's Park on Tuesday, June 19, 2001, for clause-by-clause consideration of the bill, and that in addition to its regularly scheduled meeting time, the committee be authorized to meet in the morning but not during routine proceedings, and that the committee be authorized to meet beyond its normal hour of adjournment, until completion of clause-

by-clause consideration,” and that at 4:30 on that day, all the amendments that haven't been put will be put.

You'll note, Speaker, in that particular paragraph there is no time for public hearings. I'm going to be leaving a little bit of time for my colleague from Niagara, who is our House leader, because he's going to come back up from committee room 1, where he is right now dealing with Bill 25, which I think was another bill this government time-allocated, probably the one we did last Wednesday. He has just sent me a note to say that he wants me to leave him some time because he wants to come up and talk about, what happened to our request for public hearings? I look through the comments that were made by my colleague from Niagara, and I see here on page 1297, which was the debate on Bill 58, which the government is time-allocating today, that my colleague said the following:

“Committee hearings? ... New Democrats are insisting on committee hearings for Bill 58—really don't know to what end, though.” He's probably right about that. “Committee hearings have become more and more meaningless at Queen's Park.” Indeed they “have become a sham.” I'll just read you a little bit more. It's so good. “Committee hearings: part of their history is designed to include the ... folks out there,” but now they're a “pathetic charade of what they” used to be.

Here's another reference he made to our call for public hearings. This is on page 1301 of Hansard, from the debate on Thursday, June 7. Our colleague Mr Kormos said the following:

“That's why government backbenchers should answer these phone calls”—this is with respect to phone calls on this bill—“and that's why government backbenchers should encourage their political bosses to have public hearings—real ones, not like the one around the public funding of private schools that's going to begin tomorrow in St Catharines.” Well, we know all about that sham of a process, don't we?

Anyway, I guess the Minister of Labour is going to get up and try to say we never asked for public hearings and we gave up public hearings etc. That's why I'm going to leave some time for our House leader to come up from committee room 1 before the end of the day and give us his version of what happened, because clearly, as you see—I've read it into the record—on at least two occasions—and I had to flip through this quickly—our House leader did ask for public hearings on this bill, and there will be none because the government really is not interested in hearing what the paramedics had to say. If they were, they would have consulted them in the first place before they drafted Bill 58, and we know they didn't consult the paramedics.

Our House leader, during his remarks on this debate last Wednesday and again last Thursday, made it clear that he had talked to OPSEU and asked them if they had been consulted, talked to, even got a fax, maybe a phone call. No, they weren't consulted with respect to Bill 58. He then talked to CUPE, the Canadian Union of Public Employees, about their participation in a discussion

before this bill was introduced. Speaker, you wouldn't be surprised to know that they weren't consulted before the bill was introduced, weren't consulted on any of the provisions and don't agree with the provisions and think the bill should be withdrawn. Quite frankly, then our colleague also talked to members of the Service Employees International Union about whether or not they had been consulted, had any input, had any impact on the minister before this bill was introduced. No surprise: of course they hadn't been consulted either. It's only a few of the very important folks who deliver this incredibly important service in our province, and none of them—I repeat: none of them—was consulted by the Minister of Labour or this government about this bill.

1630

Of course, they did want some public hearings, and in briefs that have already been read during the course of that debate, they made it clear. We supported that call on their behalf, and I clearly pointed out where our colleague Mr Kormos did that. But here we are, a time allocation motion in front of us. These folks just won't have a chance to be heard, will they?

It's very clear the kind of esteem the government holds these folks in, the same people who do incredibly important work on behalf of the public service, who are the first ones at our house or at our park or our place of work when someone has a heart attack, someone is in a motor vehicle accident, someone is in a snowmobile accident or a motorcycle accident, the first ones at the scene to try to save us and to try to get us into a hospital for longer-term, ongoing emergency care. On a bill that dramatically affects how they operate, how they get paid, what their conditions of work are etc, they're not going to have a say. I regret that the government chose to go in that direction but, again, I shouldn't be surprised, because when it comes to labour legislation, it's kind of more of the same, isn't it?

In any event, not only do we not have the provision, then, for public hearings appearing in the government notice of motion that we are dealing with today, or the government's time allocation motion or the government's closure motion, however you want to frame it, we also know that the debate around the clause-by-clause is going to be pretty limited. That is clearly limited in this debate: "At 4:30 ... that day, those amendments which have not been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession, with one 20-minute waiting period allowed, pursuant to standing order 127(a)."

It's probably worth pointing out that the amendments that will be put from the opposition, I dare say here and now—you can say you heard it here first—won't be accepted by the government anyway, will they? A number of people will spend time trying to deal with the

amendments and the ideas that have come forward by the paramedics who were shut out of the process and are now trying to find their way in through amendments. I can bet, as I stand here today, not a single amendment that might be put forward from the group of individuals directly affected by this bill will be accepted by the government anyway.

I guess we shouldn't be surprised. I haven't been in one of the justice committees recently, but I know that every time my colleague Mr Kormos has put forward an amendment in that committee—when we were dealing with the Rick McDonald bill, for example, the government had no time for what we had to say, even though the amendment we put forward in that case was one that was supported by the Sudbury Regional Police Association. The government didn't want to talk about that. When I think about some of the other justice bills that he's been dealing with in the last session, they weren't accepted either.

The government's going to have a few amendments. They'll all be put by 4:30; that'll be the end of that. I dare say that not a single one put forward by us would be accepted first.

It's a bit of a shame, because you would think that the government that didn't have time to consult with the paramedics who are going to be affected and then didn't have time for public hearings for the paramedics who are going to be affected, if they really held them in any esteem at all, except in low esteem, which I think is really how they hold them, might be at least interested in accepting some amendments that will come from the opposition that clearly would be ones coming from them if they had ever had a chance to be heard. But I suspect that's just not going to be the case and that will be the end of the amendments.

Of course, there's going to be a little bit of debate on third reading. The government has said, "We'll allocate 90 minutes to that and that will be divided equally among all parties, and at the end of that 90-minute period on third reading, the Speaker shall interrupt all the proceedings and dispose of that stage of the bill." "Dispose" is probably the key word there, like they disposed of the public hearings that should have been called around this bill. There will be no further debate and no amendments and that will be that. The bill will be the next piece of business that is called in this House, passed at the next, earliest opportunity.

I regret that the government has gone this way. I say that particularly because there's been no indication from any of the government members who have spoken that in fact there was any consultation, communication or the advice of those people directly affected, hard-working men and women who deliver an important health care service on all of our behalf, ever sought before the government brought forward Bill 58. I would have hoped they would have at least been able to provide them with some opportunity, if not for public hearings, then for some amendments to come forward, and I don't think that's going to be the case either.

What worries me is there's such a dramatic change with respect to the arbitration the government has put in place under this piece of legislation. It's fair to say the paramedics themselves have made a point of it, and I will want to reference their brief. I don't understand why the government wants to so clearly truncate an arbitration process that should apply equally to paramedics as it does to firefighters and police services. If you just take a look at the fact sheets on Bill 58 that I'm sure all members of this House got, I want to reference a few of its sections.

The bill we are dealing with today provides them, or maybe it's better to say puts them under, an arbitration process that is clearly different from other public servants who deal with emergency services. I don't think I've really heard the government say why it thinks it has to be this way, why as to the arbitration process that's in effect for other public servants who deliver an incredibly important public service on our behalf—police officers and firefighters—the government now thinks that another group of public servants who deliver important emergency services—paramedics and paramedic services—should have a different arbitration process that is clearly draconian, that is clearly less than is being applied to other public servants, although I wouldn't want it applied to other public servants either, and that clearly provides some differences between all these groups.

I'm wondering if that has to do with the fact that the government has downloaded ambulance services on to municipalities and has had some behind-closed-doors, quiet chats in the backroom with municipalities to say, "Yes, it's true we've dumped these services on to you, and they are certainly increasing the costs you have to deliver these and many other important public services, so we'll try and give you a bit of a break. We'll put in place in legislation an arbitration process that clearly allows for a much lesser wage enhancement than might be granted to police and firefighters."

I wonder if our getting here today in terms of having a different arbitration process for a group of emergency workers maybe has to do with a deal the government might have cut with municipalities to say, "It's true we dumped these services on you and the costs too. We're going to try and make it up to you by ensuring that we put in place an arbitration process that won't guarantee high awards or will allow arbitrators to look at much lesser awards as comparators, and hopefully give you a break that way so you won't have to pay them as much as you might otherwise if there was a true, fair and just arbitration process in place," which is what we have for other emergency workers.

The issue sheet from the paramedics on this issue reads as follows: "We believe our work as paramedics is essential and that we are essential workers. If our right to strike is to be curtailed, we should have the right to fair interest arbitration, the same as other emergency services, for example, fire and police services." I agree with that; well they should. They provide an important public service, an emergency service. Why are they discrimin-

ated against? Why is a discrepancy made? The paramedics say the following:

"This bill denies us that right. Here is how.

"To get arbitration, Bill 58 requires that ambulance workers go on strike first. But they can't go on strike unless they have bargained an essential services agreement. And when they do go on strike, if they want arbitration, they have to apply to the labour board for it and there is still no guarantee that they will get interest arbitration.

"If the board thinks the strike has dragged on long enough, it has several options: order the parties to continue negotiating a contract; confer with a mediator; order all matters to arbitration; or whatever it thinks is appropriate." That's clear in the bill.

"The bill establishes new, heavy-handed rules for arbitration. These rules are only for ambulance workers. Other emergency service workers are not subject to them," nor would we want them to be.

"If the parties can't agree on an arbitrator within seven days, the Minister of Labour will appoint one.

"The minister is not required to appoint a trained arbitrator or even someone who is remotely acceptable to both parties." That arbitrator "could even be an employer representative.

"The minister's decision in appointing an arbitrator cannot be challenged in court.

1640

"All"—other—"arbitrators in Ontario are required to consider certain criteria when making an award, for example, ability of the employer to pay. However, arbitrators under Bill 58 will also have to consider criteria not found in any other law. If the case involves a public sector employer, the arbitrator will have to compare its labour costs with those of private operators. If the case concerns a private operator, the arbitrator will have to compare its labour costs with those of other private operators. This steers employers to privatization and the lowest possible wages!"

You have to wonder what kind of discussion might have gone on between the ministry and the Ontario Association of Municipalities around this particular issue.

"This bill applies to municipal-based services, as well as services operated by private services on contract to upper-tier municipalities. It could apply to air ambulance services if these are privatized"—and we know very well that there are two RFPs out on that very issue at this time—"and dispatch services of these are downloaded," that is, if the government decides to download dispatch services, which is the only thing they haven't decided to download yet when it comes to ambulance services.

It's interesting to look at the bill to see the support that exists for what the paramedics have just had to say in their fact sheet. If you look on page 11 of Bill 58, with respect to the minister's power in appointing an arbitrator, it says the following, and I'm quoting subsection (5): "In appointing an arbitrator or replacement arbitrator, the minister may appoint a person who,

"(a) has no previous experience as an arbitrator;

“(b) has not previously been or is not recognized as a person mutually acceptable to both trade unions and employers; or

“(c) is not a member of a class of persons which has been or is recognized as comprising individuals who are mutually acceptable to both trade unions and employers.”

You will recall that we dealt with the arbitration process that this government established with respect to the dispute between the Toronto District School Board and CUPE. You will recall that at the point of time that we debated that bill New Democrats drew particular attention to the arbitration process that was set up under that bill. We said very clearly at that time, which was one of many reasons why we opposed that bill, that the arbitration process set out for the Toronto District School Board and CUPE was draconian, provided much less rights than in other arbitration settings and would be the template that the government would follow from there on in with respect to other disputes and other categories of workers.

Here we are, dealing with a section on arbitration that almost mirrors, almost parallels the same draconian legislation that we saw in that bill with respect to the Toronto District School Board and CUPE support staff. Do you know what? It is draconian and it is unfair and it is unjust, and it allows the government to continue to proceed on a path where you can clearly say there's nothing fair, nothing just about the arbitration process any more in this province.

Imagine that the Minister of Labour in a dispute that ends up at arbitration can actually go forward and appoint a person who is not recognized as being acceptable, not only to one party but to both. What kind of a process is that? What kind of justice do you think you're going to get from that kind of process? What kind of fairness can you possibly expect from a process where not just one party but both of the parties who are in dispute with each other are mutually in dispute with the arbitrator that the government wants to appoint as well?

Let me read on. This is subsection (6): “In appointing an arbitrator or a replacement arbitrator, the minister may depart from any past practice concerning the appointment of arbitrators or chairs of arbitration boards, whether established before or after this act comes into force, and may do so without notice or consultation with any employers or trade unions.”

Maybe the minister should just be deciding all these arbitrations. He's got his hand so far down in the process and the process has just become so incredibly unfair—well, it didn't “just become,” because it really started with the bill with respect to the Toronto District School Board and CUPE that we dealt with.

Selection of the method: “The minister shall select the method of arbitration and shall advise the arbitrator of the selections.” Maybe we can have all arbitrations just run out of the Minister of Labour's office from here on in. He gets to select the method of arbitration; he gets to select the arbitrator. Here's an even better one: you can't even

go to court if you've got problems with respect to the proceedings or the arbitrator.

Here's subsection (13): “No application shall be made, taken or heard for judicial review of or to question the appointment of an arbitrator or replacement arbitrator under this section or to review, prohibit or restrain any of the arbitration proceedings.”

So you can have a person who is completely incapable of being an arbitrator, or you can have a person who clearly it would be unfair to have as an arbitrator in a dispute, and you can't do anything about it. I raise with you again, Speaker, the issue of the Toronto District School Board, because the arbitrator in that, who was assigned by the ministry in that case, who I don't know from Adam, who may be a very qualified and capable and competent individual, also happened to be someone who had just recently completed doing labour relations work on behalf of the Toronto District School Board, one of the very same parties to the dispute in question.

From the point of view of CUPE, one of the parties in dispute, how can the appointment of an arbitrator who has just finished work on behalf of the party they are in dispute with ever perceive that there will be fairness with respect to the issue at hand? How could the public—any reasonably minded person in the public—think that the union, as one of the parties in dispute, should perceive that to be reasonable, should perceive that they are going to receive a fair hearing and a fair shake during the arbitration process?

It's impossible to expect that people would perceive that they're being justly treated, they're being fairly treated under those circumstances. Not only was that permitted in that particular section of arbitration for that bill, but here we are again, dealing with Bill 58 and the same really draconian, obnoxious, unfair, unjust arbitration process put in place for the paramedics.

The arbitrator shall also “decide the procedure for the arbitration but shall permit the parties to present evidence and make submissions.” Well, you see, if the government wasn't allowing the Arbitration Act, 1991, to apply in this case, there would be some very set procedures in place that the arbitrator would have to follow in terms of dealing with the arbitration process, because in that act there are clearly some rules and guidelines and principles that have been established and that have been adhered to that set out what the framework of those procedures are going to be. But you see, under section 7, the government also says that the Arbitration Act, 1991, doesn't apply to arbitration proceedings under the act.

So everything that we've set up that has been codified in law, that has been established as some acceptable and established principles about how we're going to proceed with respect to arbitration, so at least we can give people a sense that they are going to be treated fairly, well, that's all out the window, isn't it, in this bill? Because the government has said very clearly, even those things that we've codified, that have been part of our practice for many, many years when it comes to arbitration, “We'll throw that out the window and we'll have a completely

different set of rules for this class or category of workers.”

I say to the government, why? Where is the fairness in that? What’s the reason for that? It would be interesting to know what kind of discussions the government had with the Association of Municipalities of Ontario and if this particular issue came up. Maybe that’s why it got in here in the first place. Why are you going to treat this class of workers differently than other emergency service workers? Why are you going to set up an arbitration process that can be so completely unfair and unjust with respect to arbitration processes that other workers deal with, live with, work through? What’s the rationale for that? Why are you going to discriminate against these workers, and is it so their wages can be driven down?

1650

It’s a reasonable question to ask, isn’t it, especially when you see that under section 7(1), the arbitrator, in the case of a public sector employer, also has to make a comparison with people who work in the private sector. So the comparison is not just between public sector workers; it’s with the private sector. I think that’s probably new in this arbitration section as well—different from other arbitration processes we have been working with.

So it’s very clear—and I think it’s supported in the legislation itself—that the paramedics see they are going to be asked to, in fact be forced to, operate under a much different arbitration process than any other group of people in the public sector, specifically any other group that deals with emergency services, like fire and police. Clearly the minister, under this arbitration section, has enormous powers to intervene in the arbitration process: enormous powers in terms of who is chosen, whether that person has any experience in arbitration at all, whether that person is acceptable to one or both of the parties in the dispute. The minister can select the method of arbitration, and the minister, as well, ensures that his choice can’t be challenged, because you can’t take this to court. There can be no judicial review of an appointment. So certainly the Minister of Labour has wrapped that up all neat and tidy, hasn’t he, in terms of the control he’s going to have over the arbitration process. He might as well run the arbitration right out of his ministry, if this is the road we’re going down.

Since it’s clear that the government intends to proceed—and that has been very clear. They don’t want to back off, they don’t want to repeal this bill despite the fact they had no consultation with any of the workers affected. Given they’ve clearly signalled where they’re heading—and we disagree with the government heading in that direction, and we oppose this bill—the government could at least do a couple of things. Again, this comes from the brief that’s been given to us by the same workers who are going to be affected:

“1. Guarantee Access to Fair Interest Arbitration

“The process should work to ensure good contracts as quickly as possible. When a union applies to the board for a declaration that there is no meaningful right to

strike, the board should only have to decide if that is true. If it is, then the board should order arbitration. There should be no requirement for the board to determine if the strike has lasted long enough. Nor should the board have the option of ordering the parties back to negotiations or to mediation. The parties would” already “have exhausted these options during bargaining and conciliation.

“2. Fair Powers of Appointment

“The legislated powers to appoint an arbitrator for ambulance workers should be the same as for fire or police workers. Where an appointment is needed, the minister should be required to appoint a trained or experienced arbitrator. The nature of the arbitration process requires that arbitrators be impartial and independent. The government should not interfere in that.

“3. Require arbitrators to use the same criteria as for fire, police and health care workers

“Several years ago, the government changed the criteria that arbitrators have to consider when making an award. These require arbitrators to consider factors such as the employer’s ability to pay, the extent to which services may have to be reduced if taxation and funding levels are not increased, the economic situation of Ontario and the municipality in which the bargaining unit resides.... There is no need for more criteria that apply” solely and are discriminatory “to ambulance workers.”

In closing—because I want to leave some time for my colleague from Niagara Centre to come up from committee—I want to say we oppose this bill. We oppose that the government today is moving to time-allocate it and effectively shut down debate, and we regret that the government won’t even have public hearings so that these people can at least have their say.

Mr James J. Bradley (St Catharines): Again, I am compelled to speak on a time allocation motion, which is of great concern to me. In the last two years, if my memory is correct, this is the 24th time allocation motion this government has brought in. For the public at home who don’t know what a time allocation motion is—you would well know, being a member of this Legislature, Mr Speaker—that’s when the government is choking off or ending debate on a piece of legislation because, obviously, they don’t want to hear more arguments that may be compelling, that may have the effect of persuading members of the government of the lack of wisdom of their legislation or indeed of building in the public some form of opposition which would force the government, if not to withdraw its legislation, to at least make some significant changes.

I’ve heard the Minister of Labour on this previously, when he was speaking on the bill itself, talk about the fact that the government doesn’t like to bring in time allocation bills, that the opposition forces them to do so. You would know, Speaker, having been a member of this House for some time now, as the member for Hamilton West, that indeed the real problem is that this House doesn’t sit enough. The Legislature this year—this should surprise a lot of people—which sat last on December

20, 2000, did not come back into session until April 19. People saw the federal House on television back in January this year and assumed this House was in session. But for that full period of time, from December 20, 2000, to April 19, 2001, the Ontario Legislature was not in session. It's up to the Premier to decide when it is in session, and he indicated he did not want it in session.

Not only that, but in terms of accountability—because that's what builds the frustration to a point where members take longer perhaps on legislation than it might otherwise take—the frustration was that we did not have an opportunity to direct questions to the Premier of the province until May 1, 2001. If the Premier was in the House on December 20, 2000, to answer questions, the next time we had an opportunity in this House to direct questions to the Premier was May 1, 2001. I think people would expect us to have that opportunity. The Premier has been in the Legislature since March 19, 1981, and it's not as though he wouldn't have experience at answering the questions. We would simply like to have that opportunity from time to time. Our rules prohibit us from calling attention to absences so I wanted to frame it in terms of the opportunity of the opposition to direct those questions.

In regard to the bill dealing with land ambulances in this province, one of the mistakes made in the so-called Who Does What trades between municipal and provincial responsibilities was the downloading of responsibility for land ambulance service to municipalities. It's probably not that onerous in terms of the ability to do it for a place such as Hamilton or the Niagara region, which has a regional government. The problem is that with it goes a lot of financial obligation and responsibility. In fact, it may in your area, Mr Speaker, be the same as ours: there had to be an upgrade of the service. The local municipality invested more money in the service because it was simply needed.

When they were beginning, the provincial government wanted to foist the entire cost on the municipality. Under relentless questioning from the opposition in the House, they capitulated and then said, "Well, we'll give you half." This was back when the Honourable Ernie Eves was the Treasurer. He's the last person who put any brakes on this government in terms of moderation. Some people used to think he was a small-c conservative. I assure them that when Ernie Eves, now private citizen, was part of this government he was, if anything, a moderating influence, particularly on the Premier. Some of the more recent policies we've seen, particularly in education and education finance, particularly the tax credit being given for education, would not have happened with the Honourable Ernie Eves sitting across from us. But with the Honourable James Flaherty, whose viewpoints are several degrees to the right of Ernie Eves, we have that, even if the Minister of Education is unhappy and opposed to it. Some members of the government caucus, who will remain unnamed because I don't want to get them in trouble, have expressed some reservations.

I want to say some of the things I would like to be talking about this afternoon instead of dealing with another time allocation motion. I would have thought that time would have been allocated to talk, for instance, about the dire straits, the problems, your CCAC—that's the community care access centre, the long-term-care agency—is facing in Hamilton and in Niagara in terms of underfunding. We would need \$9.4 million this year in funding from the province, in addition to what the province is prepared to give right now, in order to meet our obligations to our frail elderly people and to others who require that service. I would like to be talking about that this afternoon instead of addressing a time allocation motion.

1700

I know that the Premier in the House, when he was pushed to the wall yesterday on it, suggested it was just another "shoddy ploy" for money on the part of administrators and boards of the community care access centres when they asked for additional funding to meet the obligations that I think most people in their community want them to meet. I was very disappointed when the Premier said that—not surprised, but disappointed—as I was when he said that people shouldn't complain, that they should feel lucky they live in Mike Harris's Ontario. Wouldn't it be nice—I know the chief government whip would agree with this—to be able to discuss that issue instead of yet another time allocation motion this afternoon?

Wouldn't it be nice to be able to delve into the great powers of the Red Tape Commission? The Minister of Labour is in his seat this afternoon. The fact is that the Minister of Labour has to go on bended knee to the Red Tape Commission to get anything through. I didn't know that. I was learning a lot about the Red Tape Commission recently and how much power the Red Tape Commission has. It has as its dual heads Steve Gilchrist, MPP for Scarborough East, and Frank Sheehan, who is an unelected person today. I worry about that because neither of those people would be even as progressive as the whip or the Minister of Labour on many issues, and that is saying something, because these are not exactly wild left-wingers, the Minister of Labour or the chief government whip.

So when you see those two, with all the power they have—by the way, I should tell the Minister of Labour, they have executive assistants and staff as well; I mean, it's a growing operation, this Red Tape Commission. I was surprised to learn, because I may not always agree with the Minister of Labour but he's an elected individual, he's selected by the Premier to be in the cabinet and he's a good friend of the Premier's now that he's in the cabinet, and I worry considerably when I see he has to go on bended knee to the Red Tape Commission.

I would like to be talking about the politicization of the Trillium Foundation. That used to be pretty independent under the Bill Davis regime. I thought they were outside partisan politics and made some good decisions. I now see people being appointed to it who are clearly

partisan and will bring a partisan bent to it. They'll be before our committee and I don't want to prejudice it going before our government agencies committee. Being the Chair, I have to be somewhat neutral in that committee.

I have as well to yield some time to my colleague from Don Valley, and I will, because I know I have to stop with six minutes to go.

I would like to be talking about what's happening outside this building. We have smog plaguing this province—1,900 premature deaths per year as a result of smog—and this government has entirely abandoned public transit, with no money for the operations of public transit, which would take people out of their individual vehicles. There was all kinds of money available to be invested in public transit in years gone by. This government has snatched that away and no longer provides it. The coal-fired plants are going full blast, I must say, in this province.

I would like to be able to talk about the fact that this government now wants to make senior citizens in this province, who have given so much, pay for their own prescription drugs.

There's a myriad of things I'd like to talk about, but I'm unable to do so because of the constraints placed on me. I'll be voting against this motion, by the way.

Hon Chris Stockwell (Minister of Labour): Thanks for giving me this time today. There's a whole raft of issues I'd like to cover. I've got 34 minutes and that's good. That'll be about right.

Let me start by suggesting to the opposition members that the reason we have so many time allocation motions is, to some degree, the responsibility, obviously, of the government. There is, I believe, some level of responsibility to the opposition. I spoke here the other night about why I feel they have some level of responsibility.

I can go through the notes I have here for Ms Martel on all the comments she made as House leader for her government when time allocation motions were introduced and how important and responsible it was for the government to introduce time allocation motions. I can only tell you that the many times they used it were on controversial pieces of legislation. I've got to say to you that in some respect, when we were in opposition to the NDP, we probably had some responsibility for the number of time allocation motions brought in. We in fact used certain parts of the rules to delay passage of government business. We read rivers and streams—I remember that—and we did some other things that delayed the passing of bills.

In 1992, when Ms Martel was part of the caucus that changed the rules, that introduced this methodology of time allocation that we have today, she argued very vociferously, and I think to some degree fairly, that the length of time it was taking to get bills passed in the House was too long and it wasn't reasonable or fair of the opposition to hold up so many bills for so long.

You know what, though, with great respect—

Ms Martel: I think it was with every bill.

Hon Mr Stockwell: It could have been every bill. I'm not arguing if it was or it wasn't every bill. It may well have been every bill. But I guess the response to Ms Martel today is, it's the same show except the roles have been reversed. Instead of us holding up every piece of legislation, the opposition holds up every piece of legislation. So yes, we have to introduce time allocation motions.

Ms Martel: I'm waiting for a good one.

Hon Mr Stockwell: The member says, "I'm waiting for a good one." I suppose the same argument was used on the other side about waiting for a good one from the NDP. It was no big secret that we didn't really agree with much of what you did. We were very vocal about that, campaigned on it etc.

But there has to be a point in time where legislation comes to this House that is less than controversial, or at least you could negotiate some sort of passage of a bill. I look to my friend the Speaker who is in the chair now. I think he's an extremely talented member and a very good public speaker. I'll tell you, when he ramps up there's none better. Once he ramps up and gets going, he can unload. And good on him; that's the job of opposition. But I had a bill that was 50 times more controversial than this one that's before the House today, Bill 69. He was House leader at the time. I sat down with Mr Christopherson and Mr Bartolucci from the Liberals and said, "Look, I understand you guys don't like this bill, and I understand that you're probably never going to like the bill, but can't we somehow reach an agreement on how we will deal with this bill in the House and send it out to committee so we can have committee hearings on it and then bring it back for one day of third reading?"

There was a series of negotiations that took place on Bill 69. I've got to tell you, I think there were a couple of times when Mr Christopherson or Mr Bartolucci could have claimed the deal should be off because the bill took longer to get through than it should, and they didn't. They said, "That's my word. I've given you my word and I will live by my word. I don't like the bill, it's not a good bill, I'm going to speak against it, but you know what? If it means getting good committee time and hearing from deputants around the province about this piece of legislation, I will forgo the act of making you pass a time allocation motion in order to get that." So it's a quid pro quo, give and take.

Ultimately, that's the only way this place can work, is give and take and quid pro quo and negotiating things through the House, unless the government, by design or forced by the opposition, simply moves time allocation on all the bills. I'm afraid that's the stage we're at. It's equally frustrating to me as member of the government, I'm sure sometimes, as it is for the opposition.

1710

I know Ms Martel is a fair person and she'll stand in her place and argue fair arguments. But I've got to tell the member for Nickel Belt that when I first introduced this bill—before you introduce any bill, you would know as a minister of the crown, when you were there, and

certainly the member for St Catharines would know, you offer a briefing to the opposition. The opposition parties came to that briefing. There were staffers from the Liberal Party, and Mr Kormos came from the NDP. Mr Kormos asked me directly, "Are you prepared to have public hearings? Are you prepared to send it to committee?" I said at the time to Mr Kormos, "Sure, I'll send it to committee. I'm prepared to send it to committee," much along the same tack that I took with my friends Mr Christopherson and Mr Bartolucci when we were dealing with Bill 69. I was very upfront with the member, I say to the member for Nickel Belt, very upfront with your House leader. I said, "Sure, let's go out to committee."

"Now," I said, "there's got to be a quid pro quo. If we're going to agree to go out to committee for a few days and have public hearings and get people to make deputations, then don't force us to do a time allocation motion on second reading." The Liberals said, "That's OK by us. If you're going to give us a couple of days' debate on second reading and we get to go out to committee and have deputations, then we won't force you to do time allocation on second reading. We'll have a deal."

In the old days, that's how it always worked—deals. "We'll make a deal to order the business of the House." And in any deal, some people give a little and you have to take a little. What we were getting was a couple of days less on second reading and we were giving a few days of committee time. It was just a quid pro quo. That deal was offered and, as I said, the Liberals said "Sure, not a problem. That's a good deal. We'll get to hear from these people who want to make a deputation." And they've been in here at certain times. I see another one is here today.

But Mr Kormos said, "No, we won't do that." I guess the question is, what was gained by it? What was truly gained by this approach that he took? Did you really want to have public hearings? Did you really want to let the paramedics come in and make deputations? Did you really want to make amendments to this bill, or did you just want to have us move another time allocation motion?

I don't know why you screw your face up like that and look kind of odd, because the fact of the matter remains, we went there offering a deal, a quid pro quo. But the NDP said, "No, we want it all our way. We want unlimited debate on second reading, we want to go out and have public hearings ad nauseam and then we want to have unlimited debate on third reading." So in essence you tie up the House for weeks of debate on a bill that, I've got to tell you, although controversial to the paramedics, is probably less controversial in the scheme of things around Ontario than a lot of other legislation that comes through this House.

What's the end game? Is the end game for you to be able to stand up like a martyr in this place and rue about time allocation? Is that the end game? Or is the end game, "I really want to hear from people and hear what they think and make amendments to the bill, which the

minister has said to me, to my face, he's prepared to do?" I don't understand your end game.

Ms Martel: That's not what you told me.

Hon Mr Stockwell: That's exactly what I told your House leader.

Ms Martel: What about amendments?

Hon Mr Stockwell: Amendments? When I go to committee, yes, we'll go clause-by-clause and we'll accept amendments. Maybe we won't accept any, but we'll let you put them, we'll debate them and we'll vote on them.

But what's your end game? Is the end game simply for us to stand here and go through this time allocation debate on every bill because nobody wants to negotiate anything differently? Because you know what? That's all it's going to be. And it progressively gets worse as the opposition—and I'm not just saying it's the opposition's fault; to some degree it's the government's fault too—becomes more and more obstructionist and does not allow a single bill to go through without time allocation, three days' debate on second reading and all that stuff done, no matter how non-controversial it is, like re-naming Sir Wilfred Laurier school.

I don't want to hammer the opposition singularly, because I was in opposition and I remember how difficult it is to have time allocation bills. But sometimes the government has the right to govern and sometimes the government has the right to pass legislation. And sometimes the opposition, including us, which I spoke about earlier, went too far in opposition, to the point that we became obstructionist. And not just obstructionist on selected bills; we're at the stage now where we're obstructionist on every bill. Ultimately, you can't work that way. You can't have a six- or eight-week session and have two bills passed. It can't work that way.

I want to be very clear, because I heard Mr Hampton, Mr Kormos and Ms Martel on the record last night talking about this government and their complete insensitivity and the fact that they don't want to go to committee and they won't allow any time. Let's be clear: we were prepared to go to committee. All we said was, "We're not going to write a blank order to go to committee. We are not going to say, 'Yeah, we'll go to committee and sit for three months.'" That's the only restriction. We said we needed a deal: how long will we go to committee? How long will the debate take? How long do we need to do clause-by-clause? That was turned down by the NDP and, I would say, accepted by the Liberals.

Those time allocations are a little misleading in some instances, when some members stand up and suggest that the government is solely responsible for time allocation motions. Sometimes we are just the people who introduce them. Other times, the reason it is being introduced is because of the effect the opposition has had on the bill and their inability to allow any bill to be passed in this House.

In a lot of ways, you wish you had what the British system has: Mr Usual Channels. I know my friends at the Clerk's table know about Mr Usual Channels. The House

leaders don't even talk in Britain. They have a guy, and on his door it says "Mr Usual Channels." The House leaders go to him, and then he goes and talks to the House leaders individually, never letting them get together, because when they get together they fight too much. So they've had this guy for a few hundred years called "Mr Usual Channels." Maybe that's what we need—or Mrs Usual Channels, or Ms Usual Channels. We'd probably have to change the name because it would be unacceptable to somebody.

Anyway, I want to talk about the bill. Let's talk about the bill itself. I know the paramedics have been in here and they've been very vociferous and vocal in their opposition to this bill. I'm going to talk about a part of the bill that I think is very interesting. It is the unsaid debate. Sometimes you have debates where everybody's on the floor and they all say the same things and everything's right up front. Other times you have debates like this one, where what's not said is the interesting part of the debate.

I'm going to take a bit of a shot at the paramedics. It's not on their professional nature or their professional standing, but it is more of a question. I always thought unions wanted to negotiate collective agreements. Quite candidly, my friend Mr Christopherson and others in the NDP would rail on at length about not getting involved in the collective bargaining process: "Everybody has a right to collective bargain; you shouldn't be ordering people back to work," a lot of that kind of stuff. I've always believed that was the reason for being for unions, to collectively bargain an agreement.

In this situation, it appears the paramedics simply want to go to arbitration. There's nothing about that position that I find particularly understandable on the face of it. Ask the member for St Catharines or Don Valley East. You wonder, why is this issue so important? Why do they just want to go to arbitration? Why can't they work in a meaningful right to strike like they've done in Toronto for 30 years, where the outside workers go on strike, they go to work and whatever they negotiate, they get. But don't you wonder why that isn't OK any more? What is so special about, "We have to go to arbitration?" I suppose we know; you know and I know, and you know the paramedics know. Why do you think they want to go to arbitration? Is there something special about it? Not particularly. Is there something fair about it? Not really. You just pick one person to arbitrate a wage settlement. Is there something interesting about it? No. You go in there with your lawyers and you argue about how much money you should get. So you've got to ask yourself, why is it the paramedics want to go to arbitration so bad, like firefighters and like police?

1720

I'm going to let you in on a big secret here, folks, so listen up. Here it comes. I'm like Penn and Teller, or Teller and Penn: I'm explaining all the magic that goes on behind the curtain. They're hated by all magicians because they do the trick and then they show how they did it. I'm letting you in on a secret here, folks. The

reason the paramedics want to go to arbitration is because arbitrators, generally speaking, give them more money. Hold the phone, stop the presses, page one. That's why they like going to arbitrators.

If you don't believe me, talk to anybody, like the member for St Catharines or anyone who has sat on a local council, and ask them about their police and firefighters. I think police and firefighters are wonderful people. I think paramedics are wonderful people, and I think they do great work, but ask them how they do when they go to arbitration. You may find words invoked like "slaughtered," "bombed," "killed," "murdered," those words. That is usually preceded by, "We got," which is the municipality. Then you insert the applicable word. Because arbitrators in the past—and I'm not trying to make this too big. This is a load of information to give to these people here and I know you're finding it hard to believe, but arbitrators give better deals than you would get, generally speaking, than if you had gone on strike. That's why paramedics want to go to arbitrators. That's why cops and firefighters are there.

The difference, I suppose, if there's a difference that I can see, and it is a difference, between the paramedics, say, in the city of Toronto and the police officers is that the police officers' union represents police officers. There's no meaningful right to strike. If police officers want to go on strike, they may have a few civilian members who do the typing, filing and so on and they would end up going on strike. Every cop would have to go to work and everyone would agree that's not a meaningful right to strike.

Now, why do firefighters go to arbitration? Because they're a stand-alone bargaining unit too. If firefighters go on strike, they can't go, because they don't have a meaningful right to strike. So where's the difference between paramedics and doctors and firefighters? We know, I think, that paramedics want to get to arbitration. The difference is this: paramedics, of their own choice, joined a union that represents 10,000 people. They say it wasn't of their own choice. I certainly didn't put them in that union. I can be accused of a lot of things as Minister of Labour, but one of them wasn't forcing the paramedics into CUPE. I didn't do that to you. You're there. I don't know the exact numbers, but there are hundreds of paramedics who represent a bargaining unit with outside workers of roughly 10,000. They include garbage, water, parks, arenas—all those folks are included in this bargaining unit.

So I said, "Well, considering that for the last 30 years the paramedics, by their own choice, have said, 'We should sign an essential services agreement with the city of Toronto, in that way they can go on strike, we can go to work, and whatever they collectively negotiate we will get paid'"—why don't the paramedics want that? I thought protecting the right to strike was sacrosanct. I thought that was one of the most important things you did with unions. Why don't they want it? My suspicion—it's only a suspicion, I might add—is that they think they'll get a better deal, they think they'll get paid more,

and they think they'll get better collective agreements if they go to an arbitrator. I would defy a paramedic to look me in the eye and tell me otherwise. It's true; they do; they probably would.

So that was what we decided to do, because they had a meaningful right to strike.

Now, if you didn't have a meaningful right to strike, and there were areas of the province where they didn't have a meaningful right to strike—there were so many paramedics and there weren't these thousands of workers out there—we said, “In those situations, if you don't have a meaningful right to strike, then you can go to arbitration.”

You're going to say, “Well, why can't everyone?” We've said, “Because you've got a meaningful right to strike, and if you don't, then you'll go to arbitration.”

That's the great untold truth in this matter: what is so noble, what is so Shangri-La-like to go to arbitration? Like there's some wonderful, noble cause that my friends Kormos and Martel are fighting for here, some noble calling, some union principle that the brothers and sisters stand and fall on. Well, come on. You and I both know what the union principle here is: “We get more money if we go to arbitrators.” That's about as capitalistic as it gets. That's all my right-wing friends say: “What way do you want to go?” “I want to go the way that gets me the most money.” That's what we're doing here. These aren't lefties; these aren't unions. That's capitalism at its best: “I get to go the way that gets me the most money.” It's got nothing to do with unions; it's got nothing to do with principles or the brothers and sisters or union dues or the Rand formula—any principle you want to run up and down. It's got nothing to do with that.

The simple fact is, “We get more money if we go to arbitrators. I want to go to arbitrators.” I say, “No, it's better if you have collective agreements. You negotiate them; you have to go on strike and you get paid,” and the opposition says I'm being unfair. Why? Who do you represent? I represent the taxpayer, the guy who has to pay the bill when these arbitrators make these kinds of decisions. The taxpayer: that's the only person we haven't talked about in this place, is the poor, beleaguered taxpayer, particularly the poor, beleaguered municipal taxpayer, whose only place to go get money is based on their house. You raise taxes based on how much somebody's house is worth—not whether they have the ability to pay it or not, just based on the value of their home. And you say, “Oh, no, we have to send them off to arbitrators.” Why? “Because they give better deals.” So who do you represent, the paramedics, CUPE, or do you represent the taxpayer? We're not saying, “Don't pay them.” We're not saying they can't go collectively and negotiate a settlement. We're not saying they can't strike; they can, in that broader context. But we have to have in mind, at some point in our lives in this place, that every time you make somebody go to an arbitrator and every time that award is significantly more than they would get in a collective bargaining process, somebody pays. Who pays? The taxpayer pays.

So if you're saying to me I'm being unfair, I'm not. I like paramedics; I think they do good work. And I think they should have the same privileges and rights that they've had in Toronto and other places for the last 30 years. But if you're saying that to make me feel better for paramedics, to make me feel better about myself, I somehow have to create this legislation that gets them to arbitrators because they get better settlements, I'm out. Not in, not going that way, because at the end of the day I don't represent paramedics. I represent the people of the province of Ontario, the taxpayers; and paramedics are some of them, but they're not all of them.

So that's where we're at. That's the nutshell, that's the debate we're having today. Because I can't hear anybody telling me they invoke some noble cause of paramedics as opposed to collective bargaining in a meaningful right-to-strike situation. Because I have to tell you, if this is such a terrible proposal that I have today, how come they've been doing that for the last 30 years? If it's such an awful thing and they're being oppressed, how did they allow themselves to be oppressed for the last 30 years, willingly?

Come on, folks. Wake up and smell the coffee. You have to know what's going on here. And I don't blame them. If I was a paramedic, I'd say I wanted to go to binding arbitration. You're right; you're representing your constituency and your constituency happens to be paramedics. It just happens my constituency is the people of the province of Ontario, and we have conflicting interests. They're conflicting because if I were a paramedic I'd want to go to arbitration, but as a taxpayer I'd prefer you did the approach to collective bargaining: right to strike, get your deal and apply it to the paramedics. That's what I see; there is the conflict.

I guess the rub too is that somehow we've changed the process of arbitration.

1730

I've got to tell you, if there was a party in this province that politicized the Ontario Labour Relations Board more than the NDP, I've never met them. Nor have I ever seen them. They were the most political, when it came to appointments to the Ontario Labour Relations Board, of any party ever, since us and after us—completely partisan. Everyone agrees with that out there, even the lefties I talk to agree they were political about their appointments.

Interjection.

Hon Mr Stockwell: Sorry?

Interjection: We talk to you guys all the time.

Hon Mr Stockwell: I can't hear you.

Mr David Caplan (Don Valley East): That's what the supertribunal is all about.

Hon Mr Stockwell: We may have a chance to debate that too. I'm trying to get your mind around—

Mr Caplan: That's what the supertribunal is all about.

Hon Mr Stockwell: Member for Don Valley East, I'm just trying to get your mind around this one. It's far less complicated and it's taking a lot longer than I expected.

What we have here—

Mr Caplan: It's not that difficult.

Hon Mr Stockwell: It still goes: just put a bull's eye on your head and give me enough target.

What we have here is that exact situation, so I want to be on the record: I think nothing more or less of paramedics than I do of firefighters and police. It just so happens they happen to be in a different situation, one that they did themselves.

I wanted to get on the record that we were never opposed to public meetings, public hearings, committee time. The NDP said no. They weren't prepared to have any conversation of us. They just said no. So those are the two things I wanted to get clear.

On the arbitration process, I did want to get back to that, just briefly. I've got a note here that tells me the exact change that we've made in a nutshell.

Oh, let me do this first. I've got a few minutes. I want to deal with—is it OPSEU that had this on their Web site or CUPE? OPSEU. OPSEU had this on their Web site. OPSEU asserts that, “Bill 58 forces ambulance workers”—I don't think they like to be called ambulance workers, by the way; I think they like to be called paramedics; they've told me that. So you should tell OPSEU to stop calling them ambulance workers. “Bill 58 forces ambulance workers to go on strike before they can apply to the OLRB for a meaningful right-to-strike declaration.” Then I heard Ms Martel, from Nickel Belt, say it again.

Now that is just flat out incorrect. I want to the representative here from the union that's wrong—absolutely wrong. You're an essential service. You can't go on strike, right? So before you actually go on strike, if you want to have a debate about whether or not you have a meaningful right to strike you have to go to the Ontario Labour Relations Board and they have to rule whether or not it's true, whether or not it's reasonable. If they rule, then you go to arbitration if you don't have a meaningful right to strike. If you do, you're an essential service, you stay at work and everyone else goes on strike.

So this is flat out incorrect, what's on the Web site. I want to put that out across the province. Don't go to OPSEU's Web site and read it, because OPSEU is wrong, flat out incorrect, couldn't be more wrong, as wrong as wrong can be. If anyone doesn't understand that, I think I'll get through to my friend from Don Valley East to see if he can explain it to you.

Mr Caplan: I go to the government Web site for all the truth.

Hon Mr Stockwell: There he goes again. Say it louder, so I can hear it.

Mr Caplan: Go to the government Web site for all the truth.

Hon Mr Stockwell: OK, fine.

In her speech Ms Martel, the member for Nickel Belt, says the new criteria are unfair and heavy-handed.

Let me tell you the total change in the arbitration process from what was to what's here. The total change is that one new criterion has been added—one. It would

require arbitrators to consider alternative service delivery in making their awards and reinforces cost comparisons with the private sector.

Well, what's the matter with that? That's reasonable. All that's saying—I'll put it in layman's terms—is this: if an arbitrator is going to make an award he has to take into consideration what they pay in the private sector. So if they pay X in the private sector and they're asking for X plus Y plus, plus, plus, the arbitrator's going to say, “Hold on. I'm an arbitrator here. You're asking for a salary increase. I can see my way clear to that argument, but I can't see my way clear to paying you twice what they pay in the private sector.” That's all that means.

That's all that means. If they make more, I say to my friend from Nickel Belt, what are you worried about if we tell the arbitrator they've got to compare to the private sector? Because if the private sector makes more, that means they're going to get a better increase—and you're opposed to that. I don't understand you. All it says is that you have to compare with the private sector. And if you're telling me the private sector makes more, then why the heck would you be opposed to us comparing? Holy smokes.

This is consistent with the government's commitment to ensuring the delivery of quality and effective services that are affordable to the taxpayers. There are those words again: “affordable to the taxpayers.” Why is that so terrible?

Mr Garry J. Guzzo (Ottawa West-Nepean): It's offensive to them.

Hon Mr Stockwell: Oh, my friend the judge is here. Why is that offensive to them? “Affordable to the taxpayers”—they're opposed to that. Why? I don't know why you think that's such a heavy-handed approach. Here's a news flash: whatever the arbitrator agrees to pay these people, the taxpayers have to do the paying. Remember when the NDP were in office and they used have all these partners out there? I know my friend from Hamilton will remember this. They had all these partners. You know what “partner” meant to the socialists: “Hey, partner, you pay.” That's the state of mind here. You're saying they can't take into consideration whether the municipality has an ability to pay the bill they are going to ordain them to pay. I don't know why anyone would be opposed to that.

Ms Martel: Do they have the ability to pay with your download, Chris?

Hon Mr Stockwell: There wasn't any. We have a fundamental disagreement there.

Interjection.

Hon Mr Stockwell: There wasn't any. And billions of dollars off on the education side that we took back up here. That's all we're saying: just take into consideration—we're not telling you this is ordered. We're just saying, “Please, Mr Arbitrator, when you're making your decision, when you're weighing the paramedics issue with respect to that and you want to know if they need more money and how much, could you just take a brief moment to think about the guy who's paying the bill, the

taxpayer, and whether or not they can afford to pay it?" That's all that says. Apparently this is draconian, heavy-handed legislation because, God forbid, this government says that maybe we should think about the taxpayer once in a while. That's the nut of the bill.

The nut of the bill is that this has taken four days' debate. We would have had committee time—I see my friend's back—except the House leader for the NDP refused to go. I want to say that very clearly on the record to his face. You refused to go, to have committee hearings, you refused to have any negotiations on how this bill would go through the House, because you want to be a dog in the manger and sit here and caterwaul and complain about time allocation. The real truth of the matter, as I said the other night and as I said to my friend from St Catharines, is that besides him and a few of us over here etc there isn't anybody who cares about time allocation. It's inside baseball.

Mr Bradley: Sure they do; I get all kinds of calls.

Hon Mr Stockwell: Oh, sure, he gets all kinds of manufactured calls. He just pushes redial, redial, redial, and he phones himself. That's as much consternation as there is.

So I'm happy with this bill. I think it's a good bill. It strikes a balance. If you don't have a meaningful right to strike, you go to arbitration, and if you do have a meaningful right to strike, you get the benefits of what your collective bargaining people can do when they negotiate a collective agreement. And it remembers the taxpayer, who ultimately has to pay all these bills. It's a balance, a fair balance, a reasonable balance. Just declaring every paramedic an essential service and sending it off to arbitration—I don't understand why people have so much faith in one individual who's picked to arbitrate a collective agreement. Why? We know why: because they generally give better settlements than you could get if you bargained them collectively. That's the difference.

I thank the members across for listening and I thank my colleagues for being here because ultimately, at the end of the day, what does this bill do? It does this: if someone gets sick in a strike, it ensures that if they phone 911 and they need immediate medical attention, a paramedic will come. That's what this bill does, and ultimately that's what needs to happen.

Ms Martel: When has that ever not happened?

Hon Mr Stockwell: The member says, "When has that not happened?" We came within this far of it happening in the city of Toronto not too long ago. You ask your paramedic friends if that's true or not. I couldn't sleep at night if I were part of a government that allowed it to happen, thinking that people would die. I support this bill.

1740

Mr Caplan: The Minister of Labour and the members of the government would have us believe that a part of the truth is the whole truth. I just want to put on the record, before I get into the comments about what's in this bill, what the practices of several governments have been over the course of about the last 20 years or so.

Between March 1981 and 1985, the Davis and Miller governments passed 292 bills and introduced time allocation three times—three times on 292 bills.

In the Peterson minority government, from 1985 to 1987, on 129 bills, that government introduced—

Interjections.

The Acting Speaker: Order on the government benches, please.

Mr Caplan: —one time allocation motion. Just one. In the next two years, the Peterson majority government: 183 bills, three time allocation motions.

The Rae government—I heard the Minister of Labour castigate the horrible NDP and their record: 163 bills, 21 time allocation motions.

From 1995 to 1999: 118 bills, 41 time allocation motions. That's the record of the Harris government, 41 in 118 bills passed. But then since the 1999 election, two years have passed and we have had 39 bills. This is the 24th time allocation brought forward—24 on 39 bills. Isn't that an amazing record? We had three 20 years ago and 24 in just two years.

Let's put this in a little bit of context here and why we on the opposition side view it through a bit of a different lens than what you heard from the government.

I would also say, to be very clear, that the standing orders have been changed in this place by all governments but not to the extent that the members of the Harris government have changed them, twice in fact. They have removed the opposition's ability to negotiate, just what the Minister of Labour said should happen. There's nothing left to negotiate.

So what happens? The government House leader gets together—the Minister of Labour talks about House leaders—with the House leaders from the other two parties and it's not even a discussion of negotiation, it's a discussion of intent: "We will be introducing these bills. We will be time-allocating them. We may or may not have committee hearings." There's nothing to negotiate. The government dictates, as it does, frankly, in the tone and tenor of its legislation, Bill 58 and many others. It just dictates the term of how things are going to be.

Frankly, for the Minister of Labour to stand in this place and try to portray time allocation as somehow "the devil made us do it"—give us a break. Nothing could be further from the truth. It is solely because the members of the government can't manage the business they want to pass in the very limited time—six or eight weeks is what the Minister of Labour said we sit. It's actually a little bit less, 133 days since the last sitting. In fact, the Ontario government sits less today than it ever has in its history. The reason for that is because the Premier and members of the government refuse to be held accountable. They believe they can cram and ram everything through this Legislature in the last few days.

I wanted to talk a little bit about what's contained in the bill, and I have unfortunately very little time, but the minister has referenced the criteria and his powers in here. It's very interesting, because it's quite a departure from the arbitration process for essential services of the

police and firefighters—and nurses. But I would also point out, because the minister didn't mention this in his comments, that there is collective bargaining. The police in the city of Toronto did not go on strike and did not go to arbitration. They were able to negotiate an agreement with their employer, the city of Toronto. That's the first step. Arbitration is the last step, when you can't come to an agreement. Frankly, for the Minister of Labour to stand up and say, "Wham, bam. Thank you. This is going straight to arbitration" is untrue and is simply wrong.

Interjection.

Mr Caplan: It is untrue. There is a process and a time of negotiation between both parties. If they can't agree, it then goes on to a fair arbitration process. In the minister's powers, in the criteria he sets, it's very interesting—the employer's ability to pay in light of its fiscal situation.

It's very interesting that the government has amalgamated the city of Toronto. They decided all on their own that the city of Toronto should be able to save 4.2% of its budget or \$420 million. When asked to justify that figure and where it comes from: deafening silence. There is no reply from the government or from any ministry that they can justify having downloaded those additional costs on the city of Toronto—and, frankly, all municipalities—and where these phantom savings should come from. So the fiscal ability to pay is determined by the policies of the Harris government, and that's one reason this legislation is bad and should be opposed.

Mr Peter Kormos (Niagara Centre): Paramedics should be incredibly concerned about this government's haste in ramming this bill through without full debate and without full committee hearings. But other workers, like police officers and firefighters, should as well, because I tell you that the new, revised, à la Mike Harris-Chris Stockwell arbitration formula that's in this bill is clearly the target for other workers who are identified as essential workers and are compelled to go through an arbitration process to effect collective bargaining agreements, which aren't collectively bargained but in fact are awarded by an arbitrator. This is incredibly dangerous stuff. This is an all-out attack on a lengthy history, a centuries-old history, of arbitration, on its neutrality, on its fairness, on its equity.

We should be very conscious of the fact that this government clearly wants this legislation so incredibly badly and wants it in short order. I resent this minister telling opposition parties that they can only have two days of hearings instead of the one day of hearings that's in the time allocation motion if they agree not to debate the bill in the Legislature. I'm sorry. At the end of the day, because of this time allocation motion, there are only three New Democrats, only three people from this caucus, who had an opportunity to debate the bill: you, sir, when you were at your place here, myself, in the lead position as critic, and our colleague Ms Churley.

The fact remains that there hasn't been full debate on this bill. The reality is that the government wants to play its bully game. I'm going to send the message and make it quite clear to this government: you bet your boots

we're going to call for committee hearings on this bill and on others. But it'll be a cold day in Hades before New Democrats say, "Oh, yes, but we'll fold our tent in the Legislature," and not do our job in this chamber exposing the content of this legislation, identifying who the targets of these attacks are and indeed standing up for those people who expect us to stand up for them.

Whether it's SEIU or OPSEU or CUPE members, New Democrats are proud to stand with their sisters and brothers in those trade unions as paramedics. We're proud to stand with them across the public sector, we're proud to stand with them in the private sector unions. Indeed, we'll stand arm in arm, shoulder to shoulder with workers across this province, union or non-union, in their struggle for fairness, some economic justice, some workplace health and safety and some respect from a government that repeats and illustrates again and again its incredible and absolute disdain for working people and, as is obvious in this piece of legislation, its disdain for the arbitration process. Any fair-handed or neutral arbitration process is chucked out the door by virtue of this bill.

For this minister to dare suggest it's incumbent upon opposition members to abandon their responsibilities in this chamber before he will consider two days of hearings rather than the one day of hearings contained in the time allocation motion is offensive, irresponsible and demonstrates he has no regard for the legislative process, for the committee process, and certainly no regard for paramedics, who are under direct attack by this bill and this time allocation motion.

The Acting Speaker: The time for debate has expired.

Mrs Ecker has moved government order number 28. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please indicate by saying "aye."

All those opposed will please indicate by saying "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1750 to 1800.

The Acting Speaker: All those in favour of the motion, please rise.

Ayes

Arnott, Ted	Guzzo, Garry J.	Mushinski, Marilyn
Baird, John R.	Hardeman, Ernie	Newman, Dan
Barrett, Toby	Hastings, John	O'Toole, John
Beaubien, Marcel	Hodgson, Chris	Quellette, Jerry J.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clark, Brad	Johns, Helen	Snobelen, John
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stockwell, Chris
DeFaria, Carl	Marland, Margaret	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Turnbull, David
Ecker, Janet	Maves, Bart	Wettlaufer, Wayne
Galt, Doug	Miller, Norm	Witmer, Elizabeth
Gilchrist, Steve	Molinari, Tina R.	Wood, Bob
Gill, Raminder	Munro, Julia	Young, David

The Acting Speaker: All those opposed to the motion will now rise.

Nays

Agostino, Dominic
Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David

Churley, Marilyn
Conway, Sean G.
Crozier, Bruce
Duncan, Dwight
Gerretsen, John
Kennedy, Gerard
Kormos, Peter

Kwinter, Monte
Levac, David
Marchese, Rosario
Martel, Shelley
Peters, Steve
Phillips, Gerry

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 45; the nays are 20.

The Acting Speaker: The ayes being 45 and the nays 20, I declare the motion carried.

It now being past 6 of the clock, this House stands adjourned until 6:45 this evening.

The House adjourned at 1803.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
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)
Brampton Centre / -Centre	Spina, Joseph (PC)	Huron-Bruce	Johns, Hon / L'hon Helen (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Clement, Hon / L'hon Tony (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
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
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
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
Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	Turnbull, Hon / L'hon David (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	Hudak, Hon / L'hon Tim (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, 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		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough East / -Est Scarborough Southwest / -Sud-Ouest	Gilchrist, Steve (PC) Newman, Hon / L'hon Dan (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Hon / L'hon Frank (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	St Paul's	Bryant, Michael (L)
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)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa-Orléans	Coburn, Hon / L'hon Brian (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thornhill	Molinari, Tina R. (PC)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Atikokan	McLeod, Lyn (L)
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)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	Stewart, R. Gary (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Whitby-Ajax	Flaherty, Hon / L'hon Jim (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Prince Edward-Hastings	Parsons, Ernie (L)	Willowdale	Young, Hon / L'hon David (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
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.

CONTENTS

Wednesday 13 June 2001

MEMBERS' STATEMENTS

Community care access centres	
Mr Gerretsen.....	1445
Ms Di Cocco.....	1445
Mr Parsons.....	1446
Camping	
Mr Galt.....	1445
Ontario's Promise	
Mr O'Toole.....	1446
Air quality	
Ms Churley.....	1446
Aviation program	
Mrs Molinari.....	1446
Health care funding	
Mrs McLeod.....	1447
Access to professions and trades	
Ms Mushinski.....	1447

REPORTS BY COMMITTEES

Standing committee on government agencies	
The Acting Speaker.....	1453
Report deemed adopted.....	1453
Standing committee on public accounts	
Mr Gerretsen.....	1453
Debate adjourned.....	1453
Standing committee on estimates	
Mr Kennedy.....	1453
Report deemed adopted.....	1453

FIRST READINGS

569924 Ontario Limited Act, 2001, Bill Pr19, <i>Mr Parsons</i>	
Agreed to.....	1453
Nutrient Management Act, 2001, Bill 81, <i>Mr Coburn</i>	
Agreed to.....	1453
MPP Compensation Reform Act (Arm's Length Process), 2001, Bill 82, <i>Mr Tsubouchi</i>	
Agreed to.....	1454
Mrs Ecker.....	1454

MOTIONS

Committee membership	
Mrs Ecker.....	1454
Agreed to.....	1454

STATEMENTS BY THE MINISTRY AND RESPONSES

Nutrient management	
Mr Coburn.....	1454
Mr Peters.....	1455
Mr Bradley.....	1456
Mr Hampton.....	1456

ORAL QUESTIONS

Community care access centres	
Mr McGuinty.....	1457
Mr Harris.....	1457, 1460
Mr Hampton.....	1460
Mr Conway.....	1462
Mr Clement.....	1462
Air quality	
Mr McGuinty.....	1458
Mrs Witmer.....	1458
Walkerton tragedy	
Mr Hampton.....	1459
Mr Harris.....	1459, 1460
Mr Bradley.....	1460
Doctor shortage	
Mr Wettlaufer.....	1461
Mr Clement.....	1461
Air quality	
Ms Mushinski.....	1462
Mrs Witmer.....	1462, 1463
Ms Churley.....	1463
Paramedic services	
Mr Agostino.....	1463
Mr Stockwell.....	1464
Immigrants' skills	
Mr O'Toole.....	1464
Mrs Cunningham.....	1464
Oak Ridges moraine	
Mr Colle.....	1465
Mrs Witmer.....	1465
Investigation into child abuse	
Mr Guzzo.....	1466
Mr Young.....	1466
Competitive electricity market	
Mr Hampton.....	1466
Mrs Witmer.....	1466

GOVERNMENT MOTIONS

Time allocation, government notice of motion number 28, <i>Mrs Ecker</i>	
Mrs Ecker.....	1467
Mr Crozier.....	1467
Mr Curling.....	1468
Ms Martel.....	1469
Mr Bradley.....	1474
Mr Stockwell.....	1476
Mr Caplan.....	1481
Mr Kormos.....	1482
Agreed to.....	1483

OTHER BUSINESS

Freedom of information	
Mr Kormos.....	1447
Mr Peters.....	1449
Mrs Ecker.....	1450
The Acting Speaker.....	1451

Privatization of public services

Mr Hoy.....	1451
Mrs Ecker.....	1452
The Acting Speaker.....	1453

Breach of security

Mr Kormos.....	1457
The Acting Speaker.....	1457

Visitors

Mr Agostino.....	1457
Mr Bartolucci.....	1459

TABLE DES MATIÈRES

Mercredi 13 juin 2001

PREMIÈRE LECTURE

Loi de 2001 sur la gestion des éléments nutritifs, projet de loi 81, <i>M. Coburn</i> Adoptée.....	1427
Loi de 2001 portant réforme de la rétribution des députés (processus sans lien de dépendance), projet de loi 82, <i>M. Tsubouchi</i> Adoptée.....	1437