



No. 20B

N° 20B

ISSN 1180-2987

Legislative Assembly
of Ontario

Third Session, 37th Parliament

Assemblée législative
de l'Ontario

Troisième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 13 June 2002

Jeudi 13 juin 2002

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 13 June 2002

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 13 juin 2002

The House met at 1845.

ORDERS OF THE DAY

WASTE DIVERSION ACT, 2002

LOI DE 2002 SUR LE
RÉACHEMINEMENT DES DÉCHETS

Mr Baird, on behalf of Mr Stockwell, moved third reading of the following bill:

Bill 90, An Act to promote the reduction, reuse and recycling of waste / Projet de loi 90, Loi visant à promouvoir la réduction, la réutilisation et le recyclage des déchets.

The Speaker (Hon Gary Carr): Debate? The chief government whip.

Hon John R. Baird (Associate Minister of Francophone Affairs): I look around the House and I say to my good friend and colleague from the peninsula, if he has any comments he wants to send to me in writing over here based on the—

Mr Peter Kormos (Niagara Centre): If I may, Speaker, I do have comments: I don't think there's a quorum.

The Speaker: Could the table check for quorum, please.

Clerk Assistant (Ms Deborah Deller): Quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk Assistant: Quorum is now present, Speaker.

The Speaker: The chief government whip.

Hon Mr Baird: I'd like to ask for unanimous consent that we amend the time allocation and that each party have 20 minutes to speak, without questions and comments, and the question be put after 60 minutes of debate, split equally between the three parties.

The Speaker: Agreed? Agreed.

Hon Mr Baird: Had I moved the bill on third reading?

The Speaker: Yes, you did.

Hon Mr Baird: Great. I would indicate that I would be splitting my time, our caucus's 20 minutes of time, between myself, the member for Niagara Falls and the member for Brampton Centre. I look to the member for Peterborough and he will get those members in here for the vote.

It's my pleasure to speak on the occasion of the third reading of Bill 90, the Waste Diversion Act. It is clear that many of Ontario's affected stakeholders support the

measures in this bill. In fact, the standing committee on general government heard this many times during its two separate hearings on the bill. Stakeholders from industry, municipalities, non-governmental associations and the general public came forward with their support of the bill and with some good suggestions on how we, as legislators, could in fact make this bill better.

Municipalities will be key players in many of the waste diversion programs created under this act, especially the blue box program, which I think was an important invention, I would say to my colleague from St Catharines. He played a big part in that program. It's a way for ordinary consumers and citizens to participate in reducing waste. It is one of the three Rs, but not the most important of the three Rs; obviously we want to reduce and reuse before we recycle.

We listened carefully to the opinions and took their advice very seriously. AMO, the Association of Municipalities of Ontario, commended the minister for proposing what it called groundbreaking legislation. AMO commended the ministry for following through on its commitment to waste diversion in Ontario. In her most recent appearance before the standing committee, the president of AMO, Ann Mulvale, said, "This bill, as amended, is a solid framework based on common ground among key players."

I do think it is important that we work with municipalities on important issues like recycling and environmental initiatives. She made it abundantly clear that municipal governments want to take the path, as laid out in the bill, toward a sustainable waste diversion system in Ontario.

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It takes many experts with knowledge and practical experience to run waste diversion programs successfully. The Municipal Waste Integration Network and the Association of Municipal Recycling Coordinators represent waste management experts from municipalities right across the province. They understand what the new resources made possible in this bill will mean to them and to their ongoing task of managing programs and diverting waste. Both organizations appeared twice before the committee, and on both occasions supported the bill and made suggestions that would help make this important piece of legislation even better. Both organizations' views are important, and I think they merit the attention of all of us collectively as members of this House.

The Recycling Council of Ontario, which represents a wide range of environmental interests, especially in the

field of waste diversion, has said the bill's passage is critical to the success of waste diversion programs in Ontario. In its second appearance before the standing committee, the council reiterated its support for the bill, calling it "vital legislation, which will call into action all stakeholders, including industry, to reduce and divert waste in the province of Ontario." I know that's of great personal interest to you, Mr Speaker, because I know you to be someone who cares deeply about the future of our environment.

The council has worked closely with my colleagues at the Ministry of the Environment and with stakeholders for many years. They continue to be a valuable partner in this initiative. The council has been instrumental in enhancing waste diversion in the province, and I want to say that members on all sides of the House certainly respect their advice.

I say to my colleague the member for Niagara Falls that I'm looking forward to hearing his speech very shortly on this important piece of legislation.

Many key industry sectors relevant to the types of waste for which the bill was designed support the bill. Business leaders know the bill helps them create a level playing field, something industry has consistently asked for. The business community wants to become engaged in solving the waste management challenges we all face, but on a fair and equitable basis.

We are pleased that the majority of submissions that came forward during the initial hearings through the standing committee on general government in November 2001 and just this past May supported the bill. Corporations Supporting Recycling, a key partner in this initiative whose membership includes many of the largest manufacturers, brand owners and distributors of food and consumer products in Ontario, appeared before the committee to enthusiastically support the bill. The CSR stated that it "will return Ontario to the forefront of recycling in Canada." They further stated, "This bill is a good solution that was built through a process of consultation and consensus and it is based on a shared responsibility model that sets the framework for economic and environmental sustainability."

Mr James J. Bradley (St Catharines): The CSR is dead.

Hon Mr Baird: I know my colleague and good friend the member for St Catharines liked the Common Sense Revolution and liked to see us always bring forward initiatives. As the two of them said, it's very much alive today and we move forward in the spirit of revolution in the province of Ontario.

It's funny that my colleagues opposite always talk about the Harris-Eves regime, and now they say the Common Sense Revolution is dead.

Mr Bradley: It depends on the hour.

Hon Mr Baird: My colleague from St Catharines says, "It depends on the hour."

The CSR also spoke on behalf of private sector industry associations such as the Canadian Manufacturers of Chemical Specialties Association, the Canadian Paint

and Coatings Association, the Canadian Council of Grocery Distributors and the Canadian Cosmetic, Toiletry and Fragrance Association.

These comments clearly indicate the level of broad support this legislative initiative has received. The government has listened to the good ideas that were suggested through the committee and through the Environmental Bill of Rights process, and we feel the bill has been strengthened even further by the amendments that have been made in committee.

Given that we in this caucus are sharing our time, I look forward to hearing the remarks of my honourable colleague the member for Niagara Falls, who will speak for about eight minutes.

Applause.

Mr Bart Maves (Niagara Falls): To the member for St Catharines, thank you very much for that welcome as I rise today to speak to third reading of the Waste Diversion Act.

I also want to start my comments today by mentioning again that today we had a visit from former parliamentarians. We now have a former parliamentarians' organization, and many of the MPPs who have served in this House in the past were here today for a tour and to have some discussions on a variety of issues that affect them on a regular basis. It was good to see so many familiar faces. I know the member from St Catharines, who has been here for 25 very long years, was happy to see many of the people he served with over those 25 years.

I had the very distinct pleasure this morning of picking up on McMillan Drive Mr Vince Kerrio, who was the Liberal member for Niagara Falls from 1975 to 1990. Mr Kerrio and I drove up together this morning from about 7 o'clock and, with the traffic a little heavy, it took us probably until about 9 o'clock to get here. I get to see Mr Kerrio quite often and I very much enjoyed once again spending a couple of hours with him and talking to him about a variety of issues. He had some of his own interesting comments on the Hydro board that we recently named, the issues of Hydro and a variety of other things. So I very much enjoyed it and I look forward, if he'll maybe come up again for another meeting of former parliamentarians, to spending some more time with Mr Kerrio.

But I digress a little bit. It is my pleasure to speak tonight on third reading of Bill 90, the Waste Diversion Act. It's an important piece of legislation that promotes the reduction, reuse and recycling of waste by creating Waste Diversion Ontario or, as we call it, WDO. It's a permanent, arm's-length corporation to develop, implement and fund waste diversion programs in the province of Ontario.

I know in the Niagara area—and the members from St Catharines and Welland-Thorold also know this—we, like many areas around the province, are very concerned about what we do with waste. We recently had an issue in my riding of a landfill in Niagara-on-the-Lake, where we were going to truck garbage from around the region into that landfill. There were quite a few legitimate con-

cerns from the people of Niagara-on-the-Lake with that plan. I went with several members from the regional council and the mayor, Gary Burroughs, from Niagara-on-the-Lake. We went over to Niagara Falls, New York, to visit an incineration plant. Incineration was something that many years ago the NDP kind of outlawed in Ontario. They thought it had very many detrimental effects and that there shouldn't be incinerators allowed. But the technology has changed quite a bit and we have changed regulations in the past to again allow it, although it would be the type of incineration that is among the best in the world and ensuring that the pollutants that came out of that incineration process would be negligible.

I think there is quickly coming a day—you see quite often the debate between the city of Toronto and Kirkland Lake, the issue of whether the garbage should be trucked up there, which a lot of people in Kirkland Lake actually want as an industry for them. But people in the city of Toronto didn't want to do that and they looked at alternative forms of dealing with that garbage other than just landfill. However, everyone knows and everyone around the province agrees that the more we can reduce, reuse and recycle materials, the less we're either going to need landfill sites or to move forward on other forms of dealing with garbage like incineration. This bill aims to support that.

Among other things, Bill 90 reaffirms our government's commitment to the blue box program and to ensuring that municipalities have the tools they need to deliver waste diversion services. By passing this bill, Ontario will be put on track to exceed—exceed—its 50% waste reduction goal. It will provide for continuing growth in our already successful blue box program by providing municipalities with 50% funding of their net blue box program costs by industry.

This bill, however, goes beyond sustaining and enhancing our blue box system. It will also lead to increased diversion of many other waste materials. This is not only about diverting materials from final disposal and ensuring environmental protection, but also about conserving resources. Again, it's another vital component, another vital strategy for Ontario to follow in order to reduce the amount of garbage we're producing and reduce the amount of garbage we then need to deal with via landfills, incineration or other avenues.

The Waste Diversion Act will create Waste Diversion Ontario, a non-crown, multi-stakeholder corporation with industry, municipal, non-government and Ministry of Environment and Energy representatives on its board of directors. Its purpose will be to develop, implement and fund programs to divert designated waste materials from final disposal. The legislation also provides for the establishment of industry-funded organizations to raise the necessary funds within affected industry sectors to support and implement these waste diversion programs in co-operation with the WDO.

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So you see, the legislation speaks to a co-operative effort between government and industry and other levels

of government. I think that any time we can move forward in co-operation between levels of government and private sector stakeholders, we're moving in the right direction, because when we work together to find solutions to these problems, we're obviously going in the right direction.

I was ready to deliver 15 or 20 minutes tonight, but I understand that I have to leave the remaining time to my good friend from Brampton, Mr Spina, so I will turn the floor over to Mr Spina.

Mr Joseph Spina (Brampton Centre): I'm pleased to participate in this albeit small portion of this debate. I want to address a couple of issues. One that my colleagues addressed was with regard to the Ministry of Environment and Energy, with its oversight and approval responsibilities under this bill, which will ensure that the WDO operations serve the public interest and that they promote waste reduction, reuse and recycling. This legislation reaffirms the government's commitment to provide municipalities with the tools they need to deliver waste diversion service. This bill was conceived as a means to establish not only a sustainable financial footing for the municipal blue box recycling services, but to deal with other wastes as well.

On that note, I want to diverge just for a moment to say that in Peel we are extremely proud of the fact that not only do we have a blue box program, but we have expanded it to a grey box program. We have now among our households in the cities of Mississauga and Brampton a blue and a grey box program, where we divide our recyclable materials: the blue box in the traditional manner for plastics and glass bottles and that sort of thing, as well as milk and juice containers, and the grey box program is specifically geared toward recyclable materials of paper and cardboard.

I have to tell you that it is something we are extremely proud of. I drive around other neighbourhoods in the GTA and the province and it's very interesting to see that we are one of the few municipal areas with a two-box program that automatically begins that diversion process at the household curb. The blue box is obviously of high priority and we want to sustain it, we want to improve it and we want to extend the blue box program. This bill will ensure, by engaging the support of industry stewards, who will be paying a share of the net costs of the municipal blue box system—exactly 50%. It's significant, but we certainly feel it is a fair amount.

By implementing this legislation, Ontario will exceed its 50% waste reduction goal. We know and we are confident that this legislation will facilitate increased diversion of many other waste materials and create a mechanism to develop new stewardship programs for as yet untapped resources in the waste system. At the end of the day, the bill is about making use of resources that would otherwise be disposed of.

While we talk about other resources of disposal of waste, I want to bring forward and show the people of this province and this Legislature a crown jewel that we have in Brampton and Peel. It's called KMS Peel and it is

an energy-from-waste facility opened under the NDP government, the last known incinerator in this province to have been opened under the NDP government, in 1992. But do you know what? They almost shut it down because they have this ideological penchant that you can't have incinerators in your backyard. Let me tell you about KMS Peel and its energy-from-waste program. This facility consumes almost 50% of all waste created in Mississauga and Brampton. Second, it will take all materials—literally all materials—into its facility that can be burned.

“But is this safe?” we may ask. I know the NDP, with their ideological bent about emissions, were so concerned they doubled the emissions standards to make sure that this place wouldn't open. Guess what? When it opened, it exceeded the standards that the NDP government of the day put into place. In fact, the emissions from this facility have less impact on the public than standing next to a cigarette smoker on the street. I stress that. It has less impact than standing next to a cigarette smoker on the street in terms of its emissions.

“What about the ash?” you ask. Because let's face it, anybody who knows simple chemistry understands that if you burn any element at a high enough temperature, you can break it down to its natural elements. This facility does exactly that. The remaining ash is then able to be reused and recycled for asphalt. That is one of the key components of the remaining ash that comes out of this energy-from-waste facility.

We talk about energy from waste. What does that mean? The energy, the electrical power that comes as a result of the burning of this waste in a completely, 100%, safe manner, results in 150 megawatts per week being produced at a lower rate to the community than normal hydro rates. Guess where they usually source this? They are permitted under the laws of Ontario to sell this energy from waste almost directly to our local hospital. That allows our hospital to buy energy and power at a lower cost than even that which they would source from Hydro.

I just want to say in closing that we are extremely proud of this energy-from-waste facility that was built purely in the face of the government of the day. It is extremely successful. I want to tell the people from Toronto that all their garbage issues would be resolved by having three energy-from-waste facilities in Metro. They would never have to look at a Keele Valley dump again.

Mr Mike Colle (Eglinton-Lawrence): I guess the member for Brampton is asking us in Toronto whether we're into incineration. I don't think that day will ever come in Toronto. I think the reality and the concern for public health are a bit too documented to get into incineration.

Mr Spina: In 12 years, not one complaint from anybody in the entire community.

Mr Colle: I hope he's not speaking on behalf of his government, saying they're in favour of incineration as the solution.

I think the solutions are really in terms of changing our attitude toward what this government calls waste. In

fact, this bill has the wrong title when it talks about the Waste Diversion Act. In most progressive countries, they refer to this as resource diversion. They don't consider these products waste, they consider them resources. Many of the products we consider garbage or waste are really products that can be transformed into more useful, reusable products. Right from the beginning, the very title demonstrates that this government is really still 20 years behind the rest of the world in terms of its attitude toward what they do with resources that have been used. That's the first comment we'd like to put on the record in terms of what this act does or doesn't do. Again, I think it's typical in the title. It should be the resource diversion act rather than the Waste Diversion Act.

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We're not going to change this government's attitude toward the environment with this bill in one evening, but we'd certainly like to put a number of things before the public. I would say the fundamental problem with this bill is that it doesn't give municipalities the financial ability to do the job the government is asking them to do. If the government were to fund municipalities properly, they could do an amazing job of ensuring that this problem which is plaguing Ontario is reduced to a more manageable one. But this bill really provides very little funding, if any. In fact, it doesn't share the funds that they collect from taxes; it doesn't bring them back into the municipalities. So municipalities are really caught. They have to pay for all their recycling expenses with very little help from this government. In essence one of the first things the Mike Harris government did when it came to power was that it stopped all provincial funding for the municipal blue box program. At one time in the 1980s, Ontario was actually beginning to lead the world in this area, but now it's really way back in the pack in terms of initiatives in recycling and reuse.

It's also interesting to note that cities like Halifax and Edmonton are diverting 65% of their garbage from landfill sites—65%. Ontario diverts less than one third, and that is not really acceptable. This bill isn't really going to put a dent in that. One example of providing the tools, as they say, to the municipalities—and I'll talk about this a little later—is that the Ontario government collects over \$40 million a year in environmental levies on products sold at the LCBO, but the government allocates only \$5 million a year of this levy for waste reduction. They collect \$40 million on this environmental levy on LCBO products—the bottles of spirits, alcohol and beer—but only \$5 million goes back to the municipalities. I think this is at the root of the problem, why there really isn't serious waste or resource diversion in Ontario today. This bill does very little toward that.

I think it's also part of the government's role to change attitudes. I mentioned whether things should be treated as waste or as resources that can be put to good use. The member from Brampton mentioned that now they've got a grey box program in Brampton, which is wonderful, but we've had the grey box system in Toronto for many years. We've had the blue box. We also have a

green box program. But putting boxes on the curb doesn't solve your waste diversion problem. People say, "Have you got a blue box program? We've got these boxes." Well, you can have boxes of all different colours; meanwhile, we are wasting too much. We are not very smart in how we use products we produce. More and more we're becoming a society that produces and doesn't think of the long-term consequences. The production doesn't take into account the fact that these products may end up in someone's landfill or that there's a cost, at the end, to our environment and our society.

In Europe, for instance, there are all kinds of programs in place, whether it be automobile or computer manufacturers, such that manufacturers are responsible for recycling or reusing the end product. So when you get rid of an automobile, whether it's Volkswagen or Ford of Europe, you're responsible for returning that product to Ford so it doesn't end up in landfill sites. If you walk along any major street in main cities in Ontario, like Toronto and Hamilton, one of the things you notice more and more is used computers and computer monitors to be picked up, supposedly by our waste collection system. We've got all these computers being made to be obsolete in a year or two and they are now constantly filling up our landfill sites. Where do all these computers now go that become obsolete after a year or two? If you walk up any street on garbage day, you'll see people are throwing out those old monitors and computer parts. I think there should be a responsibility on the part of IBM or Dell or whomever. There's got to be a system of their taking care of that product when you've finished using it, rather than it being the responsibility of municipal taxpayers to take care of that product once it's disposed of. But right now people buy the product, they use it, throw it on the curbside and expect the municipality to pick it up and pay for it. We see all kinds of examples of that.

A simple thing in terms of what we do with our lawns—go through any community in Ontario and you'll see that everybody is still into having the front lawn being manicured grass. We know that's not a good use of our front lawns. People are now using natural flowers, perennials, annuals and rock gardens because all of those grass clippings, all that nitrogen you use, ends up in our water table. It's also very expensive. Again, where do the grass clippings go? They're part of our landfill etc, although now they have a program for diverting grass clippings. So we have to change our lifestyle a bit—not dramatically. If you start planting flowers instead of having the old suburban grass, it's not going to be the end for all of us.

Also, if you go to the grocery store—I know in Holland they have banned plastic bags. There must be 100 billion plastic bags floating around Ontario. Those things are basically indestructible, those little garbage bags. They're all over the place, at the roadside, littering. They are not good use. As you know, we've been encouraged for years, if you go grocery shopping, to take cloth bags and reuse them. Again, we're generally—and I speak for myself—just a bit too lazy to do that, but that's

what we should be doing. But we're not encouraged to do that. In the long run, we would save a lot of valuable natural resources and would stop filling up our countryside with all this plastic that, again, lasts for 1,000 years. When they look down on earth from Mars, they'll see these yellow No Frills grocery bags all over the place.

I'd also like to mention that I think we've got a lot to learn from our seniors in terms of what to do with so-called waste when we buy products. In parts of west Toronto or parts of my riding of Eglinton-Lawrence, if you go by the homes of seniors, you'll see that sometimes all they have is maybe half a blue box filled—and that's once-a-week pickup—and they'll have one garbage bag or half a garbage bag picked up. That's for a whole week. That's because a lot of seniors, for one thing, do not buy all the canned and fancy-packaged goods. A lot of seniors, especially those who have come to Toronto from all over the world, are used to buying fresh vegetables and fruit, so there's no loss of packaging or cans and boxes. What happens is that there is less waste. Essentially, they don't go to your big giant box store and come home with the minivan full of all these boxes and boxes; they go to their local grocery stores and shop fresh and just buy for that day or for two days. As I said, we should maybe talk to seniors who have come to Toronto from other parts of the world and ask them how they can get by with so little garbage thrown out that goes into landfill sites.

As I said, just walk by some of these homes in west Toronto and you'll see the amazing recycling that takes place. In their backyards—now it's becoming very popular—they actually plant fruit trees and have tomatoes, zucchini, eggplant, okra, all kinds of wonderful vegetables. That's another way of not producing waste, and it's a good use of their property.

I would also like to mention that seniors and a lot of people from different parts of the world have some very good ideas in terms of using products properly and not overbuying. I think the old adage is, "Buy what you need, not what you want." I know there are immense consumer pressures, but sometimes we have to stop and say, "Why are we buying all this packaging? Why are we buying all these big boxes? Why all the Styrofoam?"

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If you go along main streets on garbage night, if you go to Spadina and Dundas tonight, if it's garbage night, you will see tonnes and tonnes of cardboard boxes piled up sky high, all this packaging that occurs that eventually has to end up recycled somewhere. That's a cost and that's something that says a lot about what we buy and what we use and what we do with our products.

One of the main problems I have with this bill is that there's a very apparent double standard in it. It was brought out in the committee hearings on Bill 90 that if you buy a bottle of beer in Ontario from the Beer Store, or whatever they're called—they used to call them Brewers Retail—you have to bring that bottle back and you get your get money back. So people are used to returning the bottles to the Beer Store and you don't find

beer bottles in the recycling blue box. That system has worked well in Ontario forever. I guess everybody—I can't remember when it started. In the province of Ontario, when you buy beer from the Beer Store, you're expected to return that and there's a deposit-return system.

Yet, as was mentioned at the committee, there's a double standard for the LCBO. The LCBO essentially has a charmed life. They don't require returns or deposits. If you walk up most streets, you'll see that the blue box program is actually an LCBO bottle program. All the blue boxes tend to be filled with wine bottles or liquor bottles; not at all houses but at a lot of them. The municipalities are actually doing recycling for the LCBO, whose customers don't have to return bottles. Therefore, municipalities have to pick up this tab and the LCBO has all this money, plus, as I said, that \$40-million levy that doesn't go back to the municipalities. Essentially, the LCBO isn't required to abide by the same rules as everybody else, to the detriment of the municipalities that pay these huge tabs because the glass that is collected from the wine bottles or liquor bottles is not marketable. It goes to the landfill sites or sits there in storage, with no value. So the tonnes and tonnes of glass that are collected from the LCBO are collected at great expense by municipalities. This bill requires Beer Stores to continue the deposit-return system, yet it is silent on the LCBO. The LCBO doesn't have to use the 3Rs.

In fact, as you know, the LCBO now is big into selling beer. I think 18% of their sales are beer. If you go to the Beer Store and they sell you a beer bottle, you have to return it. If you go to the LCBO and buy a bottle of beer, you can throw it in the blue box and have the municipality pay for it out of their property taxes. They, the government-run monopoly, are selling the same beer bottle and you don't have to return to the LCBO. If you buy a bottle of beer from the other government monopoly, the Beer Store, you have to return it. So here are two government monopolies—basically that's what they are—and this bill allows one to not abide by the recycling/reuse rule. It's about time we had some basic responsibility on the LCBO to be more environmentally conscious.

At one time I remember Jack Layton and Olivia Chow were in front of the LCBO. They said, "Everybody, on Saturday bring your old wine bottles into the LCBO so they'll be more responsible." Anyway, it hasn't really caught on. The LCBO is still essentially not doing anything about recycling and you don't have to return them. Maybe it's about time this government made the LCBO more environmentally responsible. But this act doesn't do that, despite the fact the LCBO grossed over \$900 million last year. And you know their stores; they can afford to recycle. Their stores are the Taj Mahals of booze. You'd think Martha Stewart shopped there all the time. You're almost afraid to go in unless you've got a jacket and tie on.

They've got millions to spend on these fancy Taj Mahal stores, they've got billboards advertising the

LCBO on the boards of the Corel Centre—talk about the yacht and Hydro One; I want to look at the LCBO books and see what they do with their millions. Why can't they afford to basically have a deposit-return system like the beer stores do, if they've got all these millions? Yet they don't.

I think it would really reduce the cost of recycling for municipalities, it would really free up a lot of room in the blue box and it would be responsible on behalf of the LCBO to follow the rules everybody else follows. But this government again is refusing to make the LCBO abide by basic rules. It's a government monopoly, but when you criticize the LCBO, I guess it's like criticizing mother church. You've got to be very careful of what you say about the LCBO, because we know how powerful the LCBO is. They can actually be exempt from this legislation, which I find very, very difficult to accept.

Maybe one day there will be recycling rules for the LCBO, and I think the LCBO would not suffer because of it. In fact, it would probably end up saving them money in the long run, and we could all benefit by not having all these wine bottles cluttering up our landfill sites etc.

I think this bill is a very small step by the government to get back into recycling. As you know, they basically abandoned recycling funding under Mike Harris. They wanted nothing to do with it. They downloaded it on to the municipalities as they've downloaded everything. This is an attempt to come back with a quarter measure to pretend they're back into recycling and waste diversion. It is a very, very basic piece of legislation that fools no one and is supported very moderately by people who know that this government is not going to do much else, so they accept it as a sort of token bill that helps a little bit and gets things started again. At least it's good in that small respect. But overall it's a very weak piece of legislation that does not fund municipal recycling. It's an attempt to make people think they're doing something, when in fact very little is being done.

I think the time has come—with the horrendous cost of shipping garbage to Michigan or this government's penchant for incinerating or shipping it up to Kirkland Lake—when this government is going to be asked, "Why haven't you been more serious about resource diversion?" This bill is still about the old attitude of waste diversion. It's about time they came into the 21st century.

The Speaker: Just before we resume the debate, the Attorney General has a point of order.

Hon David Young (Attorney General, minister responsible for native affairs): Thank you, Mr Speaker. I appreciate that. I wanted to advise you that we have two very special visitors with us this evening. They are my daughter Sara and my son Cory, and they join us in the members' gallery today.

The Speaker: We welcome our honoured guests.

Further debate?

Mr Kormos: I don't want to interfere in the Attorney General's family life, but he has a peculiar way of punishing his kids.

I've got 20 minutes, but I'm going to share 10 minutes of that with Rosario Marchese, because he's been working on a speech. He's been working on it all day. He's been locked away in his office; I heard him from my adjoining office. I looked in and there he was in front of the mirror. He's been working on this for a good chunk of time, so I want people to stick around and pay attention.

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This bill could have been so much better, and the New Democrats tried to make it better. New Democrats fought to get this bill to committee and moved amendment after amendment after amendment, but would this Minister of Environment have anything to do with them? No, because you—yes you, Minister of Environment—have no intention of this bill being effective, do you? You sit there looking at your watch, just waiting for this thing to be over with. You haven't been a particularly competent Minister of Energy, and you haven't been a particularly competent Minister of Environment either, have you? One of the interesting things is that this Minister of Environment—yes, you, Minister—had made a lot of noise during his leadership campaign. Do you remember that, Mr Four Per Cent? Four per cent is but a margin of error in most polls. You could have gotten no votes and it still could have shown up as 4%—yes, Minister, you—by virtue of being the mere margin of error. But you, during the course of your campaign for the leadership, which I don't have to tell you that you lost—you came last; you came last first—you promised, you expressed—yes, you—your strong commitment to, of all things, a deposit return system for the LCBO. You promised. You said it loud and clear. You appealed to those 4% who may have voted for you that you advocated and believed in. By God, you were going to make a bottle return system for LCBO.

Mr Marchese: He's very quiet now.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): He's not here.

Mr Kormos: That's improper. If you read the standing orders and the practices of the House, you'd know that. I'd be very careful, if I were you. Yes, you, Minister. You promised, and what did you deliver? Nothing. So what is it we may call you as a result of that? Far be it from me to break the rules, but I do suggest to you that reference to a recent Jim Carrey movie might be very appropriate, wouldn't it?

Mr Marchese: Which one?

Mr Kormos: Remember the Jim Carrey movie?

Interjection: Dumb and Dumber?

Mr Kormos: Yes.

I say to you, Minister of Environment, that we know you have no interest in the environment. In fact, your parliamentary assistant over here has done little to advance the interests of the Ministry of the Environment or of the environment. You've created one of the most significant crises this province has seen in terms of public health, because under your watch, your private-sector-corporate-lab-testing friends, the ones you imposed on

every municipality in this province, have put at risk the lives of not just tens of thousands but hundreds of thousands of people. What do you have to say? "Oh, gosh, I don't know. They never told me. I know this has been going on since Lord knows when, but I just found out about it." You're the minister. As was mentioned earlier today, maybe if you showed up at the office once in a while, you'd have found out. Go back there tonight after the credit card is exhausted—yes, you, Minister—and go through the pile of memos. You've got to read the stuff. You can't just rely upon bluster and quick wit. You've got to read the stuff.

Maybe the first time you were made a minister of the crown you should have read what the standards are for ministers and what "ministerial responsibility and accountability" means. Yes, and if you want to take a look at it yourself, refer to Marleau, House of Commons Procedure and Practice, a very concise and very current definition of what "ministerial responsibility and accountability" means. Let me read to you briefly: "The principle of individual ministerial responsibility holds that ministers are accountable not only for their own actions as department heads, but also for the actions of their subordinates."

So I'm afraid you're cooked, you're done like dinner, you're finished. If you had any integrity or courage at all, you would acknowledge that you have failed in your ministerial capacity, because you're responsible not only for your own acts, but for the acts of your subordinates. You make reference during scums to what must be the largest conspiracy ever concocted: that everybody knew but you. There is only one inference to be drawn: that you're simply not up to the job. Isn't that an interesting observation?

You put hundreds of thousands of people's lives at risk and now you're searching, scrambling frantically, for some little minion to blame it on, to hang out and dry. I say to you, Minister, that's shameful, it's disgusting and you've set new low standards for ministerial accountability and responsibility in this Legislature or any other Parliament.

One of the problems as well—and again, the New Democrats tried to cure the shortcomings of this bill. The critic for the NDP worked hard developing amendments and moving them in committee, but had them turned down time after time again.

By the way, you should know that the NDP environmental critic right now, as we speak, is over at Global studios up in north Toronto with the member for St Catharines, the environmental critic for the official opposition. I want folks to watch Focus Ontario this Saturday. It's on at 6:30 pm on Saturday on Global. You'll see Marilyn Churley, the environmental critic on behalf of the NDP, from Toronto-Danforth, along with Jim Bradley, the member for St Catharines, tear a strip off the hide of a Minister of Environment who has put at risk hundreds of thousands of people. Global TV, Focus Ontario, 6:30 pm this Saturday; I encourage you to take a look and see what the NDP have to say about a Minister

of Environment who is beyond irresponsible—yes, you are, sir—who has conducted himself at a level of negligence—sir, you have. Were it not for your ability at the end of the day to plead ignorance, albeit self-imposed—ignorance is bliss, I suppose is the theme of the ministers in this government. It's negligence that under other circumstances, were you but a mere layperson, could well attract other forms of culpability.

We have grave reservations about this bill before us, Bill 90, as it stands. It could have been a progressive step forward. As it is, like most of the legislation—why, perhaps all of the legislation—that you and this government have put forward, it is but lip service of the cheapest kind. You rely upon the title of the bill far more than its contents. When you look at the contents, you create a piece of legislation that is so weak, that is so irrelevant, that is so far from missing its target that it becomes yet another statute to fill the statute books that fill the shelves of law libraries and lawyers' offices and other resource centres across the province.

This isn't good legislation, and you shouldn't be proud of it. You resisted, albeit effectively, the opportunity you had to make it meaningful. You did that by turning down New Democratic Party amendments. New Democrats believe strongly in environmental protection through the utilization of the 3Rs and through approaching it in a meaningful way. You've denied Ontarians the opportunity to do that. We're not particularly proud of this bill, and you'd be naive to be proud of it yourself, Minister.

The Speaker: The member for Trinity-Spadina.

Applause.

Mr Marchese: I want to thank the fan club for sticking around. I want to welcome Will Stewart here. Will, are you there? There he is. Cameras over there. Will Stewart is here. He's just checking things out, making sure that the whip is in charge and that people are here in case we call quorum. Welcome, Will.

The minister was very quiet in response to what my friend from Niagara Centre was saying. You said so much about him and he was so silent the whole night. I couldn't believe it.

Mr Beaubien: The poor minister.

Mr Marchese: The poor minister said nothing. I was here the whole time, not a peep.

Mr Kormos: What's the matter, Stockwell? Cat got your tongue?

Mr Marchese: Very quiet tonight. It might be unfair to speak about the minister in this way, but he's very quiet tonight. I think some people appreciate it.

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Speaking to Bill 90, it's a nothing bill. But if you listen to the government members, they're going to fix all the environmental problems in the world with this little Bill 90.

Mr Kormos: But from the sound of it tonight, it's a nothing minister.

Mr Marchese: Please, leave the minister alone. Give him a break.

Mr Kormos: He's down and out?

Mr Marchese: Come on. He's got two ministries; he's the House leader. Please, give him a break. He's overloaded. He's overworked. Things can happen. Mistakes happen. You give him two or three portfolios and mistakes happen. But give him a break. I think we should give him a break. Look, the leader, Mr Eves, has given him so many portfolios: energy, environment, House leader. Good God, how could you not miss a couple of things? So he's got to take some—

Mr Kormos: So why does he try to blame it on little people?

Mr Marchese: Well, because at the end of the day, you've got to pass the blame to somebody else.

On Bill 90: it's a nothing bill. We said as much in the hearings. It is true that the municipalities liked it. Joe Tascona, they did. The municipalities came and they said, "Oh, we like it." Of course they like it, because it's the only way to get some money from the private sector, which is willing to recycle. Why do they want to recycle? Because you can shift the cost to the property taxpayer, right?

What is the government's contribution toward this whole thing? Nihil, in Latin. Zip. Zero. They give nothing toward environmental issues. So they produced a bill that says, "OK, maybe we can find a way to cost-share this." Municipalities put up some money, the private sector puts up some money, and originally the language was that they would give no more than 50%. The municipalities got a bit ticked off and they said, "What do you mean, 'no more than 50%'?" Because what it means is they could give 5%, 10%, 15%, 20%, 22%, 23%, 24% or whatever, right? If it was in a language where they said they will pay 50% and the cities will pay 50%, at least the city could feel good that they could get half of the money out of this. So the cities said, "If we can't get any money from the province"—even though in the US, states and the federal government make incredible financial contributions toward environmental issues, in this province we're giving very little, if anything, toward dealing with environmental problems.

It does nothing to deal with issues of reusing or reduction and/or composting. There is a hierarchy, and recycling is at the bottom of that list. Reusing is on top of recycling, reducing is on top of recycling, composting—and I tell you, I do this. I don't know how many others do it in this place. It's part of a great educational program that has to go on. But what does the government say about the issue of composting? It says very little. In fact, on the issue—

Mr Kormos: The ministers recycle their credit cards.

Mr Marchese: We won't talk about credit cards. It's not part of Bill 90.

In fact, on the issue of reduction, reusing, composting, the bill says it "may include" the three Rs—only "may." Not "must"; "may." "May" is a nothing word. It means, "Yes, they can, maybe they will, maybe they won't," but they probably won't. So it says a waste diversion program may include research and development about waste management, but it doesn't have to. Very likely it

won't, because if it's not obliged to, it will not. And it may include activities to promote the products that result from waste diversion and it may include education and public awareness to support waste diversion, but it doesn't say they must.

Interjection.

Mr Marchese: Must or shall; same thing. It would obligate municipalities to do something. But to do so would mean that the province would have to help them with some dough, right? You can't on the one hand say, "You cities will do all these things," and then on the other hand say, "You're on your own. Go to your taxpayer to find the money to do those things." That's why it doesn't obligate them to do waste diversion. It doesn't obligate them to do waste management. It may include activities to promote the products that result from waste diversion. But you understand, there's no obligation here. So this bill is all about recycling and nothing more. But even there—

Mr Kormos: Well, the government is going to recycle Ms Clitheroe.

Mr Marchese: I don't know what's going to happen there.

Mr Kormos: They're going to reuse her. They might reduce her a little bit.

Mr Marchese: I'm not sure what will happen with that.

There's a clause about what the newspapers can do. Newspaper companies can pay in kind as opposed to sharing the cost of recycling with cities. So the way they can share in kind is to say, "OK, instead of giving you money, you can put in some ads, and we'll add it all up. The cost of all the ads amounts to so much, and here is"—

Mr Colle: A nice ad in the obituary section.

Mr Marchese: An ad in the obituary section saying the cities are dead, "We're dying." Yes, they could do that. Cities are dying. I don't know that we have to put in an ad, but they could do that—a free space, one whole page saying, "Cities are dying." There's a whole cost to that. It's an in-kind kind of cost. You understand, taxpayers. But the newspaper companies don't necessarily have to put up any money to help out. They can help in that way, in kind, but not with the dough that municipalities need.

Mr Kormos: So they get a free ride, like the Sun.

Mr Marchese: The Sun.

Mr Kormos: The Star.

Mr Marchese: The Toronto Star, a thick newspaper.

Mr Kormos: But the National Post is not as thick as it used to be.

Mr Marchese: The National Post used to be thicker. They're all thick papers. They're all thick; they don't support the NDP. They do support other political parties. They do waste a lot, consume a lot, put down a lot of trees to get those papers out and those ads out. But they don't have to put up any money. They could just do that all in kind.

The point about this bill is that it really isn't so much to be proud of. But, Speaker, you've heard a number of them, the ones who read their speeches, the ones who—I don't know if Will Stewart had an opportunity to write some of these speeches, but—

Mr Colle: Who is this Will Stewart anyway?

Mr Marchese: He's the executive assistant to the government whip.

Mr Kormos: Is he a minion?

Mr Marchese: No, he's probably a nice guy.

People write speeches for these guys and then they read them out and they say, "This is a great bill," and then they say, "This is better than anything the NDP has ever done," or presumably the Liberals.

Mr Kormos: So you mean this guy takes orders from the government whip?

Mr Marchese: He's got to.

Mr Kormos: He's the only one over there who does.

Mr Marchese: He's got to because he gets—

Interjection.

Mr Marchese: He pays the other guy.

So Bill 90 is a tiny, little bill. It does some little things about recycling. It does discourage people from reusing, reduction. It does nothing for composting whatsoever. Over 50% of what we throw out in our garbage is compostable, but it has nothing to do with that. So what does it do? All we should do is recycle ministers out of this place.

Mr Colle: Recycle Eleanor's yacht.

Mr Marchese: Yes, Eleanor's yacht could be recycled.

Bill 90 is a nothing bill. I just thought I'd end with that.

The Speaker: Pursuant to the agreement of the House, I am now required to put the question.

Mr Baird has moved third reading of Bill 90, An Act to promote the reduction, reuse and recycling of waste. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Mr Baird: I was certainly offering to separate on the vote, but the member, Mike Colle, says no. That's fine.

Because Will Stewart, Peter Hardie, Brandy Miller, Rob Doyle and Phillip De Souza want to go home early, I move adjournment of the House.

The Speaker: That's the best reason I've heard. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1950.

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