



Legislative Assembly
of Ontario
Second Session, 37th Parliament

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Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 22 November 2001

Jeudi 22 novembre 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 22 November 2001

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 22 novembre 2001

*The House met at 1000.
Prayers.*

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

ONTARIO SOCIETY
FOR THE PREVENTION
OF CRUELTY TO ANIMALS
AMENDMENT ACT, 2001
LOI DE 2001 MODIFIANT LA LOI
SUR LA SOCIÉTÉ DE PROTECTION
DES ANIMAUX DE L'ONTARIO

Mrs Munro moved second reading of the following bill:

Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 129, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

The Acting Speaker (Mr Michael A. Brown): The member for York North has 10 minutes for her presentation.

Mrs Julia Munro (York North): Imagine for a moment the picture of a cute puppy or kitten. It may be fluffy and cuddly or awkward and unsteady, but it tugs at your heartstrings. You overlook asking any questions. You dismiss unsavoury conditions. Maybe it is alone and forlorn. It needs you. Your heart rules. You have just contributed to a puppy or kitten mill. You have just filled the pocket of that puppy or kitten mill operator, who doesn't care what motivated you—your sympathy for that forlorn puppy or kitten, your concern for rescuing that animal. You gave money to secure that operator's ability to stay in business.

That description is the background for the bill I have introduced and we are debating today.

Today it is estimated that there are about 400 puppy and kitten mills operating in Ontario. They provide a supply to meet a demand, as I described in the scenario a moment ago.

This bill, if passed, would provide the following:

- (1) A clear definition of what constitutes a puppy and/or a kitten mill.
- (2) Making the business of a puppy or kitten mill a provincial offence.
- (3) Applying substantial penalties to those convicted of the said offence.

(4) Assisting the process through the use of tele-warrants where applicable.

(5) Giving the authority to the judicial process to impose a lifetime ban on convicted offenders.

The issue we are looking at today in looking at the particular parts of the bill depends very much on the question of what constitutes a puppy or kitten mill. Usually one of these has many breeds of dogs and cats, with puppies and kittens available year-round in order to capitalize on popular, easy-to-sell breeds. However, and I think this is the most important distinction, the number of cats or dogs, even the number of breeds, is not the defining criterion; it is the lack of care and the ongoing neglect. That is the most serious issue and the cornerstone of this bill.

In this bill we are debating today I have defined a puppy or kitten mill as a place where standards of care that are outlined in this bill are not met: providing the animal with adequate food and water; providing the animal with adequate medical attention when the animal is sick or injured or in pain or suffering; providing the animal with adequate protection from the elements; not confining the animal in a way that would provide danger to it. These are the keys to this bill.

One of the things that has certainly surfaced in the last while is the fact that there are these places around the province where animals are kept in inadequate conditions, and it has certainly been brought to the public's attention that this is inappropriate and should be something that carries with it a provincial offence status. That's what this bill purports to do.

I think it's very important to understand that often the work that's done in establishing whether this is a puppy or kitten mill is based on the issue of neglect, of long-term lack of adequate facilities or care for these animals.

As I described in the scenario at the beginning, very often people don't make adequate decisions or adequate investigation into where their puppy or kitten has come from, because we all recognize how vulnerable we are emotionally to seeing an animal that needs us. But it's incumbent upon everyone to make sure that they have asked questions, that they have satisfied themselves, because when those conditions are overlooked or ignored, when people don't ask those questions, they are contributing to this problem. That is why in this piece of legislation the question of long-term neglect, the question of inadequacy for animals, is the key.

I've talked to a number of people, veterinarians and dog breeders and the Ontario Society for the Prevention of Cruelty to Animals, and they all agree that it is this

long-term neglect that is the critical issue that must be dealt with. They all agree that it is those kinds of conditions that contribute to long-term problems for puppy or kitten purchasers. It is the fact that the nutrition of the animals has been neglected; it's the lack of veterinary care that will then contribute to further long-term illness; it is the inadequate housing that will expose animals to the increasing risk of skeletal development problems; and it's the condition of overcrowding that will certainly potentially endanger the life of the animal. It is skimping on the best-management practices that will mean that the animals are living in conditions of parasites, of various debilitating diseases and conditions. It's the kind of thing that means that when they are rescued, they may or may not be able to make that transition into a home.

1010

But the most important thing, I think, for all of us to keep in mind is the fact that it is a situation where we, as potential purchasers, must make some kind of decision here, not based on the emotional, not based on the spur of the moment, not based on the notion of rescuing this animal from this situation, because the effect of all of that is nothing more than keeping these operations in business.

So it is the intent of this legislation, then, to give the Ontario Society for the Prevention of Cruelty to Animals a very clear-cut definition which allows them to look at these issues of inadequacy and be able to establish once and for all that this is a provincial offence, that it carries with it a very significant punishment. It certainly allows the judiciary to impose a lifetime ban. But it sends a clear message that we are on the side of protection. We are on the side of making sure that purchasers of puppies and kittens are going to be protected from the possibilities of this kind of long-term, frankly, financial investment of an animal that has had a very poor or inadequate beginning; whose heritage, if you like, whose breeding, represents a lack of concern and commitment; who is there just to appeal to that emotional, on-the-spot situation.

This bill seeks to provide protection for the animals and the purchaser.

The Acting Speaker: Further debate?

Mr Mike Colle (Eglinton-Lawrence): I want to say I'm happy that the member for York North has taken some of the proposals from my bill that I introduced in September, where I called for much tougher measures to ban puppy mills. I commend her for taking the interest in the follow-up to my work over the last four or five months in basically shutting down what I consider a criminal practice.

There are 400 of these criminal operations operating throughout the province of Ontario, and this provincial government has refused to act. So I hope this bill is taken in the context that it is a good first, tiny step, but there has to be action by the provincial government in either passing my bill and not blocking my bill, or doing some serious amendments to the OSPCA Act, which is woefully weak.

The Ontario SPCA Act doesn't even allow SPCA officers—the Society for the Prevention of Cruelty to

Animals—to inspect these operations. They have to get a search warrant, which is most disturbing.

One group of criminals, as I call them, operating north of Toronto have been operating since 1965, the infamous Misener puppy mill operators. Since 1965, they've been abusing animals under the nose of this government and nothing has been done. All they get is slaps on the wrist and they continue to operate in Fenelon Falls, north of Toronto. That's why we need some serious, tough measures.

I commend her for doing a couple of things in this bill, but it doesn't do a couple of essential things. First of all, we need a provincial registry. Right now, if you want to be a kennel operator or breeder in this province, you require no provincial licence; you don't have to be registered. Anybody can claim to be a kennel operator or can claim to be a breeder. We need the province to issue a licence if you want to be in charge, in care, of animals. This is not in this bill.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): Like the gun registry.

Mr Colle: Secondly, do you know, Mr Speaker, that over 90% of the pets sold in pet stores across this province come from these disgusting puppy mills? There's nothing in this bill to stop that practice. In my Bill 100, I ask that those pet stores that sell pets from puppy mills also be fined and shut down. This is going on in plazas across this province. We need also to get provincial legislation to close those pet stores down that do this.

We also need to give the SPCA powers to inspect and also make it an offence if you obstruct one of these humane society officers from entering the premise, and to make sure that they're given co-operation. Those are essential if we're going to be tough with these criminal abusers of companion animals, which is going on systematically across this province. Not only does it abuse these helpless, defenceless animals; it's taking advantage of people who unknowingly go to pet stores or go to these puppy mills and buy these helpless, defenceless pets. We have to protect people too who don't realize they've bought animals from these disgusting criminal operators.

So you have to get much tougher. I've had a campaign going across the province. I've had thousands of people, heartfelt letters, petitions that say, "We want tough laws." Even the SPCA is very upset. In their press release just the other day, here's what Vicky Earle, the head of the SPCA, says: "The most comprehensive package in the government's hands, however, is the proposed amendments to the Ontario SPCA Act. I don't understand why these have not been introduced, after so much work by us and by government officials have been put into them."

Right on the desk of this government and the Solicitor General is the solution. He has not acted on putting in tough anti-puppy-mill, anti-animal-abuse laws. I hope the people out there realize that this bill will not divert attention from the fact that this government is allowing these puppy mills to operate and the sale of these defenceless animals to take place without the government doing anything.

This bill will not close them down. It will, hopefully, not let the government off the hook. On December 6, I will have my chance to introduce my comprehensive Bill 100. I'm going to have people here from across the province, holding this government accountable to close down these criminal animal abusers which are operating under this government's nose wilfully.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate on the bill that's been introduced by the MPP from York North. The bill in essence amends the Ontario Society for the Prevention of Cruelty to Animals Act. There are a number of key features to the bill that have already been spoken about, but I think the current situation has to be understood in terms of what's trying to be accomplished here.

The federal government, through the Criminal Code, has as an offence to cause or to commit "unnecessary pain, suffering or injury to an animal," convictions which have a high evidentiary burden in terms of the rules that are set—and I think that's what the public has to understand. The rules in the criminal context are set and established by the federal government. The province is responsible for enforcing those rules. The penalty under the criminal section is two years' maximum ban and \$2,000 maximum and/or six months in jail. The federal bill, which is Bill C-15, got its first reading March 14, 2001, where they brought in a lifetime ban as the maximum penalty, five years in jail, maximum, no set fines limit and restitution for rehabilitation costs.

Currently, the Ontario Society for the Prevention of Cruelty to Animals Act has no offence or penalty sections. Inspectors and agents may issue orders—ie, conditions—and remove animals if the orders are not met. They can also lay charges under the Criminal Code in an arrangement with the federal authorities.

1020

With respect to search and seizure, a justice of the peace may issue a warrant for other than a public place if reasonable grounds exist that an animal is in distress. That's something that I think the member from York North is trying to address in a very constructive way.

Also the inspector may enter premises other than dwelling places without warrant if an animal is observed in immediate distress. So as to the grounds to move in, there have to be reasonable grounds or an observation of an animal being in distress. Last summer we had two situations dealing with puppy mills where action was taken in very difficult situations. The member from York North has indicated it is an industry that has a number of participants. I think the language she used, the numbers that were involved in this type of activity, were that there's an estimation of 400 puppy mills that are in operation in Ontario, and that doesn't address the issue of kitten mills.

What the member is trying to do is to bring in a number of measures. There is the standard of care for cats or dogs that are being bred or kept for sale, and trying to raise those standards, and they should be raised, in terms of trying to provide protection for the animals.

Also there is toughening the offence and penalty sections to bring in the standards of care that are necessary for that industry.

I think those are the measures we have to look at as we move through this exercise, because what we have here is federal jurisdiction in terms of criminal activity that is very clearly set out in terms of the types of conduct that will not be tolerated and the penalties that will be dealt with, and then we also have a provincial aspect in terms of the operation of these—in essence, they're commercial operations and they're operated for profit.

All the member is saying is that we want a standard of care for those operations and that we also want measures in place that will make sure animals are properly looked after. There's going to have to be a regulatory regime to enforce those standards, to make sure that what we're trying to accomplish here happens, so that we can avoid the distressful situations we faced last summer in two locations, and so that can be constructively addressed.

I think the member is attempting to do that and I fully support her efforts in this matter.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate. The Legislature I think acknowledges it's a serious problem. We're dealing with many institutions or entities that significantly abuse animals.

I've always had a dog, one of my best friends, obviously. My wife may be watching, so I've got to be careful here, but my dog Belle is one of my best friends and this provides an enormous sense of companionship and comfort to many people like myself. So I'm very supportive of real measures that will do whatever we possibly can to eliminate the abuse of animals.

The bill today, in my opinion, is a step forward but is nowhere near as comprehensive as it needs to be. My colleague Mr Colle from Eglinton-Lawrence, who has been working on this issue for some considerable period of time, has a far more comprehensive approach and, in my opinion, it is far more likely to be successful. So while I'm supporting the member for York North's bill today, I would hope the government members will not use it as an excuse to not support my colleague from Eglinton-Lawrence's bill, which will be debated here, I gather, on December 6.

He mentioned some of the deficiencies in this bill we see here today. One of them is the lack of a provincial registry where organizations that want to breed puppies will be required to register them. The Conservative member said, "Oh, that sounds like the gun registry. We don't want the state involved in anything like that. There are freedom and rights that people have and the state has no authority being involved in registering these puppy breeding operations."

Some of us may choose to disagree. If an individual wants to be involved in these operations, I for one believe there should be some public scrutiny over it, that we owe it to those animals to ensure there are proper standards that are being met, and my colleague from Eglinton-Lawrence has proposed a way of dealing with that.

Conservative members may say, “This sounds like having to register guns, and we are against that, so we’re against registering these puppy breeders,” but I would say that if an individual wants to be involved in this operation, then one of the responsibilities should be to register and to meet some standards.

My colleague from Eglinton-Lawrence is also proposing some significant assistance to the SPCA to help them do the terrific job they’ve done for Ontarians for decades, and this bill doesn’t go near far enough in providing assistance to them.

As we rise today, I think most of us agree that this is a significant problem. There are significant abuses going on out there now that none of us want to tolerate and all of us want to solve. The bill today is, as I say, a step forward, but I believe we should be dealing with the far more comprehensive approach that my colleague from Eglinton-Lawrence has proposed. I’ll support this bill today, but I look forward to the debate on December 6, when we will come forward with a far more comprehensive approach to dealing with this. If it’s seen to be treading on the individual rights of the puppy breeders, so be it, if that’s what’s required to protect defenceless animals.

Ms Marilyn Churley (Toronto-Danforth): I rise in support, at least in principle, of the bill before the House today, the private member’s bill by Ms Julia Munro, and I’m pleased to have this bill in the House so we can debate it. I know there’s another bill coming a couple of weeks from now. Mr Colle has introduced Bill 100, Puppy Mill Ban and Animal Cruelty Prevention Act, 2001. I want to say at the outset that I do support this bill in principle, but if we pass this bill today, which I’m sure we will, I really don’t want this bill’s passage to mean that the bill we’ll be debating on December 6 will not pass because there will be a recognition that a similar bill passed. Hopefully it will be sent to committee today.

What I would like to see happen is that we send this bill to committee today—and it should go to committee—and that Mr Colle’s bill passes on December 6. The possibility of having the two bills dealt with at the same committee I think is a good idea, because Mr Colle’s bill is stronger and I think that if we had both the bills being looked at at the same time—I don’t think anybody really cares at the end of the day whose name is attached to the bill that passes. Ideally, like a lot of important pieces of legislation, we would prefer it to come from the government, because as everybody in this place knows, a government bill, a whipped bill, has a much better chance of passing than a private member’s bill. It is very difficult to get a private member’s bill through the House.

I understand that the government has got a very full agenda. I also understand, from having been in government myself, the absolute competing issues that a cabinet and a caucus have to determine as to which bills they’re going to sponsor as government bills. I understand that quite frequently a lot of important bills that everybody supports in principle and believes are important to have

passed in this House just don’t make it on the legislative agenda; I understand that. Therefore, I think that occasionally some of the private members’ bills that we bring before this House, which government members support—the full intention is there that it move forward and go through committee hearings and get passed. It seems to me that with the idea of having both bills come forward to be dealt with at the same time, so whether it’s Mr Colle’s bill ultimately that rules the day or a hybrid of components from both bills, at the end of the day we might have a strengthened bill.

1030

What this bill does is it only amends the existing act to establish standards, but it doesn’t ban puppy mills. I think that is really important. I know Mrs Munro has talked about the abuse of animals, the connection between the abuse of animals and violence toward people. That’s a very important issue to bring forward because there is overwhelming evidence now that suggests that the two are linked. I know here we are talking specifically about the breeding of these animals for profit, but on the other hand there is also the larger issue and we’ve seen the horrific results of animal abuse on our TV screens all too frequently. I guess it brings tears to everybody’s eyes. They look at some of these dogs that have been dragged by vehicles and beaten and burned and caught on fire and abused in the most horrific ways. That, I know, is to be dealt with under other bills and circumstances, but I can’t believe there is a person out there who does not support moving forward on this bill today.

Mrs Munro introduced this bill on November 7, and it does amend the Ontario Society for the Prevention of Cruelty to Animals. What it does is it enables inspectors and agents of the Ontario Society for the Prevention of Cruelty to Animals to obtain telewarrants when it would be impractical to obtain a warrant in person. It establishes standards for the care of cats and dogs by persons who breed cats or dogs for sale, and it does create an offence for the violation of any of these standards. The penalty for the offence is a maximum fine of \$60,000 or a maximum prison term of five years, or both. The court making the conviction may also prohibit the convicted person from engaging or being employed or involved in the breeding of cats or dogs for sale for any period of time, including in the care of an individual, for the remainder of his or her life, and in the case of a corporation, forever. I think that is strong and I applaud that aspect of it. That’s a very important part of the bill.

But Mr Colle’s bill goes further in that it attempts to eliminate the disgraceful practice of cruel and inhumane animal breeding for commercial sale as pets. Puppy mills, kitten mills and other pet mills are, by definition, operations that breed animals repeatedly for financial gain, and they are kept in substandard conditions. Again, we have seen on our TV screens and in the media horrific descriptions and views of some of those puppy and kitten mills. We’ve mostly seen the puppy mills, but we know it’s happening to other animals as well. What I’ve been told is that there are about 400 operating in Ontario. I’m

sure some are worse than others. We don't want to see these things left open; we want to crack down and we want to see them shut down.

This particular ban will not ban legitimate and humane animal breeders or kennels. I also think that balance has to be kept. Of course, we don't want to ban and shut down the legitimate ones and the humane animal breeders. What Mr Colle's bill does is strengthen significantly the power of the Ontario Society for the Prevention of Cruelty to Animals to inspect, enforce and shut down illegitimate pet mills.

This bill before us today, as I understand it, will set up a licensing regime to be administered by the OSPCA and all breeders and kennel operators will be required to be licensed to operate in Ontario. The OSPCA will have the power to issue these licences and will set the licence standards, and the OSPCA may revoke the licence at any time if conformity with the act and its regulations are being violated.

I don't know if anybody in this Legislature has had an animal that has suffered cruel treatment, but I have. At one time, I had a dog that I foolishly, in some ways, took on. It had suffered incredibly cruel treatment and eventually I had to have that dog put down. The dog was so neurotic that it could not recover from the treatment it had received. I tried everything I could to give that dog a good home and to treat it humanely and well, but it was so scared and had developed such neurotic habits that you couldn't leave it alone. It would just chew up anything in sight, all of the time. I remember coming home one night and I couldn't open my door to get into my apartment and I couldn't figure out why. The dog had jumped up on a couch with big, big cushions full of foam and had literally ripped them to shreds. My whole hallway was about knee-deep in foam, but that's just the least of what the dog would do. Also, one could not trust the dog. It was frightened of people. Although it wasn't a violent dog, it was so terrified all the time that there was some concern that it might bite people as well.

So these animals that survive this kind of cruelty often are not living happy lives. For some of these animals, they are treated so inhumanely and such awful things happen to them that they cannot recover. The cruelty that's been inflicted upon them continues throughout the rest of their lives.

I just want to say that I believe that all of us in this House would support a ban on those puppy and kitten mills and that is why we have to work together, looking at both of the bills. I'm wondering if Mrs Munro, when she does her summary, can perhaps let us know why she chose not to include that component, the ban of the puppy mills, in her bill. To me, that is the weak component of this bill and a very important aspect of it. You can write into the bill a provision to protect the legitimate and humane animal breeders or kennels. After what we've seen, the evidence that we have of the profit-making desire of some of these people who run these mills, who don't care one iota about the animals—all they want to do is keep them alive so that they can sell

them. The minimum standard is to keep these animals alive so that they can be sent to pet stores, or whatever, and sold.

I would say to Mrs Munro that I'm very pleased that the bill is before us today. I'm pleased that we have this opportunity to debate it.

I do want to have an opportunity, and we will have an opportunity, to debate Mr Colle's bill on December 6. I know that Mr Colle is promoting his bill out there, and he'll be pleased to know that I've received some of those bright red cards that are out there in everybody's ridings. Some of them have come back to me, and even some good New Democrats have sent them back to me, I would say to Mr Colle, and Tories as well. That shows it's an issue that crosses all party lines. People do not care whose bill it is, which party brings it forward. From time to time there are some issues that people out there are so concerned about that they want to see all three parties working well together, in a co-operative way, to ensure that we have the strongest bill possible passed, that will have the most impact and the largest effect on getting those puppy mills and kitten mills shut down.

1040

I would like to say in closing that I know that neither in this bill nor in Mr Colle's bill are we dealing with agricultural and farm animals. I understand why that's not included in this bill, but I've got to tell you from a personal point of view, even the animals that we see—chickens, pigs and all kinds of other animals that are raised to be killed so we can eat them the inhumane treatment of some of those animals is beyond the pale as well. I understand why it should not be included and is not included in this particular bill, but when we're talking about the humane treatment of animals, we should be thinking about the humane treatment of all animals.

I will be supporting this bill today. I hope it moves forward to committee, and I hope everybody in the House will agree that Mr Colle's bill should be passed on December 6 and go to committee hearings as well so we can have the best bill available passed in this House.

Mr Norm Miller (Parry Sound-Muskoka): I rise in the House today in support of Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act, put forward by Ms Munro, the member from York North. This act is targeted and focused on puppy and kitten mills in Ontario, and I want to take a moment to talk about these illegal operations.

Most of us here today probably have an animal at home that is an integral part of the family. If you don't have a pet at home, you have more than likely been touched in some way or another by someone else's pet. Speaking for myself, we have our pet Labrador retriever, Ollie, and I can tell you that Ollie is certainly an integral part of our family. Each morning, one useful thing he does is he goes out to the end of the driveway and picks up the newspaper. The only problem is, it's the Toronto Star. It's the only paper we can get in our area. Probably the odd time he pees on it as well, I'm sure. But he certainly is an integral part of our family. Most people

will laugh when I say it, but when I arrive home, often I'll greet Ollie first and then the rest of the members of the family.

Can you imagine for one second someone treating an animal in a negative way: beating them, neglecting them or harming them in many ways? I certainly can't. But cruelty toward animals is a big problem, and it's not just a problem at puppy mills in Vaughan or Fenelon Falls. It is a problem all over Ontario, in every riding, even in Parry Sound-Muskoka.

I'd like to take note of the fact that there are many responsible, excellent and caring breeders across this province, and this bill is not targeted at them. Like the breeders of Ollie, our Labrador retriever, John and June Onda in Dunchurch in the northern part of my riding, they do an excellent job. I know when we arrived to get Ollie nine years ago as a small puppy, they helped us pick what we asked for, the friendliest puppy of the bunch. He certainly turned out to be that way and has been a great pet.

It's not targeting those people who are using dogs and animals for hunting, like the Ontario Sporting Dogs Association.

It's less red tape than other proposed bills because we don't want to burden those legitimate operations with undue red tape. We're trying to deal with a problem, not make unnecessary work for legitimate breeders.

Puppy mills treat animals in a deplorable manner. They house animals in cages, one on top of another. They are forced to exist in their own feces and urine. Most carry untreated health problems. Defenceless, voiceless animals are bred quite literally to death. There is absolutely no concern for their health and what genetic deformities might be passed along to their offspring.

This private member's bill today sends a clear message to those who abuse animals: animal cruelty will not be tolerated in Ontario.

The act in its second reading today targets puppy and kitten mills. It will establish standards of care for dogs, puppies, cats and kittens for the purpose of breeding and selling. In addition to outlining a standard of care for cats and dogs in Ontario, it will create an offence for the violation of any of the standards. Not only will there be standards of care for cats and dogs in Ontario, but if these standards are not met, extensive penalties will be enforced. These standards will require breeders and those selling animals to provide adequate food and water as well as medical attention while the animals are being bred or kept for sale. They will have to provide physical safety while the animals are being transported, and breeders must also provide adequate space, ventilation, sanitary conditions and the opportunity for exercise.

All these standards are simply common sense, and it's unfortunate these sorts of standards have to be put into legislation. However, like I said before, the bill includes penalties for failing to comply with standards of care for cats and dogs, and those penalties include fines of up to \$60,000 and not more than five years in jail. In addition to any other penalty, the court may make an order pro-

hibiting the offender from engaging in or being employed or involved in the breeding of cats and dogs for sale for a specified period or, in the case of a corporation, forever.

I can see I'm running out of time, so I'd like to wrap up by saying that puppy mills should certainly not be tolerated in this province of Ontario. People who care about animals show them love, compassion and respect. They feed them, give them water, socialize them and see that their medical needs are met. After all, as the author George Eliot said, "Animals are such agreeable friends. They ask no questions, they pass no criticisms."

I encourage all members to support this bill.

Mr James J. Bradley (St Catharines): I've wanted to speak on this issue; it's one that is extremely important to people right across the province. I have received communications from people who are very concerned about puppy mills in this province. They have been wanting to see the provincial government take some action, particularly since my colleague from Eglinton-Lawrence, Mike Colle, has been across this province indicating what the problems are, taking this cause on with as much vigour as that with which he's taken on the cause of the Oak Ridges moraine.

Just as he was able to extract from the government action on the Oak Ridges moraine through his persistence and his campaigning, it is my hope that we will see from the provincial government the same kind of action as a result of his persistence on the issue of puppy mills, which are disgraceful in this province in some instances, the breeding of puppies, and particularly these mills that they have that are almost factories.

The member for York North has brought forward a piece of legislation that will be a step in the right direction. In my view, and it's a pretty objective view—I know you don't think so, because when it's your own member, you tend to say your own member, of course, has a better bill. If it weren't, I suppose I wouldn't be saying it were. But I think the legislation to be brought forward on December 6 by the member for Eglinton-Lawrence is considerably stronger than this legislation. You can always find a member on the government side who will find a federal component to any bill, that the province shouldn't take action; it's a federal jurisdiction. I've heard some of those petitions read in the House, a petition that asks the federal government to take action.

Here is an issue that is within the jurisdiction of the provincial government. The Solicitor General of this province has not moved forward as we would have hoped with strong legislation in this regard. My colleague from Eglinton-Lawrence has indicated he wishes to bring forward a bill. In fact, I made way for that bill. I had the designation for a private member's bill on December 6. I felt so strongly about this piece of legislation, that I needed action before the end of this session, that I traded my place with the member for Eglinton-Lawrence so that legislation could come forward.

1050

His legislation certainly deals with what the real problems are. To put an end to the practices that have been

described in this Legislature and give unsuspecting consumers assurance that they're purchasing what we would refer to as healthy pets, the Puppy Mill Ban and Animal Cruelty Prevention Act by the member for Eglinton-Lawrence will legislate the following things, which I think is even stronger than this legislation: it will require the licensing of all pet breeders and kennels to operate in Ontario; it will allow full inspections of breeder and kennel operators by the OSPCA; it will make it a provincial offence to operate puppy or other pet mills, punishable by fines of up to \$50,000 and/or two years in jail; it allows the imposition of a lifetime ban on individuals found operating pet mills; it imposes fines or jail terms on pet store operators that knowingly and willingly buy or sell pets from pet mills; and it establishes a publicly accessible provincial registry of pet breeders and kennels.

I think that kind of legislation is significantly stronger than the legislation that the member for York North has brought forward today, and I would hope we would see full support for the legislation that the member for Eglinton-Lawrence brings forward.

All of us in this House, regardless of what political party we belong to, are sickened by what we've seen with these puppy mills, the mistreatment of these animals. For many people, the animal that they have, be it a dog or a cat or another pet, is great companionship, a source of comfort, a source of support. You see this very often with seniors who are perhaps alone and have a pet with them, a pet that has become very much attached to them.

We want to ensure that when people are purchasing dogs, whether it's for children or for seniors or others, those dogs have had a healthy upbringing, that the breeding process has been such that they've been treated not cruelly but instead very sympathetically, and nourished properly both in terms of the love that is given to those animals and in terms of the physical nourishment that can be provided.

I think this bill is a step in the right direction. I think the bill by the member for Eglinton-Lawrence is much stronger.

Mr Doug Galt (Northumberland): I'd like to start off in recognizing the member for York North for bringing forward Bill 129, an amendment to the OSPCA act; also to recognize two Solicitors General. I've sat on a task force. The Honourable David Tsubouchi and now the Honourable David Turnbull have been working with the Toronto Humane Society as well as the OSPCA in amending that particular act, and I look forward to that coming forward later on.

I listened to the member for Eglinton-Lawrence being quite critical of this particular bill. The member for St Catharines was a little more supportive, expecting and wanting it to go further. But if we were to be critical, I'd suggest we be critical of the federal government and their blundering with the Criminal Code, which the problem of cruelty to animals comes under. I agree with their increased penalties, and we had a resolution in this House to increase those penalties. But there are a lot of problems with that particular bill, particularly with the definition of "animals."

I also heard the member for Eglinton-Lawrence talk about licensing or registration of these kennels, these so-called puppy mills, which is very difficult to define. I think it's going to be a lot like the criminal element: will they register their guns? They are the problem, but no, they are not going to register their guns. I would suggest that probably a move like that would just drive those organizations and those operations further underground.

I also heard him call all of these operators criminals. If in fact they are criminals, then why wouldn't they be charged under the Criminal Code? It's certainly open there. If in fact they are criminals, that's the Criminal Code and that's where they should be charged. But I would disagree that they are all criminals—some possibly with a profit motive, but some evolve into these situations in a very innocent way.

The member may ask, how do I know? As a veterinarian in practice, I've been in these premises and I've seen how they have evolved. At that time—it was quite a while ago when I was in practice as a veterinarian—there weren't really the teeth to do very much about it. Later on, as I worked in a diagnostic lab as a veterinary pathologist doing necropsies on these animals—certainly I'm empathetic to the concerns coming from the other side of the House, but I see the very practical approach the member from York North is using in this bill. She is looking at standards, taking a code of practice, giving it more teeth and putting it into a bill. I believe that is absolutely, at this point in time, the right direction to be going until the full OSPCA Act amendments come forward from the minister.

I really agree it is the right direction. The wrong direction is to try and identify a puppy mill or kitten mill with a maximum number of bitches or queens that might be there for breeding purposes or the maximum number of litters in a year that a queen or a bitch might have. That isn't the problem. The problem is how the animals are raised, how they're housed, how they are looked after. If you wrestle with this whole problem of defining a puppy mill or defining a kitten mill, it is literally impossible. I know it creates all kinds of emotion to use that term, and it is great if you want to build emotion in society and build toward getting something accomplished.

What the member from York North is presenting, the code of practice that has been used by the OSPCA and others, is very similar to the codes of practice for other species of animals raised on farms. I compliment her for bringing this forward to recognize these standards and have them enshrined in law, provided this bill passes second and third reading. Again, compliments to the member from York North.

The Acting Speaker: Response?

Mrs Munro: I want to thank all those who have taken part in the debate this morning. I want to comment on a couple of points that have been raised.

To the member from Toronto-Danforth, who believes this does not ban puppy mills, I think she has missed the point of the definition. It does ban, because what we are

saying is, "If you can't meet the standards, you're out of business." It's that simple.

The member for Scarborough-Agincourt referred to the member opposite's bill as a more comprehensive approach. I just want to call attention to the fact that when you look at that comprehensive approach, you find it catches everyone and crosses already existing jurisdictions. Municipal bylaws exist that provide the operational requirements, inspection and so on and so forth. But what that comment actually leads to is what I believe is the most important part of being able to distinguish between the two bills.

The member for Eglinton-Lawrence's bill is very much in the mindset that criminals register guns. He believes that puppy mill operators are going to sign up on a provincial registry. In fact, it is quite clear that that is not the case; that's not what people do. My bill provides a mechanism where you put them out of business because they can't meet the standards of care. It is care and the opposite, neglect, that is the critical piece in being able to assure the purchaser that any animal comes from the appropriate environment and background. That's what this bill is intended to do. I certainly urge all members of the House to support the bill.

The Acting Speaker: That completes the time allocated for debate on ballot item 33. We will take the questions at 12 o'clock noon.

1100

SOUTH ASIAN HERITAGE ACT, 2001

LOI DE 2001 SUR L'HÉRITAGE SUD-ASIATIQUE

Mr Gill moved second reading of the following bill:

Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day /
Projet de loi 98, Loi proclamant le mois de mai Mois de l'héritage sud-asiatique et le 5 mai Jour de l'arrivée des Sud-Asiatiques.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes for his presentation.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is an honour to initiate debate on Bill 98, the South Asian Heritage Act, 2001. I would first of all like to thank the members of the Ontario PC caucus for their generous support and encouragement of this bill. I would especially like to thank our Premier, the Honourable Mike Harris, who has offered his assistance through words and, more importantly, through actions when it comes to encouraging and supporting the South Asian community in Ontario. I would also like to thank my caucus colleagues who have volunteered to speak in favour of this bill, Mr John O'Toole, Mr Doug Galt, Mrs Marilyn Mushinski, and the Honourable Tony Clement. These are among many of the hardest-working members in this Legislature and I do appreciate their personal support and friendship.

The South Asian Heritage Act, 2001, is a bill that all members of this Legislature should support, and I am certainly looking forward to their support this morning. It offers the opportunity for us to come together, not only as members of political parties but as members of this great chamber, steeped in history and pride, to recognize and celebrate the contributions of Ontario's South Asian community.

The South Asian Heritage Act, 2001, is a bill that does two simple but very important things. It proclaims the month of May as South Asian Heritage Month and the 5th day of May as South Asian Arrival Day. This is the first such bill in Canada. Our actions and words today will leave an everlasting mark.

My friends, let us make no mistake. Today's Hansard and comments made by all members of the House will be reviewed by the eager South Asian press, over a million South Asians living in Canada and many others around the globe. Today, we as legislators are laying a foundation for the well-deserved recognition of the South Asian community. Today, all members of this Legislature have the opportunity to acknowledge Ontario's diversity and, at the same time, an opportunity to lay a positive foundation upon which South Asian children and adults, young and old, can see themselves reflected in the fabric of society in our great province.

I'm going to outline the many contributions of South Asians in Ontario, but first I would like to acknowledge the work of the members of the Indian arrival and heritage month committee who have led the way in promoting South Asian heritage in Ontario. There are several members, and it would be difficult for me to mention all their names because then we'd be using up all the time. They have played a key role in bringing people of South Asian backgrounds together and are a key inspiration for the creation and introduction of this bill.

The South Asian community is strong and proud. I am proud to call myself a member of this community. As South Asians, we take pride in our heritage, in our culture, and in our individual religions and in our community. For South Asians, the month of May has been a time of celebration and commemoration of our arrival from the Indian subcontinent to the Americas, beginning on May 5, 1938.

In Ontario, the first South Asians who arrived here worked in our thriving sawmill industry and helped to open up the frontier. Many of them chose to settle in those small communities across Ontario. In 1897, Sikh soldiers from the Hong Kong regiment travelled across Canada on their way home from England after taking part in Queen Victoria's jubilee. One headline at the time read, "Turbaned Men Excite Interest: Awe-Inspiring Men from India Held the Crowds."

A few years later, my grandfather, Sardar Mewa Singh Gill, hearing news of this wonderful country, joined his friends and headed to Canada. They took a ship, now infamous, the Kamagata Maru. Upon reaching British Columbia, the federal government of the day, fearing a

wave of undesirable immigrants, bombarded the ship with cannons and refused to allow it to drop anchor in Canada. Undeterred by the unfriendly welcome, my grandfather jumped the ship Kamagata Maru in Mexico and with his friends made his way north to Canada. This was in the year 1914. They lived and worked in Canada for about five years, helping to build the railroads, and then returned to India.

In India, tales of Canada were told to us as young children many years later, and it was upon the advice of my grandfather that I, as a young man of 17, joined my parents and siblings to travel to Canada some 34 years ago.

Another parallel is the Honourable Ujjal Dosanjh, who also left India at the age of 17 to come to Canada and had the honour of achieving the highest public office in British Columbia, as the Premier of BC the first South Asian descendant to be Premier of a great province of Canada.

From small communities and humble beginnings, Ontario South Asians have lived, worked and raised their families in Ontario since the early part of the 20th century. While the Ontario South Asian community is as vast and diverse as Canada, we share a common bond: our ancestry. Most South Asians come to Canada directly from India, but many others come to Ontario from such places as Pakistan, Sri Lanka, Bangladesh, Uganda, Kenya, South Africa, Mauritius, Fiji, the United Kingdom, Trinidad and Tobago, Guyana, and many others. Today, South Asians number over 700,000 in Ontario and are proud to contribute to many aspects of culture, commerce and public service across this province.

This contribution has not gone unnoticed. Speaking to the 10th annual Indo-Canada Chamber of Commerce awards and gala dinner this past June, Premier Harris said, "The Indo-Canadian community has consistently founded companies that have created jobs and enhanced the economic vibrancy of Ontario." The Premier went on to state, "Our province is the preferred destination of South Asian immigrants to Canada. That's a testament to Ontario's quality of life and economic strength, and we intend to keep it that way."

The Premier spent that June evening saluting the accomplishment of South Asians such as Anita Gahir, a 13-year-old up-and-coming golf great, who has won a number of major tournaments, including the US Kids World Championship. South Asians have not only excelled in golf but also in sports such as figure skating, where young Emmanuel Sandhu represents Canada internationally. In boxing, Jamie Behl, a young lady of 26 years, has held the Canadian 48-kilogram boxing championship for the past six years and is currently ranked second in the world. As a matter of fact, only yesterday Jamie finished her training and left for the world championships, where she hopes to return with a gold medal. I'm sure my colleagues here at Queen's Park will want to wish her well.

It is with pride that I acknowledge that this year, for the first time ever, a young South Asian, Neelam

Verma—who is in the members' gallery today, and I would like to recognize her—has won the Miss Canada Universe pageant and will be representing Canada in the Miss Universe pageant in Puerto Rico next spring. Miss Verma is here this morning in the members' gallery, as I said. Neelam, I know all members of this Legislature join with me in offering our best wishes to you as you represent not only your hometown of Etobicoke but Ontario and Canada as well.

1110

Today, South Asian culture is on permanent display at the Royal Ontario Museum, thanks to the kind and generous support of Christopher Ondaatje. Last year, thanks to the support of the Ontario government, the federal government and many kind sponsors, the Arts of the Sikh Kingdom exhibit was held at the ROM. In addition, South Asian author Rohinton Mistry, a resident of the proud city of Brampton, is well known throughout Canada for his wonderful and award-winning novels.

I know the time is running short. I would request all members of this House today to help me and pass this bill.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased and delighted to lend my wholehearted and strong support to the bill.

If we look ahead at the province of Ontario, 90% of our population growth will come through immigration in the next 10 years, the next 25 years. The majority of that will come from the east, from South Asia and from China. We depend on our ability to attract the best and the brightest from around the world to want to come and live in Ontario.

I have a metaphor for my view of Canada: I've always said it's like a flower garden. Originally there was one flower in this garden, our First Nations, our native people, but over the history of this country we've been able to attract the best and the brightest flowers from around the world to want to come and live here. Of course, among the best and the brightest flowers is our diverse South Asian community. It's going to be even more important in the future that they feel this is a place in the world that they want to come to live. By the way, it's going to get more competitive for it.

This act is one step, but an important step, in ensuring that people, when they're looking at where they may want to go and live, say, "I want to go to Ontario." I also always say that, like any flower garden, it needs nurturing and caring. I hope that this bill, along with actions in the Legislature, will help that to happen.

I represent a community in the northwest part of Scarborough. Within a kilometre of where I live there are the largest mosque in Toronto, or one of the largest mosques in Toronto, a very large gurdwaras, two Hindu temples and a Buddhist temple, reflecting the changing complexion of Ontario. As I say, if we look ahead, our diversity will become even more important.

One of the things we in this Legislature have to make sure we do is that we make our diverse faiths welcome and we do what we can to ensure that they are able to

practise their faith as freely as possible. That often includes changes in the workplace and ensuring that we accommodate a variety of religions in the workplace. Another thing that we need to do much more of is called access to trades and professions.

Ontarians may not realize it, but immigrants, on average, have a higher level of education than the rest of us in Ontario. If you look at the average education of immigrants to Ontario, they already have a higher level of education. I often feel sorry for the country of origin because they've invested a lot to educate these people and they choose to come to Ontario. We have an enormous brain gain. We've often in the Legislature bemoaned our brain drain, but Ontario every year gets 100,000 people to come to Ontario, better educated than the rest of us. We have an enormous brain gain but we're still, to this day, not taking advantage of it. As we all know, there are medical doctors driving cabs. I met recently with an individual from Kitchener, and there's a group of doctors—I think there's 52 or 53 foreign-trained physicians, more than that—living in Kitchener-Waterloo who can't practise, and yet Kitchener-Waterloo is an underserved area. All of us need to push far more aggressively for this access to trades and professions.

I often mention that, like any flower garden, there are weeds that creep in. We collectively need to root that out. All of us were disturbed immediately after the September 11 incident at how many in our Muslim community, our Arab community, felt the brunt of a completely unfair and unwarranted attack on them. I've always said that whenever this happens to any community, we all have a responsibility to step in and respond to it. We can never allow a community to be isolated and attacked by that fringe element in our community that would use an event like September 11 to attack a community. I'm happy that response eventually took place. The Friday of the week of the September 11 event I did visit, along with other members, a mosque to lend my support to the Muslim community.

I represent an area with a large Tamil community. I've often said here in the Legislature that there are 300,000 Tamils living in the greater Toronto area; 300 of them are in gangs. That's one out of 1,000 in a gang. But when many in the community think of the Tamil community, they think of Tamil gangs. I have a local school called L'Amoreaux Collegiate. A year ago the valedictorian and the two top students in that school were from the Tamil community. Many of us attended an event just a week and a half ago—Mr Gill might have been at it—called CANTYD. The young Tamil community was honouring the achievements of the young Tamils in our society.

My point is that as we recognize this enormous strength in our diversity, when we see attacks against one of the communities, we all must step forward and speak out. I often speak with the Tamil community and say, "Ontarians recognize"—when you hear the word "Tamil," think of the 999 out of 1,000 that are hard-working, caring, dedicated and, I might say, often among our best and brightest young people. Think of those 999. The police will deal with the other one out of 1,000.

I go back to how I opened my comments, and that is, the future of Ontario depends on our ability to continue to be a society where the best and the brightest from around the world say, "I can go anywhere in the world, but I want to go to Ontario." We truly are a beacon for the world. If you look at the challenges in the world, here we are in Ontario with this enormous diversity. In my community we've got Christian churches, the mosques, gurdwaras, Hindu temples, all within a very short distance from each other.

While the rest of the world is struggling with how we all live and work together, we have a model here. I'm proud to support this bill and say it is another step forward in making sure that Ontario continues to be that kind of an environment.

Mr Rosario Marchese (Trinity-Spadina): On behalf of the New Democrats, Raminder, we congratulate you, the member for Bramalea-Gore-Malton-Springdale—it's a long title—for introducing this bill. He of course has delineated very well the proud history and heritage of Canadians of South Asian heritage, and it's something that people need to hear to feel acknowledged and recognized as equals in this country and in this province.

I want to argue that multiculturalism is a beautiful thing, but we have to make it work. I suspect that there are a lot of South Asians in this province and this country, however, who feel that they are not as equal as they would like to be; that many of them would like to be in positions of responsibility and power, and they think they're not getting there for some obvious reasons of issues of race. There are a lot of South Asians who probably are arguing, "Why are we at the bottom of the rung in terms of economic benefits, in terms of wages? Why is it that having a good education still leaves us at the bottom rung as people of colour?" I think they want to ask those question.

I just don't think it's good enough for us, Mr Banker, to be able to just say, "This is a proud day and we should just be happy and celebrate our heritage." We have to show the underbelly of that problem that we have in this province.

Hon Rob Sampson (Minister of Correctional Services): We saw the belly you showed in 1995.

1120

Mr Marchese: I want to tell the member from Mississauga Centre that he doesn't have a proud history as it relates to issues of people of different colour, of people with disabilities, of aboriginal people.

You'll remember that the New Democrats introduced employment equity in this place. Mr Sampson wasn't here, some of you were not here, but your previous members were. When the New Democrats were in power, we introduced a bill called employment equity that was designed to bring about fairness to people who traditionally had been discriminated against, and those were aboriginal communities, our First Nations people, women, people of colour and people with disabilities. The New Democrats said, "We have to recognize there is discrimination in this society."

Of course, all politicians want to be so nice. They all want to be so nice about how proud we are to be non-racist in this country. Politicians don't want to talk about racism at all, especially on the happy occasion today of the introduction of this bill. They would rather be nice today. A few of them already are not liking what I'm about to say today, and we might be lucky enough to hear from them. But we said, "There is discrimination in society, it's documented," and we introduced employment equity to bring about greater fairness. We said, "Where there are large communities of people with disabilities, people of colour, the workplace needs to represent them fairly." It wasn't doing that and it's still not doing that.

When this government got into power in 1995, defeating the New Democrats, they said that was a quota bill and it was bad. They said it was reverse discrimination, and those poor people of colour would have to fight as equals with the rest of them. We know that people of colour are not as equal as they want to be. They know that if you're black, you don't get treated as well as if you are white. They know that. You can hide that as much as you want, but people of colour know that they suffer the effects of their colour. They know that. They seek justice and they seek fairness and they seek a society that is anti-racist and they look to government to do that.

Employment equity was such a measure—a measure.

Mr Wayne Wettlaufer (Kitchener Centre): This is below even you, Rosie.

Mr Marchese: I'm not sure whether Mr Wettlaufer from Kitchener Centre, normally my friend, is going to say anything today about this bill, but I'm looking forward to his comments.

Interjection.

The Acting Speaker: Order.

Mr Marchese: The member for Kitchener Centre would like me just to be polite and tell you how wonderful you all are, and, "Isn't this a proud, proud country where we have everyone coming as immigrants, and aren't we all so happy to be here." Yes, we are, but we want to be treated equally and fairly in this society. Don't you want to be treated equally and fairly? Of course you do, and of course the few people of South Asian origin who are here want to be treated as equals, but they know they're not getting the same fair shake.

What did you do in response to employment equity? You axed it in a matter of weeks. It was repealed. It was gone. Why? Because the government said, "We are all equal in this society." Ha. "We are all equal," they said, and they argued, for those of you who support that government, "If you've got a problem with racism or discrimination, you can go to the Human Rights Commission." You can go there and wait for years and years, if you're lucky enough to be heard at the Human Rights Commission, which these people have axed by way of support. They're proud to say, "Oh, things are moving real fast." Of course, because they're not being dealt with.

Interjection.

The Acting Speaker: Order. The member for Kitchener Centre will come to order. If I hear from him again, he's going to be out. Thank you.

The member for Trinity-Spadina.

Mr Marchese: The member for Kitchener Centre is not happy with my comments. Of course not.

They got rid of the Anti-Racism Secretariat. They said, "We don't need it. We're all equal." Do you people of South Asian origin feel like you're equals in this society? How many of you are out there, day in and day out, in the workplace and in that society, saying, "I am an equal. I get the same wages as everybody else; I have the same employment opportunities as everybody else"? Raminder, please, you're lucky to be here. How many of us, how many of you are in this Legislature? You—

Interjection.

Mr Marchese: Yes, they're proud. We've got New Democrats—please, you're in the wrong seat. You're not in your seat.

The Acting Speaker: Order. The member for Durham is not in his chair and if I hear from him again, he'll be gone.

Mr Marchese: We have New Democrats as well of South Asian origin. Raminder mentioned one. He didn't say he was a New Democrat, but he is the Premier of British Columbia and his name is Ujjal Dosanjh. He's a New Democrat. We're proud of that. I don't think he mentioned the Alberta leader of the New Democrats, who is Raj Pannu. I don't know if you mentioned him, but he's a New Democrat. He's the leader of the NDP. We're proud of that.

You can mention many great Canadians of South Asian origin. That's not the point. There are many great Canadians from every linguistic or racial group, but does that mean all South Asians share the same success? No. Can they all say, "We are equal because we were able to be Premiers of certain provinces" and that any South Asian can do it, just like Ujjal did in British Columbia? I tell you, no. Those individuals are the exceptions. The rest of the folks have to worry about whether or not there's racism out there.

September 11 has shown us that racism has not disappeared. We know that the temples and mosques of people of the Hindu and Sikh communities have been vandalised and attacked since September 11. Why? On what basis? Because racism is still in our society and it's so very likely not going to go away. This government got rid of ESL programs from the Ministry of Citizenship. This government got rid of the Welcome Houses that received immigrants and prepared them for orientation into Canadian society. They eliminated all that. How do you do that? How do you build bridges? You don't build bridges by just simply saying, like these Tories, "Don't worry, you're all equal. This bill will just make it all better, because you're all equal."

You all know that. You have so many of these Tories around here—good people all. My friend from Dufferin-Peel-Wellington-Grey is a good man, but I don't know how they can defend certain things.

Governments have to be leaders. Governments have to lead, and you lead by example. The way you've led is to destroy employment equity. Gone. You axed it. You axed the Anti-Racism Secretariat, the ESL programs from the Ministry of Citizenship and the Welcome Houses. What does it say to those communities? What does it say to them when you do that?

Mr David Tilson (Dufferin-Peel-Wellington-Grey): We axed the quota bill.

Mr Marchese: David said, like Stockwell used to say with his eyes popping out, "It was a quota bill." These people intentionally, deliberately give you a distorted view of what that bill was. We said that workplaces had to create targets and they had to meet them. The Tories conveniently, politically, brilliantly said, "It's a quota bill." You don't have to explain quotas, you just have to say, as they did, that it was a—

Mr Tilson: So many women, so many disabled, so many people of colour, so many aboriginals. That's all quota—

The Acting Speaker: When I'm standing, you're quiet. If I hear from the member for Dufferin-Peel-Wellington-Grey again he'll be gone.

Mr Marchese: The member from Simcoe Centre smiles ever so sardonically. I don't know how Raminder feels, but I tell you, I would feel pretty bad to be in your shoes, as I would have felt to have been a Liberal when we were doing the employment equity bill and some of the members had to attack that bill too. It was very odd, I've got to tell you.

But I'm proud. As an immigrant, I'm proud to be here, proud to receive immigrants from all over the world; proud and happy. As a government, we need to create bridges. As a government and as politicians, we need to break down barriers and not raise them up. You don't do it by getting rid of the Anti-Racism Secretariat. You just don't do that. You cannot be happy, the member from Dufferin-Peel-Wellington-Grey, to say, "We got rid of the quota bill because it had quotas for women, quotas for people with disabilities, quotas for aboriginal people, quotas for people of colour." All these communities have been discriminated against. You just say that so nonchalantly.

What do you offer in its place? You offer nothing, no bridges whatsoever. You offer nothing to those communities that could say, "We're proud of what these Tories are doing." What have you offered, except to give them words that you treat them as equals, that they are equals? What have you given them and what evidence do they have that they have advanced economically in this place, that their wages are as equal as the rest, that they compete fairly with white folks in society? What evidence do they have? They know. I don't have to tell them; they know.

1130

September 11 has brought to our communities racial profiling, which New Democrats attacked because racial profiling produces the example of Mr Bhupinder Dhanoa, when he was abused so disgracefully on a trip he made

November 17. An innocent, law-abiding Sikh man was forced off his flight in Toronto because another passenger complained he was staring at him. They stopped the plane and got him off because some other person complained he was staring at them too long. Raminder, please, what do you say to that? You ought to be standing up, you and the rest of them, like the member from Mississauga Centre. I want to hear his proud remarks about this.

Hon Mr Sampson: You bet.

Mr Marchese: You bet, my foot. Except for racial profiling—that's what you people are good at.

You have power, members of the South Asian community, and your power is your vote to determine who is on your side, to determine what's best for a multicultural society. And for multiculturalism to be meaningful, we all have to feel we have a place in this province.

This bill acknowledges you. Fair enough, and I support that. I'm saying we need to do more. Those gestures have to be visible to you and to me, and they, as governments, have to lead, not just through measures with this bill, which are good enough for me to support but insufficient and inadequate to deal with the larger problems that many of you are facing. I say "many of you," and I feel the fact that as Ontarians some of you are suffering more than some others. You have power to use it.

We have power today to celebrate May as the month of South Asian Heritage. No problem; it's good to recognize. All I'm saying to Raminder and the rest of you is, let's look at our society and see whether we have failings and how we deal with those failings. If we value multiculturalism, let's make it work and let's make it meaningful and let's put into place as governments, not just bridges, but let's break down barriers so that we all feel genuinely equal in this society. That day will come. The day will come when people of all heritage will mix, will intermarry and it will be a beautiful Canada when we have the power to intermarry and break down yet another barrier. When that happens, we will have achieved greater equality as people of all nations.

Raminder, I support your bill. There's much more to do and I wanted to speak to how much needed to be done.

Mr Doug Galt (Northumberland): I appreciate the opportunity to speak on Bill 98 from my good friend from Bramalea-Gore-Malton-Springdale. For my first year and a half year here I had the privilege of sitting beside him in the Legislature.

What an embarrassing speech we've just heard, going on about partisan politics, talking about their employment disequity bill that they put through. Getting jobs in this country is about specific skills. That's what the ethnic communities want and that's what most people in Ontario want, except the NDP. What an embarrassing bill that was before us.

I want to speak on contributions that have been made to our society by various ethnic groups, and I want to speak from personal experiences, having lived for a year

in Indonesia, from 1988 to 1989. The first one is looking at life in a different sort of way, and both are right. Is the glass half full or half empty? While over there, I tended to like to have my hair cut shorter, and I went in with the right words to the barber and asked to have my hair cut shorter. For six months it got longer and longer and it started down the back of my neck. I was a bit frustrated until finally accidentally I found out that what they measure there is not what is left, but what you take off. It's the same whether you cut grain or cut hay or cut hair. When I went back and told them I wanted it cut longer, I got my hair cut just the way I wanted it. It's just a communications issue, and if you think about it, it makes more sense to measure what you take off.

The next one, on debate—and they never really got into debate because it was important not to embarrass the person they were visiting with or what we might call debating with. They referred to it, in translation, as “saving face.” I think the members on our opposition benches could learn from that bit of culture, saving face just a little bit, especially when I heard this last speech. By the way, I lived on the island of Java in the city of Yogyakarta, in the centre of Java, not to be confused with the capital, Djakarta. They're so polite over there, they have a word for no—“tidak”—but I never heard it used while I was there. The strongest no they ever use is “*mun kin besok*,” which is translated as “maybe tomorrow.” When they repeat that a couple of times, that really translates as an absolute no, but they're so polite they do not use that.

Last June I had the opportunity to attend a banquet here in Toronto with about 1,500 people from South Asia of the Indo-Canada Chamber of Commerce. What great food they had that evening, but also what a great quote. I'd like to read the quote to you from the Premier of the province, Mike Harris. He said, “The Indo-Canadian community has consistently founded companies that have created jobs and enhanced the economic vibrancy of Ontario. Our province is the preferred destination of South Asian immigrants to Canada—that's a testament to Ontario's quality of life and economic strength and we intend to keep it that way.”

I was so pleased that evening that Steve Gupta, who has property in my riding at Port Hope, received a very special award. He is one of the many, many entrepreneurs who have contributed so much to our culture.

This bill recognizes South Asians' contributions to our Canadian mosaic. I would encourage every member in this House to support this bill. I'd also encourage every member in this House to have an experience of some of those different cultures we're so fortunate to have come to this great province of Ontario.

Mr Tony Ruprecht (Davenport): I rise on behalf of the Liberal caucus and my leader, Dalton McGuinty, in support of this bill of the member for Bramalea-Gore-Malton-Springdale, private member's Bill 98, the South Asian Heritage Act, 2001.

Many times I get asked, who are the South Asians and what community do they consist of? I'm happy to tell

you that the South Asian community itself is a multicultural community of various backgrounds. For instance, right here in Toronto we have many communities that have their very own cultural initiatives, their very own language, their very own way of doing things. The Pakistani community, of course, is now over 80,000 members strong in Toronto; the Bengali community, over 6,000 people; the Ismaili community, over 25,000 members. The East Indian community is one of the largest—180,000 persons who trace their ancestry to the subcontinent and to India. From Sri Lanka we have the Tamil community—in Toronto, 170,000 people. Each one of these communities has a distinct social and cultural life and is very proud of their background, heritage and language.

In Toronto alone, when we look at this great city, it's been declared by the United Nations as the most multicultural city in the whole world. Over 52% of people from Toronto were not born in Toronto; they were born outside of Canada. In the greater Toronto area, we have over 40% of our residents and citizens who were not born in Canada. These are really staggering numbers.

1140

In Toronto alone we speak over 100 languages. The United Nations says there are 189 countries. We have people here from 170 countries. The question we should ask ourselves is, why do all these people from each corner of the globe want to come to Canada? Toronto especially is the recipient of the majority of them. Why do they want to come here? The answer is not that difficult. They believe that in Canada we have a very tolerant society. But not only that, they believe that here we have an equality of opportunity and a sense of justice and fairness, and a sense that each one of us will be treated equally. Certainly there's a great sense of having an opportunity they will not have in the country of their origin. While there may be many reasons why people come to Canada, essentially that's the essence of why people come here.

It is incumbent upon us, as legislators, to try to ensure the doors are open. Not only do we need people; even for our economy it's important that we get people coming here from all over the world. Our economy is dependent on the growth of not only the ethnocultural communities but of the population base. So I'm delighted that I am part of this Legislature and part of a Canadian government that has opened its doors.

We've heard the speech before from the member for Trinity-Spadina. He says much more needs to be done. We're not a perfect society, but at least we're taking steps in the right direction. What might some of these steps be?

The first step Mr Phillips was talking about that we have taken, and these are just baby steps, is a step to ensure that when foreign-trained professionals come to this country, and we have a need for them, they be given a fair chance to practise what they practised where they came from.

It simply can't be that our immigration officials in our embassies abroad are saying, “We will give you extra

points for coming to this country because you're educated and you are practising a profession," and then when they come to Toronto, what do they find? Do they find the doors open in terms of practising their profession? There is a greater sensitivity and consciousness now among those professional organizations and they say now, "Maybe we should be changing our outlook a bit." Just yesterday I was delighted to speak in front of the professional engineers of Ontario. I was delighted to see that many members were from South Asia. I was delighted to see that, because the engineers of Ontario have opened the doors a bit more—they've done the right thing—than other professions.

It can't be that we have a great number of educated persons who come from outside the country and end up as taxi drivers, as restaurant cleaners or as pizza delivery persons. I say to you today that you have the power too, while we celebrate this bill, to open the doors and to make your input in terms of saying to them, in terms of my own private member's bill which I introduced into this Legislature—it was passed unanimously, but the government decided in its wisdom just to table it and do nothing about it.

We have a responsibility to all those who are professional persons and who come to Canada, whether they be doctors, nurses, physiotherapists, engineers, accountants or lawyers, that the doors be open so they can practise in their professions.

We're proud, as Canadians, to have a sense of fair play and a sense of justice. It is in this direction that we must open the doors. There are other areas of course, and I'm talking about the Anti-Racism Secretariat, I'm talking about the Ontario Welcome Houses and I'm talking about the decimation of the diversity council of Ontario. But aside from that, we are here today to support this bill.

Mr John O'Toole (Durham): I'm pleased to join in debate on Bill 98, the South Asian Heritage Act. Let me first of all congratulate and recognize my good friend Raminder Gill, the member from Bramalea-Gore-Malton-Springdale, for his efforts in putting this bill together to recognize the contributions of Ontario's South Asian community and to welcome all those who are listening and visiting today in the gallery.

I just want to mention that I'm a little bit saddened; in fact, I'm a little bit off my message that I had taken some time to prepare. I'm absolutely saddened by the statements by the member from Trinity-Spadina. He said, "Mr Gill is lucky to be here." That fundamentally defines the problem with their employment equity position. It is so patronizing, as if skilled people cannot make it on their own. I really just can't embrace that kind of mis-conceived patronizing attitude toward Mr Gill; as if they're not professionals.

I might return with the response that the member from Trinity-Spadina might consider himself lucky to be here, along with other members of both sides of this House whose birthplace is—or their mother's or father's—another country. I think it is embarrassing actually that

you would use this opportunity, a celebration. And I point to other people in the gallery here today: Mr Harry Mann, who's a good friend, a consummate professional in both India and in Canada and a very successful individual, no thanks to your particular attitude toward making people feel that they aren't equal by the very nature of the policy you put forward that implies that they can't make it.

It is that attitude that is fundamentally very flawed, patronizing and the lowest form of insult that I can imagine. I think of members in my community such as Tunu Sohdi, whose family has run a very successful business in my riding, who have integrated in every aspect of the community and are full members of the community, without exception. I think of other members of my community. I, for one, will be sending this Hansard and those remarks to my friends; specifically, Dave Patterson, who's a very good friend of mine, who's from the multicultural council in Durham.

In a recent speech, the Premier spoke with the Indo Canada Chamber of Commerce and stated that Ontario is the "preferred destination of South Asian immigrants to Canada." This fact is reflected not only in my community but, as I said before, throughout the GTA where South Asians today number over 700,000. South Asians in Ontario give a lot and ask for little in return. They simply wish to be recognized, to be welcomed and to share in the opportunities of this great province. Their contributions serve to make Ontario for all of us a better place to live, to work and to raise our families and, indeed, to celebrate our cultural uniqueness. They add much-needed skills to our economy, as has been said before, and diversify our very rich and mosaic culture. This is about celebrating diversity. This is about celebrating the success of the South Asian community.

I know other members in this caucus want to be part of the celebration with Mr Gill and his friends in the gallery here today. It is my humble experience to be able to share my commitment in supporting Mr Gill's initiative and his ongoing ability to articulate and celebrate the wonderful opportunities that we collectively share. That sharing is an equal aspect of our society. Economies these people have left were often fraught with war and dislocation. They came here for opportunity.

Mr Gill's family came from India, it is my understanding, 34 years ago. Others from the South Asian community come from Pakistan, Sri Lanka, Bangladesh, Uganda, Kenya, Fiji and Guyana. I am pleased to support Mr Gill's initiative. I commend him for his effort and his research. I will certainly be supporting this legislation.

1150

Ms Marilyn Mushinski (Scarborough Centre): Dr Ubale, Drs H. and S. Sahay, Mr Jain, Shantu Maher, Vic Gupta, Stien Lal, Kanta Aurora, Sam Hundal, Bobby Hundal, Sam Appadurai, Bahaden Madhani, Ayoub Vohar Banji, Ravi Shankar: who are these people and what do they have in common? Let me start off by saying that none of them needed a quota law to achieve success. They are all personal acquaintances of mine and they're

all of South Asian origin. They have all enriched and made a huge difference in the lives of many individuals.

Dr Ubale is a well-known and highly respected pioneer in the field of human rights. Drs H. and S. Sahay are family practitioners in Scarborough, who put the term “family” back into family practice. Mr Jain is a journalist and a teacher who has never wavered in advocating the values of strong cultural roots.

Shantu Maher was one of my closest friends in England as a late teen, who, from personal example, instilled in me the principles of tolerance, patience and good humour. Surviving the terror of racist persecution, she and her husband were refugees from Kenya. She turned everything negative into something positive and introduced me to the wonderful culinary art of Southeast Asian cuisine.

Vic Gupta is a young man going far, who is proud of his heritage and passionately defends justice and fights injustice.

Stien Lal was a deputy minister in a number of provincial ministries, and a highly respected leader in his community. I have always been impressed by his quiet dignity.

Kanta Aurora is an active member of AWIC, which is the Association of Women from India in Canada.

Sammy Appadurai is a very active leader in the Tamil community in my riding.

Bahaden Madhani I have known for seven or eight years. I actually came to know him as a very strong advocate for volunteers when I was the Minister of Citizenship, Culture and Recreation. He is past president of the United Way and recently received the Order of Canada.

Of course, I think most people here know Ravi Shankar as one of the greatest artists and philosophers in this world.

South Asian journalists, authors, artists and athletes represent our country and our province on the international stage, and make substantial contributions to arts, business, charitable organizations, academia and medicine. Our Premier has acknowledged and commended the South Asian community for its contributions to Ontario's economy and continuing effort in creating opportunities and founding companies that enhance economic life in our province.

As you know, I'm a great supporter and promoter of Ontario's diversity and would like to take this opportunity to applaud the very tremendous efforts of my colleague and good friend Raminder Gill and his success in bringing members of the South Asian community into the political life of this province. I am delighted that our government is once again reasserting its commitment to the conservation of culture in Ontario.

It's interesting that you will notice that most of the people who are talking between themselves and not listening to this submission are from the opposition benches.

In my own riding I have been privileged to work with organizations such as the South Asian Family Network to

preserve Ontario's rich multicultural tradition for future generations.

I believe that Ontario's diverse heritage is not only a source of pride but a source of strength, optimism and confidence that help to build a better future.

In celebrating the contributions that the South Asian community has made, we celebrate the great opportunities and uniquely diverse character of our province. Building a better future for the people of Ontario has always been the core of our government, and we have accomplished much to ensure that our province will continue to flourish. In recognizing the South Asian community as an integral part of our province, we embrace a vision of Ontario that promotes a sense of community, values and cultural diversity, and encourages the entrepreneurship, perseverance and hard work that make it the great province that it is today.

The Acting Speaker: Response, the member for Bramalea-Gore-Malton-Springdale.

Mr Gill: I want to thank all the members of the Legislature who participated in the debate this morning. They've all touched on some things I want to note here. South Asians today constitute a significant ethnic group in Ontario. Over 700,000 citizens of Ontario trace their roots to the Indian subcontinent. I know the member across said I'm very lucky to be here—I am very lucky to be here. Recently, the harder I work, the luckier I get. Some other people, like Ujjal Dosanjh, Raj Panu and Herb Dhaliwal, who is the Minister of Fisheries, also are very lucky, but they are also at the same time very hard working. We're very proud to be here. Many of the people in the IT sector—certainly it's not the lowest rung of society. South Asians are working very hard to achieve their proper place.

South Asians living in Canada have played an active role in building Ontario and Canada into the nation it is today. South Asians arrived in the Americas, as I said before, in 1838, after slavery was abolished in the British Empire. From various locations around the globe, South Asians migrated to Canada, and in particular Ontario, to live, work and raise their families.

Many South Asian Canadians, including my father, served in many wars and many of them can still trace their family heritage to their participation in one of the 17 Indian divisions mobilized by Great Britain during World War I.

Today, South Asians from around the world choose to call Ontario home. Their contributions in business, culture, sports and public service serve to enrich our province and all of our lives.

The South Asian Heritage Act, 2001, is recognition of the contributions of South Asians and a chance for children young and old to see themselves reflected in Ontario. This bill will also provide them with an opportunity to celebrate and share their culture with Ontarians. I do ask for everybody's support, please. Thank you.

The Acting Speaker: This completes the time allocated for ballot item number 34.

ONTARIO SOCIETY
FOR THE PREVENTION
OF CRUELTY TO ANIMALS
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LA SOCIÉTÉ DE PROTECTION
DES ANIMAUX DE L'ONTARIO

The Acting Speaker (Mr Michael A. Brown): We'll now revert to dealing with ballot item number 33.

Mrs Munro has moved second reading of Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will have the division following dealing with ballot item number 34.

SOUTH ASIAN HERITAGE ACT, 2001
LOI DE 2001 SUR L'HÉRITAGE
SUD-ASIATIQUE

The Acting Speaker (Mr Michael A. Brown): Mr Gill has moved second reading of Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1200 to 1205.

ONTARIO SOCIETY
FOR THE PREVENTION
OF CRUELTY TO ANIMALS
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LA SOCIÉTÉ DE PROTECTION
DES ANIMAUX DE L'ONTARIO

The Acting Speaker (Mr Michael A. Brown): Mrs Munro has moved second reading of Bill 129. All those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bisson, Gilles
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Chudleigh, Ted
Churley, Marilyn

Galt, Doug
Gerretsen, John
Gilchrist, Steve
Gill, Raminder
Hardeman, Ernie
Hastings, John
Hoy, Pat
Kennedy, Gerard
Klees, Frank
Lalonde, Jean-Marc
Levac, David

O'Toole, John
Parsons, Ernie
Patten, Richard
Phillips, Gerry
Prue, Michael
Ramsay, David
Ruprecht, Tony
Sampson, Rob
Sergio, Mario
Smitherman, George
Sorbara, Greg

Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Cunningham, Dianne
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda

Marchese, Rosario
Martel, Shelley
Martiniuk, Gerry
Maves, Bart
McMeekin, Ted
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan

Spina, Joseph
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob

The Acting Speaker: All those opposed will please rise and remain standing until their name is called.

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

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96, this bill will be referred to committee of the whole House.

Mrs Julia Munro (York North): I move that it be considered at the standing committee on general government.

The Acting Speaker: Mrs Munro has asked that the bill be sent to general government. Agreed? Agreed.

SOUTH ASIAN HERITAGE ACT, 2001
LOI DE 2001 SUR L'HÉRITAGE
SUD-ASIATIQUE

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 34. We will open the doors for 30 seconds.

Mr Gill has moved second reading of Bill 98. All those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bisson, Gilles
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Chudleigh, Ted
Churley, Marilyn
Clement, Tony
Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Cunningham, Dianne
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet

Elliott, Brenda
Galt, Doug
Gerretsen, John
Gilchrist, Steve
Gill, Raminder
Hardeman, Ernie
Hastings, John
Hoy, Pat
Kennedy, Gerard
Klees, Frank
Lalonde, Jean-Marc
Levac, David
Marchese, Rosario
Martel, Shelley
Martiniuk, Gerry
Maves, Bart
McMeekin, Ted
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn

Newman, Dan
O'Toole, John
Parsons, Ernie
Patten, Richard
Phillips, Gerry
Prue, Michael
Ramsay, David
Ruprecht, Tony
Sampson, Rob
Sergio, Mario
Smitherman, George
Sorbara, Greg
Spina, Joseph
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob

The Acting Speaker: All those opposed will please stand and remain standing until their name is called.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 63; the nays are zero.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96, this bill will be referred to committee of the whole House.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): On a point of order, Mr Speaker: I seek unanimous consent to send this bill to the justice and social policy committee.

The Acting Speaker: Mr Gill has asked that the bill be sent to the standing committee on justice and social policy. Agreed? Agreed.

It being past 12 of the clock, this House stands adjourned until 1:30 of the clock this afternoon.

The House recessed from 1212 to 1330.

MEMBER'S STATEMENTS

CULTURAL SUMMIT

Ms Caroline Di Cocco (Sarnia-Lambton): Last night I hosted a cultural summit here at Queen's Park—it was a first. A large representation from the Ontario cultural industry was in attendance. The panel of speakers included William Thorsell from the ROM, arts educator Gino Falconi, Jim Garrard from the Toronto Arts Council, David Mirvish, Jane Jacobs, radio personality Tony Monaco, Steve Ord from Alliance Atlantis, Dorothy Duncan from the Ontario Historical Society and Hennie Wolf from Visual Arts Ontario.

The summit served two purposes: to showcase the diversity and strength of the cultural industry, and to provide a forum to give a public voice to this vital and strong community.

Dalton McGuinty spoke of the value of culture and how that we, the Liberal Party, will be the new era of co-operation and will breathe a new life into our cultural industry. We understand the value of culture. The Ontario Liberal caucus is a strong public voice that believes in the tangible and intangible values of culture and heritage for our communities and our working families.

Unfortunately the neo-Conservatives seems to know the cost of everything but the value of nothing.

OSPCA LEGISLATION

Mrs Julia Munro (York North): I rise today to talk about Bill 129, the Ontario Society for the Prevention of Cruelty to Animals Amendment Act, 2001. This is my private member's bill, which passed second reading today at noon. I would like to express my gratitude to all those who came out today to support my bill. I would also like to thank MPPs Norm Miller from Parry Sound-Muskoka, Doug Galt from Northumberland and Joe Tascona from Barrie-Simcoe-Bradford for taking the time to speak in favour of my bill this morning.

The issue of puppy mills is not a new one, nor is it one that is easily solved. The OSPCA estimates some 400 puppy and kitten mills are operating in Ontario. This bill, should it go through committee and pass third reading, would create a provincial offence for operating a puppy mill that does not exist today. By creating a provincial

offence for this type of operation, we would give the province the ability to crack down on these despicable business practices and not wait for the federal government to take this issue seriously. Although Bill C-15 has been tabled, there does not seem to be a lot of political will on behalf of the federal Liberals to carry forward with aggressive changes to the animal cruelty section of the Criminal Code.

Bill 129 outlines a set of standards of care for all dogs and cats. These standards of care will address the issue of long-term neglect, which is not currently in legislative form. I look forward to continuing debate on this issue and creating further awareness.

UKRAINIAN FAMINE AND GENOCIDE

Mr Gerard Kennedy (Parkdale-High Park): As MPP for the area of Parkdale-High Park, I stand today to recognize and acknowledge the memory of the terrible famine and genocide that occurred in Ukraine in 1933. Ukrainian Canadians have set aside the week of November 18 to 25 to commemorate this event, as it coincides with the date proclaimed by the President of Ukraine and the statement of that country's ambassador to the United Nations.

All of us in Ontario need to remember this period. There was an unprecedented loss of population to hunger in 1933, precipitated by the actions of the occupying Soviet regime. Also lost were many of the university elite and government officials, resulting in a lack of records, but recent documentation now puts the number of people starved to death at a horrendous seven to 10 million.

This unfathomable act was deliberately hidden from view but had no less real, brutal implications for its victims, its survivors in the country of Ukraine and the many family members in Canada and elsewhere. Its occurrence is a lesson for the entire world, one that would have prevented other genocides had its existence been known sooner.

The Ukrainian Canadian Congress is to be congratulated for their work to increase public awareness of this event. I know everyone in this House appreciates the effort they are making to have this tragedy taught in our schools and to secure a permanent commemoration memorial so that the lesson is truly never, ever forgotten.

In the gallery today are 18 members of our Ukrainian Canadian community, led by Ms Mary Szkambura, and several famine survivors: Benjamin Chmilenko, Pavlo Makahon, Valentyna Podasz and Nicholas Latyshko. I ask everyone in the House to join me in acknowledging the people who are here with us today.

BLUE LIGHT PROGRAM IN NIAGARA FALLS

Mr Bart Maves (Niagara Falls): I rise today to speak about a community initiative called the blue light program that began in Niagara Falls in 1998. A constituent of mine named Yvonne Zanussi contacted my office

about the program that her son learned of from the Internet, and since then she has been promoting the program in Niagara Falls.

In my riding, citizens have been asked to shine one significant blue light amid their Christmas displays in memory of police officers who have lost their lives in the line of duty. Ideally, that visible light, inside or out, will shine throughout the Christmas season.

At present, the blue light program has been endorsed by the Niagara Falls city council and the Lions Club of Chippawa, which has offered both financial support and the participation of their members.

On Tuesday, we had representatives from the Police Association of Ontario here at Queen's Park, and I believe this program is a unique way of showing tribute to their fallen colleagues.

I want to encourage all the members of this House to promote this program in their ridings. Please contact my constituency office and we will be more than happy to send any information about the program. I would like to congratulate my constituents on the initiative for promoting this program.

ACCESS TO PROFESSIONS AND TRADES

Mr Tony Ruprecht (Davenport): Yesterday evening I was invited to address Professional Engineers Ontario at their graduation exercises. Many of these graduates were foreign trained. I wish to congratulate Professional Engineers Ontario for their foresight, especially Roger Barker, the registrar, because they changed their equivalency status and criteria and they adopted an appeal process which opens the doors to qualified foreign-trained professionals.

You will remember that Dalton McGuinty and I and some of our colleagues introduced a bill in this Legislature which said, "Open the doors to professionals who are foreign trained because they have equivalency." They come from all over the world, and yet when they apply to Ontario, they find the doors are closed. We're asking this government today to open the doors.

I have personally given this Minister of Training, Colleges and Universities a number of cases to act upon. She has failed to do so. We have a list of 550 physicians who would like to appear and who would like to work in their professions and are unable to do so. Why? Because the doors are closed. They are waiting for an internship program. We know there are 30 internships today, when indeed we could overcome our problem of the shortage. We can open the doors. We're asking this government today to open the doors, because people like to work and get on with their lives.

FAMILY RESPONSIBILITY OFFICE

Ms Shelley Martel (Nickel Belt): I have received a copy of an internal memo circulated at the Family Responsibility Office and I find it very disturbing. The

memo notes that the FRO is moving back to a case management system where all the cases will be owned by a client service associate. I support this, as the Provincial Auditor, in his 1990 review of the FRO, was very critical of the lack of ownership of cases. In too many cases, no one monitored if money went out to women and children on time or took needed enforcement action.

1340

But the memo states, "Each client service associate will have approximately 2000-plus cases as a result of releasing all the system-owned cases to the existing group of CSAs." It further states, "We know ... at FRO" files "increase twofold every day and could have a life-span of approximately 20 years or so." The recommendation is for the FRO to review its timelines and internal policies to see if they can realistically be met.

If this plan goes into effect without this government hiring more staff at the FRO, I can guarantee that the FRO will completely break down. No one can handle 2,000 FRO files. No one can deal with the enforcement activities for even half the files. No one can answer phones in the call centre for three hours every day and still get support payments out to women and children on time.

The Ministry of Community and Social Services must ensure more staff are hired to deal with this change. Women and children should not be put at financial risk by not receiving their support on time because of changes being made by this government.

ANNIVERSARY OF HMCS PREVOST

Mr Bob Wood (London West): I rise today to inform members of the House of the 60th anniversary of the first commissioning of HMCS Prevost, located in the great riding of London West.

London Division RCNVR was organized on August 8, 1938. In 1941, a decision to create independent commands in all shore establishments brought about the search for appropriate names. It was decided that all naval divisions would be named after ships that had served in the Great Lakes during the War of 1812. Such was the beginning of HMCS Prevost, named after HMS Lady Prevost, a schooner brig serving with the Lake Erie squadron, so named in honour of the wife of Sir George Prevost, the then Governor General of Canada and Commander-in-Chief of the British forces in North America. The commissioning pennant was hoisted on the November 1, 1941.

During World War II, HMCS Prevost enrolled 480 officers, men and WRENS into the Royal Canadian Navy. My father served for five years in the army during that war. He joined, not because he had to but because he thought it was the right thing to do. He fought, not because he hated the enemy but to serve his country. He accomplished great things, not only because of his own skills and dedication but because he was part of a large, dedicated team. My father's attitude and accomplishments are typical of those who served through HMCS

Prevost, and it is really those people whom the anniversary celebrations honour.

Mr Speaker and members of the Legislative Assembly, please join with me in congratulating HMCS Prevost for 60 years of dedication to the service of our country.

JOEMAC COMMITTEE

Mr Rick Bartolucci (Sudbury): I rise today to inform the House about the JOEMAC committee. Most of the ministers know that the JOEMAC committee is an acronym that stands for Justice over Everything, Making Appropriate Changes. It wants justice to be balanced. It's asking that Clinton Suzack and Peter Pennett be returned to maximum security. It is the voice of the MacDonald family, the Sudbury community, now the Police Association of Ontario, our own city council and our chief of police. We are asking—no, we are demanding—that Lawrence MacAulay, the Solicitor General of the government of Canada, meet with the JOEMAC committee and meet with the family so that we can tell the Solicitor General directly exactly what we want of him and of our government.

This is not a partisan political matter. This has everything to do with justice. This has everything to do with sending out a strong signal to society that community safety is everyone's concern.

I call on the Ontario government to provide the JOEMAC team with resources. Provide us with those avenues that you have in order to help convince the federal government and the Solicitor General that indeed he should meet with the MacDonald family and with the JOEMAC committee.

BOWMANVILLE SANTA CLAUS PARADE

Mr John O'Toole (Durham): I rise in the House today to recognize the Bowmanville Santa Claus parade on its 40th anniversary. Since its inception, this parade has followed a strict tradition of being non-commercial. This is a parade that represents only the customs of fun, fellowship and of course the traditional visit of jolly old Saint Nick.

Indeed, the Bowmanville Santa Claus parade is one of Ontario's largest, non-commercial Santa Claus parades. Yet, each year more than 100 business organizations and individuals generously donate to the parade committee. Each year since 1961, service clubs, schools, churches, bands, youth organizations and community groups bind together to form a great parade committee.

I'm pleased to report that the perfect weather indicated on the 40th anniversary resulted in the largest turnout in many, many years, and children from all ages watched Santa arrive to the festival of music.

I'd like to congratulate the parade committee chair, Valerie Gardiner, and members Sharon Smith, Roger Leetooze, Susan St John, Valerie McCormick, Stacy Belanger, Greg Belanger, Betty Irving and Rob Flynn.

They were assisted by literally scores of volunteers and hundreds of marchers who played instruments and built floats. But more specifically, I want to recognize and congratulate the St Elizabeth elementary school for their "Winter Wonderland" float, which won the gold prize. I'd also like to thank my driver, Andy Hendricks.

This Saturday, Scugog township will have their parade. I invite everyone to Port Perry to enjoy the parade.

VISITOR

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): On a point of order, Mr Speaker: If I may bring to the attention of the House and indeed to all members of the gallery visiting today—our guests from the Ukrainian community, our multi-culturally represented children in the gallery—we have a very special guest in the House. This is one of the youngest MPPs ever elected to this Parliament, the son of Ukrainian-born immigrants, the member for Bellwoods between 1951 and 1975, the first-ever Minister of Citizenship for our province, the first-ever Minister of Social and Family Services and the first stand-alone Solicitor General, who was responsible for bringing in the human rights legislation to our province. Ladies and gentlemen, please join me in welcoming the Honourable John Yaremko.

The Speaker (Hon Gary Carr): I thank the minister for bringing that to our attention.

INTRODUCTION OF BILLS

CITY OF TORONTO ACT (RENTAL HOUSING UNITS), 2001

Mr Bryant moved first reading of the following bill:

Bill Pr22, An Act respecting the demolition of rental housing units in the City of Toronto.

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

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Janet Ecker (Minister of Education, Government House Leader): I seek unanimous consent to put forward a motion regarding private members' public business.

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

Hon Mrs Ecker: I move that notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr

Bradley and Mr Colle exchange places in order of precedence, such that Mr Bradley assumes ballot item number 55, Mr Colle assumes ballot item number 37, and that the notice requirement for ballot item number 37 be waived.

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

1350

ORDER OF BUSINESS

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, with agreement from the Liberal and NDP House leaders, I believe we have all-party consent to move a motion regarding the terms of this afternoon's debate.

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

Hon Mrs Ecker: Mr Speaker, with the unanimous consent of all members of this House, I move that G109 be called as the first order of the day this afternoon, that the time for debate shall be divided equally, and at the end of debate today the Speaker shall put the question on third reading and the vote may be deferred.

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

STANDING COMMITTEE

ON FINANCE AND ECONOMIC AFFAIRS

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, I believe we have unanimous consent to move a motion respecting the finance committee consideration of Bill 125. This concerns the advertising.

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

Hon Mrs Ecker: I move that the standing committee on finance and economic affairs be authorized to advertise its intent to hold public hearings in Ottawa on Friday, November 30, 2001, respecting Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, notwithstanding that the House has not yet decided second reading of the bill.

The Speaker: Mrs Ecker moves that the standing committee on finance and economic affairs be authorized to advertise its intent to hold public hearings in Ottawa on Friday, November 30, 2001, respecting Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, notwithstanding that the House has not yet decided second reading of the bill.

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

HATE CRIMES

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: I'm seeking unanimous

consent to move a motion. This is an urgent matter which relates to the federal justice minister's statement yesterday that she is willing to protect gays and lesbians from hate crimes if the provinces agree. She intends to deal with this next week.

The Ontario government is already on record supporting this move. Almost exactly two years ago, on November 15 in this House I asked the Premier to join with me in calling on the federal government to amend the Criminal Code to protect gays and lesbians from hate propaganda. The Premier agreed and a joint letter was sent to the Prime Minister and the federal Minister of Justice.

I am seeking now unanimous consent of this House to urge Justice Minister Anne McLellan to move promptly to make it an offence under the Criminal Code to commit hate crimes against gays and lesbians.

The Speaker (Hon Gary Carr): The third leader has moved unanimous consent. Agreed? I'm afraid I heard some noes. Sorry.

Interjections.

The Speaker: I'm sorry. The members might not have heard. It was very clear. I did hear a no, unfortunately.

ORAL QUESTIONS

VICTIMS' RIGHTS

Mr Michael Bryant (St Paul's): My question is for the Attorney General. On Thanksgiving Day, 2000, Michael Tilley was killed outside of a grocery store on St Clair Avenue West. He suffered from depression. He was homeless. He sold the Outreach newspapers on the street. The killing was like all killings: it was meaningless. Incredibly, it was caught on videotape. We now know what the sentence was, as the result of a plea bargain agreed to by the crown. The sentence was on the minimal side of what lies within the sentencing guidelines.

My question is with respect to the victim's family. They're here in the gallery, the family of the victim Michael Tilley, themselves victims: Christine, Edward and Gerry.

Minister, they say that the administration of justice treated them like it was some kind of a fast food industry. They say they have no closure. They say they received no meaningful input. What do you say to these victims of crime in the members' gallery today?

Hon David Young (Attorney General, minister responsible for native affairs): The first thing I say is that my sympathies and the sympathies of all in this Legislature are with the family in this tragic and senseless loss that they experienced.

I go on to say that crown attorneys each and every day across this province make difficult but necessary decisions. They make those decisions based on the facts that exist in any particular case and they make those decisions based upon the precedents that have been developed over years. They make those decisions with the interests of

justice being paramount in their minds, and where there is a plea bargain they present that settlement proposal, that resolution, to the judge, who then has a difficult decision as to what to do about the sentence. Of course, there is discretion left there.

In this instance, my understanding is this matter was placed in front of a very experienced and very well respected judge, and undoubtedly he seriously considered the matter at issue and ultimately made the ruling that he did.

Mr Bryant: I'm not talking about what the judge found. I'm talking about the way in which your justice system treated these victims. The whole purpose, as you know, of the victims' rights movement was to recognize that the victims were being revictimized, that people were not getting access to decisions, that they weren't getting the opportunity to provide meaningful inputs, that victim impact statements were paper tigers, that they were useless, that they weren't being encouraged or assisted.

The story that I heard today from these victims is a horrifying story if it is an indication of the justice system that persists today, despite all these promises from your government to in fact restore victims' rights.

They met with the crown for the first time and had some questions about the status of the case, wanted to know some facts, wanted to know about what the crown was going to do. Your attorney didn't bring any paperwork with him and so he didn't have any answers for them.

Victim impact statements—mandatory; provision of information to victims—mandatory; recourse for violation of victims' rights—we have called for that through private members' bills on this side of the House. Will you agree to these new victims' rights so that some good can come out of this revictimization today?

Hon Mr Young: The member opposite undoubtedly knows that this government has done more to entrench and enhance the role of victims in court cases than any other government has ever done in this province or across the country, and that includes the Liberal and NDP governments when they were in power.

If the member opposite is suggesting to me that he has some ideas—ideas that are constitutional, by the way, because, with the greatest respect, many of his proposals today clearly are not constitutional, clearly would not withstand any sort of challenge, a challenge that would undoubtedly be mounted at first instance. But if he has some constructive, reasonable suggestions, I'm always happy to sit down and talk with him about those or any others that may come from the opposition ranks.

Mr Bryant: Attorney General, you say that your government has done things for victims of crime. I'll tell you, the Tilley's disagree with you. Don't tell them that this government has assisted them. When they put together their victim impact statement and provided it to the crown—and I find this unbelievable; it's incredible, but it happened—the crown said, "It's too late. The deal is done. The plea bargain has been struck. Your victim impact statement is going to have no statement."

They said the defence counsel treated them better than the administration of justice. This is how they feel. This was their experience. The point of the victims' rights movement was to leave victims of crime feeling that our justice system was working with them, that they weren't being marginalized, that they weren't an afterthought.

In the name of ending horror stories such as this, you've got to listen to this, Attorney General. Will you agree to meet with this family and hear their story and tell them why it is our victims' justice system is working in Ontario today? Will you agree to a meeting with them?

Hon Mr Young: First of all, the member opposite is trying very hard to make this very serious issue a political football. I'm trying very hard not to.

Let me be very clear. When it comes to protecting victims' rights, no government in this province or across this country has done more than this government has done. I have said to the member opposite and to others in this Legislative Assembly that if someone has constructive ways to suggest to us as to how we can do things better, I'm always open to those suggestions. If the family wishes to arrange a meeting to talk about their experiences, not with a view to changing the most unfortunate occurrences that have happened before, I'm always open to hearing from others.

1400

OSTAR INITIATIVE

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): My question is for the Acting Premier. The first round of OSTAR directed municipalities to apply for funding for projects that would enable them to comply with the new drinking water protection regulation. The deadline for submitting applications was January 31, 2001, and that's almost a full year ago. Many municipalities in my riding have contacted me repeatedly about the fact that they have not heard anything from the ministry about the status of their applications to upgrade their water treatment systems.

Municipalities are bound by law to comply with the new drinking water regulations and many of the small municipalities do not have the resources to go ahead and do the work that needs to be done. Minister, when will the ministry get its act together and provide the funding municipalities so desperately need to ensure safe water for their communities?

Hon Janet Ecker (Minister of Education, Government House Leader): I agree with the honourable member that this is indeed a priority. We have been working with the communities and with the federal government to make sure these projects can proceed forthwith, where final deadlines and final decisions will be released shortly. We appreciate and share the emphasis on the priority here. I would hope the honourable member would share with me our interest in due diligence, as well, to make sure things are done appropriately.

Mrs Dombrowsky: Minister, members of your own government would disagree with your statement that you

consider this a priority. Your member from Bruce-Grey-Owen Sound has stated in the Kitchener-Waterloo Record that the ministers at Queen's Park are dodging questions about the almost non-existent rate of approvals for applications under the fund for water treatment. He went on to say, and this is his quote, "If I was the reeve of my own township again I'd tell the province to go to hell. That's all you can do. They don't have the money and they're not going to do it."

What is most disturbing about this advice is that it is coming from the member who represents Walkerton, where seven people died from drinking unsafe water. Have you not learned from this tragedy? Minister, how much longer will you make municipalities wait for the money they need to make their drinking water safe?

Hon Mrs Ecker: With all due respect to the honourable member, no one is sitting around making people wait for the fun of it. We have advised the municipalities that have submitted applications to OSTAR. They're being informed that the province will provide a one-third contribution toward the eligible costs of all the successful applications under OSTAR, round one, including for projects that have already been announced. That current commitment emphasizes that health and safety are indeed, as I said earlier, a high priority.

We've already announced our commitment of support to approximately 190 municipalities to help cover the costs of the engineering studies required to meet the tough new drinking water regulations, the new standards. I might also point out that we're going to contribute two thirds, the entire senior government's share, of the eligible costs of preparing the mandatory studies under the drinking water protection regulation.

We finally got the federal government to agree to match us, to provide a one-third contribution toward the eligible costs—

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

Mrs Dombrowsky: Minister, the municipalities had their proposal to you a year ago. They are still waiting. For you to stand in this Legislature and talk about what you will do is cold comfort for their immediate needs right now. This is a matter of priorities. You know your government is looking to cut another \$5 billion and we know what your priorities are. They are a \$2.2-billion corporate tax cut and a \$500-million education voucher.

Municipalities are upset that they have been made to wait and they are now worried the pending cuts will mean the money they need will never flow. They are worried, we are worried and Ontarians are worried that you have put a \$2.2-billion corporate tax cut to your friends ahead of protecting our drinking water. Municipalities need the money now.

Minister, will you tell Ontario's working families when the money is coming to protect their drinking water?

Hon Mrs Ecker: With all due respect to the honourable member, perhaps she should worry about where Ontario's working families are going to work, because if

we don't take the steps that we are taking through slashing red tape, balancing the budget, personal income tax cuts, cuts to small and medium-sized businesses, if we don't do those things, they won't have any jobs. We worry about Ontario's working families having jobs. The honourable member across the way obviously doesn't.

Secondly, we are going to live up to the commitments we made on Ontario water protection because this government has a record of doing what we said we would do. The honourable member should be more worried about her leader, who wants us to take \$100 million out of our capital infrastructure projects and spend it on security, to cut \$100 million out of water and sewer, provincial highways, hospital construction. I would be more worried about your leader, madam, than I would about the record of this government on keeping its promises.

VICTIMS' RIGHTS

Mr Peter Kormos (Niagara Centre): I have a question to the Attorney General. Today is National Housing Strategy Day. There are thousands of homeless people here in the city of Toronto. Over the last two years, 74 homeless people died on our streets; five of those people were murdered. One of them was Michael Tilley. But in his case, the murderer was caught and charged with second-degree murder as the result of compelling evidence that had been gathered by very hard and arduous work by members of the Toronto homicide squad.

Your crown attorney, just this week here in the city of Toronto, participated, collaborated, in a plea bargain that dropped the charge of murder in what was a brutal and vicious attack and permitted a plea to manslaughter. Can you explain why your crown attorney, in possession of such compelling and strong evidence, would accommodate that kind of plea bargain?

Hon David Young (Attorney General, minister responsible for native affairs): I'm going to say one more time, because it's worth repeating, that our sympathies are certainly with the family of the victim.

The member opposite talks about a guilty plea that was entered into and presented to the presiding judge. As I indicated earlier, the judge in this case happens to be one of the most respected criminal jurists in the country. I say to you that the crown attorney gave serious consideration to the facts that were available, as every crown attorney must do. The crown attorney considered the precedents that existed, the likelihood of succeeding with a more serious charge, the consequences of not succeeding if they went forward with a more serious charge, and ultimately the crown attorney presented the plea bargain to the judge. The judge has certain discretion in that regard, particularly in relation to sentencing, and ultimately the judge thought this was appropriate in the circumstances.

1410

Mr Kormos: The judge had no discretion about the plea bargain. That was the decision of your crown

attorney, and the decision of your crown attorney only. This murderer of homeless Michael Tilley was as brutal as any murderer could be. Not only were there witnesses, but the vicious murder was recorded on a security videotape. I'm going to make sure you get a copy of that tape before the day is over. The videotape demonstrates the murderer, after Tilley is knocked to the ground and lying still, jumping up and down with both booted feet, smashing this man's head to a pulp.

If that's not murder, Attorney General, please tell us what is, because it wasn't enough for your crown attorney, who withdrew the murder charge, reducing it to manslaughter. Your crown attorney collaborated in the joint submission on sentencing. Your collaborator joined with the defence counsel in a joint submission that resulted in a sentence of but six years. You know that brutal, vicious murderer is going to be out on the streets in no more than four. Is that all that a homeless person's life is worth to you?

Hon Mr Young: I'll say again what I said to the Liberal member. It is most unfortunate to turn this very serious matter into some political game. It is not. It is a very, very serious matter.

It's interesting that the Liberals and the New Democrats opposite stand up on every occasion they can and talk about how important it is to respect crown attorneys and how important it is to respect judges. In fact, the member who asked the question just a moment ago said in this very Legislature, "Crown attorneys independently make their resolution decision and judges independently make or approve sentencing decisions based on facts and information that the public may or may not always have access to." He encouraged members of this Legislature on that occasion, when it was theoretical, to respect crown attorneys and respect judges. I would ask him on this occasion to afford the same respect to those hard-working individuals who are trying to make the streets of this province safer.

Mr Kormos: Look, Attorney General, I wish you'd be more concerned about the state of the administration of criminal justice here in the province of Ontario. We have raised case after case of despicable plea bargaining by your crown attorneys under your watch. Michael Tilley was five feet four inches tall. He weighed 140 pounds. His head was smashed to a pulp until he was dead, lying on the asphalt of a supermarket tarmac, and that was recorded on videotape as well as being witnessed by more than one eyewitness.

You talk tough on crime, but the reality is that your crown attorneys in this case bargained away yet another man's life. Why aren't you letting the judges try the cases? I do have regard for our judges. Why wasn't this case put to the judge for trial so that that judge could determine the facts and determine the appropriate offence, which there should have been a conviction of? Why are your crown attorneys proposing the kid glove treatment that we witness here for vicious, dangerous and brutal murderers? Tell us, Attorney General. Tell the sibilings of Mr Tilley sitting there now.

Hon Mr Young: Once again we have the member opposite trying very hard to gain political points on a matter that he should know better than to approach on that basis. I will say to you, Mr Speaker, what the member opposite said to you and to this assembly on a prior occasion. Here's what he said: "Do I, like any other member of the public when we read the reports and when we observe these things from a distance, agree" with every sentencing decision? "Of course not. Am I in possession of all the facts? Similarly, of course not," he says.

The member opposite is prepared to take a piece of evidence, to consider it and then to decide what is just and what is not. He is prepared to discard the thoughts and the concerns of the crown attorney to ensure that there is a conviction in appropriate cases for an appropriate charge. That is irresponsible and he should know better.

ONTARIO POWER GENERATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy and it's about the millionaire club he has created at Ontario Power Generation.

Yesterday we learned that Ontario Power Generation executive Mr Graham Brown will receive \$1 million if he decides to leave the company in the year 2003. But Mr Brown is not the only member of the millionaires' club. Chief executive officer, Ron Osborne, will receive at least \$1.75 million if he decides to leave Ontario Power Generation, and potentially more than \$3.5 million.

Minister, at a time when you are forcing Ontario consumers and Ontario industries to pay more for their own electricity, can you tell us how you justify this millionaires' club at Ontario Power Generation?

Hon Jim Wilson (Minister of Energy, Science and Technology): The honourable member need only look back during his time in government to discover that there are fewer people in the millionaires' club at Hydro than during the time the NDP or the Liberals looked after Ontario Hydro. At the same time, they didn't do anything to improve the old Ontario Hydro; in fact, they continued to rack up a debt to a staggering amount of \$38 billion, which we're all paying for today.

In terms of Mr Osborne's salary, that was fully disclosed and made public as part of a public search process that we went through to steal Mr Osborne, at the time, from BCE. He made significantly more money at Bell Canada Enterprises. Indeed, at that time all members of this Legislature rejoiced with the government in getting Mr Osborne to come to Ontario Hydro, now its successor company, Ontario Power Generation, to bring his significant expertise, both at Maclean-Hunter and Bell Canada; to come at a bargain-basement price, frankly, and to lend his expertise to a public company like Ontario Power Generation. I'm glad we have him and I fully support him as CEO of our corporation.

Mr Hampton: The Minister of Energy ought to know that it was a Conservative government that built Darlington at \$15 billion and built other nuclear stations at \$10 billion and \$7 billion. That's where the debt of Ontario Hydro and Ontario Power Generation comes from. It comes from former Conservative governments.

But the question was about the millionaires' club. You say that Mr Osborne is a steal. The former president of Ontario Hydro, Mr Kupsis, was paid \$502,000 a year, yet since you've set out on this road to privatization, the only thing we've seen is sweetheart deals for your corporate friends like British Energy, which are recorded in the press, higher electricity rates for the consumers and industries of Ontario, and your new millionaires' club, who get paid \$1.5 million, in Mr Osborne's case, and potentially \$3.5 million when he goes out the door. And you call that a steal for ratepayers and taxpayers.

How do you justify this? Bay Street says that British Energy ripped you off on the Bruce Power deal, that they got it for a song, which is why the valuation of their shares has gone up. Electricity consumers and industries across Ontario are paying more, and you've got these executives at Ontario Power Generation who get paid millions of dollars—

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

Hon Mr Wilson: The honourable member mustn't forget that in 1992, when his government ousted former president and CEO of Hydro Al Holt, they gave him \$2 million in a severance package.

At this point, no one's getting anything in terms of a severance package. These conditions of employment only kick in if certain things happen. Those decisions have not been made. Right now, we're looking at executives who are far more skilled, found on worldwide searches, far more talented, have a proven track record of turning around the corporation, of bringing record profits and dividends to the people of Ontario who own that corporation, paying down the massive debt that was left by the NDP government and the Liberal government—some \$38 billion. We have not given anyone the \$2-million exit package that they gave Al Holt in 1992.

I could go on and on, depending on the level of punishment the honourable member wants to receive today, because every one of their million-dollar people actually got the money. None of ours got the money, they're likely never to get the money, and they're doing a hell of a good job on behalf of the people of Ontario at Ontario Power Generation.

AFFORDABLE HOUSING

Mr David Caplan (Don Valley East): I have a housing question for the acting Premier. Minister, today is National Housing Day. I was expecting a big announcement from you and your government regarding next week's federal-provincial housing ministers' meeting in Quebec City. But, as usual, when it comes time to show leadership during a housing crisis, your government fails to deliver.

I'm hoping, Minister, that on behalf of your government, you'll be willing to take the first steps toward making a true commitment today. The federal government is showing leadership and is offering significant money to get affordable initiatives started. What they need is for you to do the same.

Tell us today that your colleague minister will be going to Quebec City with a cheque book in hand. Will you commit to match the federal money with new provincial dollars?

Hon Janet Ecker (Minister of Education, Government House Leader): With all due respect to the honourable member, we don't need to go with cheque book in hand, because we have money already out there providing assisted housing, shelter subsidies, mental health housing, building long-term-care beds for seniors and people who need housing as well, so we don't need to go with any new cheques.

But I am also surprised at the honourable member's question, because if he had listened to what was happening at that meeting, the provincial and territorial ministers together had requested that the federal government increase federal dollars for affordable housing to go beyond the proposed \$12,000 per unit. They also asked, where housing stock was in danger of being lost, that renovations be allowed and that the provinces be allowed more flexibility with respect to provincial contributions.

1420

The federal minister undertook to review those legitimate requests from all the provinces and said he would get back to us at the end of November at the meeting in Quebec City. So I'm surprised the honourable member doesn't want to give his federal cousin the opportunity to respond to legitimate questions from the provinces.

Mr Caplan: Minister, anyone who cares about housing in Ontario wouldn't be surprised by your answer. Every time your government has been pressed to show leadership, all you offer are excuses and finger-pointing.

I'd like one of the pages to come over. I have a petition from 650 people in Ottawa. Their plea to you is simple: "We ask the Ontario government to treat this matter as an emergency. We must have safe and adequate and affordable housing now. It is imperative."

Minister, don't pretend that taking weak measures and recycling other people's money are housing strategies. They aren't. It's obvious that you're not willing to enter a partnership toward a national affordable housing program, but I know someone who will. A Dalton McGuinty government will be a full partner with the feds. Ontarians know that real leadership means working together and pulling your weight for our working families.

So let me ask you this, Minister. We have municipalities around this province desperate to access federal dollars. Will your government be standing in their way? At a minimum, will you let Ontario municipalities deal directly with the federal government on a national housing plan?

Hon Mrs Ecker: I know there are some within the federal party who like their Liberal cousins here to say

that all the problems with federal-provincial relations are because of Ontario. This government doesn't believe in signing blank cheques. This government believes in doing agreements with the federal government in a whole range of areas that protect the interests of Ontario residents.

If the honourable member is telling us that Dalton McGuinty is prepared, when the federal minister says, "Jump," to say, "How high?" without any consideration for Ontario's interests, then he should say that. But on this side of the House we were elected by Ontario citizens to make decisions in their best interests. That is exactly what my colleague the Minister of Municipal Affairs and Housing will be doing when he meets with his colleagues, when he meets with the federal minister and when the federal minister responds to legitimate requests from the provinces in this country.

ONTARIO'S LIVING LEGACY

Mr Doug Galt (Northumberland): My question is directed to the Minister of Natural Resources. I understand that today is a very important day for Ontario's Living Legacy, an act of will by this government, the environmental community and the forest industry that created more parks and more protected areas with the stroke of a pen than at any other time in Ontario's history.

We hear so much talk from the opposition about what they might do environmentally and they criticize us, but they're totally devoid of any good ideas.

Minister, what were the original goals of the Ontario Living Legacy, and how did it happen?

Hon John Snobelen (Minister of Natural Resources): I thank the member for Northumberland for such a reasoned and important question today in this chamber. In fact, I'll remind the members here that under my predecessor in the ministry we began a process called Lands for Life, which was the largest-ever consultation with the public on public land use in the province. When those reports were received, we worked together to build a coalition, an accord, that reached beyond the recommendations and in fact added 378 new parks and protected areas to the landscape of Ontario, some six million acres of additional parkland. That brings the total area of protected land in the province to 23.5 million acres, a size, I am told, that is equal to 11,900,000 CFL football fields or—and I know you'll be interested in this, Mr Speaker—17,800,000 NFL football fields. That's our record.

Mr Galt: Thank you very much, Minister, for that answer. The Ontario Living Legacy has produced powerful results. But, as I remember, it didn't just stop there. If memory serves me right, it was almost a year ago today that the Premier expanded Ontario's Living Legacy beyond its original mandate, right down into southern Ontario.

I also remember several other programs, such as the protection of species at risk—something the federal

government hasn't done much about—youth employment programs and new protection of ecologically sensitive lands, were brought under the protective umbrella of Ontario's Living Legacy, making it the most comprehensive natural heritage program in provincial history. Minister, can you tell us what you're doing to mark this occasion and what progress has been made?

Hon Mr Snobelen: I thank the member for the question. He's quite right. It was almost a year ago when the Premier expanded the Living Legacy into southern Ontario. Today I had the opportunity to bring together the parties that helped us build this incredible legacy for future generations—people from the environmental community, the forestry community, the mining community—the folks who helped us in this very large consultation. We had a thing we called a Checking in on Legacy day and we were able to report to those partners, as I report to you now today, that we have regulated almost a third of the 378 new parks and protected areas, that we've invested more than \$10 million to acquire over 3,000 acres of very sensitive land in southern Ontario, that we've created more than 4,000 natural resource stewardship jobs for young people across the province and that we have implemented recovery plans for some 24 species at risk.

It's been a win-win. It's been a record of building an accord and building a legacy for future generations.

EDUCATION TAX CREDIT

Mr Gerry Phillips (Scarborough-Agincourt): My question is for the Minister of Education. The question is on your plan to proceed with the tax plan for supporting private schools. This is a major move that in our opinion will have a profoundly negative impact on public education. The Economist magazine has said it's far more radical than anything yet seen in the US. In a letter your ministry sent to me on July 6, you indicated that you had two studies prepared that analyzed the impact this plan would have on public education, but you refused to make them public. Will you today, recognizing how important this move is to public education, agree to make public these two studies you had prepared that dealt with the impact of the tax credit on our public education system?

Hon Janet Ecker (Minister of Education, Government House Leader): This government's commitment to public education remains our first and top priority, as it always has been. That's one of the reasons we've increased funding for public education the last several years. Secondly, this government, we on this side of the House, also respect parental choice. That's what the tax credit, when it starts, will be doing. The honourable member is well aware we've been consulting about what kind of accountability regulations to put in place for the tax credit. If and when those decisions are made, we'll certainly be prepared to share them with the House. But we've been very clear that our priority for public education will not be touched by any decision around independent schools that respects parental choice. Ob-

viously the honourable member has a problem with respecting parental choice.

Mr Phillips: I asked a very simple question. You had, at taxpayers' expense, two studies prepared that indicated what impact this plan will have on public education. That's your job, to protect public education. On July 6 your ministry sent me a letter saying that you've got the studies but you refused to make them public. Since then I've been trying to get that information for the public. So I say to you, Minister, in a very few weeks we are going to embark on a brand new plan to spend at least \$300 million—in my opinion \$500 million—on private schools that will have a profoundly negative impact on public schools.

The question was very simple: will you today agree to release to the public the studies you had prepared and dealt with secretly, behind closed doors, that indicated what impact this plan will have on public education in Ontario? Will you agree to make those two studies public, Minister? It's a simple question. Please give us an answer.

Hon Mrs Ecker: This government is not doing negative things, things that are going to impact on public education, because that has been and continues to be the priority of this government. The public education system is a very important support for our economic prosperity and it's a very important support for our quality of life, so this government will continue to put a priority on public education and, at the same time, respect parents.

The honourable members on the other side of the House like to about parental choice, but their respect for parental choice is only if the parent chooses what they think is right. Only if the parent agrees with the Liberal Party do they respect parental choice. Well, on this side of the House, we think that parents have a say, have a role. We're prepared to do what we said and respect that parental choice. That's indeed what we are doing.

1430

CORRECTIONAL FACILITIES

Mr Garfield Dunlop (Simcoe North): My question today is for the Minister of Correctional Services. Minister, I've been reading in the papers over the last few days about an inmate who was sent to court by correctional staff at the Toronto Jail. Apparently, the staff at the jail sent the wrong inmate, who shared the same last name with another individual being held in the same jail, to court for his appearance. As a result, the individual was incorrectly set free by the courts. Can you tell this House how this could have happened?

Hon Rob Sampson (Minister of Correctional Services): The member for Simcoe North has taken a very serious and informed interest in the area of corrections, and I appreciate his interest. The matter he is referring to, of course, is a very serious matter, because public safety is this government's top priority. I want to assure the member and members of this Legislature and the people watching today that the police were called immediately

when we were informed of this improper release at this facility, because improper releases at any facility, whether it be the Toronto Jail or any one of our facilities across the province of Ontario, are totally unacceptable.

Now, despite the fact that the ministry has about 80,000 admissions to corrections throughout the year, frankly, any release and one release is far too many. As it relates to these improper releases, I want to assure the people listening and watching today that the appropriate authorities were called and investigations have been started by both the police and the corrections ministry about this matter.

Mr Dunlop: Thank you very much for your response, Minister. As you know, the new jail in my riding of Simcoe North, operated by Management and Training Corp of Canada, is in the process of admitting inmates. There's also been a lot of media attention to the jail and an incident that took place there last Saturday. Media reports suggest that there was a disturbance involving approximately 20 inmates and there was some damage that occurred to the facility.

Many critics of the new jail, including members opposite, are suggesting that already the private operator is showing signs that they are possibly unable to manage this new institution. The question being asked by them is, if the new operator is unable to manage a small number of inmates, how will they perform when the jail is at full capacity? Can you respond to this, please?

Hon Mr Sampson: I thank the member for Simcoe North for the question. Indeed, it is a good question. We believe that the operator of that particular facility demonstrated their capability by managing that situation effectively and efficiently.

I want to assure the members listening today and those watching through the cameras that, unfortunately, incidences do occur in our correctional facilities, whether they're publicly run or privately run. In fact, we had an institution in Peterborough completely damaged as a result of the rioting of eight inmates.

Hon Chris Stockwell (Minister of Labour): Eight?

Hon Mr Sampson: Yes, it was eight. I want to say to the member for Simcoe North that the incident that occurred was simply 20 inmates being brought into that institution on a new basis, and they were doing exactly what, frankly, we'd expect that they would do. They tried to test the limits of the management of that institution and the limits of the rules, but rules were followed and procedures were followed. The institution is now being safely managed and run.

AFFORDABLE HOUSING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Acting Premier. Minister, I heard your blah-blah answer in response to a housing question earlier on. What I want is some sincerity in the answer that you're about to give me, please. What we have on our hands is a housing crisis. We need affordable housing; we need it. There are 200,000 tenant households that pay more than

half of their income on rent. We've got a problem on our hands, and people look to you, the housing minister and the Premier, to help. They're looking to the province to reach out, to somehow create affordable housing. They're looking to you for help.

The question to you is, will you be a legitimate, sincere partner and put some money on the table in Quebec City?

Hon Janet Ecker (Minister of Education, Government House Leader): This government takes very seriously the concern for those who do not have the shelter that they, either as individuals or as families, need to have. It is an important priority. That's one of the reasons we've been working with our colleagues, the provinces, one of the reasons we've been prepared to work with Ottawa to come up with an arrangement that does have federal money on the table, that does have provincial money on the table, that respects the fact that many provinces have differing kinds of programs in place. And I think the federal government needs to respect that.

The federal minister said that he would look into the concerns the provinces have and he will get back to them at Quebec City. So I think we very much need to respect that, get the answer from the government, because after all, they need to be part of the solution here as well. They want to have money on the table. We have money on the table. We need to move together so we can solve this problem for those families and individuals who do—

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

Mr Marchese: Minister, here's the problem. You say that this issue is important to you. Then you argue different provinces have different ways of achieving this goal. Now, I understand the language, but here's what I understand. The feds are willing to put up money. They promised the money; it's on the table. What I know is, you're not putting a cent in. What I know, and what a whole lot of people in Ontario know, is that you have got rid of rent control and you introduced something else, you got rid of all the social housing that was being constructed by New Democrats in the past, and you promised—at least M. Leach, the former Minister of Housing, promised that when you got rid of rent control, there would be 10,000 units built. There are no units being built. The private sector is not doing it. You're not doing it. You say it's an important priority for you, but nothing is happening. You're letting ideology get in the way of constructing important affordable housing that's desperately needed.

My question to you, Minister, is this: are you going to build some housing or are you going to let your ideology leave people freezing outside?

Hon Mrs Ecker: On this side of the House, what drives this government is effective solutions, common sense solutions that respect the taxpayers' money, that respect the fact that for many issues, like housing, municipal, provincial and federal governments are required. If we want to talk about ideology, I'm very surprised that the honourable member would raise the question of policy driven by ideology. The NDP government's housing

record—let's look at their billion-dollar contribution to affordable housing in this province: \$300 million for consultant fees, \$550 million for architectural fees, \$50 million for legal fees. And where was the unit at the end of it? It didn't show up.

So with all due respect, I appreciate the honourable member's concern. We on this side of the House are working with the federal and municipal governments. We understand there is a problem. The federal and municipal governments have a great deal more that they can do as well. We are prepared to—

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

SPECIAL EDUCATION

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. Minister, I want to ask you about what you're doing to special-education students around this province.

Your ministry is now collecting paperwork—paperwork they're requiring for the fourth time in five years on every one of 24,000 special-education students around the province.

Here's what hundreds of parents, teachers and school board officials are telling us: they're telling us that they're spending so much time doing paperwork, they haven't been able to spend any time in the classroom. That's what they're saying in Dufferin-Peel. In greater Essex, they're saying, "Our learning support teachers are now not able to assist in assessing students or helping in regular classrooms because they have to research and fill out forms to apply for grants for special-education students." At Emma King Elementary School in Barrie they're saying, "We are swamped and we are drowning."

The neediest students in this province are being hurt by a system of waste that you put in place, \$80 million-worth of paperwork. Will you stand in this House and say that you will reduce this burden immediately and restore that teaching time to the students who need it?

Hon Janet Ecker (Minister of Education, Government House Leader): We have indeed recognized the need to shorten the process for identifying exceptional students, students with special needs in education. For example, fully a third of special-needs students this year did not need any special assessment, did not need any special paperwork, because the boards had done their job. Those students had been assessed. Those students were receiving the services that they should be getting.

So step by step we are improving the system for special needs through a 17% increase in funding, through program standards that will make sure the programs that are being offered to our special-needs students are what they should be getting, through making sure that parents are involved as well through the development of the individual education plan for special-needs students. These are all important steps. They reflect the advice we've received from all of our education partners. As the honourable member knows, since he goes on about this in estimates all the time, we have made and will continue to

make improvements to special-needs education in this province, because it's very important for those children to get the support—

1440

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

Mr Kennedy: That is a completely perverse answer to the parents in this province who have had the learning of their children robbed by a system that is based on your need to cut. Let me just quote you a teacher at Western commercial school. It says, "The ISA assessment system seems to be a way of making individual teachers, students and parents go through the process of pushing paper, only to find out very few students even qualify. This is just another way of cutting funding to special education." That's what is happening to students around the province.

We sat down recently, Dwight Duncan and other members from the Windsor area, with a roomful of parents who had one thing in common: their children were learning before you put this system in place, and now they've had the supports taken away.

Minister, I warned you and I asked you and I pleaded with you in estimates to do something about this. Instead, you're putting the most vulnerable students in the province through this again. Will you stop this process? Will you stop being responsible for taking away what principals in this province have pegged as \$80 million worth of support to the most—

The Speaker: The member's time is up. Minister?

Hon Mrs Ecker: Let's be very clear what the honourable member is asking. He's saying let's take away program standards so that parents will know what the expectations are, so that school boards will know what they should be providing to students so we can have programs that best reflect the needs of students. That's what he's saying: let's take away program standards, let's take away the work around individual education plans. Individual education plans are what we do between the parent and the teacher and the principal to plan for the student's needs that year. He's saying let's take that away. He's saying let's take away any kind of assessment process.

So what is the Liberal Party proposing? We should just hand out the money regardless of whether a student has special needs or not? On this side of the House, we not only believe in increasing resources for special education, which we have done by 17%, we believe in accountability. We believe in making sure that students who need those resources can access those resources, and we also believe in working with—

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

NORTHERN EDUCATION SERVICES

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Minister of Northern Development and Mines. On Tuesday, November 20, members of the opposition party wrongly accused the government of not taking action to support initiatives to assist in preparing

people for the workforce. Having participated in the debate, I know that nothing could be further from the truth. As the member for Parry Sound-Muskoka, I know first-hand the challenges that face northerners and I know that the Mike Harris government has led the way to equip northerners with the tools they need.

Minister, could you tell us how the government is taking steps to overcome the challenges of distance and skills training in the north?

Hon Dan Newman (Minister of Northern Development and Mines): I want to thank the member for Parry Sound-Muskoka for his excellent question. In a recent speech given by our honourable colleague Dianne Cunningham, the Minister of Training, Colleges and Universities, she noted that it is expected that half of the jobs that people will have in 15 years will require skills to operate technology that has not yet been invented.

As the voice of the north at the cabinet table and in my capacity as chair of the heritage fund, I can tell you that we are working hard to keep our best and brightest in the north. I'm proud to say that in 1996 our government reoriented the mandate of the northern Ontario heritage fund to be more closely tailored to northern communities, with telecommunications as one of our top priorities. Since 1996, we've seen the benefits of the heritage fund translated into an estimated 12,260 new jobs in northern Ontario.

Make no mistake about it: our government believes in the province's north and we're working hard to build strong northern communities.

Mr Miller: As the member for Parry Sound-Muskoka, I'm proud to be part of a caucus that has truly responded to the needs of our constituents.

Many of my constituents have applauded the announcement of the made-in-the-north medical school in Sudbury that will use the latest learning technology. Minister, could you please tell the members of this House about what initiatives have recently been taken to ensure northerners have access to the skills and technology they need?

Hon Mr Newman: On Monday, November 19, I was pleased to announce that the heritage fund will make an investment that will help Collège Boréale and Contact North upgrade their telecommunications systems. For Collège Boréale, these upgrades in its partnership with Contact North mean more students in more locations will be able to take advantage of distance education, and the upgrade to the networks will significantly lower operating costs. This project might also attract and equip a new generation of students to Collège Boréale, students who can use a wide range of information-age technologies. What this telecommunications upgrade means for our government is that we are fulfilling our commitment to give northerners the tools they need in order to succeed in the information age.

COMMUNITY CARE ACCESS CENTRES

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. The community

care access centre in Thunder Bay has had to make even more cuts to their home care services. They have now had to reduce their services by \$9 million just to balance their budget and the effect of these cuts has become intolerable. For the first time ever, people discharged from hospital are waiting for nursing services. What this means, for example, is that you might have to wait 20 days to get a dressing changed. If you're in need of long-term care, you will wait much longer than that. Over 100 frail seniors have been on a waiting list since June for personal care or nursing care and their wait time is now indefinite. Someone will literally have to die before the next person can get care. Since the average age for the people waiting for care on that waiting list is 75 years of age, it's likely you will die on the waiting list before the care is made available.

Minister, I ask you to understand how desperate the situation is for these frail seniors and their families. Will you review the realities of the needs in my community and provide reasonable funding to meet those needs?

Hon Tony Clement (Minister of Health and Long-Term Care): To the associate minister of Health.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to say first off that this government has a very strong commitment to providing community services to every community across the province. Since 1994-95, the budget of the Thunder Bay CCAC has increased by some 58%. In fact, it's one of the areas in the province that has the highest dollars per capita, at \$105.38. This government has a large commitment to ensuring that services are provided across the province. The Ministry of Health and Long-Term Care is meeting with the Thunder Bay CCAC. We have every intention, as a result of our operating review, of moving forward to ensure we provide proper services for the people of the province, because that's important to the Mike Harris government.

Mrs McLeod: Notwithstanding, it is not reasonable to have to wait 20 days to get a dressing change when you've been discharged from hospital, and it is not reasonable to have to wait until somebody dies before you can get care to be able to stay healthy in your own home.

Minister, the cuts being made in my community are hurting children as well as seniors. Last week, because of the earlier cuts to the school health program, there were 368 children on a waiting list for services. Many of these children are medically fragile and need care just to be able to stay in school. As of this Monday, the entire speech therapy program in Thunder Bay schools was discontinued. The only way children over the age of six can receive speech therapy now is to have their parents purchase it privately. Minister, I suggest to you that speech therapy is not a frill. It is absolutely essential to learning and development, and without this therapy children with speech problems will not have a fair chance.

My question today is simply, why? Why should frail and sick seniors and fragile children pay the price of your government's corporate tax cut? Will you act now to

reverse these cuts to needed health care services in my community?

Hon Mrs Johns: The member opposite talks about reasonable. I want to talk about reasonable also. Last year the Thunder Bay CCAC budget was \$17.4 million. This year they applied for a budget of \$26.6 million. They wanted to increase their budget in one year by 50% of the fees they received last year. Does anybody consider that to be reasonable? But what this government is doing is that we're going to ensure that quality services are provided across this province. What we're going to do is that we have legislation in the House to ensure that there's a new governance model. We're going to have accountability in these systems so that the people of Thunder Bay get the services they need. We're making a commitment to that. We're not pulling numbers out of the air like the Thunder Bay CCAC is. We're working to ensure that the people of Thunder Bay get the services they need and deserve, and we're going to make sure it happens on this side of the House.

1450

COMPETITIVE ELECTRICITY MARKET

Mr John O'Toole (Durham): My question is to the Minister of Energy, Science and Technology.

Interjections.

The Speaker (Hon Gary Carr): OK, folks, that's enough. No yelling across now. Tempers are getting up. Last day. No more.

Interjection.

The Speaker: Order. The member for Thunder Bay-Atikokan, come to order, please.

Now the member for Durham has the floor.

Mr O'Toole: Minister, I know first-hand how tirelessly you worked on the restructuring of Ontario Hydro. More recently your very complete and comprehensive responses to the all-party examinations during estimates is further proof of your commitment to respond to the difficult challenges.

One of the concerns I've heard is the opening of the electricity market. Minister, could you tell the House today what your plans are with respect to the anticipated opening of the electricity market for competition?

Hon Jim Wilson (Minister of Energy, Science and Technology): It's a very good question and one that people are asking in light of confusion in the print media—both today's story in the Toronto Star and stories last week and the week before in other newspapers—which somehow confused the future of Hydro One, which is a monopoly distribution and transmission wires company, with the opening of a competitive market. There is no connection between the two. There is in the minds of some investors, but certainly not with respect to the government's plans or the regulators' plans to open up a competitive electricity market.

I just want to assure all members of this House and the public that the regulators—both the OEB and the Independent Electricity Market Operator, the IMO—have

indicated as recently as this week that all the testing is on track and that the government's plan is to open the market by May 2002. We have a green light so far from the regulators. We'll be hearing more in the near future, but we're on track—

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

Mr O'Toole: Thank you, Minister, for that update. I just want, as a caution, to advise all members that the Toronto Star often gets it wrong. So although the Liberals use it as their briefing notes, you've made it clear that often they don't get their information correct.

Minister, what I'm responding to is a plan that I've heard discussed, the market readiness plan. What comfort do you have that this market readiness plan can prepare the electricity consumers of Ontario for the market opening, as you say, in May 2002?

Hon Mr Wilson: Again, the honourable member has a very good question. The market readiness plans come from the two regulators, the Independent Electricity Market Operator, IMO, and the Ontario Energy Board.

Interjections.

The Speaker: We've got 30 seconds left, and the member for Don Valley East has been yelling across. You've actually moved up out of your seat, which puts you even closer. I would ask him, for 30 seconds, to try to behave. The Minister of Energy.

Hon Mr Wilson: In the market readiness plan that comes in from the Ontario Energy Board, in April of this year and updated again in August, the government received very favourable news with respect to the testing of the new market systems that have to be in place for the opening of a competitive electricity market.

On December 14 all of our partners, the 91 local distribution companies or municipal utilities, have to file with the regulator, the OEB, a self-certification certificate indicating that they too are ready for market opening. So far our indications are that the companies of almost 90% of the customers covered by local distribution companies are ready for market opening. Therefore, we expect to receive in December or early January a green light from both regulators allowing the government to move forward and finally open the competitive electricity market in Ontario for the first time in 100 years, bringing choice, the lowest possible cost to consumers and green energy to the people of Ontario.

BUSINESS OF THE HOUSE

Hon Janet Ecker (Minister of Education, Government House Leader): Pursuant to standing order 55, I have a statement of business of the House for the week of November 26.

Monday afternoon's business is still to be determined, subject to what happened earlier today, and the House leaders will get a call about that.

On Monday evening we will continue debate on Bill 127.

Tuesday afternoon will be a Liberal opposition day. Tuesday evening we will continue debate on Bill 127.

Wednesday afternoon's business is still to be determined. On Wednesday evening we will debate Bill 130.

Thursday morning, during private members' business, we will discuss ballot item number 35, standing in the name of Mr Crozier, and ballot item number 36, standing in the name of Mr DeFaria. On Thursday afternoon we will continue debate on Bill 130.

PETITIONS

EDUCATION FUNDING

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing neighbourhood school closures and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small, neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature. I am in full agreement with this petition.

POST-SECONDARY EDUCATION

Mr John Hastings (Etobicoke North): I have a petition today from many Ontario citizens, dealing with post-secondary education.

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of Ontario; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit as proposed in Bill 4, Saving for Our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP," the Ontario student assistance program, "thereby freeing millions of dollars for other OSAP students;

"Therefore we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for Our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of children" across this province.

I affix my signature to this petition with considerable pride.

PROFESSIONAL LEARNING

Mr Rick Bartolucci (Sudbury): This is a petition to the Legislative Assembly of Ontario from some English Catholic teachers in Sudbury, and it says:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

These are from the teachers at St Francis and St David schools, and I affix my signature to this petition.

1500

AUDIOLOGY SERVICES

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I've received the latest thousand signatures on the audiology petition. I've been asked by the following communities to present them to the Legislative Assembly today. They come from Mount Hope, Port Carling, Hamilton, Cambridge, Ayr, Hespeler, Kitchener, Ottawa, Nepean, Kemptville, Arden, Bobcaygeon, Burlington, St Catharines, Stoney Creek, Caledonia, Brantford, Sturgeon Falls, North Bay, Orillia, Severn Bridge, Aylmer, St Thomas, Brampton, Aurora, Mississauga, Grafton, Gilford, Keswick, Dundas, Winona and Drayton. The petitions read as follows:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy makes it virtually impossible to implement these services in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

May those who have ears to hear, hear.

TENANT PROTECTION

Mr John O'Toole (Durham): I'm very pleased to present a petition on behalf of my constituents. It's to the Legislative Assembly of Ontario.

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating, upgrading their apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant minister, investigate these concerns to ensure that we the residents of 145 Liberty Street South in Bowmanville can continue to rent their apartments."

I've written to the Minister of Municipal Affairs and Housing on this. I'm very pleased to sign and support these constituents of mine, all of whom signed this petition.

LONDON HEALTH SCIENCES CENTRE

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

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by the year 2005; and

“Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

“Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children at risk; and

“Whereas these cuts will diminish the London Health Sciences Centre’s standing as a regional health care resource; and

“Whereas these cuts will worsen the continuing physician shortage in the region;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk.”

Signed by a number of residents from Merlin, Blenheim, Chatham, Tilbury, Kent Bridge, Ridgetown and Erieau.

AUDIOLOGY SERVICES

Mr James J. Bradley (St Catharines): I read this petition in the presence of Gabe Spoletini, who is in the gallery. He is the vice-president of the Progressive Conservative Party of Ontario. I thought I would introduce him while I’m here because I know he has good deal of influence with the members on the government side. So I’m glad he’s here today to hear this petition which reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas services delisted by the Harris government now exceed \$100 million in total; and

“Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

“Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

“Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

“Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services.”

I affix my signature; I’m in full agreement.

Mr Rick Bartolucci (Sudbury): This is petition to the Legislative Assembly of Ontario. It’s entitled, “Listen: Our Hearing is Important!

“Whereas services delisted by the Harris government now exceed \$100 million in total; and

“Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

“Whereas new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

“Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario,” such as northern Ontario;

“Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

“Therefore, be it resolved that we, the undersigned” from every sector of northeastern Ontario “petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services.”

Of course, I affix my signature to this petition.

MEDICAL SCHOOL TUITION

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

“Whereas medical school tuition was deregulated by the Ontario government in 1998, and medical school tuition has and continues to increase in excess of 300% such that some university tuition is now \$14,000;

“Whereas the combination of excessive tuition and frozen student assistance have impaired students’ accessibility to a medical education;

“Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

“Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

“Be it resolved that we, the undersigned, petition the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

“Be it further resolved that we, the undersigned, request that medical tuition be capped and re-regulated at a level accessible to all Ontarians, and that the Ontario student assistance plan/Canada student loan program be adjusted, in order to ensure that Ontarians from all communities are able to afford a medical school education.”

This petition is signed by a number of residents from Leamington and Blytheswood. I also sign this petition.

PODIATRIC SERVICES

Mr James J. Bradley (St Catharines): “To the Legislative Assembly of Ontario:

“Whereas services delisted by the Harris government now exceed \$100 million in total;

“Whereas Ontarians depend on podiatrists for relief from painful foot conditions;

“Whereas new Harris government policy will virtually eliminate access to publicly funded podiatry across the vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government move immediately to cancel the delisting of podiatric services."

I affix my signature as I'm in full agreement.

1510

HOME CARE

Mr Rick Bartolucci (Sudbury): This petition is also to the Legislative Assembly of Ontario. It says:

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

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

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

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

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

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

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

"That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

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

I affix my signature to this petition as I am in complete agreement with it.

CHILDREN'S MEDICAL SERVICES

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

"Whereas the recent events at the London Health Sciences Centre, where 18 programs have been lost due to funding shortages, and in particular, the Children's Hospital of Western Ontario, cause us to be concerned that we may lose medical and surgical subspecialty pediatric services for ourselves and our children;

"Whereas southwestern Ontario is a vital region of the province of Ontario that requires urgent access to pediatric subspecialty services and to travel to other children's health facilities in Ontario would result in serious personal hardship and risk to our children; further, that families would not be eligible for travel grants similar to those provided in northern communities;

"Whereas we have greatly benefited from the expertise in pediatric care provided by Children's Hospital of Western Ontario over the years and we appreciate that we may not be apprised of all the reasons for these physician losses; however, our children deserve to continue to receive the pediatric subspecialty care from the London Health Sciences Centre and Children's Hospital of Western Ontario that our region has depended on for decades;

"Whereas the loss of these services will result in great hardship to the families and seriously endanger the health of our children, we look to you as leaders to address this issue immediately and thoroughly. These times of great uncertainty about children's access to health care is a significant stress to ourselves and our families;

"Therefore, we the undersigned petition the Legislature of Ontario to demand that our government respond immediately to restore these critical services to the citizens of southwestern Ontario."

It's signed by persons from Chatham, Tilbury and Merlin, and I too have signed this petition.

ORDERS OF THE DAY

VITAL STATISTICS

STATUTE LAW AMENDMENT ACT
(SECURITY OF DOCUMENTS), 2001

LOI DE 2001 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LES STATISTIQUES DE L'ÉTAT CIVIL
(SÉCURITÉ DES DOCUMENTS)

Mr Sterling moved third reading of the following bill:

Bill 109, An Act to enhance the security of vital statistics documents and to provide for certain administrative changes to the vital statistics registration system /
Projet de loi 109, Loi visant à accroître la sécurité des documents de l'état civil et prévoyant certaines modifications administratives au système d'enregistrement des statistiques de l'état civil.

Hon Norman W. Sterling (Minister of Consumer and Business Services): Mr Speaker, as you know, earlier today prior to question period we had a motion which will divide the time for debate on this particular bill evenly between the three parties. I will be sharing my time with my parliamentary assistant, Joe Spina, the member for Brampton Centre. I might add at the outset that Mr Spina has helped me immensely in terms of bringing this piece of legislation through the legislative process.

I also want to thank other members of the Legislature. Because of the nature of this particular piece of legislation, there has not been a lot of what we would describe as partisan debate. There has been I think a genuine effort on the part of members of the government backbench and opposition members to try to put forward constructive suggestions as to how this bill could be improved. In fact the bill, during the committee stage, was amended in a number of places. Some of those amendments were put forward by the opposition.

This bill comes to the Legislature this fall, although in the natural timing of things it probably would have come forward in the spring of next year. About a year ago this month, November, the Ministry of Consumer and Business Services asked the Ontario Provincial Police to look at our vital statistics system from the point of view of security, the ability to defraud using the documents which the vital statistics department produces. They came up with over 90 suggestions. About 60 of those suggestions had already been adopted by the department and the remaining 30 required regulatory and legislative change.

We were in the throes of doing that during the late spring and the summer of this year, and then along came September 11. So it was fortuitous that we had done a lot of the background work and therefore were able to introduce a bill shortly after September 11 to address some of the issues that arose out of an incident that we had. It brought a lot of worry toward the kind of document that we issue, some 400,000 of these documents each year, as a province.

The vital statistics department of my ministry is primarily located in Thunder Bay, but there are some people who are located here. The kinds of vital statistics we're talking about are the registration of births, the registration of marriage, the registration of divorce, the registration of death, vital statistics about each and every Ontarian's being and, of course, their death. The birth certificate that people get is proof of the fact that a particular person was born on a particular date and from certain parents, and where this event occurred.

The problem that we have faced in the past deals with the original registration of birth. At the present time, certain municipalities are partners with the ministry in recording these registrations of birth. Some municipalities charge parents for the service, and they are part of the partnership of registering these births. Therefore, in some instances this has acted as a disincentive for people to actually register the births of their children. We find

still, as young people start school and their school boards ask for the birth certificates of the children, that some registrations occur as late as the third or the fourth or the fifth year in the life of some of these children.

We're hoping to change that, and we're going to have a system that will not necessitate the partnership with the municipalities in the end. It will be a partnership with the hospitals. It will involve the doctor who is there, the medical staff and the parents, and this will be done immediately from the hospital right into the vital statistics records. So part of the problem that we've had in the past is going to be done away with and the records will be even more accurate than they have been in the past, and it will be much easier than in the past.

Part of the problem we've had with some of the other parts of the process deals with the copies of that registration of birth or the birth certificates. Until this bill was introduced, it was possible for an individual to get as many birth certificates as he or she wanted. We had in certain circumstances people applying for as many as 15 or 16 or 20 birth certificates. Some people may ask, "Why on earth would you do that?" It had become in certain cultures in Ontario a method of celebrating the birth or the birthday of an individual. They would get copies of the birth certificate and send these out to the various relatives, either in our own jurisdiction or outside of our jurisdiction. So what we have now done in this legislation is say, "You are entitled to one birth certificate for one person in the province of Ontario."

1520

There is also in this legislation, for the first time, an obligation on people to report stolen or lost birth certificates. Even in the very short period of time since this legislation has been introduced, there have been now about 2,000 to 2,500 people who have actually reported that their birth certificate has either been lost or stolen, so that we know and put that on a record. If that birth certificate shows up in some other place, it can be delisted. We are now in better control of perhaps the possibility of a fraudulent use of a second copy of a birth certificate or a lost birth certificate or a stolen birth certificate. This new system in this legislation enables us to have a tighter control on the misuse of birth certificates in the future.

Another interesting part is that because our economy is so tied to our United States border, particularly in the province of Ontario—I think 93% or 94% of our trade is now with the United States of America—border crossings are very important to the economic life of Ontario. We want to be able to ensure that American customs officers have good information to go on, information that they can rely on, so that our people can go easily across the border, and of course we would like the same situation to occur to invite tourists into Ontario.

As a result of our moves with regard to this piece of legislation and some of the other administrative changes we are making to this whole area of vital statistics, I contacted all of the provincial and territorial ministers across Canada and we together are now acting in concert

to improve all of our systems so that they will be as much alike as they possibly can be, so there will be less confusion if I cross the border from Quebec into Vermont or if I cross the border from Manitoba into Minnesota or wherever I would be crossing the border.

Mr James J. Bradley (St Catharines): As long as it's not from Vermont into Ontario.

Hon Mr Sterling: No, you've been watching the West Wing. The member from St Catharines talks about going from Ontario into Vermont. There was an episode on the West Wing, which we in this Legislature all watch. I think it's one of the best programs that has ever been done on politics. There was an episode dealing with terrorism, and the supposed terrorist went from Ontario into the state of Vermont. Of course, we don't border on Vermont. Everybody in Canada is aghast and absolutely shocked that this mistake would be made.

There is a consensus among various different ministers to try to work toward this. What we are also doing is contacting our border states so that we will have some commonality and understanding with each other as to the requirements they are asking of their people in terms of birth certificates in border states, whether it's New York state or Ohio or whatever it is. We're working with some of our American border states to try to get some commonality.

We're also hoping to meet with Minister Manley and our federal counterparts to try to work with them to ensure that our Canadian customs and our American customs all know what each other is doing in order to provide for ease of going back and forth across our America-Canada border.

Up until this law came into place, there were very small penalties for anyone who would try to use a birth certificate to defraud somebody else in our system, whether it was trying to obtain a health card, trying to obtain a passport, or anything else. In fact, the penalty was a maximum of \$1,000 for the false use of a birth certificate. When you have very low penalties with regard to an offence, the enforcement officers, whether it's the OPP or any other kind of enforcement agency, have very little interest in taking up the case because, you know, you spend a week on a case and you're way over the penalty that can be imposed on the person trying to defraud the system. So the penalties are significantly increased in this act, up to \$50,000, I believe, for a person and up to \$200,000 for a corporation.

The system that we are developing as well is going to require, and does now, in addition to a signed application, a guarantor, very similar to what the federal government requests when someone seeks to get a passport. So we are now requiring a guarantor.

As well, in addition to the legislation and in addition to that requirement, there are many, many more checks occurring. There are now spot checks in terms of the applicant, the ORG actually phoning applicants to check and see if in fact they are making an application and that this is the person who has sent it in. They are phoning on a random basis a number of the guarantors as well.

Even though we have set these requirements as being higher—the guarantors and those kinds of things—the registrar general and the deputy registrar general have the authority to issue a birth certificate even though all of the t's may not have been crossed and all of the i's not dotted, because we do have circumstances where an applicant can't fulfill all of the requirements that we have.

I had in my own constituency a situation where there was a person who had been in an institution for mental illness all of his life in another jurisdiction, then came back to Ontario, where he was born. He didn't know anybody for a long period of time, and therefore the deputy registrar general still issued a birth certificate, which was needed to obtain old age security benefits. We still issued the birth certificate based on the evidence that we received and from the doctor who is now treating that particular person. So there is flexibility in the system to deal with the unusual case. We are, though, demanding in the ordinary course of business a higher standard of proof that an individual is there, and it's in fact being taken.

We included in this legislation the requirement, as in the case of a passport, that the person who is guaranteeing or stating that they know this particular individual cannot charge a fee for it. It was felt by members of this Legislature that that was the proper thing to do, and I agree with that.

The legislation is going to be not the only part, or the major part, of reforming the vital statistics records, and the process and procedures with regard to this.

The province of Ontario will be putting forth somewhere around \$5 million to \$6 million to upgrade the information technology so that there will be a much smoother process, so that better checks will be able to be made and will be done in a much more speedy fashion.

1530

I think members of the Legislature who have been here for a period of time will say that over the last five or six years there has been a tremendous improvement in terms of the performance of the ORG in producing birth certificates in a timely fashion. I can remember, going back maybe 10 or 15 years ago, when there was a constant problem with getting a birth certificate in a reasonable period of time. I believe the ORG has done a pretty good job in bringing those timeframes down and in being able to react in a speedy fashion.

As we go into this new process, it's going to be a very trying time for the ORG in implementing these new checks. It takes more time. There is an education process that is ongoing and there are still people who are showing up with the old application forms in order to obtain birth certificates. This causes frustration. It causes some delay. So there is going to be a bit of a rough period here that we're going through.

I am happy to report, however, that there is a recognition by the government that it is going to require a little bit more resources to get over this period of time. We're going to need more human hands over a short period of time. As the better IT systems get implemented, then

we'll be able to do it with some more staff, but not a huge expansion of the staff, and we'll be able, I believe, to have a better customer satisfaction service than we have had in the past. But I do warn that this won't happen overnight because there is a transition period.

The birth certificate was never intended to be an identity document; in fact, it has been used by a lot of us as an identity document in some cases. For instance, to go across the border if you don't have your passport, you can use your birth certificate and your driver's licence as two documents to satisfy customs agents at the US border.

I believe there's going to be a significant debate over a period of time as to whether we should move to an identity document. That, of course, is going to involve a whole lot of interests. There are a whole lot of balances to consider in terms of privacy rights versus the right of officials to know who is holding this particular document. Biometrics are another part of the debate that come to the fore, whether these kinds of documents should have a biometric identification so that immediately the person can be identified as the person holding the card, as one and the same person.

As you may have heard, the federal Minister of Immigration has talked about an immigrant identification card. Some people would argue that perhaps it is time to think about another identification card for people who are born in this province. That's not what this legislation is about and that's not the step we're taking at this present time, but it is a constant question I am asked. It is something that I'm sure we're going to be talking about in the not too far distant future.

In summing up my remarks, I'd like to thank the members of the other parties and the members of my backbench for their support for this bill. I believe it's a pretty big step forward. I think it's a step that was necessary and I'm really, really happy that we've been able to act in this Legislature in a constructive manner to bring this legislation to the fore. I look forward to the debate of the other members of this Legislature and any other suggestions they might have on how we might travel in the future.

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

Mr Bradley: I welcome the opportunity to speak on this legislation. The minister will be forgiving of me if I am to remind him that this legislation came forward as a result of the intervention of the leader of the official opposition, the member for Ottawa South—his part of the province—Dalton McGuinty. He, in a question in the Legislature directed to the minister, indicated clearly that there was a deficiency in terms of identification, in terms of the system, a problem with the system that a person could too easily obtain a birth certificate, and that as a result, a change would be needed, particularly in these times where increased security is a matter of high priority for governments at all levels. He would want me to pay tribute to the Leader of the Opposition, Dalton McGuinty, for doing so.

That having been said, I am pleased that the minister has followed the recommendations of the Leader of the Opposition in bringing forward legislation which will improve the system. Any time the minister or any member of the government follows the recommendations that the opposition has made, I'm here to compliment you, I assure you of that, to offer my personal applause.

I was happy as well that, as the minister outlined, and this is important, while the system is going to be much tougher in terms of being able to obtain identification, the people in his ministry—that is, in the registrar general's office at least, which is part of the ministry—are going to be reasonable. The minister, I think, pointed that out. Someone who wants to obtain a birth certificate for the wrong reasons isn't going to be able to do so, we would hope, under the new system. However, he pointed out a circumstance that we encounter as elected members in our constituency offices, where there are people who require a birth certificate but by themselves would not easily be able to obtain it. Sometimes it's a person who has encountered mental illness, for instance, who requires that kind of assistance in obtaining a birth certificate. We would do so with all the safeguards built in, but I think the minister was appropriate in mentioning that this isn't so tight that it would not allow for reasonableness in dealing with those matters, some degree of flexibility. I don't think people would be critical of the minister or the government for doing that, even in the circumstances we're confronted with today in terms of national security.

I want to say as well that I'm delighted the minister has followed what must have been my recommendation at one time or other, to have an office in St Catharines where people can now obtain a birth certificate on the same day that they request it if they have all the documentation and all the information. That process is going to perhaps be delayed a bit now, but we have an office in our city, and I want the people who may be watching from our city to know that. For twice the amount of money that they would pay normally—that's called a user fee, and this government is very good at implementing user fees; I think I've counted 1,369 new user fees or increases in user fees since the Harris government has been in power. But for double the money—I think it's \$30 at the present time—a person with all the proper documentation can obtain a birth certificate in a relatively short period of time, particularly for emergency circumstances in Ontario.

The minister points out appropriately, as all members would know, that the birth certificate is the basis for obtaining other documents. A social insurance number cannot be procured from the federal government without having a birth certificate to identify yourself, or some form of identification. A passport requires a birth certificate so that a passport is appropriately issued. A health card needs a birth certificate. For a licence to drive, for instance, one has to know how old a person is. Those of us who have been involved in the sports scene would know that in order to be able to play in a certain category, a person would have to have a birth certificate.

Now, mine would be to qualify for old-timers'. They might not think that I would qualify for an old-timers' league, so I would now need a birth certificate to indicate that I would hit that category, at least one of these years.

1540

The minister would be interested to know, as members of the House would, that a number of years ago—and I can't pin this on your government; you weren't in power at the time, this specific government—a constituent of mine had his identification completely taken over by a person who then took it to the United States and used it. The basis was the birth certificate. This was a number of years ago. So that individual would be interested in knowing that changes are being made.

The minister made reference to another, what I think can be positive, move. We all encounter problems with birth registration. Speeding up that process, dealing directly with the people who deliver the child—the doctor or the midwife and the hospital, if they happen to be born in a hospital—I understand it's not going to come about immediately, but getting that system in effect will be useful. That extra step, dealing with the municipalities, often was a step that took a little too long. I think that's going to be useful and it also gives some direct information and people aren't trying to obtain it five years after the child is born, which is a challenge for everybody concerned.

I know there are other issues that we could be talking about this afternoon that we're not talking about that the minister would have concerns about, and they might well relate to this legislation.

We've had a number of layoffs announced in our community in St Catharines at General Motors, at Dana Corp and at TRW; that's the automotive industry in Ontario. The minister understands, as do all of us, the importance of the automotive industry in our province, and we hope the government will be taking appropriate action to ensure the future viability of the automotive industry. I have a concern in my own community that the minister and all officials of government—and the reason I say this is that Mr Sterling, our present minister, is interested in business in this province. Part of his mandate is business relations. I think it's now called Consumer and Business Services. I wish to indicate a concern I have about the automotive industry and a hope that the government is intervening directly in that.

This afternoon as well, we might well be talking about the closing of neighbourhood schools. I have a number of schools that are under the gun at the present time, namely Maplewood school, Dalewood school and Lakebreeze school, all of which are under the gun. Those people there require birth certificates from time to time, Mr Speaker. That is how I would relate that to this particular piece of legislation, because you are always one to be mindful that we are doing so.

Hon Dan Newman (Minister of Northern Development and Mines): And MRIs.

Mr Bradley: MRIs. Well, I'll tell you something. We've had a few MRIs now. Every one of us is inter-

ested in an MRI in our community, and more of them and faster service in that regard. We hope that will be forthcoming.

I always express concern about the implementation of any legislation, because I know the Minister of Consumer and Business Services wants to implement this legislation appropriately. That will require an allocation of funds. If indeed the government is instead going to proceed with a huge tax cut—a tax gift, I call it—to corporations in this province to the tune of \$2.2 billion and proceed with a voucher system for private education which will cost a minimum of \$300 million to the revenues of this province and with an income tax cut of close to \$1 billion, if all that is proceeded with, my fear is that the minister will not have the necessary funding to be able to implement the very reasonable recommendations which he is putting forward and which he has suggested in his speech in the House this afternoon.

The provincial Treasurer has said they're not going to have the money now, so he's going to have to invoke a constraint or considerable cuts in the financial resources of each ministry. I know my colleagues on this side are very worried about that, that they would choose instead to proceed with an ill-conceived tax cut—a tax gift—when most people in this province, I think, would support the minister. They would say to me, "I was watching the debate this afternoon. The minister put forward some reasonable proposals to respond to the problem brought to his attention by Dalton McGuinty, the leader of the official opposition. He wants to rectify that situation Mr McGuinty brought to his attention, but he's going to need the financial resources to do so." I agree that he's going to need them.

I think most people in this province would say, "Look, forget about my further tax cut. I've had some tax cuts and I was perhaps happy to get them. Forget about those, forget about the corporate tax cut, forget about the voucher system, and instead provide some additional funding to the Minister of Consumer and Business Services so he can appropriately implement the provisions of this legislation.

That would be what we would call truly common sense, and at the same time they might well have money to finance our community care access centres, which are under great financial strain at the present time, and to help out our hospitals, which are struggling with the amount of money they have available to provide services to people in the community, or indeed for those in seniors' homes, one of the places, interestingly enough, where from time to time we will encounter people who over the years have lost a birth certificate.

The school they were involved with—we used to have the registration at the school—would be helpful, or perhaps the church where they were baptized; there would be a baptismal certificate that might have some identification. Sometimes a fire has eliminated it or it's been lost somewhere in the past and those people require a new birth certificate. It's often, as the minister made reference to, for pension purposes, to be eligible for pensions that are based on a person's age. Those people

are often in facilities that are underfunded at the present time.

I think of Linhaven in St Catharines, which is struggling, with the amount of money it has in its budget, to provide services to seniors. It's a nursing home and a seniors' home, trying to provide services to patients. They don't have enough nurses, they don't have enough staff and they don't have enough financial resources to do what I know everyone who is associated with the home would like to do. So again, if the government didn't proceed with those ill-conceived and unnecessary tax cuts, there would be money for that as well.

The minister is here this afternoon. As a former Minister of the Environment he would be interested in the fact that they have found contaminants in Lake Gibson. At least it has now been exposed. They found them, I think, last spring. Ontario Power Generation was doing some testing as a result of the ministry's asking them to test old areas and they found PCBs, polyaromatic hydrocarbons, copper and lead. Lake Gibson, if you're familiar with St Catharines and Thorold, is sometimes used as a reservoir for the drinking water supply of our community in Lincoln and Niagara-on-the-Lake and Thorold—not often, but it's a backup system, because normally our water is drawn through another channel from the Welland Canal, if you can believe that, but it is purified through a system we use.

I know that the same people, who are often seniors, who are looking for that birth certificate are also worried about audiology services, that is, hearing services that are now being delisted, and foot care services that are being delisted. While they are thinking about their birth certificate and are hopeful the minister will get the money to implement the provisions of his bill, they're also worried about those other matters at the same time. I know our Speaker has constituents who have the same concerns.

I am going to divert a bit because the Speaker in the chair is a great promoter of the Stratford Festival. I understand they had a very successful year. It was impacted more recently by the terrorist attacks in New York, but previous to that, and even subsequent to that, there was good attendance this summer, some excellent performances. Of course, Stratford and Niagara-on-the-Lake, with the Shaw Festival, are both communities that are wonderful places to visit and spend a few dollars. We always welcome people from the other parts of the province, but particularly from outside the province.

I want to say this afternoon that I am speaking in support of the provisions in this legislation that are going to be helpful in counteracting terror, if you will; in other words, increasing security. It's too bad. I think if we asked virtually any member of this Legislature, "Do you want to see these new laws which change things so drastically?" my guess is they would say no. They would say they're necessary, but in the best of all worlds we wouldn't want to go through some of the procedures we have to go through now.

1550

The federal government is passing a very strong piece of legislation which takes away some liberties that we've

had. I'm sure the members in the federal Parliament are not happy about that.

Provincially, we are embarking upon some courses of action that are going to limit or restrict our liberties that we have enjoyed over the years, and I'm sure members of this assembly lament it. We liked the fact that in Canada we could be looser with our security, and even in the United States, looser with security than in Europe. People like that flexibility. They liked that feeling of freedom and liberty that was there. Unfortunately, we're in a world of reality and so we have to make changes such as the kind of changes that are contemplated in this piece of legislation. I am supportive of those specific changes, and in concluding my remarks I certainly thank the leader of the official opposition, Dalton McGuinty, for bringing this forward.

I see a number of people who are in the gallery today. We're always pleased to welcome to our public gallery individuals who are visiting with us and want to observe what is going on.

Hon Brenda Elliott (Minister of Intergovernmental Affairs): It's the grant review teams for Trillium.

Mr Bradley: The Trillium grant review teams are here this afternoon.

Applause.

Mr Bradley: That's right. I'm glad, because there's a reception to honour them. It's most appropriate that we honour those individuals, and I will be attending that reception this afternoon to honour, among the people, those who are from Niagara who provide this service.

Hon Mrs Elliott: Room 228.

Mr Bradley: It's in room 228, I remind those who are perhaps watching from their offices.

I should tell the people in the gallery that while not everyone can be here to hear the speeches, all of the members are watching them in their offices at this time and are listening with care.

I thank those who are the volunteers with the Trillium program in Ontario, who assess the applications and who make some pretty difficult decisions on allocating funds to good use in all of our communities. We're delighted to have them with us.

With that, I'm going to resume my seat and pass the torch along to yet another member of the Legislature.

Mr Michael Prue (Beaches-East York): I believe that my caucus and I will be supporting this bill, but I have to stand and speak about some reservations we still have with it.

Perhaps, as the honourable minister said, it's for another day and another bill somewhere down the road to improve this particular bill and to do what I think he and this Legislature are intending to do with the bill, and that is to heighten the security provisions that we are all more mindful of following September 11. I'm going to deal with two problems with this bill and then talk with some other generality about the bill.

Number one, the minister can and the registrar can, without notification, cancel a birth certificate at any point without informing the lawful owner that it has been

cancelled. We find this to be a problem with the bill. We find that this is going to cause innocent individuals problems when attempting to use a birth certificate in a lawful manner as a form of identification, whether registering their child in a school, applying for a driver's licence or any other legitimate use. Their name is going to flash on a screen, and they are going to be considered someone who is using it unlawfully or illegally even though they are the person to whom the certificate has lawfully been issued. We do have some considerable difficulty with this provision.

I think the rationale the government has given is quite flawed. The rationale is that if you inform the lawful owner, then they will not attempt to use it in an illegal manner, such as crossing into the United States. I have to inform the members of the Legislature that this is total hogwash. For 21 years, I worked in the immigration department of Canada. For 21 years, we would not, as immigration officers, accept a birth certificate as a *prima facie* and only document of a person's right of abode in Canada or the fact that they were born in Canada. If you thought the Canadians would not accept that, I will guarantee you that the Americans were much tougher on the use of such documents.

A birth certificate proves nothing. A birth certificate is only one document in a person's arsenal of documents within their wallets that identify who they are. A birth certificate does not contain a picture. A birth certificate is usually 20 or 30 or 50 years old and is issued at the time a baby is born. The person bears no resemblance to the person who originally got the birth certificate. If you get one of the small Canadian documents, it contains very little if any information, other than the date and place of birth.

The use of this document is only valuable to those who want to believe that the person is who he or she says they are. As I said in an earlier speech on this topic in this same House, the use of birth certificates 25 or 30 years ago among many of my colleagues, when I was a much younger man, was to go into the bars to drink. They would borrow it from their friends or their brothers or some acquaintance to go and prove that they were 21 years of age. They were not the same person. There was no other document required in those days. This House, in its wisdom many years ago, sought and obtained the legislation to change the age of majority card, which has a picture on it, which is documented and which is the only proof to either buy alcohol or to be in a bar, pub or local hotel.

The birth certificate itself was a flawed document. No one would use it any more or trust its authenticity for the purpose for which people were using it, ie, to drink under the age of 21, just as today no one will use that document for the purpose that some are purporting it is used for, to travel back and forth to the United States or to other countries in the Caribbean or Mexico, which will allow residents with proof of citizenship to enter their countries. The only places that take that as a document are those that really, with the greatest of respect, do not

care about the document. They are looking for tourists; they are looking for dollars. I challenge anyone here who has travelled frequently to some of the Caribbean islands or to Mexico to ask if you have ever been challenged or if anyone has ever looked at any document that you have in your possession. It simply does not happen. They are happy to see the tourists. They don't question this and they simply wave you through: document, no document; birth certificate, no birth certificate; passport, no passport. It is not a requirement that serves any use.

If it is intended to stop illegal migrations and/or terrorism, I want to tell all of you that this has no value for that. You are not going to stop terrorists by limiting the number of birth certificates or anything else that this legislation contains.

The second problem we have with this document is that the legislation allows that it may be given to "any agency, board, commission, corporation or other body, inside or outside Canada." Again, I go back to immigration. I find it absolutely ironic that documents that are legitimately issued in Canada can be given to any other government, and I underline "any government"—not those with whom we are friends, not those with whom we have pacts or who are in NORAD or NATO, not our American neighbours, but any government, any agency, any board, any commission, any corporation or any body inside or outside of this country. I find that somewhat ironic.

Every year—across the borders into Ontario through Fort Erie or through Niagara Falls, and at Pearson airport—45,000 refugee claimants arrive in this country. I find it absolutely ironic that the overwhelming majority of them have no identification whatsoever. As a country, we allow those people to come in to make refugee claims and we make no statements as to who they are. The overwhelming majority, 95% or more, are released on their own recognizance to come back for a hearing at some future time. None of those is required to have a document, yet what we are saying is that our own Canadian citizens who are born in Canada may have to have this document and that we will in turn give that document upon request to any agency, board, commission, corporation or other body inside or outside of this country.

1600

I find this ironic and troublesome for many reasons, but I ask the good members opposite and the members listening, and the people on television especially, to think about the 45,000 or so who come to this country every year to claim refuge. I'm not going to be naive and I don't think anyone else should be naive to think that they are all refugees. Certainly some are and certainly some of them are merely economic migrants. But the reality of the situation is that some of these people are here because they fear for their lives. They have escaped from their own countries and they do not want their own countries to know where they are. They come here under the guise of secret identities and many other things to actually appear before an immigration officer at a port of entry. When they're here they do what all people do: they get

married, they have children, they develop lives. They do the same things. If their children are to require a birth certificate a year, two years after their arrival and that birth certificate is then given and someone—any country, any agency, any board, any commission, any corporation or other body outside of the country—requests that information, it can be released.

These are people who left for fear of their lives. Let's just pick any country. Let's pick something in South America—let's pick Uruguay. That's a safe country and I'm sure no Uruguayans watching will think that I'm referring directly to them, because I don't believe there are many refugees from that country. But should a person be a legitimate refugee from Uruguay, come here, have a child, and then a foreign body, a corporation or other person requests that information and that information is given, it says a number of things. Number one, it identifies the parents. It identifies the mother and father and where they are, ie, they're in Ontario, they're in Canada. It identifies their child. It identifies that the child was born, where the child was born, the city in which the child was born, the city in which the child was registered, the time of the birth, the time of the application. It's all on there.

We live in a time of terrorism. We live in a time when there is state terrorism. We live in a time when there is individual terrorism. Are we going to be giving out this kind of document? I am very afraid of this kind of document going back to a country which has maltreated its citizens, which has had its citizens run away, and then in turn inform them where the parent is, inform them that they've had children in Canada, inform them that they're in this country. That causes me a great deal of concern. I would suggest the government has not paid sufficient attention to this particular provision.

We get into other problems and I think they're minor in comparison to those two. Those are the two major problems that we should lend our minds to and that the minister should immediately start thinking about, should immediately put his mind to, in terms of when this legislation is passed—because I can tell from the debate it's going to be passed—in terms of amendment in the near future. We need to think about those things in order to protect the innocent—not the guilty, not those who would abuse the system, but the innocent who may suffer because the information is made available and/or who may suffer because their birth certificate is cancelled without notification to them, not that someone illegal has been caught, but that it has been cancelled without notification to themselves.

Some other things that need to be considered are the birth certificates. The provision that you can't have multiple copies is absolutely, stupendously excellent, Minister, and I congratulate you. As a former immigration officer for 21 years, I've seen many birth certificates floating many, many times from many, many individuals used for many, many purposes—not that we would accept that as a case to come into Canada, but once people were inside Canada they were used for obtaining

social insurance numbers, drivers' licences, residency documents and any other number of things that a person needs to carry on his or her life in Canada, including credit cards and just literally everything else you can think of—getting children into school, the whole works. They were used for everything. Having just one is a good idea, and I commend you for that. It's about time that each person is able to have only one birth certificate.

But the reasons people have more than one birth certificate, with respect, are not just for celebratory reasons or for transborderers. People have more than one birth certificate often because more than one is required. One may be required for the child as well as one being required for the parent and/or guardian.

I go back again to Immigration days to talk about something which, although it's not an everyday occurrence, certainly would happen many times over the course of the year in this country, and that is where Canadian citizens who are born in this province or are born in another province in Canada are taken away from Canada by their parents at a young age, usually to go back to the country of their parents' birth. This may happen for a number of reasons; one may be quite voluntary, that the parents have come here, have found that Canada or Ontario or Toronto or any other place is not to their liking, they couldn't find a job, they couldn't establish themselves in their profession, and they've decided to go back home where they have family, where they have an offer of employment or for any other good reason, and take the Canadian child with them. The second option is far more common, and that is where people come to this county illegally and have a child or a number of children, are subsequently found out, are arrested, are deported and are sent back, usually with their children in tow. Those children would go home, but those children too are Canadian citizens, having been born in this country.

I ask the minister to think about it. This is not a rare circumstance. Years later, when that child is eight or 10 or 12 or 15 or 18 or is old enough to make up his or her own mind that they wish to return to the country of their birth, it will oftentimes be very difficult, unless the parents will give them the birth certificate or a document to establish that they were born here, for them to prove in fact that they are Canadian citizens. There needs to be some other mechanism, which is not contained within this act, that allows them to go into a Canadian embassy abroad and to plead their case without knowing anyone on that list, because, with respect, it is highly unlikely they would ever know anyone on that list. There needs to be a mechanism from the registrar to recognize those children who have left Canada, not of their own volition but in the care of their parents, in order for them to get the necessary document to begin the process of coming back to live in the country of their birth. It does happen, I would suggest to the minister, far more often than you might be aware of or maybe than anyone in your ministry has thought.

The minister also said something I thought was very telling and is actually at the nub of this entire problem,

and that is birth certificates being used as one of many documents to cross into the United States or to those other countries which might accept them as proof of nationality, proof of citizenship. In this country, we do not have certificates of identity. We do not have certificates of identity for those who are new Canadians, who have availed themselves of the provisions of the Citizenship Act by taking out citizenship, but we also do not have them for those people who were born in Canada. We do not have certificates of identity which allow people to travel from one country to another.

This is a very common document in most of Europe. If one goes to the European community, you will see that a certificate of identity can be used to cross the border from England to France, from France to Germany, from Germany to Italy, from Italy to the Republic of Ireland or anywhere else in the European Economic Community. Those certificates of identity are used in lieu of passports. In fact, Canada has had a long tradition of these certificates of identity. Within the Immigration Act, 1952, and within the Immigration Act of 1978, certificates of identity from some countries were in the regulations as being acceptable in lieu of passports, and those certificates for countries like Belgium and Norway could be given at a port of entry and were accepted in the same vein as a passport, much the same as British certificates of identity were occasionally used for summer travel between Britain and Canada and could be used for the purpose of one visit.

1610

As a country, we need to look very seriously at issuing such documents for transborder and perhaps for worldwide travel. It is a far better document that is far more difficult to abuse than an ordinary passport and infinitely better in terms of non-abuse than a birth certificate or other document. We need to be looking at that and to be talking to our federal counterparts in Ottawa to be coming up with transborder documents that can be used. That's the purpose for which they exist. A birth certificate, I have always said, proves that you were born. It doesn't prove anything else. It proves that you were born, if it's authentic and it belongs to the person who owns it. A certificate of identity for the purpose of travel proves that the country of which you are a citizen will allow you to travel and that the host country will allow you to enter with it and that the country of which you are a national will allow you re-entry back on the strength of that document. That's what it's for.

If we are to insist on curbing terrorism, I do not for a moment, as a civil libertarian myself, think this is an affront to civil liberties. This is a document that is issued for a rightful purpose: to travel from one legitimate jurisdiction to another. It is certainly far better than pretending to use a birth certificate for that purpose. In fact, of all of the provinces in Canada, it may surprise some members here to know that it is almost impossible to find a birth certificate from the province of Quebec, although I understand they are now issued as of late date. It was almost impossible because everyone had a certificate of

baptism, which was signed by the local priest, that came out of the parishes of the local priests in Quebec, and that was the only record of the actual birth in Quebec until well into the 1960s and 1970s.

As a country, the federal government needs to get a serious handle, and one way of getting this serious handle is to have people apply for this document, and in fact they will be required to do so when other jurisdictions request them. If the United States comes to the point that they fear terrorism from our border—and I don't know why they would, but if they ever came to that position—I would think they would demand such a document. We had better be prepared as a country to either accept that or to stop travelling to the United States. I would ask the minister to deal with his federal counterparts and to talk about this as the solution to the problem we are facing post-September 11.

I would also ask the minister at the same time that he is doing this to ask his colleagues in cabinet why Ontario is the only jurisdiction of all of the provinces in Canada that has not signed an accord on immigration. We are the only one. Although section 93 of the British North America Act quite clearly states that immigration is one of the shared jurisdictions between the federal government and the provincial governments and in spite of the fact that every one of the other nine provinces has signed an accord in that regard to deal directly with the federal government on the issues of migration, on the levels of immigration, on all of the forms that are used in immigration, Ontario has not done so.

I would think if Ontario is serious about our borders—and I've heard the Premier speak about this, I've heard various ministers on the opposite side speak about this—about having a seamless border, about having a circumference that's guarded from the outside and any other number of descriptions, we have not done what is absolutely necessary for us to do, and that is to sign the accord with the federal government and get involved in the immigration business. Certainly the province of Quebec has been involved in this since the 1960s. The province of Quebec chooses its own immigrants, has its own grid, has its own immigration department. Ontario has none of those things. If the government is serious about this, then it is something that needs to be looked at far more than simply tightening the birth certificate rules.

That brings me to my last problem. I ask the government to think in the future, because, as I said, we are not opposed to the direction the government is heading in, but this has not been well thought out on a number of fronts. The last item I ask you to think about is the problem of people who, for whatever reason, continuously lose documentation. One of the things they might continuously lose is a birth certificate. In my former job—this was in between Immigration and today—as a councillor in the city of Toronto, we often had to deal with the problem of homelessness and the problem of providing for the homeless. One of the problems that came up most often was that homeless people tended to lose their documents. When they lost their birth cer-

tificate, when they lost their welfare card, when they lost something else and they had no habitual residence, it was extremely difficult, almost impossible, for them to trace the necessary steps in order to get the documentation which would allow them to go back into the system and to be helped. They couldn't open a bank account; they couldn't access their bank account; they couldn't apply for welfare; they couldn't apply for housing; they couldn't be on the list. They had no documentation. It would literally take social workers sometimes weeks or months to get them together, to get the necessary documentation to retrieve it, only, unfortunately too often, to have it lost again.

We need a system where there is a permanent record. We need a system that can be used in such a way, for people who sometimes through their own fault or sometimes through no fault of their own because they are singularly incapable of dealing with it, that the information is readily available. One can expect that it would be lost from time to time, more often than not. The minister needs to turn his attention to that for future legislation in order to help the plight of those who are incapable of looking after themselves.

Mr Minister, members opposite, and those watching on television, that's the nub of what I wish to talk about today. Again, we have some very serious reservations with the bill, but we have to state from the outset, and I did, that we are going to support the legislation because it does a number of key things that are proper and that need to be done. Number one is to tighten up the legislation. Number two is to make sure that people do not have multiple copies so it can be abused. I'm not thinking about abuse by terrorists or those who smuggle themselves across borders, but all kinds of abuse, from credit card fraud to people drinking under age to any other thing that these birth certificates have been used for in the past.

We need to have a system which is regulated, similar to that for passports, and I commend the minister for that. We need to put some integrity back into a system which for too long has been sort of "over there" and has not been looked at in a proper way.

I think that would be the nub of my statement for today. I am going to leave the balance of my time to my colleague Mr Kormos, who will be here shortly.

As I said, we will be supporting this legislation. We thank the minister for bringing it forward. We hope, in an effort to look at the constructive criticism I have tried to provide today, that he will look further down the road to bringing some necessary amendments back to this legislation, will look at other areas where we can tighten and secure the future and the integrity and safety of the people of this province, and look further down the road to working with his colleagues in Ottawa to make sure that any abuse that has ever been part of the birth certificate system is fixed not only by what he has done here today, but in many other ways that are directly related to it.

Mr Joseph Spina (Brampton Centre): At the outset of my comments, I want to thank members of the

opposition for their constructive criticism. It's always of value to have your comments.

Before he goes too far, I want to also thank my minister for his kind words in his tribute to the work I did on this bill. I appreciate it, Minister. Thank you.

Perhaps for some wonderful guests who are in our gallery here today, Bill 109 is the Vital Statistics Statute Law Amendment Act, which has to do with the security of documents and specifically with birth certificates. It's to amend the Vital Statistics Act to strengthen the protection of the integrity of vital statistics documents.

1620

This legislation will improve service so that Ontarians can register, and get certificates for, the most important events in their lives in a secure and reliable manner. The security measures proposed for the issuance of birth certificates are necessary to protect Ontarians and their families against identity theft and other criminal activities. These new security measures are responsible and they are prudent.

Most of these changes have been in the works for some time. In fact, a security audit was undertaken last year, which prompted the implementation of several security measures. With this bill, we are accelerating those remaining measures.

Birth certificates are the foundation documents relied upon by other governments, other law enforcement agencies, to establish proof of identity. A birth certificate is one of the documents required to cross a Canada-US border, and also, of course, to allow you to get a passport for other countries. It allows you to obtain a social insurance number. A fraudulently obtained birth certificate really facilitates identity theft. That's what we have to make all efforts to try to eliminate.

This government is giving top priority to improvements that will significantly strengthen the security of birth certificates and provide better tools for preventing and for detecting fraud. Our government wants to protect the security of all of the people of Ontario and to crack down on identity theft. We must adopt these new security measures to protect Ontarians and their families and to see that Ontario remains one of the safest jurisdictions in the world. Citizens of our province deserve no less from their government.

This bill would also limit the number of certificates and certified copies of registration issued to people born in Ontario. I have to tell you that I, as an individual person, really did not understand or appreciate the fact that people could obtain multiple copies of their birth certificate in this province prior to this bill being introduced. I was astounded. Why would people want multiple copies of their birth certificate? But nevertheless, that was the case. This bill limits the number of certificates and certified copies issued to Ontarians. Not more than one certificate and one certified copy of a registration will be issued in respect of a birth, with certain limited exceptions.

Public and private sector organizations rely on birth certificates as evidence to access programs and services.

There is a restriction on a number of other documents, such as an OHIP card, social insurance card and passports, an individual could obtain. Someone other than the legitimate holder could use a birth certificate to gain access to these programs and services fraudulently, and I know many people in our province have heard of or know of an instance where this has happened.

A new fraud protection and detection mandate for the office of the registrar general, acronymed ORG—government gets caught up in acronyms—would include limiting the number of individual certificates that may be issued. It would increase stakeholder confidence in vital-event information and documents. This would also make identity theft using birth certificates not only more difficult but in fact a prosecutable crime.

This bill allows the registrar general to limit the number of certificates and certified copies of registrations that may be issued in respect of any change of name, death, stillbirth or marriage. Effective immediately, the office of the registrar general will be tracking the number of applications received for an individual birth certificate.

This legislation requires people to report lost, stolen, destroyed or found certificates to the registrar general of Ontario. If a person finds a certificate or a certified copy of a birth registration, he or she must notify and forward to the registrar general or deliver the document to the police or to a lost-and-found service. Lost or stolen certificates can be used by someone other than the legitimate holder to assume someone else's identity and we cannot allow that to happen.

This legislation will enhance the ORG's ability to proactively combat fraud, will provide a legislative requirement for people to notify their registrar general of the loss, theft or destruction of their certificate immediately upon becoming aware of it, and will assist in the development of appropriate channels to report lost or stolen certificates.

The legislation allows the registrar general to deactivate certificates and certified copies of registration if they have been reported lost, stolen, destroyed or found. That's something fundamentally new. The originally issued birth certificate can and will be deactivated upon being reported as lost or stolen or destroyed.

Deactivating these certificates would reduce the opportunity to commit fraud and identity theft. Other documents issued by government are then cancelled or deactivated; for example, a health card. The public is and should be concerned about lost or stolen certificates and will be reassured, and are being reassured, that these certificates have been cancelled.

The legislation allows the registrar general to obtain and share information when there is suspicion that a person is making or may make improper use of any document that has been or may be issued under the act. The new act requires a signed statement from a guarantor, similar to what happens when you apply for a passport document. A guarantor is a person who has known the applicant personally for at least two years and is confident the statements made by the applicant are true.

What other qualifiers would this guarantor require? The guarantor must also be a Canadian citizen and be available in the event further confirmation is required by the registrar general. The list of potential guarantors parallels the list of guarantors used to obtain a passport, such as a dentist, medical doctor, nurse, chiropractor, judge, magistrate and justice of the peace. I'll name the rest of them, but the key element is this: the exception is that MPPs may also be a guarantor for a birth certificate application. That is different from that for the passport. Police officers, whether they be municipal, provincial or RCMP, can be guarantors. So can a lawyer, a member of a provincial bar association, a mayor, a minister of a religion authorized under Ontario provincial law to perform marriages, a notary public, an optometrist, a pharmacist, a principal of a primary or secondary school, a professional accountant of the various designations—APA, CA, CGA, CMA or RPA—a professional engineer, a senior administrator in a community college, and that includes CEGEPs, a senior administrator or teacher in a university, a signing officer of a bank, *caisse d'économie*, *caisse populaire*, credit union or trust company, and last but not least, it also includes a veterinarian, a doctor of veterinary medicines.

A new amendment to the bill, one I think the opposition provided, provides that guarantors cannot charge a fee for their services. I think that was a very legitimate recommendation made by both opposition and some government members. It was a worthwhile amendment made to the bill, that these guarantors cannot charge a fee for this service.

The bill also amends the current legislation to expand the list of persons who are bound by secrecy provisions. The act contains provisions to increase fines to \$50,000 for individuals, \$250,000 for a corporation, and/or to impose a jail term of up to two years less a day for people who defraud the system. That is a substantially larger penalty than has been there in the past for misuse or defrauding, based on birth certificates that were incorrectly, improperly or fraudulently used.

1630

Everyone, I think, will agree it is difficult to put a price on safety and security. Given the value of vital documents, we want the maximum fine to reflect the level of care consumers must take with these documents. We recognize that not all situations will result in charges being laid or in maximum fines. However, the value of vital documents must be stated clearly, and therefore the fines must reflect the care we must all take with these documents. Protecting vital documents is essential if we want to protect the freedom of the people of Ontario.

First and foremost, Ontarians can help protect themselves, not through any miracle of technology but through simple, sound, day-to-day practice. We know that many people carry their birth certificates in their wallets at all times. I can tell you that I was one of those. I say "was" and I'll share with you why. We strongly advise ending the practice of carrying your birth certificate in your wallet. Why? People should keep vital

documents in a safe place and only carry them when they are absolutely needed—when you travel, for example, or to make application for a passport or some other important activity. So keep your birth certificate, I say to people at home and here in the gallery, the original document, in a safe place. If you need it for reference, take a copy for your wallet and only use it if you're using it to cross the border or applying for your passport or other necessary elements.

A lesson we sadly learned is that the crime of identity theft can be used to cover many kinds of illicit activities. The last thing we want, as any person in the society we live in, is that our document be used fraudulently to create a whole other identity for some other person who is not ourselves. That's what we want to stop.

As much as we wish that the tragic events of September 11 had not happened, they have forever changed our time. While we have no evidence that Ontario vital documents have been misused to assist in any acts of actual terror, we believe it is prudent to move quickly to increase security on these vital documents.

We believe the fundamental rights to security and freedom start with the assurance that people are who they say they are. Bill 109, this bill, is a large step in the right direction. This legislation will better protect the people of Ontario. As the Minister of Consumer and Business Services, the Honourable Norm Sterling, mentioned, some constructive suggestions have been made during clause-by-clause review and have been added to the bill to make it more efficient. The regulations that follow this can make it an even tighter and better and more effective bill.

This legislation is a good balance to keep open a society such as ours, while protecting it from potential harm. For this reason, I ask and am proud to ask for support from the members of the House for this bill—which we seem to have—but also from the members of the public, who I think and I hope will appreciate the fact that this bill will help make it safer for all of us as individuals so that we can continue to be who we actually are and to continue to ensure that other people will not rob us of the most important element of who we are: our identity.

Mr Joseph Cordiano (York South-Weston): I am very delighted to speak to this legislation, a piece of legislation which we wholeheartedly support, naturally, because we originated this legislation on this side of the House. It was the member for Ottawa South, the leader of the official opposition, who, when questioning the minister some time ago about the possible breach of security that would be permitted, given the lax nature of obtaining birth certificates—when we were alarmed about that, the leader of the opposition asked a question in this House of the minister. We're delighted to see that legislation is resulting from that questioning on that day.

Come to think of it, there have been quite a few bills that have originated from this side of the House. My good friend the member for St Paul's put forward a private member's bill on toy gun legislation. The gov-

ernment saw fit to adopt that. The member for Sudbury put forward a bill dealing with the concerns around teenage prostitution. The government also incorporated and included that in its legislation and made law. I think of another time when I brought forward intercountry adoption legislation and the government saw fit to use that legislation to bring about changes for intercountry adoptions. Unfortunately, they didn't go all the way. They imposed a \$925 head tax which we still find very offensive. I think they should eliminate that head tax. As well, my good friend the member for Brant, Mr Levac, brought forward a proposal to have all municipalities have emergency plans and train their employees in emergency situations. I think the government is moving forward on that idea as well.

As an opposition party, we've been very proactive and we have put forward a number of innovative ideas for legislative changes. It's good to see that the government is moving forward on those. The only thing I would ask is that we get some credit for it. After all, we brought forward some of those initiatives. Certainly with respect to this bill the leader of the official opposition has to be given some credit for alerting the government to this problem with regard to birth certificates and how they can be used, how easy it is—or it was, before this legislation—to obtain a birth certificate simply by making an application and stating—there were simple questions, such as date and place of birth, mother's maiden and married names, father's name, and name of applicant. That's all that was required to obtain a birth certificate. We saw that as a glaring omission on the part of our process of obtaining a birth certificate, a very essential document which does make fraud very possible.

As was stated by other speakers earlier, a birth certificate is the basis for other documents. It does establish a person's identity in our society. It is a vital statistic, so therefore we're delighted to see that the government has taken this initiative to tighten up the measures around obtaining a birth certificate.

1640

The events of September 11 unfortunately have profoundly changed our world. We have a less carefree attitude, and that's not a good thing. It's not something we can change, however. I can recall, when I was first elected in this Legislative Assembly, that there wasn't even the kind of security we see in this building that exists today. Back then there were very few checks on who came into this building. There was freer movement of people coming and going. There were no passes required. There was very little screening of anyone coming into this facility. That was a different time. It was 15, 16 years ago that we're speaking about. Of course, I've aged since then and I've been here for that long, but I think it's within a short period of time that we speak of when we say there has been profound change as a result of the events of September 11, and things have changed progressively over the last number of years where all institutions have had to tighten up their security measures. That is an unfortunate thing.

Around the world we are seeing the rise of extremism. That's what's causing what I believe to be an encroachment on our freedoms and our liberty: our freedom of movement, our freedom to go about our business in a carefree kind of way. That's no longer possible. So we have to take these measures with respect to tightening up security, tightening up the process for documents that are essential. These are very vital documents that form, as I say, the basis for all other documents.

But I think the government hasn't gone far enough. I can recall just a short period of time ago when there were all kinds of health care fraud being committed, to the tune of at least \$500 million. I was chairman of the public accounts committee in this Legislative Assembly; we dealt with that matter. Health care fraud was a growing concern in the early 1990s. People were obtaining health cards at an alarming rate. There was no accounting for the number of cards that were out there among the public. This became a huge, huge problem: cross-border shopping of health care services in Ontario by people coming across the border and accessing our facilities, which they had of course no right to, legally. Again, there were problems with other types of identification.

I think the time has come to go beyond just these measures with respect to birth certificates. I believe it's important for the government to look at new technology and incorporate that for all of the documentation and all of the identification needs of the Ontario public. It's important that we begin to incorporate some of the smart technology that exists out there, and maybe look at biometrics to be incorporated for identification purposes.

Some of these do have some controversy associated with them, but we now live in a different time with a different set of circumstances where I believe it is important for people to clearly be identified as to who they are, whether it comes to accessing health care services, whether it comes to birth certificates or passports. We need to establish a better identification system in this province, and smart card technology would help us to do that.

Currently, Ontario hospitals still issue their own health cards for the purpose of visiting one of their facilities, and there is duplication. You could have records at one hospital and then records at an entirely different hospital, if you visited different hospitals. There isn't the capacity in the system currently for the health care system to have an integrated information system so that information could be easily accessible by health care workers who may be required to look at that information that's vital to them. So I believe that all of this should be dealt with through smart card technology and therefore we can clearly identify individuals who are accessing health care. There was fraud in the past, and I don't believe we've done away with it entirely. There continues to be identification fraud with birth certificates and the like, so I think that is something that needs to be examined in due course by this government.

This legislation, as I say, goes quite a way toward making the changes that were suggested by the Leader of

the Opposition. The idea of requiring a guarantor to corroborate and identify an applicant is a good idea. That does not seem to be too onerous a burden to be placed on any citizen. It should be easily accessible for people in a community to go to the various individuals—that includes school principals, doctors, lawyers, university professors, nurses and ministers—who would qualify to be guarantors, just as you would be required to have a guarantor sign your passport application. All of us are familiar with that, and I believe that is not too onerous a requirement.

The requirement to notify the registrar general when a birth certificate is lost or stolen: that too is probably not too onerous a task. I can recall having lost my birth certificate some time ago, years ago, and being required to apply for another birth certificate. I suppose that information is useful. It's centralized information, and the registrar general can keep track of that. That's a good thing. We are concerned, however, that an amendment be made to the act to give an individual the right to a hearing if a birth certificate is lost or stolen—in that case, the cancellation of a birth certificate must not be conducted automatically—that a hearing be held, and that person have a right to a hearing if so requested by that individual. That amendment should be made.

We're also concerned that an amendment be made with respect to removing the discretion of the registrar to decide whether a party has an opportunity to be heard so that the registrar does not have that sole discretion. We want citizens to have the right to be heard and not give that discretion entirely to a registrar. That is very important, because we don't want the cancellation of birth certificates to occur without a hearing, if that hearing is requested by that individual.

Further, an amendment should be made to prohibit the use of disclosed information for commercial purposes. We don't want anyone to profit from the sale of the information that is gathered. That just wouldn't be the right thing to do.

We believe there is enough protection of privacy under the act: that the registrar general collects this information from institutions and that the collection and retention of this information is covered under the Information and Protection of Privacy Act.

In addition, there are additional fees. The minister has spoken about the fact that there will be some time required for new security procedures to be put in place, and he's talking about an additional \$5 million or \$6 million that will be spent to make these changes. I hope that the new fees will not be exorbitant.

I suggested to the minister as a practical matter that somehow these cards that are issued be made of a different material. It may seem like a minor problem, but I know that my children, for example, apply for a great many undertakings—going for various lessons or joining different teams—and it's often required that they produce a birth certificate for those types of activities. These cards are easily consumed. They are very flimsy cards. They are not very durable. I think that is a very minor

problem, but I'd like to raise it because my wife has often repeated her irritation at the fact that these cards are falling apart, and that's an important thing, particularly for children. I think the minister needs to look at that. It shouldn't cost a great deal of money to have these cards made of some more durable material so that they are longer lasting.

1650

Having said that, I hope that the minister does not impose extraordinary fees for applying for an additional birth certificate. God knows, this government has imposed additional user fees of all kinds. Currently there is a great temptation by this government to increase its revenue base, because we know of their lust to cut taxes, which is entirely inappropriate at this time. With the advent of a new tax cut in the form of a \$2.5-billion corporate tax cut on top of the personal income tax cuts to the tune of another billion dollars, not to mention the fact that there is an additional \$300 million being taken out of public education to support privately funded schools, is a lot of money that's being taken out of the coffers of the finance minister right now.

I know these additional security measures, along with the additional measures that need to be taken by this government to ensure we have access to the borders so that trade may continue to be foremost in our economic activities, are very vital to Ontario's economic health. We cannot permit anything to get in the way of our future economic growth, so security measures like this are very important.

I have to say that the government moved very quickly on this, I think partly because of the low cost involved here. There isn't a huge cost associated with making these changes, but there are other measures that the government needs to take. Infrastructure spending is very important. We've also called on this government to deal with the road in Windsor, Church Street, leading up to the Ambassador Bridge. It is a nightmare to get through. There are traffic lights leading up to the bridge to enter the United States. It is unbelievable that we should have a situation where that is not really a highway with unrestricted, unfettered access to the border. Those changes should be made by this government. That road should become a highway. It should be unfettered access; there shouldn't be stop-and-go traffic there is on that stretch of road going through the city of Windsor. That is causing all sorts of delays and only contributes to the delays at the border.

We believe that type of investment is important. When we talk about spending on infrastructure to improve our economic efficiencies, that's a very reasonable proposition we've made as an opposition party. I suspect the government has looked at that, and it costs additional dollars. But that's the sort of investment that should be made, rather than cutting taxes at the present time.

We're talking about a \$2.2-billion corporate tax cut. I venture to say that many corporations will not be making a profit this year, unfortunately, or next year. I hope that's not the case, but the prospects are that the economy

is slowing down. So many of these corporations will not be paying corporate taxes and, as a result, will not be able to take advantage of that corporate income tax cut. What it really means is that there isn't going to be a stimulative effect for the economy. It really means that this money will not go toward that cut in taxes.

I think the government will have additional revenues that may not be spent as it foresees. So those monies, those revenues, should be put to work on infrastructure, such as building unfettered access to the Ambassador Bridge in Windsor and shoring up additional roads along the way and other kinds of measures that need to be taken to have unrestricted access to the border. That's the focus this government needs to take. At the present time, with respect to the economy slowing down, that is the kind of investment we need in Ontario.

I'll share the remaining time with my other colleagues.

The Acting Speaker: Further debate?

Mr Peter Kormos (Niagara Centre): As has already been indicated, we support this legislation. We have some misgivings, as have been indicated to you, by virtue of the—

Mr John Hastings (Etobicoke North): So you won't be supporting it, I guess.

Mr Kormos: We're going to support it. We're not only going to support it, we're going to support it at 6 o'clock today. There's a vote tonight, at 6 o'clock, and I suggest to you that somebody sneak out and let the whip know that there's going to be a need for all Tory backbenchers to be here in their caucus. Until my office notices, by virtue of monitoring the television, I have no briefing notes whatsoever with respect to this. I'm going to speak to the bill in the broadest terms and tell you why New Democrats are supporting this amendment to the Vital Statistics Act.

Do I need briefing notes? What in the world would I need briefing notes for? Why would my staff guarantee that the briefing notes on this obscure and rather dry piece of legislation are here in front of me? I haven't got the slightest idea why my staff would—

Interjection.

Mr Kormos: Vital statistics is incredibly dry. But it's lively stuff; it's all about the births of children and it's about the sort of things that we're compelled—not compelled, but the fact is that more often than not we're eager to file with the government to ensure that there's a document there. We were talking the other day about archives. You remember that, Thursday morning? As a matter of fact, the member from Perth was talking about archives, recognizing the role that archivists—

Interjection.

Mr Kormos: The member from Perth, whom I like—need I say more? I don't want that to be used to his disadvantage, by any stretch of the imagination—brought forward a bill on Thursday morning, using his hour during private members' public business, with respect to archives. It passed with all-party support. I hope it winds its perilous way through some speedy committee work, very speedy, so it can perhaps—I think one of the

interesting things that would happen at committee would be some presentations from people doing archives. Again, I'm talking about vital statistics, because the records that are kept by vital statistics are, among other things, an important part of the archival resources of the province.

One of the things that the member from Perth mentioned in his bill about—and this isn't in my briefing notes. I know it's not in my briefing notes, because I don't have any briefing notes on this act before me. You see, when it's areas in which I have—I wouldn't dare call it "expertise," but let's say "familiarity," I have no need for briefing notes. In areas around vital statistics, like, I suspect—and I'm not sure whether any other members of this chamber stood up and spoke to this significant bill without the benefit of briefing notes. I suspect not, and I wouldn't expect them to. This isn't the sort of thing—

Interjection.

Mr Kormos: That's right, it isn't the sort of thing that we're involved in professionally. But I do want to speak to the archival need and the archival interest that's embraced by the Vital Statistics Act. In view of the fact that I don't have any briefing notes, not one, not a single reference to this bill, and my colleague Mr Prue from Beaches-East York was so generous as to give me more than half the time allotted to our caucus, 28 minutes rather than the 25 or 20—I would have been more than prepared to have let the member for Beaches-East York utilize a far bigger chunk of the time. He's got things to say; I'm sure he does. For him to have cut himself short to accommodate me in most circumstances would have been perceived as a gesture of such grand generosity. In these circumstances, I'm not sure that my colleague from Beaches-East York was demonstrating generosity or whether it was an aspect of Mr Prue that I hadn't encountered before and certainly hadn't expected of him.

1700

This reminds me, there's a story, and it has acquired urban mythology. The first time I heard it was back in the late 1960s, early 1970s. It was an American congressman or senator who was known for his slothfulness when it came to doing his preparatory work. He was going to deliver a 10-point speech at Madison Square Gardens, some huge venue, on his 10 points to end the war in Vietnam. He had acquired this reputation of laziness among his staff, who resented the fact that they worked incredibly hard writing speeches—because, yes, when you're a senator, people write speeches for you—and he wouldn't even open the briefing book until he got to the venue.

So he flew from Washington or New York or took the train, perhaps, with his briefcase and with the elaborate folders that even cabinet ministers get containing these sorts of speeches, his 10-point plan to end the war in Vietnam. There was a huge crowd in Madison Square Gardens, and he stands up and he's going to be the hero of the day with this novel approach. He opens his book and there's page 1, and he goes to the speech and he says, "On point 1," and he reads that. Then he turns the page to

point 2, and the page is blank, but somebody has handwritten, "Now you're on your own, you SOB." I feel a little bit like that senator today, right here and now.

Ms Marilyn Mushinski (Scarborough Centre): I'm being entertained.

Mr Kormos: Ms Mushinski finds this very humorous. I understand why she would find my discomfort rather pleasing. This may have made her day.

But the archival value: one of the things that's important when considering and contemplating the Vital Statistics Act and the types of records that we keep—and of course, as you know, the whole procedure, the whole operation, was moved up to Thunder Bay. I've got to tell you, I have met many of the staff up there. The Thunder Bay operation is staffed by incredibly hard-working, committed people, and they are getting Purolator packages—Purolator more often than not—from our constituency offices and, I'm sure, everybody else's. One of the things our constituency offices do is—I'm sure all of ours, everybody—you inevitably get the last-minute phone call from good folks who have worked hard to earn a vacation. They're going to Mexico or whatever and they say, "Yikes, we don't need a passport, but we need a birth certificate," and they discover, my goodness, there is no birth certificate. So what you do is you zip off, you fax the request for a birth certificate, you Purolate a hard copy of it up, you give the people up there a phone call and you've got incredibly prompt, responsive service.

One of the other things we do is help people who have lived all their life with a particular first name and surname but their birth certificate similarly all their life has contained a misprint, an incorrect spelling, and they finally decide, "Heck, I want to get this cleared up and corrected." One other thing our constituency offices do is help folks like that who want to simply update or correct their birth certificate.

I have no issue with the fact that there's a strong need for integrity in the Vital Statistics Act area. There's a strong need for the system to be secure. One of the scams, as we've known it for a long time, is people improperly applying for identification that isn't theirs. It's used by fraud artists; it's used by people running from the law, if you will; it's used by people for any number of nefarious purposes. That suggests and confirms an incredible need—here's Mr Phillips. I'm not sure he has any briefing notes for me. My staff shouldn't rely on Mr Phillips to bring briefing notes. My staff should please bring them down here so that my comments on the Vital Statistics Act will be specific, rather than broad, will be narrowed down to some very pointed criticisms, as I am wont to do so often. I'm sure the briefing note, were I to have it—

Interjection.

Mr Kormos: We'd better hope this isn't 17 hours. If I had the briefing notes in here, on my desk, I would be able to speak with specificity about the two issues in this bill that have been raised by other members of the New Democratic Party caucus, in terms of areas of concerns.

Once again, we support the legislation, which is why our critic, David Christopherson, said that when he spoke to it on second reading, and similarly, why we're acknowledging that this debate can end today.

Look, here we are. Not every member of the caucus is going to speak on third reading. This is third reading this afternoon. Mr Prue is going to speak to it and I'm going to speak to it. We've obviously got seven other members of caucus. That would protract this debate over a lengthy period of time. We're not going to be dilatory, nor is our strategy dilatory, around this bill, the Vital Statistics Act, Bill 109.

But understand, Speaker, that while from time to time there is legislation, because it is so straightforward and to the point—I don't need the briefing notes that my staff neglected to give me and/or put on my desk. I'd like people to think that, but it would be so nice if my staff, or somebody from the caucus office, were to bring briefing notes down here so I could speak to those two issues of the Vital Statistics Act about which the New Democrats have concerns, notwithstanding that we're going to support it.

Does Bill 109, the Vital Statistics Act, require that every member of caucus speak to it? No. Other members are quite prepared, almost by proxy, to delegate that responsibility—in this case, to Mr Prue and to myself this afternoon. There's going to be a vote at 6 o'clock. I'm confident that every member of the House is going to support the bill. I'm confident it's going to be a voice vote. There's no need for a recorded vote; that's a given.

But why, in the name of fairness and justice, would anybody want to abbreviate debate around the Ontarians with Disabilities Act, for instance? Why would anybody want to restrict the rights of members to speak to such an important piece of legislation—I'm talking about the ODA—which is the subject matter of so much concern and criticism?

We don't mind basically abbreviating our remarks to the Vital Statistics Act—because there's a general consensus here—but for the fact that in this bill the registrar general is empowered to share information with, listen to this, “any agency, board, commission, corporation or other body, inside or outside Canada.” Understand what the powers are here that are given to the registrar general. It, in effect, overrides the Freedom of Information and Protection of Privacy legislation. You heard earlier how I talked about the need that our record-keeping, our data-keeping, our information-keeping be secure, be maintained at the highest level of integrity. But here we have a bill wherein the registrar general—that's the person who's in charge of all this stuff—is empowered to share information, any information it has—birth, death, change of name—with any agency, board, commission, corporation—understand this; that clearly implies private sector corporations—or other body, and not just inside Canada but outside Canada too.

1710

I know the American people are our friends, but I'm not ready to surrender the integrity of our institutions,

like the institutions around the keeping of those Vital Statistics Act records. I'm not sure the door should be opened to them by way of the empowerment sections in this particular bill.

These matters were addressed at committee and the concerns were addressed at committee. Regrettably, the government members did not see fit to respond to the concerns that were expressed very articulately about the capacity of the registrar general, the person in charge of all these statistics—the government members clearly weren't sufficiently impressed or were compelled to reject them.

The other concern we have is that the registrar general may cancel a birth certificate and there's no requirement that the person whose birth certificate is cancelled be informed, and therefore no opportunity for them to appeal the decision. We understand the government's argument in that regard. We understand the rationale given by the government. The government says that a criminal using a fraudulent birth certificate may use it to travel to and from, across the border.

Mr Ted Chudleigh (Halton): On a point of order, Mr Speaker.

Mr Kormos: Is this a quorum call?

Mr Chudleigh: I was going to call quorum, Peter, but I have four guests with me: Sandy and Rick Morrow, and Darryl and Trudi Demille. I brought these people all the way from our great riding of Halton. We came in, Peter, when you were speaking and we kind of hoped you'd put on a show for us, but you're really kind of falling a little flat today. Maybe you could pick it up a bit for the sake of my guests. Thank you very much, Mr Speaker.

The Acting Speaker: We welcome you to our Legislature this afternoon. That was not a point of order.

Mr Kormos: But Speaker, it's a point well made. It may not be a point of order, but it's a point well made. I tell the member, Mr Chudleigh, who's from Halton, that I'd be more than pleased to accommodate him, but you intimidate me, Speaker. The last time I was speaking in front of you, of course, you know I went to great lengths to criticize Dalton McGuinty and the Liberal Party for continuing to exclude Madame Boyer from their party. What did I get for my efforts to come to the support of the citizens of Ottawa-Vanier who have been denied their effective representation here in the chamber? I had the minister of what was formerly consumer and commercial relations stand up on a point of order and say, “The member for Niagara Centre has no right to speak to that.” That was the government member who stood up and tried to gag me, tried to control what I had to say. I was quite frankly speaking very much in context. You'll recall the bill. I was speaking about the need to debate legislation.

I'm pleased to join the member for Halton in welcoming his guests. They will undoubtedly return home and talk about how this chamber is a hotbed of heated debate, that score upon score of members of the provincial Parliament are at their desks listening carefully to the matters being discussed. They're undoubtedly going to—if the Speaker's starting to stand up, I'm going to slow down. OK, thank you kindly, because—

Mr George Smitherman (Toronto Centre-Rosedale): He's stretching.

Mr Kormos: No, as I say, I was going to tell you, what happened when I was prevailing upon the Liberal caucus to return Ms Boyer to their caucus, was the Speaker went after me. The Speaker chastised me. He admonished me, to the point where I walk into this chamber now with trepidation, Speaker, when you're in the chair.

Mr Michael Bryant (St Paul's): Just speak the truth.

Mr Kormos: Look, I am so nervous about remaining so fine-tuned and on point that I may well have lost some of the broader perspective around any number of issues that come here.

Mr Chudleigh: And the fire in the belly.

Mr Kormos: And, yes, member for Halton, has that cramped my style? Yes, the Speaker's rulings have cramped my style. Far be it from me to challenge the Speaker, because I have highest regard for the Speaker and I respect him. But if the truth be known, he's been cramping my style as of late.

I've been doing my best to stand up in this chamber and address as broad a range of things within the ambit of one particular piece of legislation as possible, but my wings have been clipped, if not broken. I'm sure they'll recover, though there might be some scarring. But in short order I'm confident that with the right kind of mental attitude, I can be back in full flight—and maybe if from time to time the Speaker would cut me a little slack. That's all I ask for: just cut me a little slack.

This is supposed to be a place of debate. Look at all the people here. Look at all 103 seats occupied by the members of their respective ridings, actively participating in this oh-so-exciting debate about the Vital Statistics Act. Some of these members could well have been on their way home by now. But no, they're not going to go home; they're going to stay here until 6 o'clock. Some of these members could well have said, "Ah, it's 5:00, 5:15. I might as well start cleaning off the desk and getting ready for my long weekend: Thursday, Friday, Saturday, Sunday." No. Look at the members in here. Look at the people in this chamber listening to this oh-so-important debate. People are glued to their seats. People are rapt with attention. People are eager to stand up and rebut my comments.

Yes, people are making notes of what's being said. They're preparing their own speeches. Look, there are government members who could be relying upon the briefing notes prepared by their research office. No. Members are sitting here reading the Vital Statistics Act, every section of it, every page of it. They're referring it to the sections that it amends. Desks here are piled high with copies of the Revised Statutes of Ontario so that individual members can personally, intimately, directly assure themselves that what they're voting for is good legislation.

You haven't seen a chamber like this before in your life, Speaker. That's an understatement, isn't it? You haven't seen such enthusiasm about being here in the

chamber until 6 o'clock, on a Thursday yet, as you witness here this afternoon.

Members keep pouring in. The occasional ones who have to run out to do radio or television interviews or to rescue constituents from the clutches of this government's bureaucracy or its tentacles are now coming back in because they've done their task out there for their constituents. They're eager to get back into this chamber and engage in the debate.

This is a place of—well, quite frankly it's a place of oratory. I sit here when other members are speaking and I'm just amazed and impressed at the oratorical skills of every single member in this House. There isn't one member in this chamber who couldn't deliver a one-hour speech off the cuff and at the very least appear to make it seem somewhat relevant to something.

After I finish speaking—my goodness, I only have four minutes left—then it's going to be a Conservative backbencher's opportunity to speak. I'm going to sit here listening and waiting for some enlightened and novel interpretation of Bill 109, one that hasn't been expressed yet. I know that all these people sitting to my right and all these people sitting in front of me will be doing the very same thing. We will be looking for that enlightened, novel, unique perspective being delivered that may cause us all to pause.

1720

Earlier today we agreed that this debate was going to carry on through the afternoon, with a vote at 6. There could well be a government member stand up and seek unanimous consent for the debate to continue on to the next day. Ms Mushinski might stand up and say, "No, because of the revelations of one of my colleagues"—one of her own colleagues—"we cannot terminate the debate on Bill 109 today. This warrants more debate, more consideration," perhaps unanimous consent to refer it back to committee, perhaps unanimous consent merely to carry on the debate to ensure that every government backbencher, every one of them, has a chance to speak to this bill.

I want to tell you, the government House leader was troubled by the fact that she was plagued by the number of people who wanted to speak to this legislation. She was. We were at a House leaders' meeting this morning. The Minister of Education, who is also the House leader, who is also an enthusiastic advocate for her choice as leader of the Ontario Progressive Conservative Party, and who, I must say, has joined the majority of her cabinet colleagues in caucus in doing so—that's not to say other leadership candidates don't have support. Mr Clement has support. One of his supporters is here from the caucus; the other two are not.

Interjection.

Mr Kormos: I'm sorry; all I know is what is read in the papers. Mr Clement is here. One of his supporters is here, Mrs Molinari; the other two aren't. That's because they're outside attending to emergency critical business with their constituents. They haven't left for the day. No. They're not sitting in a House leader's office or in a

caucus room eating popcorn and drinking cold milk. No. They're out there doing important work for their constituents and I'm confident that every one of them is going to be back here at 6 o'clock to show their support for the bill.

One of the things this government fears most is quorum calls. You ought to see the scurrying that goes on out there, because when there is a quorum call, I'm out there in the hallway too, trying to find government members so they can get them in here. I feel like I'm doing their whip's job, because a quorum call forces me out into that hallway looking for government members, because far be it from me to want the House to effectively fall, not for the purpose of ending the government's tenure but for the purpose of the day. I suspect right now if I moved a motion to adjourn there might well be majority support for it. You might well find government members saying, "My goodness, motion to adjourn sounds not shabby at all." Our American friends are enjoying Thanksgiving—is that yesterday or today?

Mr Chudleigh: Today.

Mr Kormos: Today. I'm sure there are enough people here with American family, with American friends, that they feel out of a sense of solidarity with their American sisters and brothers that they should be doing the same.

So there you go. I've laid it all out for you beyond any doubt. New Democrats are supporting this legislation. We have some criticisms of it; we wish they had been addressed—

Applause.

Mr Kormos: We've got 30 seconds, Ms Mushinski, and I need more than you applauding if it's going to make any effect or impact on the television broadcast.

Ms Mushinski: Don't hurt my feelings now.

Mr Kormos: No, one person applauding is only a little bit more than one hand clapping.

We're supporting the bill. I welcome the visitors to the legislative chamber this afternoon. I'd invite you to come back on a heated Monday, Tuesday, Wednesday question period where you'll see a slightly different ambience, sense a slightly different environment here.

Thank you kindly, Speaker. I appreciate the time to speak to this.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate. I must also say I welcome the Morrrows here as well. He's my old high school chum. We played on the same football team. It must have been 30 years ago now or so. We were at London Central.

I've often spoken about my old high school. I think when we first went there the president of the student council was David Suzuki, if I'm not mistaken. The president after him, I think, was Jerry Grafstein, who is the senator leading the delegation to New York next weekend which, incidentally, my daughter, grandson and myself will be going on. Anyway, I'm pleased to see the Morrrows here, although on the wrong side of the House. I know they are supporters of another party, but nonetheless are still good friends.

I'm pleased to participate in the debate on this issue. It's an important issue. My leader, Dalton McGuinty,

pointed out that there was a substantial problem in the issuing of birth certificates in the province of Ontario. It becomes particularly important when, if there isn't caution taken on the issuing of a birth certificate, it can provide someone who unlawfully or inappropriately gets one access to a whole bunch of things, particularly post-September 11, when all of our concerns about terrorism have been significantly heightened. So I'm very pleased that the government has chosen to come forward with some proposals to, we think, very much tighten access to birth certificates that will, by and large, prevent illegal and inappropriate issuing of birth certificates to people who shouldn't have them.

What I might point out to us is that what this exercise has proven, certainly to our party and I think the Legislature, is that there are examples now, as we move in the province of Ontario to obviously adopt technology, to "eliminate red tape" and to speed up the way we do business, all of which all of us should embrace and do embrace—we've always said, I think certainly in the Liberal caucus, that governments have to be able to change at the same pace as the rest of society. As our business communities and society are changing at an enormous pace, we have to find ways that governments also are able to keep pace. The governments of the 21st century—successful governments—are going to have to demonstrate that. But it does present some serious challenges for us. I will just use three or four examples to illustrate the problems with the broadly based access to technology.

As you know, there is a large number of organizations now that, if they get a licence plate off a car, are able to access who owns that car and where they live. I believe it's credit agencies and organizations like that that have access to that. It's a source of revenue, actually, to the government of Ontario. But then we realize it presents problems, for example, for our police organizations. Gangs and organized crime have been able to simply visit the parking lots of our police organizations, take down the licence plates of police officers, and track them down. For our police organizations that's extremely unnerving, as you might imagine. There's a police station just half a block from where I live, and they've now put a substantial fence around the parking lot to provide some security.

My point is this: the government, for a source of revenue, has sold access to that information, and in some cases that's quite appropriate. But we haven't thought it through well enough to know that it has some unintended negative consequences.

Right now we have enacted a law that says all people who work in our education system must be subject to a criminal background check. I believe that will be done, in the very near future, exclusively through fingerprinting.

1730

Police organizations are adopting technology now that says we'll do our criminal background checking on the basis of fingerprinting. What that inevitably means is that every teacher in the province of Ontario will have to be

subject to fingerprinting. So, again, when we debated that legislation here in Ontario, we did not do it within the context of our police organizations adapting modern technology, quite rightly, and they are moving very quickly to using not names and photographs but fingerprinting. As I say, the experience we had with the birth certificates should remind all of us of the speed with which we're moving.

We're debating the budget measures bill, I think it's called, and it's a very thick document. One part of that document is on the 407 extension, the 407 act, and as we look in that we find that the 407 corporation, a private corporation, pays the government of Ontario \$5 million or \$6 million a year for access to the driver licence information package. That is how they send bills to people. They purchase, from the province of Ontario, all the information on who owns what licence plate and what the address is. That was done deliberately here, but now we find that the 407 corporation is providing that information to US toll road owners. So what we thought was simply a fairly straightforward decision—that the province of Ontario will sell to the 407 corporation information for them to collect 407 tolls—has now gone one step further. That information is being used to help organizations collect tolls paid elsewhere. I use that as another example.

We've passed legislation here where now there's substantial cross-referencing of information between the federal government and the provincial government on income and things like that, but also among ministries now so that we have far more cross-referencing of information. I don't think the Legislature has spent nearly the amount of time we need to spend in terms of—as we move at this pace—aggregating our information and technology and, as we provide more and more access to that, and as we look to replacing humans doing these tasks with technology, we're running into these unintended consequences. One of them was this birth certificate issue, where quite clearly one could inappropriately access someone else's birth certificate with incredible ease. But that's just the tip of the iceberg, in my opinion.

I use one of the more recent examples where some of our police officers have found that organized crime and gangs have had totally inappropriate access to information on where they live and other information.

We had an example where a Province of Ontario Savings Office provided information to a polling company, giving the polling company virtually total access to people's accounts. They knew how much money you had, how much money you had invested in POSO. All sorts of personal, highly confidential financial information was put out to the public—when I say “the public,” put out to an organization, a polling company.

What should we be doing? The reason for this bill is really to patch up a clear, obvious problem. If I might add, it was my leader who pointed out the problem. The government at the time simply laughed and said, “That's not true. It can't be happening.” And sure enough, it did happen.

I can guarantee that this is merely the tip of the iceberg. I would hope the Legislature would begin to consider how we now take a more comprehensive view of this.

I can give you the more recent examples. We began debate less than 24 hours ago on this budget measures bill, and within that bill is a provision that allows the sharing of Ontario driver licence information with US toll road owners. I don't think we ever intended, when we sold that information to the 407 user, that it would be used that way. I'm repeating it, but when we gave credit agencies and others a chance to track down people simply by their licence plate, we never intended that organized crime or others could use that very same database to find out the home addresses of our police officers.

As we move to approve this bill, I would hope the government would consider how we now will take a more comprehensive look at this. As I say, we have approved a lot of legislation here that provides access to information, and often for very good policy reasons. For people who are delinquent on their payments of family benefits, we provide far more access to that now for information, making sure we understand the various cross-references between ministries. But I can assure us that in doing that, we are putting at substantial risk information that should and must be kept confidential.

I also repeat the example of the teachers. If you talk to people in the business of doing criminal background checks now, they will say that in the future that's all going to be done, not by names—and for obvious reasons. In fact, today the bill we're dealing with illustrates the reason why you can't do a background check on the basis of names, because it simply has been so easy to obtain an inappropriate birth certificate. But police organizations in the future will no longer be doing it on the basis, as I say, of names or photographs. Certainly in the near future, it will be done on the basis of fingerprinting. I gather that, longer term, there is even more sophisticated technology than that.

When we dealt with school security, we did not debate the fact that in the future all teachers in the province of Ontario are going to have to be fingerprinted. I don't think any of the teacher federations commented on it, that I can recall. Certainly I don't recall it being debated here in the Legislature. My point is that technology now has caught up in other areas and will impact it.

This bill has the full support of our caucus. It fixes a problem that my leader pointed out. But it raises another, bigger issue, and that is how we are going to collectively deal with the speed we're working with on technology and make certain that we have a coordinated approach to it. We have a special responsibility here because there are very few enterprises—none at all, really, that I can think of—that deal as comprehensively as we do and with such overlap, more so even than the federal government.

So I say to us, it's only a very short period of time before we're going to have more examples of this. I would urge the government, on a fairly urgent basis, to

have our civil servants look at all the other areas where we may find similar instances and begin to deal with this on a more comprehensive basis, rather than just on a piecemeal basis as problems are found out and we put a Band-Aid on them. We're far better to deal with root causes.

In any event, we will be supporting this bill and look forward to the vote on it.

The Acting Speaker: Further debate? There are no more members who would like to join the debate on this motion?

Mr Sterling has moved third reading of Bill 109. Is it the pleasure of the House the motion carry? It is carried.

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

Hon R. Gary Stewart (Minister without Portfolio): I move that the House do now adjourn.

The Acting Speaker: Is it the pleasure of the House the motion carry? It is carried.

This House stands adjourned until 1:30 pm, Monday, November 26, in the year of our Lord 2001.

The House adjourned at 1741.

Continued from overleaf

TABLE DES MATIÈRES

Jeudi 22 novembre 2001

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

**Loi de 2001 modifiant la Loi
sur la Société de protection
des animaux de l'Ontario,
projet de loi 129, *M^{me} Munro*
Adoptée 3790**

**Loi de 2001 sur l'héritage
sud-asiatique, projet de loi 98,
M. Gill
Adoptée 3790**

TROISIÈME LECTURE

**Loi de 2001 modifiant des lois en ce
qui concerne les statistiques de
l'état civil (sécurité des documents),
projet de loi 109, *M. Sterling*
Adoptée 3826**

CONTENTS

Thursday 22 November 2001

PRIVATE MEMBERS' PUBLIC BUSINESS

Ontario Society for the Prevention of Cruelty to Animals Amendment Act, 2001, Bill 129, Mrs Munro	
Mrs Munro	3775, 3781
Mr Colle	3776
Mr Tascona	3777
Mr Phillips	3777
Ms Churley	3778
Mr Miller	3779
Mr Bradley	3780
Mr Galt	3781
Agreed to	3790
South Asian Heritage Act, 2001, Bill 98, Mr Gill	
Mr Gill	3782, 3789
Mr Phillips	3783
Mr Marchese	3784
Mr Galt	3786
Mr Ruprecht	3787
Mr O'Toole	3788
Ms Mushinski	3788
Agreed to	3790

MEMBERS' STATEMENTS

Cultural summit	
Ms Di Cocco	3791
OSPCA legislation	
Mrs Munro	3791
Ukrainian famine and genocide	
Mr Kennedy	3791
Blue light program in Niagara Falls	
Mr Maves	3791
Access to professions and trades	
Mr Ruprecht	3792
Family Responsibility Office	
Ms Martel	3792
Anniversary of HMCS Prevost	
Mr Wood	3792
JOEMAC committee	
Mr Bartolucci	3793
Bowmanville Santa Claus parade	
Mr O'Toole	3793

FIRST READINGS

City of Toronto Act (Rental Housing Units), 2001, Bill Pr22, Mr Bryant	
Agreed to	3793

MOTIONS

Private members' public business	
Mrs Ecker	3793
Order of business	
Mrs Ecker	3794
Standing committee on finance and economic affairs	
Mrs Ecker	3794

ORAL QUESTIONS

Victims' rights	
Mr Bryant	3794
Mr Young	3794, 3796
Mr Kormos	3796
OSTAR initiative	
Mrs Dombrowsky	3795
Mrs Ecker	3795
Ontario Power Generation	
Mr Hampton	3797
Mr Wilson	3797
Affordable housing	
Mr Caplan	3798
Mrs Ecker	3798, 3801
Mr Marchese	3800
Ontario's Living Legacy	
Mr Galt	3799
Mr Snobelen	3799
Education tax credit	
Mr Phillips	3799
Mrs Ecker	3799
Correctional facilities	
Mr Dunlop	3800
Mr Sampson	3800
Special education	
Mr Kennedy	3801
Mrs Ecker	3801
Northern education services	
Mr Miller	3802
Mr Newman	3802
Community care access centres	
Mrs McLeod	3802
Mrs Johns	3803
Competitive electricity market	
Mr O'Toole	3803
Mr Wilson	3803

PETITIONS

Education funding	
Mr Bradley	3804
Post-secondary education	
Mr Hastings	3804

Professional learning	
Mr Bartolucci	3805
Audiology services	
Mr McMeekin	3805
Mr Bradley	3806
Mr Bartolucci	3804
Tenant protection	
Mr O'Toole	3805
London Health Sciences Centre	
Mr Hoy	3805
Medical school tuition	
Mr Hoy	3806
Podiatric services	
Mr Bradley	3806
Home care	
Mr Bartolucci	3807
Children's medical services	
Mr Hoy	3807

THIRD READINGS

Vital Statistics Statute Law Amendment Act (Security of Documents), 2001, Bill 109, Mr Sterling	
Mr Sterling	3808
Mr Bradley	3810
Mr Prue	3812
Mr Spina	3816
Mr Cordiano	3818
Mr Kormos	3820
Mr Phillips	3824
Agreed to	3826

OTHER BUSINESS

Visitor	
Mr Jackson	3793
Hate crimes	
Mr Hampton	3794
Business of the House	
Mrs Ecker	3804

Continued overleaf