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of Ontario

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**Official Report
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(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 26 September 2002

Jeudi 26 septembre 2002

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 26 September 2002

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 26 septembre 2002

*The House met at 1000.
Prayers.*

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

FLAGS AT HALF-MAST ACT, 2002

LOI DE 2002

SUR LES DRAPEAUX EN BERNE

Mr Chudleigh moved second reading of the following bill:

Bill 172, An Act to require that flags be flown at half-mast at provincial government buildings to honour Ontario police officers, correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty / *Projet de loi 172, Loi exigeant la mise en berne des drapeaux qu'arborent les édifices du gouvernement provincial en l'honneur des agents de police, des agents de services correctionnels, des pompiers et des préposés aux services d'ambulance de l'Ontario qui perdent la vie dans l'exercice de leurs fonctions.*

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

Mr Ted Chudleigh (Halton): I rise today in the House to speak to my private member's bill, Bill 172, the Flags at Half-Mast Act, 2002.

Every day in this province, our communities are being protected by the men and women of law enforcement and emergency services. These men and women have chosen to spend their lives protecting the safety and security many of us take for granted.

Our government feels, as I believe all people in Ontario feel, that Ontario should be a safe place to live, work and raise a family and these front-line staff make that dream possible. They selflessly go off to work every day to do a variety of very challenging tasks.

There is the ambulance attendant or paramedic, who leaves every day not knowing what challenges may lie ahead. They may be faced with a small child who has taken a tumble off a bicycle and requires some minor medical attention. They may be faced with a teenager or young adult who has mistakenly had too much to drink and, sadly, gotten behind the wheel of a car and, unfortunately, paid the consequences with a horrific accident. These terrible accidents may require metal-

cutting devices to get people out of the car, to extricate the bodies.

I know from personal experience that police officers and ambulance attendants can go through weeks and even months of nightmares after these terrible crashes.

Ambulance drivers are often faced with the needs of a senior citizen who is experiencing the first signs of a heart attack. They're frightened and alone. These men and women step up to the plate and perform a miracle by getting these people to our hospitals for treatment.

They are not the only ones to face this daunting task. There is the police officer who spends endless nights and days protecting our children and our families from those people in our society who don't feel that the law necessarily applies to them. They're often called to defend those who can't defend themselves, not knowing exactly what awaits them in the night.

I remember one evening. I was on my way back from a meeting in Niagara, a late-night meeting. It was about 2 o'clock in the morning and I got pulled over by a police officer on the QEW. I'd been speeding. When he pulled me over and I was well off the road, I immediately opened my door so the car light came on. When the police officer came up to the car, the first thing he asked me was why I did that, because it was unusual. Police officers will always be ready and prepared for the unusual. I told him I did it because if I were him, pulling someone over at 2 o'clock in the morning on the QEW, I'd want to know what was inside the car at that particular time. So I opened the door so the lights could come on. We had a long conversation about his duties, what he went through, the experiences he had, the pressures they put on his personal life, the kinds of things that he goes through on a day-to-day basis.

Yes, he did give me a ticket, even after our lovely conversation. I kind of thought I had him coming my way, but he did his duty, and well he should. I deserved that. He was benevolent, however, as I recall. I think that's the last ticket I've had, too. However, it did give me pause to reflect on the way home about the commitment that these people make to their jobs and to the personal safety that our communities have.

There's also the firefighter, who can spend a shift rescuing a young family after an unfortunate accident or providing some much-needed attention at the scene of an automobile accident. Firefighters put on asbestos equipment and walk through a wall of fire in order to save us or our valuables or our loved ones at a time of a house fire. Who among us, when we're lighting a gas

barbecue, doesn't jump back when it ignites with a little fire, and yet these people walk through those walls of fire.

We must not forget about the often-unspoken frontline staff of Ontario's correctional facilities. They spend their days watching over criminals who you and I might be appalled to share our company with. They are there every day as they undergo rehabilitation both inside and outside the walls of our jails and detention centres.

I think everyone in this House would agree that the contribution these individuals give to the safety and security of their communities was brought to the forefront of our minds with the horrific attacks of September 11. It was during that tragic time in three American communities that we all realized what heroes these members of law enforcement and emergency services truly are. When the rest of the world was struggling with shock and fear, they rose to the occasion and rescued and recovered those who were at risk and those who were already lost. In so doing at the doomed World Trade Center, many of them lost their lives.

We have just experienced the first anniversary of that tragic day, and in Ontario and across the rest of the world we commemorated the occasion by remembering not only the civilian victims but the victims from law enforcement and emergency services communities as well.

Sadly, as with any other day, these men and women left for work not knowing what could face them in that day's shift. They knew, as they know every day, that they may never make it home. They knew, as they know every day, that when they say goodbye to their families and their loved ones it may be the last time they do so.

It is a tragedy when anyone passes on under any circumstances, but what is even more tragic is when an individual passes on from performing the most selfless duty—protecting the safety and security of a community.

Fortunately, these tragedies are few and far between. However, when they do occur they are forever etched in our memories. Just this past year, we have experienced the death of four police officers and firefighters in Ontario.

Rick McDonald was one such police officer. He died in the line of duty in Sudbury in 1999. A public building in my riding of Halton didn't have their flag at half-mast immediately after his death. I inquired why and I was told it happened a long way away up in Sudbury and they didn't feel the need, and it was a voluntary thing as to whether or not they lowered their flag.

That is why I feel it is so imperative to properly recognize the passing of these individuals no matter where it happens in this great province of Ontario so that all Ontarians can reflect on a hero just called and indeed all the heroes who are police officers, firefighters, paramedics, ambulance attendants and correctional officers who work and live in our communities and across this province. That is why I am introducing Bill 172, An Act to require that flags be flown at half-mast at provincial government buildings to honour Ontario police officers, correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty.

1010

If passed, this bill will require all flags to be flown at half-mast in the event that one of these everyday heroes loses their life while trying to protect ours. All flags at government buildings, schools, hospitals, police stations and correctional facilities will be required to be at half-mast for a specified period of the day the death is announced and the next full day.

I understand it is a small token on our part to pass this bill, but I think it will show the men and women who selflessly sacrifice their lives for the protection of others that their daily efforts do not go unnoticed. A flag at half-mast is something most people notice, and they ask why, and they find out what happened and then they have time to reflect. It will show these heroic individuals that their lives are recognized and honoured on a day-to-day basis.

I would ask all members of this House to join me in support of Bill 172 for the families and loved ones of those whom this bill would honour.

The Acting Speaker: Further debate?

Mr Michael Bryant (St Paul's): Obviously, Dalton McGuinty and the Ontario Liberals support this bill. We thank the member for bringing it forward. It is a bill which seeks to, among other things, address the need for public, formalized rituals in our province to ensure that we celebrate those, that we mourn those, that we exalt those who have played a part in the tragic events of September 11, but also that we acknowledge those, exalt those and celebrate those who have all along been engaging in these heroic activities.

I think there's no doubt that the public impression of police officers, correctional services officers, firefighters and ambulance workers, who are really the focus today in this bill, is that they have always been engaging in the same activities as they were before September 11. September 11 provided an opportunity for the world to refocus, if you like, and to see on a scale unimaginable before the lengths to which these people would risk their lives for others, would engage in acts of rescue that the vast majority of us really could not contemplate. Yet this is what they do for a living.

I should also say that I think it's important that we do this, and that in fact we legislate this for the reason that was just explained by the member sponsoring this bill. It means that we are all engaging in this. It provides, I think, a legislative sanction to ensure that everybody in this province understands the importance of this, the importance of the ritual of flying the flags at half-mast, and the meaning there too. And as we continue to hear in popular culture and in our legislative culture efforts to consecrate this important ritual, I think this bill will be one fine step along the way.

I know a number of members in our caucus want to speak to this. I'm going to close with some words from the Boss—not my boss, McGuinty, but Springsteen—who said, in honour of those who have fallen on 9/11,

May your strength give us strength,
 May your hope give us hope,
 May your faith give us faith,
 May your love give us love.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join in the debate on second reading with respect to Bill 172, the Flags at Half-Mast Act, 2002, brought forth by the member from Halton.

Certainly the intent of flying the flag at half-mast for a period of mourning to honour police officers and also firefighters really has been applicable in my riding this past year, unfortunately. We had earlier this year a very valiant and brave firefighter by the name of Billy Wilkins who worked for the Barrie fire department, a very young man who was tragically struck down trying to fight a fire in a private residence. The outpouring from all over the province, let alone from the community, in terms of not only the shock and the dismay but also the respect being paid and put forth toward a firefighter of that young an age and that valiant an effort, touched the community very, very deeply.

Shortly thereafter—too shortly thereafter, this past summer—in a meaningless, tragic event, a South Simcoe police officer by the name of Al Kuzmich was stuck down on the highway while in pursuit of a stolen motorcycle. He was struck down while performing his duties, a young man with a young family, two young boys. The funeral service, which was held in Barrie at Collier Street United Church, once again showed the outpouring of support from all the police services across the province and from the community—shock, disbelief, and just a tragic, tragic event taking away the life of a young man who had so much to offer not only to the community but to his young family.

Certainly the flags being flown at half-mast was never an issue with respect to my particular riding, where we've seen two tragic events in the past year. But I know that in terms of what the member from Halton is bringing forth here, it's not only for police officers; it's for correctional services officers, firefighters and ambulance workers who lose their lives in the line of duty. Billy Wilkins and Al Kuzmich lost their lives in the line of duty, and it's something that should be respected throughout the province. That's what the member is trying to accomplish here.

I think it's a matter of respect. That's what was put in the paper and that's what the member from Halton is saying: it's a matter of respect. But it's more than that. It shows our appreciation for the work that police officers, firefighters, ambulance workers and correctional officers put in day in and day out. They are in risky professions. It's not so much that they get ready every day and say, "I'm going to go in to work." They not only get ready to go in to work; they have to go in to work with a recognition that they have to be prepared to deal with situations that may affect their life. For the vast majority of the population, it's something they take for granted, that they're going to go to work, they're going to come home after work, and then they'll just get on with their life and do what they want to do. But for this type of individuals—and it's a unique type of individual. Certainly I know correctional officers; one individual

who lives down the street from me, Bill Merrick, has been in that service for many years. You have to look at it from the point of view of what they're giving up to the community, what they've chosen to sacrifice. What they've chosen to sacrifice to the community is their life. The saying, "Some gave all," is what we're looking at in terms of the two individuals who died in Barrie and Innisfil this past year. They gave all. I can tell you that it's a very tragic circumstance.

But certainly I think the intentions of the member from Halton are to cover the entire province, and that's what we're looking to do. So I support this bill and hope for its speedy passage.

1020

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join, along with my leader, in supporting the bill. It's a very good idea. It's a bit of a blank in our procedures around here, and I very much support it, obviously for a couple of reasons.

One is that all of us appreciate the terrific role these people play in our lives, and it's a small but meaningful way that we recognize that.

The second reason is that each of us, as we drive by a flag at half-staff, if we're not familiar with why it's flying at half-staff, we ask the other person in the car, "What is that for? Why is that?" It is a way that we across the province will remind ourselves and discuss the important role these people play. So I'm very much supportive of it.

I would also say to our police officers, firefighters and others how much the public appreciates the job they do. I talk to police officers frequently, and they will often notice the criticism they get and I think seldom appreciate the terrific respect they have in the community. I know that from experience. The community I represent is just overwhelmingly supportive of our police organization. They overwhelmingly appreciate and respect the job they do. I just want to say that, because if there's a piece of criticism in the media, I think it jumps out at them, and they don't hear often enough how widely appreciated their role is.

Finally, in support of this, one of my very best friends was a police officer. He and I coached hockey together for 17 or 18 years. This police officer was injured on the way home from work and became a quadriplegic. He went back to work on the police force as a quadriplegic. I take my hat off to Toronto Police Services, by the way. They brought him back as a fully functioning constable. He was then promoted to detective sergeant, and again I take my hat off to the police services. Tragically, he passed away at the age of 42, partially, in my opinion, because of complications from the accident.

In any event, the point I'm making is that he is indicative of our police services, an individual who served us well as a police officer but also as a tremendous community participant. He coached hockey for 16 or 17 years, among other things. I regard this as another

indication of the respect and honour we pay to those people who perform these duties for us.

I appreciate the bill and I of course will be supporting the bill.

Mr Toby Barrett (Haldimand-Norfolk-Brant): It is important for us to throw our support behind this legislation, the Flags at Half-Mast Act, that's been introduced by MPP Chudleigh.

As we know, the purpose of this bill is to require that flags at provincial government buildings are flown at half-mast for a period of mourning to honour police officers, correctional officers, firefighters and ambulance workers who lose their lives in the line of duty.

I'd like to point out off the top that all of us here today bear a responsibility, not only as MPPs but as members of society, to ensure that the people in these professions are recognized for their efforts to ensure our safety and our security and the safety and security of our society.

Frankly, I'm surprised and somewhat dismayed that this type of legislation isn't already in place. I would suggest that people in Ontario would be disappointed as well to learn that members of our emergency services, our friends and neighbours who put on those uniforms, are not honoured in any comprehensive way with the lowering of a flag at Ontario government buildings when one of their members makes that ultimate sacrifice.

Protocol is very important, and direction is often needed when local people try to make a decision whether or not they should lower that flag. In the wake of new realities post-September 11, our emergency workers have had thrown on their already hefty assignments new responsibilities. In response to the superior job that police, firemen, ambulance and correctional workers do day in and day out, we must take what I consider a relatively small step to honour fallen heroes.

Given the actions of September 11—this was mentioned earlier this morning—I'm very proud of the government of Ontario and our emergency response workers here in the province. As many will know, at 8:48 a plane entered the north tower and at 11:08 in the morning Ontario was on full alert through the emergency measures organization. Air ambulance, police and firefighters were all at the ready.

I would like to echo the comments of the Minister of Public Safety and Security, Bob Runciman. He pointed out in this Legislature in June that the first government in Canada to react was the government of the province of Ontario, led by then-Premier Mike Harris. I'm sure people throughout the world at that time questioned whether their governments had the ability to deal with emergencies, as we saw in both Washington and New York.

When I was 17 I did a stint in the militia, and I'm saddened by the neglect of our Canadian forces since that time. However, our firefighters, police and paramedics are well equipped, in contrast to the federal level, and can play a very strong role in dealing with terrorist acts, a

role that of course needs to be further enhanced by provincial dollars, municipal dollars and federal dollars.

It's important to reflect on today's challenge to our security. People do step forward and answer a call in our time of need: military personnel, of course, emergency workers, police and firefighters. Because of these people, Ontario remains at the ready.

Since September 11 this government has moved swiftly to support emergency response teams, providing personnel with backup, providing personnel with the tools they require to work on behalf of the province to provide safety and security. For example, a major training exercise in bioterrorism will be held next spring for police, fire, ambulance and medical personnel.

The Office of the Fire Marshal is investing \$2.5 million a year in generic and specialized training for first responders. One hundred thousand dollars is going to each of Toronto, Windsor and Ottawa fire services to form specialized chemical, biological, radiological and nuclear response teams. We are asking these people to take on a far-expanded role and responsibility.

The Office of the Fire Marshal has also developed a pocket guide for first responders on biological and chemical terrorism, including anthrax, smallpox, cyanide and nerve agents. This is very serious stuff and, again, reflects the confidence we have in people whom we, through this legislation, are recognizing.

Today, the member for Halton is asking us to take these measures of support one step further. It's a relatively small step, I submit, that should have been taken a long time ago, a step that would honour these firefighters, police, correctional workers and ambulance attendants, heroes who bravely put their lives in the way of danger every day. It's a step that would recognize these men and women with the lowering of the flag.

As I've alluded to a couple of times, our emergency response workers are heroes, and they should be treated with appropriate respect. Part of that respect means that at the very least we must work with MPP Chudleigh to ensure that death in the line of duty is honoured.

1030

The reverence should not be shown in the local community alone, but across the province. Make no mistake: the loss of an emergency worker in one part of Ontario is a loss to us all, to every woman, man and child throughout the province, and therefore I see it as apt that our condolences should be felt across the province as well.

It is our responsibility, as elected members of this provincial Parliament and as members of society, to ensure that the dedicated efforts of these people do not go unrecognized. It is our responsibility to ensure that their sacrifices are not forgotten.

Mr Rick Bartolucci (Sudbury): I stand, like my colleagues before me in the Liberal caucus and our leader, Dalton McGuinty, in support of this resolution.

It is interesting that the member would bring this resolution up today. We know, or we should know, that this Sunday in Ottawa the Canadian Police Association,

along with the federal government, will be sponsoring the Canadian police and peace officers' 25th annual memorial service. It is a very, very solemn time, a time when we reflect and we remember. We reflect on the importance of those individuals who have lost their lives, and we reflect on the importance of these people who lay their lives on the line every single, solitary day of their lives.

I'm glad the member included firefighters, ambulance workers and correctional services. Indeed, these people jeopardize their lives on an ongoing basis, as well as our fine police officers across this great province of ours and this fine country of ours.

This Sunday in Ottawa is also a time for challenge. It's a time to challenge all levels of government to do what we must do in order to make the lives of police officers, firefighters, correctional services and ambulance workers as safe as possible.

We focus on police officers this Sunday. We remember painfully the tragedies which occurred which caused the loss of life of these fine police officers. But the challenge is there.

My fellow Liberal caucus member, Michael Bryant, quoted the Boss, Bruce Springsteen, in his speech. I would challenge this government and all governments to listen to the words of a song written by a person in Barrie, Ontario, Karen Eaton, when she says, "Honour thy fallen." This is what we'll do by this bill. We will honour those who have fallen, who have died, who have lost their lives protecting and serving the people of Ontario.

In the next six minutes I'd like to bring the House up to date on the activity of the JOEMAC committee. JOEMAC is an acronym for Justice Over Everything: Making Appropriate Choices. It's a group of community people who have gotten together to try to effect systemic change in our federal justice system but also to ensure that there is justice for those people who have lost loved ones.

I focus today, for the remainder of the time, on the life of Constable Joe MacDonald. Joe, in the early hours of a very damp October day, pulled over a vehicle for a routine traffic stop; a brake light was out. He pulled the vehicle over and was met by two criminals who turned out to be executioners, as you will see. They jumped out of their vehicle and started to beat on Joe. They pumelled his body. They broke his leg so severely that it was on backwards. With utter disdain, these executioners put three bullets in the back of his head. One of the members of the JOEMAC committee is Ray Grenier, who cradled Joe in his arms as he died.

The JOEMAC committee, which was formed from members of Joe's family, the community, Joe's lifelong best friend, fellow police officers and a member of the Office for Victims of Crime, Staff Sergeant John Muise, has come together because we want change.

This House, all three parties, unanimously supported the resolution that JOEMAC has now brought across

Canada. It asked for three things. The first thing it asked for was the return of Clinton Suzack and Peter Pennett who today, as we debate this bill, are enjoying soft time, one in Mission, BC, and one in eastern Ontario, in medium-secure facilities, having been transferred very quickly out of maximum security. The JOEMAC committee and this House want them back in maximum security. Secondly, we want an external review of Correctional Services Canada because we believe it is important that people are cascaded in our criminal justice system based on individual risk assessments and not on numerical quotas. Thirdly, we want the federal Solicitor General to live up to the promise he made to the justice committee, that he would send a directive to the commissioner, deputy commissioners, warden and deputy wardens across this country that cascading would not be based on numerical quotas.

It is interesting that when we met with the Solicitor General last February 18, he suggested he would keep the lines of communication open. On April 18, 2001, he sent a letter suggesting he would send out the directive. Today I received a copy of this letter that the federal Solicitor General sent out to Ms McClung from Correctional Services Canada. It's dated today, but at least it's dated and has gone out. We see that as a first positive sign.

We, as a committee, want this resolution passed by every province in the country. We have made strides. We presented this summer to the National Association of Professional Police, who passed our resolution, and the Canadian Police Association, which passed our resolution. We have commitments from these services as well as from the Canadian police services boards association that they will take the message of JOEMAC to their respective provinces, so that hopefully, before Christmas, we will have the rest of the provinces and territories on side. We want to put the Solicitor General and every government on notice that the recommendations of the JOEMAC committee are not politics. It's all about public safety and a justice system that protects everyone.

We look forward to the government members on the other side of the House supporting the JOEMAC endeavours as we move on to all the other provinces. It is important for the people of Ontario to understand that when we stand up in this House and debate issues of public safety, these are not partisan political issues that any political party in this House owns. If indeed we believe we want to ensure public safety, as I believe is the case, then it is the domain of every person in Canada and not any individual political party.

I support this bill, Dalton McGuinty supports this bill. This is a good bill. It provides us the opportunity to say thank you.

1040

Mr Peter Kormos (Niagara Centre): I'll make it very clear: New Democrats will be voting for this legislation. There's no two ways about it. New Democrats supported and continue to support and applaud the memorial across the road from this assembly that pays

tribute to the police officers, the women and men on our police forces who have lost their lives in the course of performing their duties.

A few months ago, New Democrats supported enthusiastically in this Legislature a private member's bill that would provide for the construction of a monument to firefighters, the women and men in our firefighting services who have lost their lives in the course of the performance of their duties. If you recall, New Democrats made it very clear that that monument, just as the monument to police officers, should be so significant, so majestic, so profound by its presence as to reflect the gravity of the loss of life by, in that instance, a firefighter, be it big city, small town, be it full-time or volunteer, who loses their life in the course of the performance of their duties.

Let's take a look at the bill. It's a law because it's a bill. There's an obligation here, of course—and again, no criticism. I understand—I think I do—the author's intent. He brings it before this assembly for this discussion. But let's understand that this government could today issue a directive to all of those public sector places simply requiring that they fly their flag at half-mast. We don't need the legislation, and that's not to criticize the legislation. Let me make that very clear. I understand that the legislation, by being presented as a private member's bill, lets us speak to it.

I read the bill carefully. It's a very brief bill. We spend a lot of time in this assembly mourning the loss, mourning the deaths of firefighters and police officers and proclaiming our commitment to others who perform that public safety role: correctional officers, front-line medical emergency response personnel. Please, can we spend as much time talking about giving these people the tools to enable them to do the job that's expected of them and to do it as safely as possible so we can minimize the risk?

I recall being very blunt with you around the discussion we had with respect to the private member's bill proposing a monument to firefighters. It's so easy to pay tribute after the fact. Let's start getting real about making the sort of investments, in collaboration with those workers in those sectors—firefighters, police officers, front-line medical emergency response personnel—to give them the resources, the tools, the equipment, the training, the staffing that lets them do their job, and minimizes the risk that is inherent in those jobs. Let's have debates about minimum staffing for firefighting services and about ensuring the resources are available to communities so they can employ sufficient firefighters to have minimum staffing.

Let's talk about minimum staffing for police services. Let's talk about adequately funding police services so that policing communities like Niagara's don't have to engage in fundraising activities like the notorious option 4, where Niagara regional police officers are required, in a very labour-intensive exercise, to set up speed traps for the purpose of obtaining \$50 donations—I've talked to you about option 4 before—not to a charity that the police are sponsoring, but to the operation of the police

services. It's not just Niagara. Do you understand what that means?

Speed traps, radar speed traps, in and of themselves, are fine. Police have always been patrolling the highways and setting up radar to catch speeders. But they're labour-intensive. You need a significant number of personnel to detect and stop the speeder or to pursue the speeder if the speeder doesn't pull over. In Niagara region, option four is utilizing these personnel, taking them away from other policing tasks for the sole purpose of fundraising, and not in Niagara only.

Firefighters across this province have, through the course of contract negotiations and grievance procedures, been attempting to develop a uniform standard for minimum staffing. Municipalities would dearly love to accommodate them in their communities but are cash-strapped and simply can't afford to do it. It means there have to be sufficient funds coming from this level of government to permit that minimum staffing. And that minimum staffing will mean the community is safer and the firefighters are safer. It has everything to do with adequate response in an adequate time frame and performing the job as safely as possible.

Correctional officers—my goodness, I can't anticipate the conversations I will be having with correctional officers after this bill inevitably passes through second reading. They'll say, "Well, thank goodness, they're going to fly the flag at half-mast if one of our sisters or brothers dies in a correctional institution or while escorting a prisoner," when over the course of seven years now, correctional officers have been the victims of derisive abuse by this government, the orgy of privatization of correctional facilities, the constant attacks upon correctional officers by minister after minister after minister.

Mr David Christopherson (Hamilton West): Tory ministers.

Mr Kormos: Yes, quite right. My colleague the former Solicitor General and Minister of Correctional Services detects a dramatic change in attitude. That change hadn't occurred in 1995 with the election of the Conservatives here.

I was down to Mimico Correctional Facility at the beginning of the summer break, meeting with correctional officers and other staff in that institution who were pleading for an opportunity to sit down with the minister to address the issue of the closure of that institution as part of the privatization agenda. I wrote a letter to the minister. I hope the minister accommodated those people.

Ambulance workers—I was here when one Minister of Labour and House leader from the Conservative government talked about the ambulance worker goons invading Queen's Park. Do you remember that? He wanted me on the carpet, he wanted them banned, he wanted the leader of their trade union barred from Queen's Park. Ambulance workers were trying to get a hearing with this government. Legislation had been introduced that directly attacked their capacity to perform their job and their right to collectively bargain.

So, while the bill speaks for itself, it also invites and provokes a whole lot of other observations, doesn't it?

It's a tragedy when any worker loses his or her life in the performance of their job. Policing is inherently dangerous. Firefighting is inherently dangerous. Corrections is increasingly dangerous because of this government's de-staffing of correctional facilities, its underfunding of correctional facilities and its oh-so-enthusiastic pursuit of privatization. But I tell you, a woman or a man descending the elevator in a mine shaft to go underground is in pursuit of incredible risk as well. The steelworker, the agricultural worker, the young man or woman who, as a student, is working at a summer job with inadequate support and no familiarity with their right to refuse unsafe work, and their exposure to toxins and to dangerous machinery that is not properly regulated or controlled, and the absence of inspectors in those workplaces: they too entertain and pursue great risk.

1050

The facts are there. The numbers are evident. God, if the flag were to fly at half-mast in this province, as it should, to pay tribute to every worker who dies in the performance of their work, be they firefighter, police officer, correctional worker, ambulance or first-line medical personnel worker, miner, mariner or seaman or sailor, farm worker, steelworker or ironworker, or construction worker, we'd have no need to ever raise it.

I say that wouldn't be a bad thing. I think it's a good thing. I've had tragic and regrettable occasions, as have my colleagues, to participate in the display of support and sympathy for families and colleagues of, yes, police officers who have been killed, firefighters who have been killed. I've also had the same tragic occasion, as have my colleagues, of attending the funerals in an effort to provide some display of support and sympathy to the families of workers who have been killed and whose sacrifice surely can be considered no less significant.

Robyn Lafleur down in Port Robinson—we've talked about Robyn so many times, haven't we? Surely the flag should fly at half-mast for Robyn Lafleur, slaughtered in her workplace, as it should for every police officer, every correctional officer, every firefighter, every emergency response medical person.

I encourage the author of this bill, once it receives passage, to send this bill to committee. I do that so we then can propose amendments which would give effect to the New Democratic Party's interest in seeing this government provide adequate resources to the workers—firefighters, ambulance teams, correctional officers—contained in this bill as well as to pay tribute to Robyn Lafleur and her sisters and brothers, almost 300 a year, almost 300 a year in Ontario alone; in 2001, 262 workplace deaths in Ontario. Since 1988, when this Legislature passed the New Democratic Party resolution to officially observe a day of mourning—14 years—there have been almost 4,000 workplace deaths in Ontario. Surely that deserves our mourning as well.

Mr Frank Klees (Oak Ridges): I'm pleased to be able to rise in the House today to express my support and

the appreciation of my constituents to the member from Halton, MPP Chudleigh, for bringing this bill forward. I really believe this is overdue.

This is a bill that I believe will have a far-reaching effect on people throughout our communities. It's a powerful symbol when a flag is flying at half-mast. I recall as a young person that the first time that a flag at half-mast came to my attention was when President Kennedy was shot. I remember looking out the window of the public school I was attending at the time and what that meant to me. Now, every time I see a flag at half-mast, I know something significant has happened.

I believe this will be an opportunity for us to teach our young people, as they observe flags at half-mast, the importance of the work that's being done in our communities throughout the days, weeks and years by these people who are serving us so selflessly.

I had the privilege of spending an opportunity on September 11 to observe a remembrance with the firefighters there. I watched as these men and women took their places and remembered their colleagues. It was a reminder to me that there are jobs that are being done in our society every day that many of us could not do, do not want to do and do not have the wherewithal to commit to doing them, but men and women throughout this province take up those tasks daily. We will rightfully respect the sacrifices they make through this bill.

The Acting Speaker: The member for Halton has two minutes to respond.

Mr Chudleigh: I'd like to thank the members of the House who spoke about the bill, particularly the member for St Paul's, who mentioned that shift work is a very big part of emergency workers' work shifts. Shift work brings a whole other system of pressures to bear on life. Anybody involved in shift work or has been in shift work will understand what those pressures bring on family life, recreational life and life in a community.

But aside from all of that, these people, not only being shift workers, also find time to volunteer. They are huge volunteers in our community. I don't think there's a ballpark, an ice rink or a community centre that doesn't have the men and women who man our ambulance services, who work in our correctional institutions, who work for firefighting organizations or police organizations—that doesn't see these people in those volunteer jobs. Hospital workers: again, I constantly see the men and women volunteering their time in hospitals around my riding.

The last member to speak, from Oak Ridges, mentioned that it's a very small step, as I did in my opening comments. This a very small step for the men and women who take such great strides to provide a safe and secure environment, to provide us with the help and assistance we need at our times of greatest tragedy. As the member for Scarborough-Agincourt pointed out, it's a time to recognize those people for what they do. All too often I don't think they know how much we appreciate their efforts on our behalf.

The Acting Speaker: This completes the time allocated for debating this ballot item. I will place the questions to decide this item at 12 o'clock noon.

1100

FAMILY HEALTH BENEFITS ACT, 2002
LOI DE 2002
SUR LES PRESTATIONS FAMILIALES
DE MALADIE

Mr Martiniuk moved second reading of the following bill:

Bill 176, An Act to provide for some continuation of benefit plans of employees after the end of their employment / *Projet de loi 176, Loi prévoyant une certaine continuation des régimes d'avantages sociaux des employés après la fin de leur emploi.*

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

Mr Gerry Martiniuk (Cambridge): I'm pleased to rise to present Bill 176, but if I may be candid with my colleagues in the House, this was not the bill I had originally expected to deliver on this date.

A couple of years ago, a tragedy occurred in Cambridge in that a young boy and police officer lost their lives through an accident involving a low-head dam on the Grand River. As a result of that, I have worked over the last couple of years with the MNR. They compiled a file and the coroner's report recommendations that hopefully would have formed the foundation of a bill to try to prevent future incidents surrounding low-head dams around the province, of which there are a fair number.

I started to make final arrangements with the MNR in early July. Our contact with the new minister was unproductive. Phone calls produced references to other persons. I got the runaround. Subsequent calls requesting a meeting were not returned at all. It was not until late August that I realized I was being stonewalled, and by that time it was too late to work on my dam bill.

You might wonder why it took me a month to determine that I was being stonewalled. I've been an MPP for seven years and I cannot think of an instance where I have not received full co-operation from any of my colleagues, whether they be in the cabinet or whether they be out of the cabinet. This stonewalling came as somewhat of a surprise. It is one thing to treat me with disrespect; it is another to treat my 120,000 constituents with contempt. That story is not over with, I can assure you.

However, as a result, this bill really didn't start until August 15, although the concept was there. I would have had many more consultations because there are a number of ramifications arising out of this bill. I would therefore request the indulgence of all the members in the House to provide some wise guidance on any pitfalls they see with my bill, if it's referred to committee.

Due to a shortness of time, I'd like to particularly recognize the excellent work of legislative counsel and research staff. Research officers Elaine Campbell and

Avrum Fenson could not have been more helpful and expeditious. Michael Wood, the legislative counsel, worked very hard on my behalf to get this bill ready on time.

I stand in the House today to urge members to support my private member's bill, the Family Health Benefits Act, 2002. This legislation is an important part of the overall health and labour reform in Ontario and a step forward for workers and their families across this province.

As proposed, it is a first for Canada. Most extended health, drug and dental plans end on the termination of employment. Even if a new job is found immediately, there is usually at least a three-month waiting period before benefits can be applied for under the new extended benefit plan. This means families are left unprotected for months, and this can lead to substantial hardship, especially with chronic illnesses requiring expensive drugs and/or non-OHIP medical procedures.

As members can see in the bill, the Family Health Benefits Act amends the Employment Standards Act, 2000, with section 44.1 to extend the period of health benefits coverage. This amendment permits workers who have been employed for at least 52 weeks with the same company the right to extend their benefit plan coverage for a period of up to six months should they be permanently laid off. This important amendment covers the extension of all current benefit plans in Ontario. At present, no other province has a benefit buyback provision. Manitoba is silent on the issue, British Columbia has allowances in collective agreements only, Saskatchewan only regulates part-time benefits, Alberta and Quebec are silent and the rest of Canada has not yet moved on this innovative approach.

This proposed made-in-Ontario act raises the bar for health benefits coverage for workers and their families. We all know that the cost of many medical treatments or therapies can be overwhelming. Many families rely greatly on their health benefit plans. Whether it is a scheduled trip to the orthodontist, the replacement of eyeglasses or contacts, prescribed physiotherapy, an extended hospital stay or a life-saving prescription drug, they are very important health matters. Ontario families should not be without uninterrupted coverage for these benefits. Many Ontario families face severe health challenges and rely on their benefit plans extensively.

When asked, the Toronto branch of the Canadian Diabetes Association says that a person with diabetes can pay anywhere from \$2,500 to \$5,000 a year to treat this condition. Test strips alone cost \$1 apiece and are required four to eight times a day.

Using the limited data available, the average Canadian family that loses health benefits will spend an average of \$1,880 per year on dental care. They are also being faced with approximately \$1,220 on prescription medications and pharmaceutical products. They also face additional payments for required eye care and other health-related expenses. These are amounts for a family that is without a high-need family member.

The costs that I have mentioned make us realize that giving a family the option to continue uninterrupted health coverage is the right thing to do. By passing the Family Health Benefits Act, we, as legislators, can say to Ontario workers, "We value your work, we value your family and recognize the needs you may be facing."

As members can see, the act is designed to permit the employee to choose this benefit buyback as an option. It is not mandatory. We are in uncharted waters in this act. It may only be used by those with high-need family members or others who believe they really need it, but I think that if even one child or one family is assisted, we have done our jobs.

On the issue of cost, the act outlines that the employee, on choosing the option, will pay the full premium based upon the employer's group rate.

I would be interested in hearing from members as to the merits of this bill. I would encourage members to discuss the options. Questions that come to mind are: should the interim and permanent disability portion of any policy be accepted; should there be an alteration of the employee's disbursements; do you have to be employed for one year before you would have this option or is that too high or too low; is the six-month extension adequate?

If passed, I will be requesting that the bill be referred to the standing committee on general government, where all facets and ramifications of the bill and your worthwhile comments can be considered.

The bottom line is that the plan we envision offers maximum benefits to workers, while respecting the solid business and investment climate we have created in Ontario.

The Family Health Benefits Act responds to a changing time, a time when being sick is expensive, a time when peace of mind is important and a time when workers are placing a greater emphasis on family and security. It offers uninterrupted protection. I would like to emphasize that as leaders in this area, we are making Ontario an even better and more attractive place for skilled workers to locate. We are offering a benefit that is innovative and valuable to families.

I am sure each member of this House has seen many people in his or her constituency office or in the community with ongoing medical needs. Whether it is an adult with a chronic condition or people with children who are struggling with a severe illness, they are challenged each and every day. The last thing they need when losing a job is the added emotional stress of losing their health benefits. This act will help these people in a very direct and practical way. I thank you, Mr Speaker.

The Acting Speaker: Further debate?

1110

Mr Ernie Parsons (Prince Edward-Hastings): I am pleased to speak to this bill. I will be sharing my time with the member for Kingston and the Islands.

I applaud the member for Cambridge for this bill. This is a good bill that I believe has the potential to greatly ease the trauma of a job loss and the problems associated

with it. However, there is an inherent problem with it that I would urge the member, in fact the government side, to address. The problem with job loss is there is a loss of income. We've got the income stream stopping and we are asking the family to assume the cost of the insurance itself. So at the time that they are most vulnerable, they are being asked to pay for this private health insurance.

If you have monitored the cost of private health insurance at all over the last few years, you know that it has escalated rapidly. Insurance companies take what they expend and they pass those costs, plus profit, on to their consumers. The problem they are facing with their health care costs is that this government has delisted significant numbers of drugs, drugs that when prescribed for the children now have to be fully paid for by the family.

This government has delisted treatments that at one time were covered under OHIP, and I think specifically of physiotherapy. For individuals who are involved in accidents, for individuals who have broken limbs, they are now, in many cases or most cases, being forced to assume the cost of it.

Interjection.

The Acting Speaker: The member for Kitchener Centre.

Mr Parsons: Thank you, Speaker. This is an important bill and I appreciate the opportunity to speak to it. Perhaps we can debate outside in the hallways after.

For audiologists, families with young children in rural Ontario are facing the reality of having their children's hearing tested two ways. One is to go on lengthy waiting lists—in my community that means Toronto, by and large—or they can pay for private services. The very hearing tests that these children require so that corrective action can be taken have been delisted.

The insurance companies know that they are facing these extra costs, and someone has to pay. The someone who has to pay is going to be these families who have, at that moment, lost their income stream.

Hospitals, with their budget crunches, are being forced to increase the cost for private care over the ward system. Again, that's passed on to insurance companies and the insurance companies pass it on to families. So in theory this is a great bill, but the question that is going to be faced by the families is, can they in fact afford the insurance?

I have had talks with individuals who have retired who say that when they retire and they wish to carry on their benefits—whereas, we'll say, eight years ago the cost was perhaps \$200 a month for the premium, they are now finding the premium in the \$400 to \$500 range. They are not able to sustain it, even though they are receiving a pension. They've got a pension and they can't afford it. Imagine a family that has lost their whole income stream; how can they afford it?

We need, at the same time as we are supporting this bill, to address the underfunding of health care and the inability to address the new technologies and new services that are coming.

I have an example that I am only too aware of from constituents in my riding and other ridings. That's the issue of type 1 or juvenile-type diabetes. The government, to its credit, will fund the needles for the treatment of diabetes for seniors, but it will not for children. So the child of a family that has a very limited income—that family has to find the resources to buy their child's needles. Yet there is a new product on the market called an insulin pump which automatically injects the insulin in controlled dosages that exactly duplicates the natural action of the body. This government will not fund that, not even under the assistive devices program. So families, even if they are able to continue this, are faced with these additional costs.

Now, the cost of an insulin pump is only about \$5,700. "Only," I say; \$5,700 is a lot of money. The craziness is that the family that spends the \$5,700, and in many cases borrows money or sacrifices within the family, has the potential to save the government significant numbers of dollars. Diabetes causes problems with the heart, causes problems with the kidneys, causes a multitude of problems within the body that, if there is a hospitalization, easily runs to \$100,000 for that one treatment for a heart problem—\$100,000 in one visit to the hospital, in one stay over a heart treatment. A \$5,700 expenditure for that pump prevents that.

There are insurance companies that are providing the funding for this because they know it is a good value for their dollar. It is a preventative device; granted, it has the wonderful side effect of also increasing the quality of life for the individuals, whether they be children or adults. We call it juvenile-type diabetes, but there are adults who have it. For them it's a significant improvement in their quality of life. It saves the provincial government huge dollars on health care. But we make the insurance companies pay for it or we make families pay for it. If insurance companies pay for it, I can assure you that that goes on to the premiums.

To the member for Cambridge, I applaud you for the bill, but I urge you at the same time to lobby your colleagues, particularly the Minister of Health, to say, "When we de-list these drugs, when we delist the services, it's not because they're no longer needed, it's not because they're not still life-saving. We're delisting them because what we're really doing is putting in a user fee by transferring the cost for this procedure, or the cost for these drugs, to the individuals."

I would suggest for those individuals, whether they be families or individuals, that represents a tax increase to them. I know tax increases aren't allowed because of the Taxpayer Protection Act—no, just a minute. The Taxpayer Protection Act is gone; I'm sorry. These tax increases are allowed because the government violated that, so I guess it gives a free hand to do everything.

Provide the services. If you look at the issues that we face in Ontario, if you ask the person on the street, "Which is your priority, money or health?" I know what the survey will tell you. One hundred percent of the people will say, "I want quality health care." The money

is absolutely useless. I've actually never seen a U-Haul behind a hearse. The money is meaningless if the health is bad.

Pass this bill; I'm going to support it. But I also urge you to do more so that the insurance companies will be able to maintain their premiums for what were meant to be extras. When we got private health care it was to deal with the extras, not to deal with the essentials. You put the essentials into the costs for insurance companies. Take them back, do it fairly and allow the families then to be able to afford their necessary health insurance.

Mr David Christopherson (Hamilton West): I appreciate the opportunity to join in the debate. Let me say at the outset that, first of all, we will be supporting the bill, and I applaud the member for the initiative.

I do want—

Applause.

Mr Christopherson: Wait, we'll see how you feel at the end.

I do want to raise again, though, the issue that the honourable member for Cambridge did at the beginning. He felt, if I understand his comments correctly, colleagues in his own government—I would think ministers—treated his constituents with contempt. Also, he felt he was being stonewalled in trying to represent the best interests of his constituents. I would just point out to the member that you can just imagine the frustration, first of all, that we have on this side of the House, not having the benefit of being in the government caucus, and secondly, how frustrating and how appalling it is for the ordinary citizen who feels that they—and rightly so—don't have anywhere near the influence and closeness to the corridors of power that you do. You feel stonewalled. Try to appreciate how a lot of people in this province feel, whether they're talking about health care, whether they're talking about, as my colleague from Niagara Centre raised earlier, funding for emergency services, for our education system. We have the chair of the Hamilton school board in London practically on bended knee, asking, pleading with the government to recognize the need for additional funding in our education system.

So I sympathize with the member and I appreciate his honesty and forthrightness, but I would point out that that's a fraction of what people in this province feel as they come to grips with the reality of the policies of this government.

I started by saying that I want to compliment the member. I began that way and I intend to end that way. I believe that this is a sincere effort to try to improve the lot of many working people and their families who find themselves with benefits cut off. I think it's the right thing to do and I'm glad that he's used this valuable time that he has to put it before us for consideration. But I cannot let a debate about this go without putting it in context, and the context, I say through you, Speaker, to my friend across the way, is that this government, a government that you're a member of, has an atrocious record when it comes to issues that affect working people and their families.

1120

I mean, the Employment Standards Act—for those people who don't have the benefit of a collective agreement, a union contract, the only thing they have is the Employment Standards Act. That's it. When they're at work, all they have is the Employment Standards Act, and if they don't have rights in the Employment Standards Act, you don't have rights in this province, period.

It was this government that first of all determined that it's OK for people who earn the minimum wage of \$7.50 an hour to have had no increase for seven years. I remember saying at the time, when the North American economy, led by the US economy, was booming in the late 1990s, "Here's the problem with this government saying they're not going to raise the minimum wage now, when times are booming." And you remember why they wouldn't, Speaker. Just to refresh everyone's memory, when things were going well and the economy was booming along, what was their reason and their justification for not raising the minimum wage? They said, "Well, we don't want to stomp on the good times. We don't want to slow down the economic boom that we've got. If we raise the minimum wage, it'll have a dampening effect on the economy." I and my colleagues in the New Democratic caucus said, "The problem with that thinking is that if you don't raise the minimum wage during good times, what's going to happen in the bad times is that we're going to hear an argument from the government, 'Well, how could we possibly raise the minimum wage? Look at the deplorable condition our economy is in right now. We can't afford to do that.'"

So where does that leave the very families that I believe the honourable member wants to help with this bill? Again, I can't say strongly enough that I don't think it's for any other reason than that he wants to make an improvement. But it's those very same people. Whether you're making the minimum wage of \$7.50 or your wage is relative to where that is, because you might be making \$8, \$9, \$10 an hour, believe me, you can't raise a family on that kind of income. They're the same people. It's the same families. And that's the inconsistency of policy in this case, I say to the honourable member.

You made changes to the Employment Standards Act that had the effect of introducing into this province the 60-hour workweek. Now, I know we've thrashed this around, and what does it mean and what does it not mean, but there's one thing that's irrefutable, and that is that if you don't have a union shop that clearly spells out what your hours of work are and what your rights are, then as long as there's an opportunity under the Employment Standards Act to have an employee work 60 hours a week, there will be those employees who will work 60 hours a week, and not because they want to. Number one, they may have to do it because it's the only way they can possibly, at \$7.50 an hour, earn enough money to put some food on the table and pay for some kind of accommodation, and heaven help them if their rent doesn't include hydro. The same families; the same pain. I'm going to use the word "pain," because after

seven years at \$7.50 an hour, I can't imagine that you don't go to sleep at night and wake up every morning with some essence of pain, pain at what you can't give your kids.

This is the same government that seven years ago cut the income of the poorest of the poor. I mean, you wonder why we've got an affordable housing crisis in this province? Seven years ago you cut the income of families on social assistance by almost 22%, 21.6% to be exact, and it hasn't been increased by a penny. The moral crime in that is that over half the people who are affected by that cut in income are kids. How is that consistent with saying we want to do things for working people and working families? How do you square that circle?

I mentioned hydro rates a little earlier. I'm going to say this about hydro, because it needs to be said now: there are a lot of people who have a belief that the labour movement is somehow something that should be left in the history books and that has no relevancy today. I want to remind those people who are making \$7.50, \$8.50, \$10, \$11 an hour that the only reason we don't have fully privatized hydro in this province is because two unions took this government to court and they won. The reason I raise that—my segue, if you will—is that most union contracts provide for an extension of benefits upon a layoff, and yet this is a government that has passed law after law weakening unions, going after unions, doing everything they can to make it more difficult to organize and easier to decertify, to get rid of, a union. Yet one of the key things unions do is protect their members, yes, when they are at work, but also when they have been laid off, when they're out of work.

I would remind the member that the only reason there is an Employment Standards Act in this province—which really doesn't affect union members or unions, because those contracts almost always have benefits that are way above and beyond the Employment Standards Act—is because those very unions considered it part of their responsibility to fight for those who don't pay union dues as much as they do for those who do pay union dues. We can't afford to lose sight of that, just as in the fight for affordable housing in this province, if you take a look at any protest, any campaign, meant to raise awareness or put pressure on this government for affordable housing, who's in the forefront of those fights, of those struggles? It's the labour movement, 10 times out of 10. And do you know what? The vast majority of their members won't live in them because they've negotiated enough money and enough wages that they don't need that.

So yes, this is good. I note that the member says in his letter of September 15, giving some rationale for this proposal, "The cost of prescriptions alone for some existing conditions can be astronomical." Absolutely. Absolutely. But what about those people who are earning minimum wage? How many government members have stood up and made the case that because of the cost of prescriptions for some existing conditions being astronomical, this government has a moral obligation to consider raising the minimum wage? How many times has

that speech been made from the government benches? To the best of my knowledge, nada, zip, none, zilch.

That's the one difficulty the member from Cambridge has this morning. It's not that he isn't doing the right thing, because he is. It's not that he doesn't care, because I believe he does. The problem is, it's one little piece of light, if you will—and boy, I'm sure not going anywhere near George the elder's thousand points of light, but this is like one little bit of progressive light in a huge, cavernous darkness that is your government's record.

1130

Maybe we're going to start a trend, elections being in the air. You can sort of sniff it; you can feel it: elections are coming soon. Maybe, if nothing else, some of the government backbenchers are realizing, "Gee, I'd better at least touch on the other side of the equation." I hope so. After seven years of anti-worker, anti-union, anti-poor people, anti-middle-class people and families, there is going to be a little bit of progressiveness. Goodness knows, we need it in this province. I would very much love to think that today was the day we saw a new approach.

And you know what, Speaker? I'm so desperate for a benefit for my constituents that if it's for pure political reasons, go ahead. Every one of you, bring in something like this. Pick an area where your government has done some damage and bring in a private member's bill that attempts to unravel some of that damage. Beautiful. At this point I'm not too concerned about motives; it's results.

I have to believe, in the last moments I have, that the member from Cambridge is doing this because he thinks it is the right thing to do. I began there and I'm going to end there, because I think the track record of the honourable member is one of speaking out for his constituents, and I give him full marks for acknowledging some of the difficulties he had. I've been in a government caucus. I know how much trouble that speech alone, those couple of minutes, can cause him and the amount of grief it can cause him. But if that's a true reflection of what is happening to him as a representative of his constituents in the riding of Cambridge, then I say kudos to the member for having the guts to stand up and speak out on behalf of his constituents, and I applaud him for bringing in this bill. It's the right thing to do and I will proudly cast my vote in support of it at the appropriate time.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

I'm certainly pleased to join in the debate with respect to Bill 176, An Act to provide for some continuation of benefit plans of employees after the end of their employment. This is looking for amendments to the Employment Standards Act brought forth by the member from Cambridge.

The intent of this legislation is to provide a framework of bridging, if you wish, with respect to dealing with individuals who are out of employment for whatever reason and allowing them to be part of a group benefit plan to secure benefit coverage.

There are a number of conditions that are put in the piece of legislation we're dealing with here. A condition with respect to seniority of one year would be required. It also does not apply to people who quit their employment, but it allows for the extension for a period of health benefit coverage, and that would encompass extended health, drugs, dental. I also understand it would encompass short-term and long-term disability benefits.

I guess there is going to be an issue here with respect to continuation, because in plans provided by insurance companies—short-term disability and long-term disability—there is a requirement to be employed. It would have to be a situation where perhaps the terms of those plans would have to be addressed. Obviously there is going to have to be discussion with the insurance companies. Certainly arrangements could be made between the insurance company and the company with respect to permitting these employees to continue on those plans. Speaking from a practical point of view, though, I find that highly unlikely to happen where individuals are no longer with the company and still being covered by short-term disability and long-term disability. Probably the better approach, if this were to succeed, would be to deal with the continuation of dental, drugs, hospital care etc, because I think there are going to be issues with respect to the insurance industry in terms of what coverage and what risk they're going to be prepared to deal with.

It's also going to be an issue for companies in terms of what their history is. Premiums are not just based on the number of people who want to be a part of the plan; they're also based on what history that plan is having. The history leads to what the cost of the premiums could be. Obviously, dental plans are a very expensive benefit, a very worthwhile benefit but very expensive. That's going to have to be dealt with from a cost point of view for the businesses that would be covered by this particular program, which in essence is a bridging program.

As it says in the amendment, "If an employee's employment with an employer ends and the employment has lasted for a total period of at least 52 weeks immediately before the end of the employment, the employee may"—and this is a choice for the employee; they have the discretion to make that decision—"within two weeks following the end of the employment or whatever other time period is prescribed, file a notice with the employer." The notice would deal with a continuation, a request for a period of 26 weeks following the end of employment or whatever shorter period the employer and employee agree to in terms of the benefit plans continuing. I think everybody knows, as a practical matter, that insurance premiums are much cheaper if you're part of a group plan. The larger the plan, arguably, the cheaper the benefit premium coverage should be.

Now, as set out here by the member from Cambridge, the employee has a clear choice, but the employee is responsible for the full cost of all the benefit plans that are continued under this arrangement. An employer who doesn't comply is liable to pay damages to the employee for whatever loss the employee incurs as a result of the

employer's non-compliance. Obviously the cost that could be incurred is going to be greater than the premium costs would be in terms of going to the dentist and getting whatever services they're looking to have.

This is a situation to fill in the cracks of what happens to some employees. There are employers out there who allow for benefit continuation, be it for a month or a two-month period, whatever the employer is, when a person is laid off. There's also benefit continuation for situations when an employee is off on workers' compensation, on short-term disability, on long-term disability or on a personal leave of absence for a certain period of time. There are all kinds of different absences where an employer can provide, either through a collective agreement or through their employment manual, for benefit continuation to occur. Employees who are employed with those types of employers are certainly in a much better situation than individuals who are with employers who do not have the types of programs to allow for benefit continuation.

I think what the member from Cambridge is trying to address here is a very significant issue. There are significant issues with respect to what the insurance industry—and let's be blunt about it: very few employers have short-term disability plans that are not with an insurance company. Self-directed short-term disability plans are probably the exception rather than the rule. So there are some issues with respect to how this would coexist with insurance plans, especially for short-term disability and long-term disability.

There are also some issues with respect to what employers' views are in terms of dealing with this type of legislation and also how they would coincide with collective agreements out there. I would suspect most collective agreements would be far superior to what's being asked for under this employment standard because, as you know, the standards are a minimum of what can be provided.

I think this is something that merits discussion. Individuals are given options when they're terminated, for example, to continue in a plan for a certain period of time as long as they exercise that option within 30 days of the date of their severance from employment. So they have a renewal option to get in for life insurance, for example, as part of that plan.

This is a much broader approach. I think it's an approach that allows for continuation, allows for the employee to be a part of that bigger plan, although there are other issues that are going to have to be addressed in the employment community and with insurance companies.

I'm pleased to have spoken on this piece of legislation. I wish the member well. I know his intent is to allow individuals to have coverage for their families and themselves, and to make sure they're not falling through the cracks with respect to benefit coverage.

1140

Mr John Gerretsen (Kingston and the Islands): I too will be supporting this plan. I think it's a great idea

and the member for Cambridge ought to be congratulated on it.

The problem, the way I see it, though—

Interjections.

Mr Gerretsen: Just a minute now. The problem, the way I see it, is that there is a whole group of other people who are similarly affected. The bill only deals with a fairly small segment of the population. We can argue about the extent, but it's a fairly small sector of the population. It doesn't deal, for example, with those employers—they're mainly small employers, corporate or otherwise—that don't have any plans at all in existence. I know you could say, "If they don't have any plans in existence at all, how could benefits possibly go to ex-employees?" I agree that may be somewhat unreasonable. On the other hand, those people, when they are laid off or whatever, have exactly the same problems and the same lack of financial resources as the individuals who were fortunate enough to work for an employer that did have a plan. I think nothing says it better than the member's own letter to all of us asking our support for the bill.

I'll read directly from his letter. He states, "This act is designed to assist and protect workers and their families. A child or spouse may have scheduled prescriptions, therapy, dental care, suffer an unfortunate injury or face an extended hospital stay." I agree with all this. "In some unfortunate cases, families have a sick child or family member who is currently in hospital or recently returned home from a challenging illness. The cost of prescriptions alone for some existing conditions can be astronomical."

That is the point. It can be astronomical for anyone who is involved in that situation, whether the employer had a plan or not.

What I'm suggesting to the member is that, yes, this will certainly help those people who were fortunate enough to be involved in a work environment that had a plan. I say more power to us to extend those benefits, particularly when those people are in deep financial need because of the layoff that has occurred. But I would suggest that there is an even greater need for those individuals who worked in an environment that didn't have a plan at all and that it is high time for the government—it may be very difficult for an individual member to do it in a private member's bill—to provide coverage in that area or in those circumstances as well.

I think if there's one thing surely that—

Interjection.

Mr Gerretsen: The government may have to provide that in some way, yes, because I think if there's one thing we have definitely agreed on in this country, it is the benefit of our national medicare program. It's such a firm aspect of our Canadian way of living and is probably the one area where we distinguish ourselves primarily from our American neighbours: that all of us believe in a national health and welfare program that will cover all people in the event that they need health care, under whatever circumstances.

We can argue about the edges of it, as to whether or not it should cover particular situations or not, but I think there is still a general feeling about that. Surely that's what Romanow is all about, and there may be some changes to the whole system, but we agree on that. What you're doing in this bill is only taking care of those individuals that have lost their jobs and worked in situations where an employer did have a health plan in effect. I'm suggesting to you, sir, that particularly when it comes to smaller businesses and self-employed individuals who for whatever reason may no longer be able to earn money because of health or sickness or because of a change in economy or whatever, we've got to at least start looking at that. I'm not blaming you for that. I think that you have made an honest attempt to at least look after a certain segment of people, but a certain segment of people that were already privileged to a certain extent to start off with because they were fortunate enough to be part of an employer that did have a plan in effect.

But what about all those other people who don't have any plan at all? When are we going to start looking at those people? I am one of those individuals that firmly believes, if anything, that we should extend the health care benefits that we have in this country, and that we should seriously start looking at issues such as home care and start perhaps making those mandatory services under the Canada Health Act. I know that can be a whole other debate, but we should be looking at that because as long as we can look after people in their own home environments at a much lesser cost than by institutionalizing them or putting them into nursing homes, that should be the goal for all of us. To put these artificial limits into place where we say, "If you need more than 14 hours of home care then for some reason we can no longer cover you" is to me completely ridiculous because what we're saying to those people that need more than 14 hours of home care a week is that, "You should be institutionalized," at a much greater cost than we're currently spending.

I know I'm getting away from this bill. I applaud you for your effort in putting this forward, but let's not forget those people that don't have the benefit of any insurance coverage at all. I will be supporting this bill but I also look forward to the member joining members from all sides of the House in putting greater pressure on his own government and on the federal government to provide health care benefits for Canadians, for Ontarians, that are in conformity with the times that we live in. I look forward to having him join me and others in that debate.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to rise this morning to make a few comments on Mr Martiniuk's bill, the Family Health Benefits Act, 2002. I congratulate the member for Cambridge for his work on this particular piece of legislation.

The legislation is an innovative approach to the overall health and labour reforms taking place in our province. It is a step forward for workers and their families across this province as well. The Family Health Benefits Act amends the Employments Standards Act, 2000, with

section 44.1 to extend the period of health care benefit coverage. Those who have been employed for one year with the same company will now have the right to extend their benefit plan coverage for a period of up to six months, should they lose their jobs. This does not include quitting a job, of course. This is a practical, innovative approach. Ontario would be the first province in Canada to pass such a law, and perhaps other provinces and the federal government would be encouraged to see this type of legislation passed across our country as well.

Many Ontario families have severe health challenges and rely on their benefit plans extensively. A person with diabetes alone can pay anywhere from \$2,500 to \$5,000 a year to treat that condition. The act is designed to permit the employee to choose the benefit buy-back as an option. It is not mandatory. The employee is responsible for the full cost of this plan. The act offers employees a very clear choice. This act protects workers. Private plans must be researched and may have new provisions, new rates and new eligibilities. This is an uninterrupted benefit plan option.

1150

We are also making Ontario an even more attractive place for highly skilled workers to locate by passing this piece of legislation. Currently, most benefit plans have a three-month waiting period for new employees, even if a job is secured immediately. Families are protected for at least three months under the current system. Over eight million individuals or dependents in the province of Ontario are covered with extended health care coverage today. In Ontario there have been 955,400 new jobs created since 1995. Ontario is prosperous and it continues to grow as well. We continue to put many millions and billions of dollars into the health care system. I think in the latest budget for 2002-03, Ontario health care spending is up to \$25.5 billion for this fiscal year. I believe that's an increase of \$8 billion since 1995.

However, more must be done. We must continue to try to take advantage of, and make more innovative, anything we can do to make health care coverage, not only in Ontario but in Canada, more beneficial to our citizens because it is something we are very proud of in this country, as the member from Kingston said a little bit earlier.

Unfortunately, even in this great economy, an employee who finds a job quickly must wait at least three months for benefits coverage. This bill Mr Martiniuk has proposed is a very practical approach to a growing problem. The act will assist families and will offer protection when it is needed most. I believe it is a responsibility of our government and a responsibility of governments in jurisdictions across this country to support legislation that people like Mr Martiniuk have come forward with. I'll be supporting this piece of legislation and I encourage members of this House to support this legislation as well.

Mr Doug Galt (Northumberland): I'm pleased to share some of the time with my colleagues to speak on Bill 176, the Family Health Benefits Act, 2002. I think the real point in this whole bill that my good friend from

the riding of Cambridge is pointing out here is that it's a buyback opportunity. It's of real benefit to an employee who has been laid off and has been working at that particular place for at least a year's time, so there's some establishment. I think what's important in this particular bill is that it's no expense to the employer; possibly a little paperwork would be the only expense. But it provides the opportunity for that employee to buy health benefits for the next six months. As you know, it's common, when you're hired with an organization, that there's a three-month waiting period for those health benefits. Of course, if you're resigning because you have another job, it all ties together very nicely. But when you're laid off for no cause of your own or your own wrongdoing, it is indeed unfortunate.

We know how important health is. Certainly in your party, if you've looked at the polls, it's always number one. Health concerns rise above all the others as the number one concern, the number one issue that the public is concerned about. Whether it's federal, whether it's provincial, it certainly has risen in concern significantly.

I think it's interesting to see in the Fraser report that, of the OECD countries where there's universal health care, here in Canada, based on GDP and adjusted for age, we have the highest support for universal health care here, and I don't think there's any question that Ontario leads as a province. This is about looking after people. As the member from Cambridge has pointed out, here in Ontario with this bill we would be leading. I congratulate the member from Cambridge for bringing this particular bill forward.

The Acting Speaker: The member for Cambridge has two minutes to respond.

Mr Martiniuk: I would merely like to thank everyone who gave wise counsel in regard to the bill: Ernie Parsons, the member for Prince Edward-Hastings; David Christopherson, the member for Hamilton West; Joe Tascona, the member for Barrie-Simcoe-Bradford; John Gerretsen, the member for Kingston and the Islands; Garfield Dunlop, the member for Simcoe North; and, of course, the Honourable Doug Galt, the member for Northumberland. I thank them all for their comments.

The Acting Speaker: The time for debate on this ballot item has now expired.

FLAGS AT HALF-MAST ACT, 2002

LOI DE 2002

SUR LES DRAPEAUX EN BERNE

The Acting Speaker (Mr Michael A. Brown): I will now place the question with regard to ballot item number 55. Mr Chudleigh has moved second reading of Bill 172. Is it the pleasure of the House that the motion carry? Carried.

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

Mr Ted Chudleigh (Halton): I would like this bill to go to the standing committee on general government, please.

The Acting Speaker: Agreed? Agreed.

FAMILY HEALTH BENEFITS ACT, 2000

LOI DE 2002

SUR LES PRESTATIONS FAMILIALES DE MALADIE

The Acting Speaker (Mr Michael A. Brown): Ballot item number 56: Mr Martiniuk has moved second reading of Bill 176. 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. The bill is carried.

Mr Gerry Martiniuk (Cambridge): I would ask permission of the House to have this bill referred to the standing committee on general government.

The Acting Speaker: Agreed? Agreed.

All business relating to private members' public business now being completed, this House stands adjourned until 1:30 of the clock.

The House recessed from 1157 to 1330.

MEMBERS' STATEMENTS

LONG-TERM CARE

Mr David Caplan (Don Valley East): This summer I, like a lot of my colleagues, was inundated by thousands—indeed, here they are—of responses to my campaign against the outrageous 15% increase in fees for our vulnerable seniors in care facilities. I can certainly go on at some length about my personal concerns, but I think it's important for Premier Eves and the Conservative government to hear some of the comments that my constituents in Don Valley East made directly to him. I want to read some of the comments here on the record.

Mrs Barbara Measor said, "Unconscionable! More than 50% of our monthly income will now go to my husband's nursing home fees. Most unfair."

Mrs Doreen Broadbridge said, "I object to increasing these charges. My great-aunt Rachel is 100 years old. With her extra money she buys stamps, letter paper, stockings and wool for knitting afghans. As a taxpayer, I don't need to take that little" bit of "money away from her."

I definitely share the view of Bradley and Joyce Phillips when they say that this is a "shameful continuation of Mr Harris's policy of attacking the most vulnerable, evidently intent on depriving them of the dignity, respect and comfort they deserve."

Continuing on, I have hundreds more that I could read. Ivy and Ronald Hatton, both 70 years of age: "There must be other ways to raise revenues."

Finally, who can't help but worry about Edith Luther, who says, "I am 79 in December and worried about my future."

Premier, Don Valley East residents know that you've not cancelled the 15% increase, that you're still planning to hike the fees over the next three years. Why don't you have the courage to take the position that Dalton McGuinty and my caucus have taken? We're not prepared to put vulnerable seniors in our community in a more precarious position than they already are. Liberals will roll back this shameful selective tax hike on seniors.

SERBIAN PICNIC

Mr Bart Maves (Niagara Falls): Thousands of members of the Serbian community were once again in Niagara Falls on the weekend of June 30 to celebrate their 57th annual picnic. The event is held every year on the grounds of St George Serbian Orthodox Church. An estimated 10,000 people of Serbian descent and friends attended the event, with many travelling from US states, including Pennsylvania, Michigan and Illinois. Some visitors were from as far away as Australia.

The Serbian Orthodox Church, along with the Serbian National Shield Society, organized a magnificent weekend, with traditional Serbian food, dance and music.

I especially look forward to this weekend every year, as it is a wonderful opportunity to spend time with my many friends in the local Serbian community, a community which has contributed greatly to Niagara Falls, especially since the 1950s; friends like Alek Pantelic, chairman of the organizing committee, who should be applauded, along with other members of the committee for putting together such a successful event.

I encourage my colleagues in the House today to inform any Serbian constituents in their ridings to look into attending next year's picnic. Our local Serbian community and I look forward to seeing new faces and having old friends return next year.

EDUCATION FUNDING

Mr Steve Peters (Elgin-Middlesex-London): I'd like to draw the Legislature's attention to today's London Free Press. It reads, "Faced with a flood of complaints that Ontario schools are crumbling, colleges and universities minister Dianne Cunningham conceded yesterday more money must be pumped into the system." The Minister says, "In my view, the amount of funding is an issue." Lo and behold, the former chair of the London school board and cabinet minister for the past seven years has finally seen the light.

Minister, what was your first clue that you, Mike Harris and Ernie Eves have broken our education system? Was it the overcrowded classrooms? Was it parents of special-needs children begging for the supports they desperately need? Has it been the constant battles and the chaos that caught your attention? Or was it the classrooms with no textbooks in them?

Minister, where have you been for the past seven years? Why haven't you been standing up and demanding at the cabinet table that something be done?

Since I was first elected in June 1999, the Thames Valley District School Board has had regular meetings with all the area MPPs: Wood, Cunningham, Mazzilli, Johnson, Hardeman and Beaubien. As I have been all of these meetings, being the lone Liberal in a sea of blue, I can't help but think, were you listening, Minister? Were you listening, London and area members? No, you weren't.

The board has been begging for solutions for years, but Minister Cunningham's comments beg the question, why now? We've known all along. Her comments prove that cabinet has known all along. We don't need a stall-tactic smokescreen process to delay fixing the problem. My guess is it's a case of pre-election jitters for the honourable minister. Perhaps we should have an election every year, because that seems to be the only way anything gets done by you and this government.

DEAN CRANDON

Mrs Julia Munro (York North): I rise today to pay tribute to one of my constituents, Dean Crandon of Keswick. Mr Crandon is a 35-year-old bodybuilder who won the heavyweight division and is the overall winner in the Canadian Musclemania championship that was held in Toronto in August. This all-natural event included 102 of the top bodybuilders in the country.

Winning this championship was a dream come true for Mr Crandon. He started competing 15 years ago, but hasn't in the past eight years. With the encouragement of his family and friends, he trained for several hours daily. It included 24 weeks of intensive training leading up to the Canadian competition.

Mr Crandon is currently training for the world Musclemania. In addition to weights, he does his cardiovascular training on the stationary bike and follows a very strict diet to maintain as much muscle mass as possible while keeping his weight in line. He is trained by Laura Binetti and sponsored by the Fitness Force in Keswick which, by the way, also made sure that the Terry Fox Run in our community was an outstanding success.

Congratulations to Dean Crandon and good luck in the world championships.

VIOLENCE AGAINST WOMEN

Mrs Marie Bountrogianni (Hamilton Mountain): A disturbing study released yesterday revealed a shocking increase in the murders of women. Sadly, most of the women slain were killed in Ontario. The first increase of spousal homicides in six years must be cause for us to review the course the Eves government has taken in addressing violence against women.

The Association of Interval and Transition Houses and the members on this side have repeatedly told the government that very little was being done to protect threatened women in Ontario despite two major inquests into murder-suicides in recent years. The Provincial

Auditor's report revealed that overcrowded shelters are being forced to turn away desperate women and children. One thousand women were turned away from one Toronto shelter alone.

Four years after the May inquest and two years since the murder of Gillian Hadley, the women of this province are still waiting for the implementation of recommendations that would toughen bail laws and increase funding for second-stage housing for women fleeing abusive relationships.

Women on the front line have been telling us the government's approach is too narrow: 75% of women suffering abuse do not bring their case before the courts. Women fleeing domestic violence need affordable housing, affordable daycare and employment assistance. While this government may believe they have been acting sufficiently, the facts prove otherwise. The richest province in Canada should be the safest.

I implore the government to move swiftly in implementing the outstanding Hadley recommendations. At the very least, act now on the jury's first recommendation, to create a community-based implementation committee.

Ms Marilyn Churley (Toronto-Danforth): More women are being murdered by spouses or ex-spouses while the Conservative government drags its feet on protecting them.

The biggest security threat in Ontario today is the killing of women by their partners or ex-partners. The Conservatives are guilty of gross negligence for failing to act despite warnings from the auditor and two inquests. Statistics Canada reported this week that 69 women were killed in 2001, compared to 52 the previous year. Virtually all of the increase was in Ontario.

Over a year ago, the auditor warned that overcrowded women's shelters were turning away desperate women and children in eight out of nine regions. That forced them to return to abusive spouses. Two inquests also made a string of recommendations that the government has ignored.

I'm calling once again on the government to reinstate funding to second-stage housing so women and children have a transition home as they seek permanent housing; provide stable, multi-year funding for women's shelters; work with government and community representatives to carry out the recommendations of the Gillian Hadley inquest; work with the cross-sectoral strategy group to implement emergency measures they called for two years ago; and create new affordable housing so women fleeing abusive situations don't end up on a waiting list.

How many more women have to needlessly die in this province before this government takes action?

1340

RUN FOR THE CURE

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I was very pleased to attend the launch of the Canadian breast cancer CIBC Run for the Cure annual fundraising event at Barrie Ford on September 19. This run will take

place on October 6 at 34 sites across Canada. The CIBC Run for the Cure raises funds and awareness supporting the advancement of breast cancer research, education, diagnosis and treatment.

The run raised more than \$11.2 million last year at 32 sites across Canada. In this 11th year, the goal is to raise \$12 million.

I would like to take a moment to commend Deb Howe and Linda Loyst, the volunteer run directors for the Canadian Breast Cancer Foundation, for their hard work and dedication in organizing the CIBC Run for the Cure in Barrie.

Finding a cure for breast cancer is a team effort. I urge all of you to register for the run or sponsor someone who will be participating in the run on October 6.

ANNIVERSARY OF MALTESE INDEPENDENCE

Mr Tony Ruprecht (Davenport): Today we're celebrating a very special event in the history of mankind. The occasion is the 38th anniversary of Maltese independence. With us today to help us celebrate this very significant historic event are the Consul General of Malta, Mr Milo Vassallo, and his wife, Rita; Father Borg, pastor of St Paul the Apostle parish; Mr George Scherri, president of the Maltese Federation; Mr Henry Formosa, representing the Maltese-Canadian veterans; Mr Michael Donello, governor of the Central Bank of Malta; and Mrs Josette Dalli, representing her husband, the Minister of Finance.

Because of Malta's strategic position, it has been occupied by many races. They all left their mark, including the Knights of Malta, who reigned for 260 years.

As we celebrate their heroic struggle for independence and freedom, we're also mindful of what they've done for Canada, and especially for Ontario. We know, for instance, that in 1940 the first immigrants from Malta arrived near the Welland Canal, promptly helped us dig the Welland Canal and established a number of shipyards along the canal.

While we are mindful of this great heroic struggle in their own lands, we are more proud of them because in Canada they have passed on the torch of freedom from their generation to the next Canadians and Maltese. That's why we say to them in Maltese today: [Remarks in Maltese.]

I want to say that as you continue to contribute to Canada we're with you, we celebrate with you, and may the spirit of freedom, which is indomitable, continue in this land and in Malta.

BIG BROTHERS AND SISTERS OF CLARINGTON

Mr John O'Toole (Durham): I'm pleased to rise in the House today to recognize the 25th anniversary of Big Brothers and Sisters of Clarington. This organization serves over 300 young boys and girls, aged six to 14.

One-to-one matches between a child and an adult continue to be the foundation of the program. However, Big Brothers and Sisters of Clarington have also introduced new projects such as school mentoring and the Big Bunch program for group activities.

This summer, the very popular Kids 'N' Kops day program was held in Bowmanville. Camp director David Dobson and his staff introduced close to 200 children to our police and helped them gain a better understanding of community issues while having fun.

On September 21, I was fortunate to join executive director Lisa McNee-Baker, president Harold Yellowlees, Regional Councillor Jim Schell as well as staff and the four prior executive directors, support staff and friends, for an open house in Bowmanville. We also celebrated the completion of renovations, thanks to a Trillium grant. Basement space at Big Brothers headquarters was made into functioning working and training areas for volunteers, and a computer lab.

I'd like to pay tribute to the hundreds of volunteers and dedicated staff who have made the past 25 years such a success. I can say with complete confidence that they have made a real difference in the lives of our young people.

Two of these would certainly include founding board members Lionel Parker and Jack Munday. I'd also like to congratulate the staff and current board members: Don Samis, past president; Ryan Cresanto, vice-president; John Buddo, treasurer; Masood Vatandoust; Dr William Ammons; Kathleen Whatley; and Paul Wylie.

I'm confident Big Brothers will continue to contribute outstanding service in their community while helping young people and enriching their lives.

ANSWERS TO WRITTEN QUESTIONS

Mr Michael Bryant (St Paul's): On a point of order, Mr Speaker: Pursuant to standing order 97(d), a minister shall answer written questions within 24 sitting days. Question number 12 was submitted on Wednesday, May 22. I'll abbreviate it, but let me say that the question was thus: "Would the Minister of Environment and Energy please provide all financial and legal opinions, correspondence, briefing notes, memoranda, e-mails, directives and bulletins that deal with any matters ... in issue before Mr Justice Arthur Gans..."—of course, there has been a Court of Appeal decision since then—"prepared both at the time that the provisions in the Electricity Act, 1998 were being contemplated ... and at the time of the initial public offering."

I have not received an answer to this question.

The Speaker (Hon Gary Carr): I look to the Minister of the Environment, who may have clarification.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): It's a voluminous package that the member has asked for. We are currently working on gathering all that information. We will provide it to you as soon as possible. There is no delay. It is extremely large, the amount of information you have asked for.

The Speaker: I thank the minister. The member will know that the standing orders say 24 sitting days. I believe it's now 25, so we're right around the deadline. I appreciate the minister's intervention.

Mr Bryant: On another point of order, Mr Speaker, and, I'm sorry to say, another question unanswered, this time by a different ministry and a different question, fortunately for me: "Would the Attorney General please provide all financial and legal opinions, correspondence, briefing notes," etc, "that deal with any matters that were in issue before Justice Gans" and before the Court of Appeal, both at the time of the Electricity Act provisions' drafting and during the IPO.

Again, this one has also not been answered within the 24 sitting days, pursuant to the standing orders.

The Speaker: I thank the member again. The House leader on this issue.

Hon Mr Stockwell: Again, is this the same date?

The Speaker: Yes.

Mr Bryant: Different ministry.

Hon Mr Stockwell: I understand that. I think we're very close. It's one day, and I know we are working feverishly to try to get you the information.

The Speaker: I appreciate that.

VISITORS

Mr Michael Bryant (St Paul's): On a much more friendly point of order, Mr Speaker: We all have little miracles in our lives—loved ones, friends, nieces, nephews, grandparents, grandchildren, sons and daughters. Well, I have two such miracles in the House today: my daughter, Sadie Violet Bryant, a Bryant that would make Mike Harris mush, a Bryant that would make Chris Stockwell silent. I'm very proud to introduce, in the members' gallery, my incredible wife, Susan Abramovitch, and Sadie Violet Bryant.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): On a point of order, Mr Speaker: Given that in the report of the Environmental Commissioner released today, recommendation number 2 is basically the recommendation that is contained in my Bill 127, An Act to amend the Ontario Water Resources Act, I therefore move that it receive second and third reading at this time.

The Speaker (Hon Gary Carr): The member is asking for unanimous consent. Is there unanimous consent? I'm afraid I heard some noes.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

The Speaker (Hon Gary Carr): I beg to inform the House that today I have laid upon the table the 2001-02 annual report of the Environmental Commissioner of Ontario.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

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

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

Bill 53, An Act requiring the disclosure of payments to former public sector employees arising from the termination of their employment / Projet de loi 53, Loi exigeant la divulgation des versements effectués aux anciens employés du secteur public par suite de la cessation de leur emploi, the title of which is amended to read, "An Act requiring the disclosure of payments arising from the termination of public sector employment / Loi exigeant la divulgation des versements effectués par suite de la cessation d'emploi dans le secteur public."

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

The bill is therefore ordered for a third reading.

1350

INTRODUCTION OF BILLS

CONSUMER PROTECTION STATUTE LAW AMENDMENT ACT, 2002

LOI DE 2002 MODIFIANT DES LOIS EN CE QUI CONCERNE LA PROTECTION DU CONSOMMATEUR

Mr Hudak moved first reading of the following bill:

Bill 180, An Act to enact, amend or revise various Acts related to consumer protection / Projet de loi 180, Loi édictant, modifiant ou révisant diverses lois portant sur la protection du consommateur.

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

The minister for a short statement?

Hon Tim Hudak (Minister of Consumer and Business Services): I'll defer to minister statements.

MOTIONS

COMMITTEE MEMBERSHIP

Hon Chris Stockwell (Minister of the Environment, Government House Leader): I move the following amendments be made to the membership of certain committees.

Mr Klees replace Mr McDonald on the standing committee on general government; and

Mr Arnott replace Mr Galt on the standing committee on finance and economic affairs; and

Mr Gilchrist replace Mr Maves, Mr Gill replace Ms Munro, Mr McDonald replace Mr Stewart on the standing committee on public accounts; and

Mr Maves replace Mr Arnott on the standing committee on the Legislative Assembly.

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

STATEMENTS BY THE MINISTRY AND RESPONSES

CONSUMER PROTECTION

Hon Tim Hudak (Minister of Consumer and Business Services): I have tremendous pleasure today in introducing the proposed Consumer Protection Statute Law Amendment Act, 2002, for first reading in this House.

I would like to first of all thank the many consumers, businesses and organizations, including consumer advocate groups and business associations.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: We have not been provided with a copy of the minister's statement. We have been provided with a compendium. We have been provided with the bill itself. We did hear parts of it on the radio as early as 8 o'clock this morning and read about it in the Toronto Star. It seems to me, given the minister is on his feet, we should have copies of that statement.

The Speaker (Hon Gary Carr): The minister may have some clarification. Minister?

Hon Mr Hudak: We'll certainly get the statements to the members immediately. I believe they'll be coming across right now to help the pages. My apologies.

The Speaker: Why don't we take a minute to wait while they are delivered. We can start all over.

And the minister may continue.

Hon Mr Hudak: I'd like to thank the many consumers, businesses and organizations, including consumer advocate groups and business associations whose interest and input have helped develop this proposed legislation I am very proud to introduce today.

In fact, joining us in the gallery are Carl Compton from the Ontario Motor Vehicle Industry Council and Jim Flood from the Ontario Real Estate Association. I'd like to thank them and their colleagues very much for their hard work.

I'd especially like to recognize the hard work of my predecessors, Minister Tsubouchi, Minister Runciman and especially Minister Norm Sterling for their hard work in developing this matter and helping to get it to this point.

And as well, I want to thank MPPs and their constituents for their suggestions in helping us draft a bill that is truly reflective of the needs of both consumers and businesses. I think all of us as MPPs have encountered in

our ridings a senior who gave money to a phony charity or a student who paid hefty fees for a modelling contract that never materialized. All of us want to help protect Ontario citizens against these kinds of scam artists.

Interjection: That happened to Jim Bradley.

Hon Mr Hudak: It must have been a really good scam artist.

This summer, as part of my ministry's consumer protection campaign, I was out talking about the top five scams in Ontario and offering tips on how consumers can help to protect themselves. Let me say, Mr Speaker, that I believe the vast majority of businesses are honest and legitimate. There are a few bad operators who hurt consumer confidence and hurt the reputation of honest businesses in a particular sector, thus harming job creation and harming the economy.

This proposed legislation would strengthen protections for the consumer, in turn helping Ontario businesses, because consumers feel more comfortable spending their hard-earned money in a marketplace they know is safe and secure. It would also give businesses clear rules and a level playing field by combining six overlapping consumer protection statutes into one modern legislative framework.

Hon Brad Clark (Minister of Labour): That's a good idea.

Hon Mr Hudak: In fact, as the member from Stoney Creek knows, most of Ontario's existing consumer protection legislation was passed in the 1960s and into the 1970s. At that time, most transactions were done the old-fashioned way, with a face-to-face encounter in the local shop, an exchange of cash, a written contract or a handshake. Those were the days when colour televisions were luxury items, push-button phones were a luxury, and computers were the size of trucks and only available to NASA scientists. The Internet was simply the stuff of science fiction writers. Our existing legislation is based on the realities of the old economy.

Today we live in a world where cellphones, fax machines, voice mail, teleconferences and, most significantly, e-mail and the Internet are everyday tools of business and, for a growing number of individuals, of personal contact as well. In short, times have changed, and here in Ontario we want to keep up with them.

This proposed legislation would provide a similar level of protection for consumers who shop for goods and services on the Internet to those going to their local corner store. The Internet has brought new speed and convenience: you can buy your grandmother's favourite tea from that little shop in England, or you can view that hotel room in Niagara before you reserve it. But many consumers are still not confident in the safety and security of on-line shopping, creating a barrier to the growth of e-commerce.

The proposed legislation would require a contract for Internet sales, which could be paper or e-mail, that could be retained by the consumer. It would also provide regulation-making power concerning disclosure to help

ensure that consumers are confident they have clear and complete information to help make an informed choice.

But the Internet is only one aspect of the dramatic change in our marketplace over the past 30 years. We have also witnessed a rapid growth of the service economy, to the point where over half our transactions involve services, and a rise in consumer leasing. This proposed legislation would extend protections to services, whether it's cable, Internet, or lawn care. It would also cover leases, which is good news for those who lease their cars or their computers.

Many consumers for years have complained about the practice of negative-option billing. This occurs when a business bills for goods or services without the consent of the consumer. Under this proposed legislation, consumers would not be liable for goods or services that they did not request and did not agree to pay for. If the consumer has accidentally paid for an unsolicited good or service, for example, through automatic debiting of a bank account, he or she would be entitled to a full refund.

Consumers would also have greater protections in certain sectors where high-pressure sales tactics occur. This bill proposes that the 10-day cooling-off period that currently exists for door-to-door sales be extended to timeshares, fitness clubs and talent agencies.

A proposed 30-day delivery rule would mean that if a good is not delivered or a service is not begun within 30 days of the date of the contract, the consumer is entitled to cancel the agreement.

A proposed 10% estimate rule would mean the consumer should not be charged more than 10% above the amount estimated in the consumer agreement. This would protect against the practice of "low-balling" quotes, which hurts both consumers and legitimate businesses trying to compete on price.

The proposed legislation would also modernize rules about the most significant purchases many consumers ever make: homes, vehicles and travel.

1400

Changes to three sector-specific laws—the Motor Vehicle Dealers Act, the Real Estate and Business Brokers Act and the Travel Industry Act—would strengthen the regulation of those who practise in these big-ticket sectors. There would be regulation-making authority to establish formal codes of ethics for the professions and develop discipline committees to deal with breaches of these ethical codes.

Of course, all the requirements I've talked about require teeth to make them effective. That is why under this proposed legislation we're also strengthening our enforcement powers and making them consistent across the board. Maximum fines for contravening consumer law will be doubled to \$50,000 for individuals and more than doubled to \$250,000 for businesses. Maximum sentencing for individuals, which now varies, would be two years less a day. Similarly, the ministry would have the power to freeze assets and order businesses to stop using false or misleading advertising.

A common challenge for ministry investigators is that scam artists always try to stay one step ahead of the law

by morphing their scam into another, slightly different scheme, moving to a new medium such as from telemarketing to the Internet or by targeting consumers in a new jurisdiction. Under the proposed legislation, we will be able to keep up with unscrupulous operators as they move into new media because the rules would be consistently applied.

The proposed act would also give us the tools to address scams in our borderless society by allowing the minister to enter into formal agreements with enforcement agencies in other jurisdictions. Our work with partners has been very successful in the past. Our strategic partnership against cross-border scams and fraud, for example, has shut down more than 40 telemarketing boiler room operations since it was initiated three years ago.

We are truly bringing consumer protection in Ontario into the 21st century. This proposed bill would deliver stronger tools to shut down those unscrupulous operators lying in wait for that unsuspecting senior or that naive student away from home for the first time. It would target scam artists wherever they may be lurking, on the Internet, on the phone, through the mail or at the doorstep. It would strengthen disclosure rules so that consumers have clear and complete information to make informed decisions, and by improving consumer confidence in our marketplace, it would also encourage businesses to develop and invest in Ontario and create jobs well into this century.

Mr Bruce Crozier (Essex): I'm pleased to stand today to reply to the statement of the minister, and certainly we will have the opportunity at some length to review this legislation.

I might say at the outset that I share the feeling of the minister, and I think we all share the feeling, that anything that takes positive steps to protect consumers in the province should be welcomed, and we welcome this legislation. As I say, we'll want to go through it clause by clause and see if in fact it truly does protect consumers.

It was only yesterday that this minister stood in the House and tried to defend one of the biggest security breaches we've had in this province in some time. Who were the ones who were the losers? There was private information on individuals that was stolen from the ministry, that wasn't protected. So I'll be looking very carefully to see if there's something in here that will tell us how that's going to be done.

This summer the minister said, "As part of my ministry's consumer protection campaign, I was out talking about the top five scams in Ontario, and offering tips on how consumers can protect themselves."

One of the biggest scams was reported on June 12 and that was when blank birth certificates were stolen. So this minister wants us to believe today that his objective is to protect consumers in Ontario when this past summer there was blatant disrespect for that.

In fact, I went to the ministry Web site and it says, "To be a responsive, innovative world leader in customer service and consumer protection by delivering quality

products for a fair, safe, dynamic and informed Ontario marketplace," and the number one bullet is, "Providing for high standards of consumer protection, public safety and business practices."

Certainly public safety is at risk when unknown people can walk away with hundreds of blank birth certificates. I would say that we really should question the business practices of the ministry itself when this kind of thing can happen.

To be more specific about some of the things that are bothering Ontarians today, I'll be looking in this bill, as will my colleague Dwight Duncan from Windsor-St Clair, to see if there's any protection for customers who are retroactively billed by a private company, albeit a regulated one but one that has a monopoly. Who's going to stand up for those consumers? I haven't heard this minister stand up for them yet. I would like to hear him stand up and say to the Minister of Energy, "You have the authority to roll back that approval of the Ontario Energy Board. In the interests of consumers in the province of Ontario, I, the Minister of Consumer and Business Services, want you to do that." I'd like to hear the minister stand at some point and speak on behalf of consumers in that respect.

I'd also like the Minister of Consumer and Business Services to stand and protect consumers in Ontario against unrealistic cash-grab gasoline prices before holiday weekends. We always know that gasoline prices escalate before holiday weekends. I have a private member's bill that I'm looking for this minister to support—because I'm generally going to support his bill—to protect gasoline consumers.

Auto insurance rates: I'm going to be looking for this minister to be speaking with the Minister of Finance to see if there's some way we can get back to having affordable auto insurance rates in the province of Ontario.

There we are. I'm with the minister. If he wants to stand up and protect consumers in Ontario, I'm right beside him. But I want him to stand up when it comes to electricity prices, natural gas prices, gasoline prices and auto insurance rates.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: I hope this applies to government advertising when it says it applies to false advertising.

Mr David Christopherson (Hamilton West): While by and large I will be positive in my remarks, I don't know that I want to snuggle up quite as close as my Liberal friends were offering to do on this.

Mr Duncan: You guys have been doing a lot of smuggling in the last four years.

Mr Christopherson: Oh, they're so touchy. Boy oh boy. You've got to wonder about those polls, eh? An inch deep and a mile wide.

Today I think we've had some good indicators that there's some kind of election in the wind, given the fact that we had a government backbencher, Mr Chudleigh, introduce a piece of legislation that was meant to reflect the respect our community has for emergency response

workers. We supported that. Mr Martiniuk introduced a private member's bill this morning that offered protection to laid-off workers in terms of being able to buy continuing benefits for their families. Now we've got a piece of legislation that—although we don't know for sure until we get right into it; there's a lot to look at—would seem on the surface to offer some protection. You've got to wonder if maybe there is either a blue moon in the sky or an election coming very, very shortly.

Having said that, I do offer the initial support of the NDP caucus for the idea of consumer protection, and particularly for recognizing some of the changes that have happened in society and our economy, particularly on the technological side, as they affect individuals and individuals' ability to transact business in the province—a worthy goal. It's been late in coming. We should have had this here quite some time ago—I know you put your hands in the air. There were hydro consumers, about a million of them, who got scammed and ripped off and you weren't there for them until after the fact. So I think it's appropriate to mention timeliness, given that this should have been in place earlier.

1410

While I'm on that point, let me just point out that while the government talks a good story about protection for consumers and others, we in the NDP would ask the question, where is your protection for minimum wage workers who haven't seen one penny increase in their standard of living in seven years? Where is the protection for hydro consumers in Ontario facing 40% and 50% increases? Where is your protection for them?

Let me remind you that you have still not brought in legislation to protect investors. There are a lot of people who are relying, rightly or wrongly, fairly or unwisely, on investment honesty to ensure they've got a pension at the end of their working lives. Where is your protection for those consumers who want to make sure they're going to have a pension at the end of their working lives? Where is your protection for them?

While it's good that you make this announcement today, there are a lot of things in the province where people are left vulnerable and you haven't taken action. We're going to continue to hold you to account, even if we support, from time to time, legislation that on the surface appears to be good.

On that point, let me say to the minister that I didn't hear you say anything about committee. I'm not going to automatically say that it's definitely got to go to committee for scrutiny. But given the far-reaching aspect of this bill, I would hope that if all of us here begin to hear from experts in the various fields, whether they are consumer groups, legal and other professional representatives or just people in the field dealing with this every day, if they see enough problems, I hope you'll continue the tone you set when you spoke to this and send it to committee and give all of us a chance to ensure this law does what you purport to say it does and that we hope it does.

On that note, we look forward to scrutinizing this bill. We urge the government and will continue to pressure

the government to provide all the protection that consumers, taxpayers, investors and workers in this province deserve, protection you haven't delivered to date.

ORAL QUESTIONS

EDUCATION

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Premier. I want to ask you about your role as Treasurer then and as Premier now in lowering the standards in public schools and giving incentives for children to leave the public system for private schools.

Your cuts in 1996 and the turmoil from the failed reforms you approved have borne fruit. You may know, Premier, that statistics released this week from your government show that you have managed to get a 54% increase in the number of kids in private schools since 1995. That's 40,000 children. One in three of all the growth in all the schools in the province are kids going to private schools.

Public education has been the source of economic prosperity. It's been the source of social cohesion. Are you proud that your policies and your bias toward private schools have driven 40,000 kids out of public schools and into private schools?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): The honourable member will know that the province is spending a record \$14.3 billion on education in Ontario this year, spent on public and separate schools across this province. He will know that we've added an in-year amount of \$557 million, the largest, I believe, ever in the history of the province in a one-year period of time. He will know that we're reviewing the funding formula. I wait for Dr Rozanski's report so we can make a further commitment to public education in the province.

Mr Kennedy: Premier, you forgot to mention that you cut a huge amount of money out of public schools and that you approved an incentive to private schools that no other jurisdiction in North America has. In fact, 32 US states voted it down. With no strings attached, you give money to families to take their kids out of public schools and put them in private schools. At the same time, your rules have forced the closure of schools in the public boards and you have allowed new schools to open up. Since 1995, 200 private schools have opened and just since 1997 your rules have closed 440 public schools. This is your legacy to education.

What will you tell the parents you are causing to run away discouraged from public education? Will you say you're sorry or will you say just what this appears to be, that this has been your plan all along?

Hon Mr Eves: We have not reduced funding to education in Ontario. We have increased it from \$12.9 billion to \$14.36 billion. That is not a decrease, it's an increase. If you want to debate how much we've in-

creased public education funding—and you say presumably we should have done it by more—we can have that debate, but it's very inaccurate to say we've reduced public education funding.

Mr Kennedy: Premier, you've managed to engineer a 54% increase in private school enrolment, and that's before your financial incentive kicks in. That's just based on lowering the standards. You can talk all you want over there, parents are talking to you.

Premier, Marg Lewis is a mother of four and she wrote you a letter this week. She said she's got three kids in school right now. She's been actively involved in her school for 10 years. Under your watch, she has put up with peeling paint, vermin, graffiti and vandalism and a threat of her public school closing, her extra effort spent weeding the garden. She has put you on notice that she is going to move her kids into private schools. That's how much confidence she has in your rhetoric.

You seem to have picked up on the cocktail circuit or wherever this bias for private schools. You seem in favour of giving to them and not public schools. I want to ask you on Mrs Lewis's behalf—if you won't respond to this House, respond to the parents—will you cancel your private school tax credit and will you invest funds immediately to bring up the standards in public education?

Hon Mr Eves: We are doing both in Ontario. We have dramatically increased our commitment to public education in Ontario. The number of new schools built under the David Peterson government in Ontario, 176; under the Bob Rae government in Ontario, 225; under the Conservative government in Ontario since 1995, 262. So much for your commitment to education in the province.

With respect to choice in education, you might want to confer with your seatmate over here from Vaughan-King-Aurora who is quoted as saying, when he was talking about Jewish schools, "The Liberals were equivocal. We were not violently opposed or thoroughly in favour, but while in power we did nothing about this issue and we're avoiding it now. We see the merits of both sides of the issue, in typically Liberal fashion"—a quote from your seatmate.

The Speaker (Hon Gary Carr): New question. The member for St Paul's.

Interjections.

The Speaker: Come to order. The member for St Paul's.

BRUCE NUCLEAR GENERATING STATION

Mr Michael Bryant (St Paul's): My question is for the Minister of Energy. Bruce Power last June 12 put out a release saying that a pressure tube had been slightly damaged at one of its units and that "the operational impact was not expected to be significant." That's a quote from their release. That turned out not to be the case. In fact, the unit was shut down for the entire summer, depriving the province of Ontario of enough electricity to power a quarter of the city of Toronto.

This is the kind of disaster that leads to enormous amounts of electricity having to be imported from the United States and it drives electricity prices up. Why did the Minister of Energy keep this secret from the public of Ontario?

Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs): Let's look at the facts. A unit was taken off generation for routine maintenance, something which is pretty normal in Ontario. In the course of that routine maintenance, there was a concern with respect to a pipe which the member opposite alluded to. The company involved immediately informed the ministry, immediately informed the federal regulator. In fact, the federal regulator is right there.

The Independent Market Operator, in looking at this issue, made the determination that it wouldn't be in the best interests of consumers, given the nature and the difference between supply and cost. There clearly was no secret. We have more than 300 generators in the province of Ontario. Some of them are on, some of them are off, depending on routine maintenance and depending on repairs that are required from time to time.

1420

Mr Bryant: To make matters worse, just to give everybody even less confidence in our energy system, we found out today that the Minister of Energy didn't find out about this until he opened up the newspaper this morning. So not only is he keeping it a secret from the people of Ontario; he's keeping it a secret from himself.

What do you mean you didn't know about this? When did the Minister of Energy find out about this, and why didn't the Minister of Energy tell people about this? Your incompetence seems to be matched only by your ignorance. People of Ontario do not expect the Minister of Energy to stay on top of how many pencils are purchased, but they expect you to know if a unit of a nuclear reactor is up or down. You might want to stay on top of that one. What do you mean you didn't know? What kind of briefings are you getting?

When did the Minister of Energy find out about this alarming fact, and why didn't the Minister of Energy tell the people of Ontario?

Hon Mr Baird: I did find the rant from the member opposite to be quite amusing. He asked a series of 16 or 17 questions. The last question he asked, he answered himself three times in the course of his preamble.

We have more than 300 generators around the province of Ontario. Each and every day they come on- and off-line, depending on the demand for electricity in the province. They all operate, whether it's nuclear power, fossil fuel or hydroelectric power. Some days they may come on three or four different times. They all are taken off-cycle from time to time for routine maintenance. If repairs are required during the course of that routine maintenance, they're done.

With respect to the unit at the Bruce facility, we obviously wear a belt and suspenders. We take extraordinary efforts to protect the public safety. To confirm on the question, I gave immediate notice to the federal

regulator and gave immediate notices to the Independent Market Operator to ensure all the proper courses were followed.

Mr Bryant: So let me get this straight. First you blame your electricity problems on your appointee Eleanor Clitheroe, then you blame it on your appointee Floyd Laughren, then you blame it on Mother Nature. Now you're blaming it on Chris Stockwell.

The people don't buy this shell game. The people don't buy it. They want some accountability. They want some answers. It's a farce over there. It's a farce when it comes to electricity. Who's in charge over there? You guys are permanently off-line. When are you going to get your act together on electricity, and how much longer are the people of Ontario going to pay for your ignorance and your incompetence?

Hon Mr Baird: If we could only harness the energy of the member opposite, that would certainly more than help us deal with the supply problems we've got in the province of Ontario. We do see a good number of generation coming on-line right across the province, in hydroelectric, in wind and in cogeneration with natural gas.

Interjection: In wind.

Hon Mr Baird: To the Minister of Labour, I couldn't say just how many megawatts of power would be coming off there, but I suspect that would be a big part of the solution.

HYDRO RATES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. On Monday you said that people of Ontario experienced sky-high hydro bills because of hot weather, but today we learned that unit 6 of the Bruce B generating station was down, which created an electricity shortage that in fact drove the price of electricity through the roof. Premier, just to be clear, when did your government, your ministers, first learn about the shutdown of unit B, and did you ask any questions about what the effect would be on the consumers of Ontario?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): As you know, Bruce Power issued a press release on June 12 and indicated that there was a problem with one tube, which had been shut down for maintenance, I might add, and as a result, obviously that unit was not going to be up and running.

This happens from time to time, as the Minister of Energy has indicated, during the course of production of electricity in Ontario. It happens in the normal course of events. Obviously, when one unit—wherever—is shut down for whatever purpose, other units are up and running or energy is bought from other jurisdictions. That's been going on for a long time.

Mr Hampton: Premier, my question was very specific: when did your government first learn about this situation and did you make any inquiries as to what the effect would be on consumers?

People in Ontario through the months of July and August paid \$756 million more than they paid last year during July and August for their hydro, and apparently no one in your government asked, "Is there something wrong here?" Local public utilities had to go out and arrange \$600 million in bank loans to cover the price spikes, and no one in the Conservative government thought to ask, "Is something going on here?"

Yes, the hydro Independent Market Operator knew about it, but under your legislation he's not supposed to tell the public. He's supposed to protect the corporate interest, and consumers be damned.

So I'll ask my question again: did anybody in your government ask, "What is the effect going to be on the hydro consumers of Ontario?"

Hon Mr Eves: Everybody in Ontario was informed on June 12 of this year when Bruce Power issued the press release. Every single person in the province, one way or another, through the media, was informed on June 12, if they wanted to take advantage of that information.

He talks about prices of power. We had this discussion, as he said, on Monday. He was talking about the last two months. He noticeably didn't want to talk about the months of April and May of this year when prices on average per kilowatt hour were down in Ontario from previous years; nor does he mention today, for example, that yesterday, the price of a kilowatt hour of electricity dropped almost two cents, from 6.39 cents to 4.50 cents. If you wait for it to get a little colder outside, Howie, the price will continue to drop.

Mr Hampton: You should have read the forecast from the Independent Market Operator yesterday because he says you're full of hot air.

Premier, this is exactly what happened in California. Private generating stations would take one of their units off line, create an electricity shortage, drive up the price and then put the screws to consumers at those very high prices.

Did anybody in your government stop to ask the question: "Is this plant, this generating unit, down for this whole time legitimately or is someone trying to game the market?" Did anybody in your government ask, "Gee, British Energy has some generating stations in the United States. Since they knew about this beforehand, are they in fact making money by substituting the power in from the United States?"

I ask the question again: did anybody in your government ask the obvious question, "What's going to be the effect upon consumers? How much are they going to be overcharged?" Or were you too busy looking after your corporate friends, Premier?

Hon Mr Eves: I've heard some wild, imaginative scenarios, but that certainly just about takes the cake.

The reality is there are a lot of units that are up and running at Bruce now that your government didn't even see fit to have up and running. For you to be complaining now that they were down for maintenance—why weren't you screaming and yelling at Bob Rae about this when he was the Premier and you were the Attorney General of

the province? Why weren't you complaining that these units weren't up and running then? What seems to be the problem?

The fact that a unit had to be down for maintenance—that goes on, as the Minister of Energy has pointed out, with respect to a lot of units of generation of power in Ontario from time to time. It's gone on for decades and will continue to go on in the future. How are you going to maintain units if you don't shut them down to maintain them?

The reality is that that happens as a normal course of events. When we are short of supply, we buy it from other jurisdictions. When they're short of supply and we're producing excess, we export it to other jurisdictions. That's gone on and will continue to go on.

1430

Mr Hampton: Premier, you say, "What's the difference?" The difference is that people weren't overcharged by \$756 million over two months. That's the difference, Premier.

What is really shocking is that this is exactly the scenario that happened in California, and it's now been documented. We also know there was another attempt to game the market this summer where some companies were in effect exporting power into the United States and then bringing the power back from the United States at a much higher price. Yet your government doesn't seem to be concerned about this for one second. You don't seem to care that people were overcharged, that the price of electricity went above \$1,000 a megawatt hour some days this summer.

A couple of other questions: we need to know who profited from the inside knowledge of this shutdown, because what we do know is that some few people would have known early on. We need to know if the repairs were done in a timely fashion or if in effect they took a long time so as to inflate the price of hydro.

We need to know who was out there looking after consumers, because your government certainly wasn't. So I'm asking you, are you prepared to begin now a public investigation to ensure that people aren't being ripped off the way they were in California?

Hon Mr Eves: No public investigation is necessary. Bruce Power informed the Canadian Nuclear Safety Commission. They informed the people of Ontario. They issued a press release on June 12.

He talks about the cost. He talks about, under his government, there was no cost. That's the problem, I guess, with your party and your way of viewing things. The cost to not only this generation but probably two more generations of Ontarians was deficits of \$14 billion, \$10 billion, \$11 billion, \$9 billion and \$12 billion a year. That was the cost under your great way of doing business in Ontario. I know that's insignificant to you. You don't think anybody ever has to pay that back, but that is a big, big difference between people on that side of the House and people on this side.

Mr Hampton: You might want to remember a certain Brian Mulroney who you supported. Brian Mulroney left

us with a \$43-billion deficit. Every government in the world had to battle tough times.

The really interesting thing here is that the nuclear safety authority doesn't protect consumers. The nuclear safety authority has absolutely no interest in consumers. Your Independent Market Operator has already indicated they're more interested in protecting the confidentiality of corporations than in protecting consumers.

My question remains. The nuclear safety authority isn't going to protect consumers. The Independent Market Operator is looking after your corporate friends. Are you going to have a complete public investigation of who profited from this, of whether or not power markets were manipulated and how much consumers were gouged this summer? Are you prepared to protect consumers?

Hon Mr Eves: This is the individual who a few months ago was standing up in the House, saying, "Why are you allowing people to sign fixed price contracts?" This is the same person standing up today, saying, "Now, because I persuaded all those people, driving around the province in my bus, not to sign those contracts, the price of their electricity is too high." You can't have it both ways.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is for the Premier. Last week in court documents filed in the Ipperwash civil case, new information that has never been public was made public. It shows that at 9 o'clock on September 5, the day before the shooting, Premier Harris and six of his senior advisers, including Mr Lindsay and Miss Hutton, met and discussed Ipperwash. The Premier told the House that he gave no directions to Miss Hutton. An hour after that meeting, Miss Hutton went to the emergency meeting and said these comments:

"Premier is hawkish on this issue—feels we're being tested on this issue.

"Premier wants to deal with the group as if they were non-aboriginals.

"Premier is hawkish on this issue—will set tone for how we deal with these issues over the next four years."

We were never aware that that meeting took place with Premier Harris and the six advisers. In light of this new evidence, which contradicts what the former Premier said and shows more inappropriate political involvement, will you now agree to do the right thing and call a public inquiry?

Hon Ernie Eves (Premier, Minister of Intergovernmental Affairs): I believe the Attorney General can respond to this question.

Hon David Young (Attorney General, minister responsible for native affairs): The member from Scarborough-Agincourt is making reference to a single document, one of tens of thousands that have been filed by the government and by other sources in a lawsuit in front of the Superior Court of Justice.

I would suggest to the honourable member that if he wants to look at documents, perhaps he should also reference a document that has been filed by the former commissioner of the OPP, Thomas O'Grady. It's a signed affidavit, as opposed to an anonymous handwritten document, which clearly states that the former Premier in no way directed the OPP to act in any certain way in relation to this incident.

Mr Phillips: You do not quote that document accurately, but you can answer that question outside the House.

Your refusal, Premier, to call a public inquiry is truly disgraceful. The George family never wanted a civil case. Every lawyer in this province, other than the government's in-house lawyer, Mr Young, believes that a public inquiry is the appropriate vehicle.

The most disgusting thing to me is that the former Premier has spent over a million dollars of taxpayers' money attacking the George family and millions more of taxpayers' money is being spent attacking them. Perhaps the most disgusting of all was that your lawyer, Mr Runciman, called Mr Sam George, one of the most decent people I know, a terrorist. Nothing could indicate more the reason why we've got to abandon this civil case and do the appropriate thing.

Will you now reconsider your decision? I recognize you're in a difficult position, because your Minister of Municipal Affairs, your Minister of Public Safety and Security and one of your transition people, Ms Hutton, are involved in this. I realize you're in a difficult position, but will you reconsider your decision and agree today to do the appropriate thing and call a public inquiry into this event?

Hon Mr Young: Indeed there is a civil action underway. I think it's important to remember that it is a civil action that was commenced by the George family. In that civil action, they had the opportunity to, and indeed did, lay out the parameters of the lawsuit. They did that, and indeed that is what is being discussed in the Superior Court of Justice.

In due course, this matter will come in front of a judge—an independent, impartial trier of fact—and a decision will be made. That is the kind of justice that takes place every day in every part of this province. In due course, after that case, if there are still outstanding issues, this government has never closed the door on a further inquiry.

CONSUMER PROTECTION

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Consumer and Business Services. Over the summer, you've been doing events to inform Ontarians of potential consumer scams and have given advice on the steps the public can take to avoid such scams. You've highlighted fraudulent activities like unnecessary home and car repairs and schemes aimed at taking advantage of students which ruin their credit ratings. Most recently, I saw you on the news talking about fraud on the Internet.

How will the new consumer legislation you introduced today help my constituents in Perth-Middlesex further protect themselves from scams?

Hon Tim Hudak (Minister of Consumer and Business Services): I appreciate the question from the member from Perth-Middlesex. I know how hard he works on behalf of seniors in the Listowel area and such, helping them fight those who may have preyed on them with telemarketing scams or door-to-door driveway repair scams.

The member is right; the last time these laws were changed in a substantial way was in the era when colour TV was a luxury item. We've seen much change as we enter the 21st century, and the reality is that we need to update our laws to make sure we can go after and shut down new and emerging consumer scams in a modern marketplace. We all know that typically vulnerable people like seniors and students away at school for the first time are target markets, and a few bad operators hurt consumer confidence in legitimate and honest business operators.

For the sake of protecting consumers and nurturing growth in our honest businesses, this legislation will be very important. I appreciate the member's support for these initiatives.

1440

Mr Johnson: Minister, I'm pleased you've introduced this legislation and I intend to read it over carefully and, if I agree with every word in it, I'll vote for it. I know that my constituents will benefit from having modern consumer laws in place, but unless you put in tough disciplinary action there's no guarantee that these scam artists will be deterred. A small fine, a slap on the wrist, would be nothing more than a small inconvenience for many of these characters. How will your legislation deter scam artists from committing these crimes?

Hon Mr Hudak: I appreciate the member's comments that if he agrees with the bill he'll support it, and I can tell him when he gets a chance to read through the bill there are strong enforcement provisions in the legislation. Not only does it have bark, of course, it has a lot of bite. We're going to more than double the maximum fines, up to \$50,000 for individuals and \$250,000 for corporations. Maximum sentencing for individuals will go up to the provincial maximum of two years less a day. We'll also have the power in circumstances to freeze assets and order businesses to stop using false and misleading advertising, as well as the flexibility to go after scams as they morph. Scam artists by their nature are creative; they keep trying new schemes. We want to make sure we keep up with them and shut them down. We want to make sure that Ontario is not open for that kind of business.

SLOT MACHINES

Mr Monte Kwinter (York Centre): I have a question to the Attorney General. I want to go back to the Picov Downs matter. Mr Attorney General, the Management

Board Secretariat issued on April 19, 2000, a directive that said, "...this government announced our three-year plan for gaming in Ontario. As part of that plan we announced a three-year pause in the expansion of new charity casinos," and "A pause in implementation of slot machines at racetracks as of March 31, 2000...", which means there would be no slot machine decisions or implementations until March 31, 2003.

Could you tell me why, in a press interview, the member for the region, the Minister of Finance, said the provincial government has given the initial OK for up to 800 slot machines at Picov Downs. "Picov Downs has been approved," and in fact, "The moratorium ended in March."

What I'd like to know is, did the Minister of Finance unilaterally shorten the moratorium period from three years to two years, and how did this approval take place when there's supposed to be a three-year moratorium ending March 31, 2003?

Hon David Young (Attorney General, minister responsible for native affairs): Yesterday in the Legislative Assembly the honourable member stood and quoted from a portion of a newspaper article, and quoted the Minister of Finance. Indeed, to the extent that he did quote, he quoted accurately. Unfortunately, he didn't continue to read that same article in which the Minister of Finance went on to say that no final decision has been made with reference to the number of slots there.

I would ask the honourable member that when he puts facts forward to this great assembly he does so with some greater degree of accuracy.

Mr Kwinter: In response to my question the other day, the Attorney General said, "...the OLGC will review the matter, decide what an appropriate business case is, and then it will be submitted to the government.

"I want to stress that the OLGC is an independent, arm's-length agency ... and after they give us recommendations, we will consider this matter. No decision has been made to date."

Here is the letter—the famous letter that the minister in a scrum said he would not release, and I happen to have the letter—from Tim Hudak to Norm Picov, and it says, "...I am writing to advise you that the OLGC has been directed"—in other words, as an arm's-length organization the government has directed them—"to begin discussions with you for the establishment of a slot machine facility, with up to 800 slot machines, at Picov Downs."

You're saying there has to be a business case—

Hon Mr Young: Keep reading.

Mr Kwinter: I'm going to read it. It says, "The results of the OLGC business case supported the development of a new slot machine facility in the Ajax area with up to 800 slots, subject to prescribed conditions. In March, cabinet reviewed and approved the business case as part of the provincial gaming strategy."

So Mr Minister, the only things that have been left to negotiate are things like site plans, things like—

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

Hon Mr Young: Indeed, somewhere toward the end of that question, and I use that term loosely, the member on the other side did reference the fact that there were numerous other requirements listed in that very same letter that had to be met in order for that allocation to be made.

The member also referenced the fact that there could be up to 800. I appreciate the Liberals are having difficulty with the term "up to," so I thought of an analogy that might help. Going into the last election, Dalton McGuinty was hoping to win "up to" 103 seats. He won 35, a small fraction of that number.

VISITORS

The Speaker (Hon Gary Carr): Stop the clock. Just before we continue, we have been joined in the Speaker's gallery by a delegation of public accounts committee members from the state Legislative Assembly of Sarawak in Malaysia. Please join us in welcoming our honoured guests.

Mr John Gerretsen (Kingston and the Islands): On a further point of order, Mr Speaker: The public accounts committee for the Legislature of Ontario looks forward to a return visit to Sarawak, Malaysia.

The Speaker: Talk to your House leaders.

AUTOMOBILE INSURANCE

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I second the opinion of the member from Kingston and the Islands.

Interjection: You're on that committee, aren't you?

Mr Gill: Yes.

My question is for the Minister of Finance. Minister, the constituents in my great riding of Bramalea-Gore-Malton-Springdale and many people across Ontario are very concerned about auto insurance premiums. The insurance companies are worried about their increasing costs while drivers are naturally concerned about their rates. Can you tell this House what the government is doing to ensure that people are protected and that their rates remain reasonable?

Hon Janet Ecker (Minister of Finance): I thank the honourable member for the question. I agree that there have been concerns from consumers that want to ensure they have strong insurance protection at affordable prices. We know that the industry has concerns about some of the skyrocketing costs and we all share a concern about the increased abuse of the auto insurance system.

During our first mandate, the Honourable Rob Sampson, my colleague from Mississauga Centre, had led the charge to make some auto reforms where we saw consumers benefit—there was a 12% drop in rates. We know now that the increase in costs—there are further changes that are needed to be made—the increase in

misuse, the increase in prices. We've had a committee chaired by my parliamentary assistant, Ted Chudleigh—also, Mr Sampson and Wayne Wettlaufer have been on that committee—that has been consulting for many days, many weeks now, and will be bringing forward changes this fall that will help to ensure that we have consumer protection, we're stopping abuse and we'll have a strong, competitive car insurance industry.

Mr Gill: Minister, it is good to hear that a wide range of stakeholders' groups are participating in the consultation and that they support our plan to keep the auto insurance industry in Ontario competitive. Minister, can you please explain how insurance consumers in Ontario will benefit from these reforms?

Hon Mrs Ecker: As I stated, the three goals that we have in the proposals for both regulation and legislative change are to make sure that we are protecting consumers, that we are stopping the misuse and abuse of the system that we're starting to see, and that we do have a very strong, competitive auto insurance industry.

We've been working with health professionals to make sure that in the issues around personal injury cases there is timely treatment, that consumers don't have to go through needless assessments or processes. We're trying to cut red tape for both consumers and the industry. We're trying to set higher standards for those who advocate on behalf of consumers. I think the package, when we get the advice from the consultations my colleagues are doing, will go a long way this fall to better protect the consumers in the auto insurance world.

1450

ENVIRONMENTAL PROTECTION

Ms Marilyn Churley (Toronto-Danforth): I have a question for the Minister of the Environment. Today the Environmental Commissioner of Ontario released his annual report, and once again, as you know, it's bad news. You are not protecting the environment and you are actually trying to hide information from the public. It's clear that your staff still doesn't have enough resources to monitor water quality in streams and rivers, enforce existing laws and respond to complaints.

Unbelievably, since 1995 your government has reduced the monitoring stations of rural water sources from 730 to 240. This is shocking and unacceptable in the aftermath of the Walkerton tragedy. Far from improving the monitoring and protection of our drinking water, you have reduced it.

Minister, will you reopen those water monitoring stations immediately?

Hon Chris Stockwell (Minister of the Environment, Government House Leader): Let's just say that we have a slight disagreement with respect to the take on the report from the Environmental Commissioner. Certainly there were a couple of issues that he brought to our attention that we take very seriously and will investigate. We understand that when you have a commissioner reporting yearly, he's going to see things that maybe,

since you're working within that ministry, you don't see as clearly. We accept his report and we embrace it.

With respect, let's be clear about the regulations you speak about. The legislation you spoke about is federal legislation. It is federal legislation and it's the federal government's responsibility to enforce their act. When we do go in and inspect, if they're contravening a federal act and a provincial act or just a federal act, we do challenge and charge under that act as well. But you have to delineate. The federal government passing legislation in the House of Commons is the responsibility of federal environment inspectors. When we pass it, we inspect on ours. Sure, we've got to work more closely with the federal government, but they also need to understand, when they pass legislation, they have to hire inspectors to in fact go out and inspect on their legislation.

Ms Churley: I think you got your answers mixed up there. I was talking about reopening those monitoring stations. But one of the many other shocking revelations from the report is that your government has had zero success in protecting habitat in Ontario. The commission states, and listen to this, that in 50 years we could see the caribou population in Ontario be completely wiped out because of your government's lack of biodiversity policies.

This quarter has a picture of a caribou on it. It's one of our most cherished Canadian animals and it's about to disappear under your watch. Yet, incredibly, you're about to allow clear-cutting in the last expanses of boreal forest in northwest Ontario. It's the last range in Ontario of this woodland caribou.

Minister, is it your plan to request the federal government to remove the caribou from the quarter, or are you going to do something about this to protect the caribou in Ontario?

Hon Mr Stockwell: I'm extremely surprised the member opposite doesn't know that the Ministry of Natural Resources in Ontario is working on a caribou recovery strategy as we speak. You should know that. We recognize the importance of the woodland caribou population. We've modified our forest management plan to address the species. The caribou forest in Sioux Lookout, I say to the member, is an example of how the government, industry and stakeholders have modified forest harvest patterns to create an environmentally more sustainable place for the woodland caribou.

I say to the member opposite, you should know this. All you had to do was ask the question. We would have been happy to provide you with that. But you take up time today and try to frighten the public that we don't have a caribou strategy. We have a strategy to protect the caribou.

BIRTH CERTIFICATES

Mr Bruce Crozier (Essex): My question is for the Minister of Consumer and Business Services. I want to go back to the issue of the significant security breach, that being stolen birth certificates.

On June 24, you held a news conference telling Ontarians that you were “cracking down on identity theft.” You said, “I want to assure Ontarians that we take the security of birth certificates very seriously.”

Before holding such an important news conference, I’m sure that any competent minister would have been fully briefed on all the matters relating to the security surrounding birth certificates. The strange thing is that less than two weeks after the original theft, you made this statement: your ministry had discovered and reported the fact that the system was most certainly not secure. They had told police, but apparently they hadn’t told you.

Minister, why were you telling people that the system was secure and you were cracking down while hiding the fact that hundreds of blank birth certificates were missing?

Hon Tim Hudak (Minister of Consumer and Business Services): Of course we take the security of birth certificates very seriously. In fact, we’ve brought increased security provisions behind birth certificates to make sure they do not fall into the hands of those who should not have them. For example, we’ve increased the degree of certificates you have to bring to get a birth certificate—guarantors, shared secrets—to protect these, as well as a media campaign to encourage people to keep their birth certificate safe. If you lose it, you have to report it lost or stolen so that it’s deactivated and can’t fall into another person’s hands.

Identity theft is a serious crime. We’re going to continue to fight it and educate consumers about the risks and how to take care of their birth certificates. Here at the ministry we’re working very closely with the OPP and other police forces to find out who was behind the loss of the birth certificates and to make sure they are brought to justice. We take it very seriously. We want to make sure that we clean this up and no more breaches take place in the future.

Mr Crozier: In that you didn’t answer the question why you were trying to keep it from the people, I frankly find that hard to believe.

Then the cover-up got even worse. You admitted learning about the theft on August 21. It was the first time your ministry admitted there was a serious breach of security with your birth certificate system. Until yesterday, you wanted us to believe it was a computer glitch. And yes, I’ll go back to your Web site, where you talk about security: “The Ontario government has a new strategy to enhance the security of vital documents. We want to protect Ontarians from identity theft and fraud—and to help our law enforcement agencies fight crime and terrorism.

“In the fall of 2001, the Ontario government passed a new law to change and strengthen the security and safeguards in place for issuing birth certificates. Why? To protect you.”

This was on your Web site on July 8, 2002, when you knew that these birth certificates had been stolen.

Minister, you wanted to cover up the fact that despite the promises you made, our vital documents weren’t secure. How can you defend this?

Hon Mr Hudak: We have, as I mentioned, brought in stronger security to make sure that our vital documents stay secure. I was alerted on August 21 about a significant loss of birth certificates, and we immediately shut down the birth certificate system in the regional offices, working on the advice of police. We wanted to make sure, on the advice of police services, police forces, that we could find out who was behind this, who were the individuals or individual who had stolen birth certificates, and to go after them and bring them to justice. We take this very seriously.

We’ll continue to work with police forces to find out how they went missing, who had them, and make sure they’re brought to justice.

VICTIMS OF CRIME

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Attorney General. Minister, my constituents believe it’s important that the interests of victims are always of paramount concern in the justice system. For some victims, the aftermath of a crime is as traumatic and horrifying as the crime itself. I believe we must do more to help victims and to ensure that they are not forgotten as they struggle to put their lives back together.

Minister, can you tell my constituents what actions we have taken recently to make sure their voices are heard?

Hon David Young (Attorney General, minister responsible for native affairs): Indeed, the member raises a very important issue, and it was an issue that for too long was forgotten by governments of all political stripes.

Certainly since 1995, this government has stood solidly on the side of victims across this province. We’ve done so to ensure that they have the respect they deserve and indeed the help they deserve when they become involved in court proceedings.

We have already allocated \$18.5 million from the victims’ justice fund for such valuable programs as support link, which is a wonderful program that provides cellphones that are pre-programmed to dial 911 and get help to the individual at risk immediately. We have funded the victim support line. We have funded the victim crisis assistance and referral service, and our elder abuse strategy, quite frankly, is one that is being watched throughout the world because it is one that is ahead of its time.

1500

Mr Miller: Minister, we do have the VCARS program in Parry Sound-Muskoka. In fact, there was a new program started last year in Parry Sound, and there’s a thriving VCARS program in Muskoka, with over 90 volunteers really making a difference in the community.

Minister, it’s good to talk about funding, but of course it’s more than that. Victims need help. They need to feel safe. They need justice. Victims need support within their own communities to help them rebuild their lives. What

other steps is this government taking to help victims of crime in real, direct and meaningful ways?

Hon Mr Young: Indeed the member is right. It's not just about money; it's about respect and it's about demonstrating this commitment in a very tangible and palpable way.

We have done that. Over the last number of years, we have come forward, not only with information pamphlets and information on the Internet, but have made available pre-trial information and assistance for individuals who find they have been victimized as the result of a crime. We have referrals to other victims' services easily available and support available to victims in courts across this province.

In addition, we have relatively recently introduced counselling services for victims, which often make a great deal of difference for those who find themselves in these unfortunate circumstances.

LAKEVIEW GENERATING STATION

Mr James J. Bradley (St Catharines): I have a question for the Minister of the Environment about this damning report from the Environmental Commissioner of Ontario, condemning the job this government has done on the environment.

First of all, I want to ask, and I'm glad the former minister was here: back in the year 2001, the former minister had a regulation governing the Lakeview generating station—it's on page 6 in there—and the conversion to natural gas. Your government was dragged, kicking and screaming, by the opposition into converting the Lakeview generating station to natural gas. But when you did it, the Environmental Commissioner says, you could have done a great job of it. You could have done as the Deputy Premier wanted. You could have converted the boilers to new, efficient boilers instead of just converting to gas. Could you tell us why you abandoned the proposal of the previous Minister of the Environment to convert the Lakeview generating station to new, efficient boilers? You have the answer in now, so you can read it. Could you please tell us that?

Hon Chris Stockwell (Minister of the Environment, Government House Leader): Mr Speaker, it's clear that would be a question for the Minister of Energy.

Hon John R. Baird (Minister of Energy, minister responsible for francophone affairs): We obviously take the Environmental Commissioner's role seriously. We all want to protect our environment and improve the quality of our air, our water and our soil.

The Environmental Commissioner did make some comments with respect to the Lakeview thermal-generating station, which produces more than 1,000 megawatts of power at a time. Obviously, given the government's decision and indeed commitment to either close or convert the facility by 2005, it would seem rather silly to change some boilers in the event that it did close. Why make an investment if it may very well close?

Mr Bradley: The question revolves around the conditions of sale and the conditions of conversion. One would recognize, if the plant wasn't going to operate at all, that indeed you wouldn't. What I am asking about is that the recommendation was made by the previous minister and, I think, agreed with by the environmental community and others, that if this plant were to be converted from coal-fired to gas-fired, a condition would be that they must put in new boilers and new equipment. There is a possibility that the plant could be for sale under those conditions. What I'm asking is why you abandoned what I thought was a good original position of insisting on new boilers, a new, efficient furnace, a new operation, if that plant was to be converted to natural gas.

Hon Mr Baird: No one on this side of the House would ever abandon the good thoughts and advice of the former Minister of the Environment, someone who worked very hard to protect our air, water and soil. I think the issue here may relate to the whole definition of conversion. It's not just an issue of installing some new elements or a new boiler. In fact, what may be required is that the existing facility be torn down and a new one built. So it would seem that until that determination is made, we made a significant commitment to not waiting until 2007, but until 2005, two years sooner than the plan of another party, to convert the facility to natural gas or another type of generation. That's a commitment that was made and a commitment that will be followed.

SOCIAL SERVICES

Mrs Julia Munro (York North): My question is for the Minister of Community, Family and Children's Services. I know you did a great deal of travel throughout the province over the summer recess, and I want to congratulate you on that extensive tour. I was able to join you on one of the visits in my riding, but I know you were able to visit two other agencies in York North. I'd ask if you could tell my constituents about the places you visited in my riding.

Hon Brenda Elliott (Minister of Community, Family and Children's Services): I did have a very rewarding and interesting summer. I managed to travel across the province and visit over 40 different ridings and at least 50 different organizations throughout those communities.

I was travelling for a number of reasons. I wanted to learn first-hand about the innovative programs my ministry offers; to learn some best practices that have been evolving in various organizations; to say thank you, on behalf of the government, to all the people who deliver services to our most needy and vulnerable people in Ontario; and also to hear first-hand, as a new minister, some concerns and issues that may pertain to my ministry. It was a very rewarding summer, as I said. I learned a great deal.

In my colleague's riding, I had the pleasure of visiting an organization called New Leaf: Living and Learning Together. This is an amazing organization. I want to say publicly how very much I enjoyed visiting them. This

particular organization cares for hard-to-serve clients who would otherwise be in an institutional setting, and they are to be congratulated.

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

Mrs Munro: I'm sure my constituents will be pleased to learn that this government is taking the time to learn about the services in the communities they serve.

Minister, it is my understanding that you have not just spent time in my community but throughout the province. I'm sure other members would like to know about the tour when the House was in recess.

Hon Mrs Elliott: Thank you to my colleague for York North. I also had the opportunity in her riding of visiting the York Region CAS infant development and early intervention services for teens, and many other programs.

I would like to take this opportunity to thank my colleagues who took the time this summer to travel with me to many of these various programs, many of which they had actually indicated to me they felt were worthy of a visit. It certainly was enlightening to me.

I had the opportunity to talk to Ontario Works recipients, people who delivered the programs, those who received the programs, and met with many dedicated volunteers. We must thank them, because without them, many of the services we offer would not be as complex and complete as they are.

I also had the chance to visit some of the Early Years centres that are up and running in various communities, and will be in every riding across the province over the next year or so.

To my colleague from York North, we also had a wonderful opportunity to open a playground—

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

HOSPITAL FUNDING

Ms Shelley Martel (Nickel Belt): I have a question to the Minister of Health regarding the Sudbury Regional Hospital.

You will know that Mr Jean-Paul Aubé, chair of the operations and capital review committee, has already said publicly that our community should expect to fundraise even more to pay for the capital construction of our hospital. That is not acceptable—not to me and not to our community.

You should know that the city of greater Sudbury has already committed to pay \$28 million for the project over a number of years and another \$17 million is being raised locally now through the Heart and Soul fundraising campaign. That's enough. That's more than enough. Our community should not be asked to pay for even more to get this project complete.

Minister, can you guarantee today that you will not force or demand our community to fundraise one more cent to complete the Sudbury Regional Hospital capital project?

Hon Tony Clement (Minister of Health and Long-Term Care): As the honourable member knows, and

perhaps other members of this House know, there has been a considerable issue with the Sudbury hospital. There was a considerable amount over budget when it came to the capital campaign of the hospital, and indeed the hospital is undergoing a review which is reviewing not only the capital of the hospital but also the operations of the hospital. I think it is too soon to jump to any conclusions. I encourage the honourable member to work with us. The Liberal member for Sudbury is doing the same thing. We all want a hospital in Sudbury that is viable, sustainable and prudent with the finances that it takes from the public of Ontario.

Ms Martel: If I might, I'm not jumping to conclusions. Mr Aubé has been very public in our community in a number of media interviews, saying that our community should expect to pay more as a result of the report he has provided to your ministry.

1510

You need to recognize that our hospital is a regional hospital. Patients from right across northeastern Ontario come to Sudbury for cancer care, cardiac care and neonatal and trauma services, but essentially it's local residents from Sudbury who are paying the 30% local share for this capital project. That has to change. You need to change the funding formula so that your government picks up 85% of hospital construction costs for regional hospitals because that is the only fair way to ensure that the local share of a hospital, which is used by patients from across a region, in this case northeastern Ontario, can be paid for.

In view of the very public recommendation which has been made to your government to have our community pay even more for the capital costs of this project, will you commit today to changing the funding formula so that 85% of the capital costs will be picked up by your government and our community will not have to fundraise even more?

Hon Mr Clement: Let's just state for the record that many communities that have hospitals that are being recapitalized and renovated are in fact contributing to the funding of the capital plan. It is for a hospital restructuring program based on HSRC directions. It has been typical across the board that it be 70-30, 70% paid by the province and 30% paid for by the local community.

I should stress that the local community in Sudbury has been very active and very successful in getting local philanthropists and contributors to the capital campaign. I have every expectation that once we receive the operational review and once we have a review of the situation, we will in fact have a Sudbury hospital that delivers excellent care and is viable in the long run. That's the side we're on.

HAZARDOUS WASTE

Mr Dominic Agostino (Hamilton East): I have a question to the Minister of the Environment. Minister, I want to ask you about SWARU and the landfill site issue in Hamilton. As you know, over a five-year period

thousands of tonnes of hazardous waste were sent there unchecked by your ministry. Your ministry bungled the investigation. The police have told us in their reports that your ministry totally screwed up. Will you today call an independent investigation into the dumping of this material at SWARU?

Hon Chris Stockwell (Minister of the Environment, Government House Leader): Right now we are determining whether or not, due to the decision of the courts, the decision will be appealed. It's difficult for me to comment specifically on the issue because, again, it's a decision we'll have to take before I can go any further. If I talk too much about it, then obviously it's going to impact the decision our ministry will take with respect to the legal implications involved in moving forward.

I would say to the member that the situation, in my opinion, is one that we are looking at as the Ministry of the Environment and investigating very carefully. It's been brought to my attention by a number of my own caucus mates and we have determined that the Ministry of the Environment is reporting back to me with its comments.

Mr Agostino: The minister obviously is on the wrong briefing note. Your ministry investigated for 18 months and you didn't lay any charges. You turned it over to the police, and let me tell you what the police said about your investigation. "The decision not to lay charges due to insufficient evidence was quite questionable. Throughout the period from 1994 to 2000" the whole process "went unchecked." This is the police. They said you screwed up your investigation in the 18-month period. You didn't interview the people who were involved. You interviewed by e-mail the person who was running the SWARU incinerator who was responsible for those thousands of tonnes of hazardous waste going to the landfill site in Glanbrook. Your ministry totally mishandled it. The police have told you that through their investigation.

I'm asking you again today for the sake of ensuring that this never happens again. The incinerator is in my riding. The landfill site is in the riding of the member for Stoney Creek. There are concerns by residents on both sides. Again, will you today call for an independent investigation—

The Speaker (Hon Gary Carr): Minister?

Hon Mr Stockwell: Basically, I responded to the question to the first time saying yes, we're investigating internally in the Ministry of the Environment to determine exactly what happened and what took place.

The Ministry of the Environment can't proceed specifically on the charges because the two-year statutory limit has expired. It's now up to the police to decide to proceed with a criminal investigation. If your question to me specifically is, are we prepared or are we going to investigate what happened, what went wrong, and correct the action, yes. I said we are going to investigate it to determine what went wrong and we're going to take corrective action. I don't disagree with you; it's an unacceptable conclusion to this issue and I think the Ministry of the Environment needs to investigate why this

happened to ensure it doesn't happen again. Yes, I agree. We'll investigate.

BUSINESS OF THE HOUSE

Hon Chris Stockwell (Minister of the Environment, Government House Leader): On Monday afternoon we will be debating Bill 131, interjurisdictional support, and in the evening, Bill 151, waterfront restoration.

On Tuesday afternoon we'll be debating Bill 151, waterfront restoration, and in the evening, Bill 177, municipal act.

On Wednesday afternoon we will be debating Bill 175, sustainable water, and in the evening it is to be announced.

On Thursday afternoon we'll be debating Bill 175, sustainable water, and in the evening, upon a request from the opposition party as to a proceeding that evening to honour Lyn McLeod—they've asked us not to sit Thursday evening. I've agreed, so the House will not sit Thursday evening.

PETITIONS

NATURAL GAS RATES

Mr Dwight Duncan (Windsor-St Clair): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Ontario Energy Board has consented to allow Union Gas to retroactively charge \$40 per month for a three-month period to recover additional system operation costs that occurred during the winter of 2000-01 totalling approximately \$150 million; and

"Whereas Union Gas will recover accrued costs over the peak heating season, causing undue hardship; and

"Whereas this retroactive charge will affect all customers who receive Union Gas, including new homeowners and new customers to Union Gas;

"Therefore we demand that the Ernie Eves government issue a policy directive under section 27.1 of the Ontario Energy Board Act disallowing the retroactive rate hike granted to Union Gas, and we further demand that the Legislature examine the Ontario Energy Board, its processes and its resources, and make changes that will protect consumers from further retroactive increases."

I'm pleased to affix my signature to this petition.

LONG-TERM CARE

Ms Shelley Martel (Nickel Belt): I have petitions that were done this summer and were sent into me by Grace Beardsworth, president, Family Council, Houses of Providence, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people

living in long-term-care facilities by 15%, instead of providing adequate government funding for long-term care; and

“Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

“Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

“Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

“Whereas the government’s own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

“Whereas according to the government’s own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse; and

“Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

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

“We demand the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities.”

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

HYDRO ONE

Mr David Caplan (Don Valley East): I have a petition from residents of Don Valley East: “Stop the Sale of Hydro One.

“To the Legislative Assembly of Ontario:

“Whereas the Conservative government plans to sell off Hydro One and Ontario’s electricity transmission grid—the central nervous system of Ontario’s economy;

“Whereas the government never campaigned on selling off this vital \$5-billion public asset and never consulted the people of Ontario on this plan;

“Whereas Ontario families want affordable, reliable electricity—they know that the sale of the grid that carries electricity to their homes is a disaster for our communities;

“Whereas selling the grid will not benefit consumers—the only Ontarians who will benefit are Bay Street brokers and Hydro One executives;

“Whereas selling Hydro One and the grid is like selling every 400 series highway in the province to private interests—selling the grid means the public sector will no longer be responsible for its security and protection;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature as follows:

“We demand the Conservative government halt the sale of Hydro One until the government has a clear mandate from the people of Ontario—namely, the owners of Hydro One.”

1520

LONG-TERM CARE

Ms Shelley Martel (Nickel Belt): I have a petition that has been sent to me by Mrs Lavinia Smith of Pickering, Ontario. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the daily increase of \$7.02 starting August 1, 2002, for residents in long-term-care facilities is not in keeping with the increases of prior years;

“Whereas this large increase in rates is a severe financial burden to residents and to family caregivers to maintain a loved one in a long-term-care facility and maintain themselves in order not to ask the government for financial assistance;

“Therefore we, the undersigned, petition the Legislature of Ontario to repeal this large increase and reduce the rates to a nominal increase as in prior years.”

I agree with the petitioners and I have affixed my signature to it.

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario. It’s one package of the 20,000 signatures on a petition that I’ll be reading into the record over the course of the next several weeks.

“Whereas modern highways are economic lifelines for the north; and

“Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

“Whereas the carnage on Highway 69 has been staggering; and

“Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

“Whereas immediate action is needed to prevent more needless loss of life; and

“Whereas it is the responsibility of a government to provide safe roads for its citizens, and the Eves government has failed to do so;

“Be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease.”

I of course affix my signature to the petition. I give it to Paula to bring to the table.

LONG-TERM CARE

Mr Peter Kormos (Niagara Centre): I have a petition addressed to the Legislative Assembly of Ontario:

“Whereas the Conservative government increased fees paid by Ontario seniors and other vulnerable people living in long-term-care facilities by 15%, or \$213 a month, instead of providing adequate government funding for long-term care; and

“Whereas the Conservative government has therefore shifted the cost of long-term care on to the backs of the frail elderly and their families; and

“Whereas the increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

“Whereas in 1996 Ontario abandoned its minimum requirement of 2.25 hours of nursing care per nursing home resident; and

“Whereas the government’s own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

“Whereas according to the government’s own study, government cutbacks have resulted in Ontario seniors receiving just 14 minutes a day of care from a registered nurse—less than half the time given to residents in Saskatchewan; and

“Whereas the report also found that Ontario residents receive the least nursing, bathing and general care of nine other comparable locations;

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

“Join the Ontario New Democratic Party in demanding that the Conservative government eliminate the 15% fee increase for residents of long-term-care facilities, increase the number of nursing care hours for each resident to a minimum of 3.5 hours per day, and provide stable, increased funding to ensure quality care is there for Ontario residents of long-term-care facilities.”

That was submitted by Lillian Pagnini of Jane Street in Toronto, and she’s joined by many other signatories as well as by myself.

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

“Whereas the Eves government has increased the fees paid for by seniors and the most vulnerable living in long-term-care facilities 15% or \$7.02 per diem effective August 1, 2002; and

“Whereas this fee increase will cost seniors and our most vulnerable more than \$200 a month; and

“Whereas this increase is 11.1% above the rent increase guidelines for tenants in the province of Ontario; and

“Whereas the increase in the government’s own contribution to raise the level of long-term-care services this year is less than \$2 per resident per day; and

“Whereas according to the government’s own funded study, Ontario ranks last among comparable jurisdictions in the amount of time provided to a resident for nursing and personal care; and

“Whereas the long-term-care funding partnership has been based on government accepting the responsibility to fund the care and services that residents need; and

“Whereas government needs to increase long-term-care operating funding by \$750 million over the next three years to raise the level of service for Ontario’s long-term-care residents to those in Saskatchewan in 1999; and

“Whereas this province has been built by seniors who should be able to live out their lives with dignity, respect and in comfort in this province;

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

“Demand that Premier Eves reduce his 15% fee increase on seniors and the most vulnerable living in long-term-care facilities and increase provincial government support for nursing and personal care to adequate levels.”

I affix my signature. I’m in complete agreement.

OPTOMETRISTS

Ms Shelley Martel (Nickel Belt): I have a petition that was sent to me by Dr F.G. King of Thunder Bay. It’s signed by a number of residents of that city. It reads as follows:

“To the Ontario Legislature:

“Whereas the Legislative Assembly of the province of Ontario will be considering a private member’s bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

“Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

“Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

“Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

“Therefore I do support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and I urge the government of Ontario to ensure speedy passage of the bill.”

I agree with the petitioners and I have affixed my signature to it.

AFFORDABLE HOUSING

Mr Dominic Agostino (Hamilton East): I’m pleased to get up and read a petition presented to my good colleague and friend David Caplan, the member for Don Valley East, “Fair Rent Increases Now.”

“To the Legislative Assembly of Ontario:

“Whereas the number of tenants receiving above-guideline increases is growing exponentially, and;

“Whereas many of these increases are for increases in utility costs, many of which have gone down since; and

“Whereas tenants should not have to pay for improvements forever, even when the costs have been realized by these rent increases; and

“Whereas the Tenant Protection Act does not give a tenant relief due to the costs being realized or a drop in utility costs; and

“Whereas tenants should not be receiving rent increases where there are work orders issued for the building;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to immediately pass MPP David Caplan’s Bill 134 entitled the Fair Rent Increases Act at the earliest possible opportunity so that tenants can get relief from above-guideline increases once the bills have been paid.”

I support this, and I know my colleague Michael Bryant supports this as well.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have petitions that have been sent to me by C. Bradford of Oshawa and from the Waterview Child Care Centre, also in Oshawa. I reads as follows:

“Whereas 70% of Ontario women with children under age 12 are in the paid workforce;

“Whereas high-quality, safe, affordable child care is critical to them and their families;

“Whereas the Early Years study done for the Conservative government by Dr Fraser Mustard and the Honourable Margaret McCain concluded quality child care enhances early childhood development;

“Whereas this government has cut funding for regulated child care instead of supporting Ontario families by investing in early learning and care;

“Therefore, be it resolved that the Ontario government adopt the NDP’s \$10-a-day child care plan and begin implementation by reducing full child care fees to \$10 a day for children aged two to five currently enrolled in regulated child care by providing capital funds to expand existing child care centres and build new ones, by funding pay equity for staff and by creating new \$10-a-day child care spaces in the province.”

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

1530

EDUCATION FUNDING

Mr David Caplan (Don Valley East): I have a number of petitions that have been signed by parents who send their kids to the Farsi-speaking language school at Donview Middle School and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Progressive Conservative government promised in 1995 not to cut classroom spending, but has

already cut at least \$1 billion from our schools and is now closing many classrooms” completely; and

“Whereas international language weekend classes are a needed part of learning for many students in our area; and

“Whereas the Education Act, specifically regulation 285(5), mandates provision of these programs where demand exists; and

“Whereas the Conservative government funding formula is forcing the Toronto District School Board to cancel these Saturday classes for groups who want this programming;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to instruct the Minister of Education to restore meaningful and flexible funding to the Toronto District School Board, to ensure that they are able to continue to accommodate these Saturday international languages classes.”

I’m going to give this petition to Valerie, our wonderful page here, and I wholeheartedly agree with it. I have affixed my signature to it.

NOTICE OF DISSATISFACTION

The Deputy Speaker (Mr David Christopherson): Pursuant to standing order 37(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of Environment concerning the SWARU and Glanbrook landfill site.

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: I asked and I think we’re agreed. I’ve spoken to House leaders so that we have unanimous consent for this to be debated on Tuesday night, since neither the minister nor the PA is available tonight.

The Deputy Speaker: A request for unanimous consent to hold this over until Tuesday. My understanding is that the minister is also OK. I see the House leader of the third party nodding. Do we have unanimous consent? Agreed.

ORDERS OF THE DAY

INTERJURISDICTIONAL SUPPORT ORDERS ACT, 2002

LOI DE 2002

SUR LES ORDONNANCES ALIMENTAIRES D’EXÉCUTION RÉCIPROQUE

Resuming the debate adjourned on September 24, 2002, on the motion for second reading of Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders / Projet de loi 131, Loi visant à faciliter le prononcé, la reconnaissance et la modification des ordonnances alimentaires d’exécution réciproque.

The Deputy Speaker (Mr David Christopherson): It's my understanding that we are now at the point where questions and comments can be made to the opening debate made by the member for Niagara Centre. Therefore, the floor is open for two-minute questions and comments.

Mr Michael Bryant (St Paul's): I can say that I enjoyed and listened with interest to the speech from the member for Niagara Centre. We are in agreement with respect to a number of things.

First, the failed commitment to victims of deadbeat dads by this government is part of the motivation, I'm sure, that went into this bill, which we support, but it still is not being addressed. Obviously, if you cannot enforce an order in Ontario in terms of getting the money out of the deadbeat, even though you may now have a legal order that is enforceable, then this is a right to spousal support without a remedy. This is justice delayed and, therefore, justice denied for the many, many victims of deadbeat dads and deadbeat spouses. This is an issue that continues to really plague this province and, I know, this government because, let's be clear, they made commitments in their 1995 election campaign and in their 1999 election campaign to crack down. They have made this a political issue, as a result, and have to be held accountable for their failure to meet the promise.

I thought the mantra from over there was "promise made, promise kept." In this case, it was "promise made, promise broken." Why? Because of the extraordinary arrears at the Family Responsibility Office. Basically, three quarters of the cases in that office, notwithstanding all the hard work done by the staff at the FRO, in fact is not being addressed. It's a failure of this government. It's a shortcoming of the government. Yes, we've got a bill, which we support, which is going to help provide a legal opportunity, but that opportunity won't be fulfilled until this government meets its commitments with respect to victims of deadbeat dads.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to get in the debate and respond to the member from Niagara Centre as well as the member from St Paul's, who just spoke. I think what he really means is not only deadbeat dads, but deadbeat parents; I'm sure you'll agree.

Mr Bryant: Both, yes.

Mr Gill: Both; I think the member has agreed.

I will be speaking at length. I do appreciate that every member of the House concurs, agrees, that this is a good bill. I will be speaking on it at length. I appreciate everybody who has spoken so far. I know this is long overdue. This does extend the arm of the law to all the states of the United States of America.

The Deputy Speaker: Further questions and comments? Second call. Hearing none, back to the original speech maker, the member for Niagara Centre.

Mr Peter Kormos (Niagara Centre): Reciprocal enforcement of maintenance or support orders legislation has existed in this province since at least 1948. This bill, Bill 131, is an effort to comply with the agreement made

by the Premiers to effect harmonization of that legislation across the 10 provinces of Canada.

I've read the legislation. I've read it carefully. I've read it several times. There are elements of it that I believe warrant scrutiny in a committee process. The suggestion to me earlier today by the government House leader was that the government thought this bill was perfect and didn't require any committee consideration. Well, I beg to differ. How many times have we taken a bill to committee believing that it was going to be in committee for a merely perfunctory process, only to discover that the committee process has enabled us—it's true—to find defects in the bill that were improved as a result of input by members of the public or the debate that occurs at committee? It has happened over and over again.

I have to tell you, I've been one of those people who has suggested to other House leaders, "Oh, this bill should only have one or two days in committee; I can't see how anything would be contentious," yet as sure as God made little apples, it gets into committee and we discover that there was an element that could be improved, corrected, fine-tuned.

In view of the fact that we're not likely to see this type of legislation readdressed in this province for a good chunk of time, I submit to you that this bill belongs in committee. I exhort this government to send this bill to committee once it is inevitably, and it will be, passed for second reading. All three parties support it. New Democrats support it in principle on second reading. Committee is where it belongs so that before it's put forward for third reading it can be improved where improvements are critical.

The Deputy Speaker: Further debate?

Mr Frank Klees (Oak Ridges): I'm pleased to add to the debate on this bill, the Interjurisdictional Support Orders Act.

I know, Speaker, that you probably would agree with me that one of the most frustrating things we have to deal with in our constituency offices is single parents who are having a difficult time finding a way for the defaulting parent to come good on support orders. Unfortunately, we can't legislate responsibility. It's always frustrating when we find circumstances where parents have abandoned their responsibility to their children. It unfortunately defaults to government to find some way to enforce the orders that have been made, and that in itself is not an easy process.

The member opposite referred to the work of the Family Responsibility Office. It's not a perfect process, for sure. I must say, though, from our experience, and I would think that it's probably the experience of most members here, there has been a significant improvement in the performance of that office, in the work they're able to do. That largely is as a result of initiatives brought forward by our government to implement some enforcement mechanisms. As a member, I still on occasion am frustrated because that is such a tedious process. It takes

so long and often the mother, the parent, the children, are under financial duress, so we have to address this.

1540

This bill before us today would make it easier and less costly to Ontario families to obtain support from parents and spouses who live outside the province. It's difficult enough when both parents reside in Ontario, but there are some difficulties that are experienced when the defaulting parent lives outside the province.

If passed, this bill would simplify, streamline and update existing processes by replacing the Reciprocal Enforcement of Support Orders Act that is currently in place in Ontario. For example, under the new legislation the current complex two-stage hearing process would be replaced with a single hearing process. This is a major change that would save time and money and would certainly help remove a lot of the stress that currently is inherent in the extended process that's in place.

Currently, if someone wants to establish or vary a support order, two hearings must be held: one in the originating jurisdiction and one in the receiving jurisdiction. If this legislation is passed, there would be only one hearing, in the receiving jurisdiction. The person wishing to establish or vary the support order would simply complete an application package, which would be sent to the receiving jurisdiction for a support order then to be made.

The proposed legislation would also perform another important function. If passed, the act would help the courts determine which jurisdiction's laws apply to the child support order. It would give Ontario courts guidance in determining whether the law of Ontario or the law of another jurisdiction applies to a particular case.

Also, this bill, if passed, would ensure a child-focused test when making this determination. I think it's important we understand that at the epicentre of all these circumstances are innocent children. What we're trying to do as legislators through this bill, to the degree possible, is remove that stress level and ensure the child's welfare is looked after.

For example, in a case where a mother and child are living in Alberta and have applied for support from a father who has moved to Ontario, the Ontario court would first consider the law of Alberta to determine if the child was indeed entitled to support. If the child was not entitled to support under Alberta law, the Ontario court could then consider if the child would be entitled to support under Ontario law, and then make a support order on the basis of that Ontario law.

There is yet another important element of this bill that I believe should be mentioned. The proposed legislation would also give automatic recognition to orders from other Canadian provinces and territories. This means an order that is made in another Canadian territory or province would be appropriately registered in Ontario and would then automatically be enforced through the procedures we have in place here.

Parties would no longer have the right, as they do now, to apply to set aside a registration of an order from

another Canadian province simply because of the jurisdictional issue. Anyone objecting would be required to address their concerns in the province that made the order.

I would like to make it clear that Ontario will continue to provide enforcement of foreign support orders that are currently enforced under the Reciprocal Enforcement of Support Orders Act. Countries that have reciprocal arrangements in place with Ontario would have those arrangements extended under this proposed act. That means, very simply, that the proposed simplified establishment and variation process would apply to countries that have similar processes, including the United States, Australia, as well as the United Kingdom.

Earlier this year, our government and the United States federal government established an arrangement which allows Ontario and the US to enforce support orders for each other's residents. Again, a very important measure that was taken, simply because of the fact that we have so much of this cross-border travel.

Previously, Ontario had arrangements with 40 US states, but this new federal-level arrangement now captures all of the additional states and US protectorates of the District of Columbia, American Samoa, Guam, Puerto Rico, as well as the US Virgin Islands.

This arrangement also makes it easier to improve enforcement co-operation with the United States because Ontario can deal now with one federal agency instead of 50 different states.

Those not impacted by child support and spousal support issues may find it hard to understand the importance of this proposed legislation. All of us here, and certainly those families who are affected or have been affected by a defaulting spouse, know how significant this step is and how important it is. Simply put, it comes down to this: if the bill is passed, it will make the process of getting or changing a support order that much easier, that much faster, and it will restore stability to many families, not only here but in other jurisdictions.

So for the thousands of children and families that are impacted, I believe this is great news. It means less money spent on legal expenses. And often that legal process itself, apart from the expense, creates considerable stress within the family circumstance. It leaves money, then, that would otherwise be spent on that legal process for more important things like food, shelter and clothing.

The reality of today's society is that sometimes marriages break up and parents move away. But borders should not then be an obstacle for children and families who are owed support by the other family.

This legislation, if passed, will remove those obstacles and will help to ensure that every child and every family gets the support they are entitled to.

I commend the Attorney General for bringing this bill forward. I really do believe that it deserves the support of all members of this House, regardless of which party, because I believe we're all involved, in our daily lives as

members, in trying to address this very important issue. This will go some distance toward resolving that issue.

The Deputy Speaker: I ask to have the clock stopped and bring to the attention of the House that we have with us today in the Speaker's gallery the Honourable Douglas John Parkinson, a member of the Tasmanian Legislative Council. Mr Parkinson is the Deputy Government Leader and the member for Wellington. Please join me in welcoming our special guest.

Questions and comments?

Mr George Smitherman (Toronto Centre-Rosedale): I think this is one of those occasions when I stand about a piece of legislation that enjoys support from all parties in this House. I think it enjoys all-party support because it is something that can help us deliver on significant issues of justice for our constituents.

The member from Oak Ridges, whom I'm sometimes somewhat critical of but whom I respect nonetheless, I think made the case very, very well, that for members of provincial Parliament, we find ourselves very often in the case of trying to assist people who are often living in hardship to obtain the necessary support so their children can have what they require to be able to achieve success in our society.

I think this kind of legislation speaks to the extent to which all of these relationships can be complex, and negotiating these out with other jurisdictions is something that does take a little time. But it's the kind of commitment that good government delivers upon, and therefore I join with others in supporting this legislation.

1550

I would say that we should not too easily pat ourselves on the back for this kind of administrative function. The real test, with respect to whether we are delivering on our best intentions, with respect to those kids that I think in this issue I have sharply in focus, is not on the aggregate number of dollars that we collect but on our rate of success in percentage terms of those cases that we attempt to work on.

The office that collects this money from deadbeat dads can do a better job than it has so far. There are other members in this House who have a better record than mine in dealing with that. I'd like to encourage all members to continue to support that type of activity.

Ms Shelley Martel (Nickel Belt): The member from Oak Ridges mentioned that although things weren't great at the FRO, he believed there were considerable improvements to the system based on initiatives undertaken by his government. I just have to beg to disagree because the chaos that erupted in the fall of 1996 directly as a consequence of your government closing the regional offices, centralizing to an office in Downsview that wasn't ready and laying off 85% of the staff in a single day, is chaos from which the FRO has regrettably never recovered.

It's not just me who says that. I attended the Ombudsman's press conference this June when he released his annual report. He said to the media present: "The system was centralized in the mid-1990s and has struggled ever since." He's right. What I worry about in relation to the

bill you are bringing forward today is that until things get sorted out at the FRO, particularly with respect to an inadequate, antiquated computer system, you are never going to be able to do the job that you need to be doing on behalf of recipients.

The Ombudsman himself made that clear. His comments in this release were at least the fourth and perhaps the fifth time that an Ombudsman has said to this government, "You have to invest in a new computer system at the FRO because the current system is incapable of dealing with the new cases that are coming on, and the current computer system is causing undue stress to staff." Roberta Jamieson did at least three reports as Ombudsman focusing on problems, focusing on the computer system, and Clare Lewis has now twice, in two reports, talked about the same.

I know that last year the Ombudsman reported that the Attorney General had gone to Management Board for money for a submission to look at how to change the computer system. Money had been allocated, but he didn't think the study had been underway. Perhaps it is now. I encourage you, if you are going to do something, to deal at least with this very serious dilemma and help reduce the stress that staff are now feeling as a result.

Mr Doug Galt (Minister without Portfolio): First, my compliments to my good friend the member for Oak Ridges for just a brilliant presentation that he had here this afternoon before the Legislature. I thought he did exceptionally well talking about the Interjurisdictional Support Orders Act, laying out parts of it, how it is going to work and how it will be to the benefit of single parents and children. I see it as very beneficial.

Also, the support given to it by the member from Toronto Centre-Rosedale recognizes the importance of the bill the government is bringing forward. My compliments to him for being supportive and recognizing that it is a good bill and should proceed through the House quickly. I would think members of this House would be willing to give it unanimous approval—just let it go—but we will have the debate.

The debate and the bill are really about responsibility—a responsibility that most Ontarians take very seriously.

I was a little disappointed when I heard the member from Nickel Belt not speak on the bill but talk a lot about the Family Responsibility Office. What a disaster that office was in 1995 when we came to office, and what a turnaround. Something serious had to be done about it because if it had been left the way it was, it was just going to continue in that kind of disarray.

Yes, it was difficult to turn around. It was sort of like turning around the Queen Mary in Toronto harbour. There's not much room to manoeuvre, and it's very difficult once you get it going in a direction, but I am pleased that we have come as far as we have with the Family Responsibility Office.

With those comments, I compliment the member from Oak Ridges again on just an excellent presentation this afternoon.

Mr Monte Kwinter (York Centre): I want to rise in support of the initiative of the member from Oak Ridges in the Interjurisdictional Support Orders Act. I think it's a wonderful step forward in that there could be one-stop shopping to make sure you get into all the jurisdictions of the United States, including Samoa and offshore things of that kind. I think it's wonderful.

I have some concerns, not with the act but with the reality. The reality is that I'm sure all of us have had constituents come to see us and talk to us about how they have court orders but they're unenforceable. They have tried, and they're saying, "No matter what I do, I can't get it." I say, "Well, go back to the court." And they say, "I've been back to the court three times and it still hasn't helped. Notwithstanding that I have a court order, I cannot support my children. I can't do this."

My concern is that when this is announced, some people may get some hope that this is going to be great, that if whoever it is that has the obligation to provide support goes anywhere in the United States and its protectorates, they'll be able to enforce it. They don't seem to be able to enforce it right here in Ontario, so I don't hold up a great deal of hope—and they may get lucky—that something will happen.

That is my concern, and unfortunately I really don't have an answer as to how you'd do it. But I do know that it's a serious problem, and I've been around long enough to have had many, many of my constituents who've had problems come to me and tell me. Everybody means well, but the reality is that there are lots of people who should be paying support—they've got a court order against them—and they're not doing it. I don't know how we can resolve that by passing this act. As I say, I'm totally in support of it. I hope it really works. I hope it gives initiative and hope to people whose delinquent spouses have moved to another jurisdiction.

The Deputy Speaker: The member for Oak Ridges has up to two minutes to respond.

Mr Klees: I want to express my appreciation to the members for Nickel Belt, Toronto Centre-Rosedale and Northumberland as well as the member for York Centre.

First of all, I can't disagree with the member from Nickel Belt, who referred to some of the continuing problems in the FRO. In my remarks I didn't suggest it was a perfect system. What I did say was that there was some improvement. There has been. We still have a long way to go. I, for one, certainly have been encouraging our government to look closer at that and do what we can to make that system more efficient.

I also appreciate the comments the member from York Centre made about the process and, effectively, the court system we have in this province that makes it so easy to extend these legal proceedings. I get so frustrated when parents come to me and they've been to court two or three or four times and the case has been adjourned, and all the legal maneuvering that takes place.

This is certainly something I would like our Attorney General look at to see if there's anything at all that can be done to streamline that process and somehow cut through

the kind of maneuvering that takes place in our court system that frustrates. I agree: whatever system we put in place can frustrate what we're trying to do here too.

So there is much to be done. I think as we work together on this, as legislators, and agree to focus in on some of these issues, perhaps we can begin to resolve some of these root problems that we have. Having said that, I do believe this is a step in the right direction. I'm encouraged by the support from members of all parties. We trust that together we'll be able to do our part by passing this legislation.

The Deputy Speaker: The floor is open for further debate. The member for Hastings-Frontenac-Lennox and Addington.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): Thank you, Speaker. It's been a while since we've been here in the Legislature, and it's a long name to remember.

I'm delighted to be here, certainly as the member from that great riding and also as the critic of the official opposition for Community, Family and Children's Services.

1600

Certainly this piece of legislation is going to have a significant impact for families, particularly children. That is the focus for me anyway, why I'm able to stand in the Legislature this afternoon and say I support Bill 131 and its intent to ensure that when children have a parent not living in this jurisdiction, in the province of Ontario, but in another jurisdiction, there is a means by which a parent is able to access support for those children. Sadly, I have had in my constituency office families who would come to the office or who would call the office and would say there is a serious problem because a particular parent has not only abandoned the responsibility to support the natural children, but has in fact left this jurisdiction, which only compounds any efforts that my office or any other authority might try to pursue to have that individual live up to the responsibility of looking after their children.

I am very happy to say today that we support Bill 131. However, I'm concerned as well because at the present time in Ontario we supposedly have a system in place called the Family Responsibility Office. It has the responsibility to ensure that when children are in situations where parents no longer reside together, support is provided for those children and those arrangements are made through the court system. The Family Responsibility Office has the role, the job, the responsibility of ensuring that the dollars of one parent get to a caregiver to ensure that the needs of the children are met. That's their responsibility.

The problem is that in many, many cases, that has not been happening. I have literally dozens and dozens of files in my office of people who call and who say they are not able to access what has been ordered to them by the courts of this province, and therefore they are not able to provide for themselves or their children.

Some of the situations that come to the office are really very disturbing. Because a non-custodial parent

who has been ordered to make a payment has not been doing so, it places that family unit with the children, the one that should receive those monies, in some cases in some very dangerous situations where they may not be able to continue to live in their place of residence. They might have to be evicted because they don't have the money to pay the rent because the person who has been ordered by the court to pay them hasn't done that. That, for me, is very upsetting, particularly given the fact that this is accommodation that includes accommodation for children. I have an assistant whose sole responsibility is dealing with these cases, and Diane does a remarkable job. I know I hear from many people who, sadly, have had occasion to call her. Diane immediately begins work on these cases.

I have here just some examples of her experiences in trying to assist people in my riding. There's one individual in Hastings county who wrote to my office in April 2000 and explained the particular situation, how an order was not being followed. Diane established her regular connection with the Family Responsibility Office, as she does, as every office of members of this Legislature does. Some 14 contacts later—and I think it's important for members of the public to understand. Because of the volume of calls that are received at the Family Responsibility Office, at least in the case of my office, Diane has sort of a weekly appointment with her person at FRO—we call the Family Responsibility Office "FRO." She has a weekly appointment with her contact at FRO where she goes over a list of cases.

So when I would suggest in this debate that after 14 contacts—that's after a number of weeks and even months of Diane calling the office and saying, "We need this information," or "This information has been provided," the office would call back and say, "We don't have it. We don't know where it is." Diane calls the client and they phone back and say, "Well, we sent it. We sent it registered mail." All those kinds of calls go back and forth. Some 14 contacts with this office in this first particular case required that it took one year and one month to resolve. We got the letter on April 20, 2000, and it wasn't resolved until May 31, 2001. That means that for one year and one month there was a family in this province that was not getting the monies they were entitled to. There were children who were not getting what they deserved, what had been ordered to them by the courts of this province. That, in my opinion, is totally unacceptable.

Another example in Hastings county: on April 9, 2001, an individual called my constituency office. Diane worked very, very hard to address the issues and the concerns. It was rather complex: 27 contacts with the Family Responsibility Office over the course of one year and five months. The first contact was in April 2001. It still isn't resolved. So there's a family in Hastings county that is entitled to receive monies from a non-custodial parent and it's not happening—for one year and five months. So that family has been made to survive, these children are made to do without money and therefore

resources in their family situation that they should have. I would suggest that has a significant impact on their health and well-being.

Another case in Hastings county came June 12 of this year. There have been 12 contacts; still unresolved. In Lennox and Addington county in February of this year: six contacts; still unresolved.

I outline these scenarios so that members of the public and hopefully members of the government will understand that the Family Responsibility Office is not meeting the needs of custodial parents in Ontario at the present time. I know the member for Northumberland made reference in his remarks to the disaster that the office they inherited was in. I can only offer that if that was the case then, and I can't say I know that, I would suggest to you it has not improved. You talk about turning a ship around. I think you've turned the ship into the Titanic, quite honestly.

Interjection.

Mrs Dombrowsky: I hear the member for Northumberland, who has some objection to the notion that maybe what is in place today isn't a disaster, but if we read what the Provincial Auditor says about the Family Responsibility Office, in 1999 the auditor indicated that there were approximately 128,000 of the 170,000 registered cases in arrears. So 75% of the cases in Ontario were in arrears. That was \$1.2 billion that should have been supporting families and children that wasn't being paid out. That is staggering and totally unacceptable and, in my opinion, the cause or the reason why we have to deal with some other problems and issues in our society. When folks don't have money to pay their rent, they can become homeless, or when folks don't get the money they need to support their families, they have to go to food banks.

We know that there are more people with jobs now using food banks than ever before. It's not just the homeless, it's not just the people on social assistance who are availing themselves of food banks now—people with jobs. The money these people make in their minimum-wage jobs maybe pays the rent. They're not getting the money from the non-custodial parent to assist them with the other expenses and they have to go to food banks, and that is unacceptable. That is totally unacceptable.

1610

So my question on this day when we debate a bill about the government's presentation that it would be appropriate—it's more than appropriate; it's the right thing to do—to make sure there is a mechanism in place, when custodial parents and children in this province happen to be part of a situation where the non-custodial parent is out of this jurisdiction: there has to be a mechanism to enable that family to access from that individual what they deserve, what they've been ordered through our judicial system.

I couldn't agree with that more, but I've just spent some time describing to you the problem the government has in even following through and making sure that when

parents who do live in this province are ordered and required to pay monies to support their children—they're not even able to do that. It's not just a matter of days or weeks or months. I have right here real names, real people, real cases in my riding where they're waiting years to get that support. That comes with some serious consequences.

It's totally unacceptable that helpless, defenceless children who count on adults to look after their better interests are not getting better and more consideration than they have up until now.

It's a great piece of legislation. It absolutely is necessary. But my challenge to the government is: let's clean up the Family Responsibility Office and the cases that are there now, and in addition to that, let's go after the non-custodial parents outside our jurisdiction.

Some people may say, "The Family Responsibility Office, what is the issue there? Is it bad management? What in fact is the case?" I think it's really quite obvious. It's a situation that I believe exists in many ministries. If you consider the report of the Environmental Commissioner today, we know the Ministry of the Environment does not have the resources to adequately execute its responsibilities. I would suggest as well that the Family Responsibility Office, with the important mandate it has, does not have sufficient resources, and when I say resources, I mean the human resources, the people to make this work well for the children of our province.

This government has been in power for seven years. This isn't anything new. This is something that has been going on for a number of years. We hear from people who have been caught in this system. It's not recent. You can't blame it on the fact that the computers are down; we hear that sometimes.

Mr Dominic Agostino (Hamilton East): Birth certificates.

Mrs Dombrowsky: Yes, technological problems. This is something that has been problematic for quite a long time and unfortunately it doesn't even get on the radar. How many throne speeches have we had? How many budgets have we had? We have families and children in this province who are going without, not for weeks, not for months, but for years, and it's not like they're going without handouts. They're going without what they are legitimately entitled to. I haven't heard any presentation in any of those official documents of the government, the throne speech or the budget, about how they intend to improve this sorry record.

I'm really concerned about the fact that while this is good legislation, it begs the question, are we going to compound the already overworked, overburdened resources of the Family Responsibility Office? Is it going to mean that the people who have been waiting for one year and one month, for one year and five months, for many months, are going to be waiting longer? Because the caseloads are going to go up. I don't see any component within the legislation that would suggest there are going to be the requisite resources attached to the legislation to ensure that as the caseload increases there are going to be

people there able to do the work and make sure that families and children in Ontario get what they deserve.

It's very difficult, when we know this legislation is important and necessary, to realize that probably when it's passed it's going to be impossible to execute what is in fact directed here, because there won't be the resources. And it's happening now at a pitiable rate.

I say to the members of the government, I think this is window-dressing. We're in an election year. It's going to be good to have a piece of legislation that would say you're supporting the needs of children, that you're going to make sure those deadbeat dads pay their bills. "We're going to make sure that when they don't live in Ontario, we're going to go after them." I say to the people of Ontario today, this government isn't doing that even with the deadbeats.

I want to go back. I'm sorry we can't unspeak words here, but it's not just deadbeat dads. That's unfair. I've tried to be very careful in my terminology when I talk about custodial and non-custodial parents. It's not just dads. There are moms too who find themselves in situations where they are required to pay support and there are situations in this province where they are not living up to their responsibility too.

But I know how the government's going to play this out in their election campaign when they can go out and say, "This is how tough we are on those folks who don't come through for our kids." Well, I suggest to the members of this government, you're not coming through for our kids; not when kids are waiting over a year to get what the court tells them they're entitled to have. It's a problem that hasn't just happened, it didn't just evolve; it's been there for as long as I've been in this office.

The day after I was elected, I went into my campaign office—I didn't have a constituency office—and one of the first calls I received was from a mom who was in tears because of this very issue. She was not getting the monies that she should have for her children. At that point in my life, I had not heard of the Family Responsibility Office, so it was sort of a baptism of fire. I very quickly had to understand what that meant, what it was and how it worked. Sadly, what I quickly came to understand was how it didn't work well at all, how it didn't work in 75% of the cases in 1999. I'm not sure that it's working so very well now.

In fact, again we go back to—the auditor noted that there should be more aggressive enforcement measures such as driver's licence or passport suspensions, bank account garnishments or a default hearing. They were very seldom pursued. These are all tools that the government could use, could exercise for children. It very seldom happens.

It's good legislation, it's necessary, it's needed. My challenge to the members of the government today is, make it happen, make it work. And don't make it work just for the interjurisdictional situations; make it work for the people who are not paying arrears who reside in Ontario. Make the waits of one year-plus and two years-plus go away for the children and the custodial parents

who are working so hard to meet the needs of their children and their families. That's my challenge to the government today.

We're prepared to support it. We'll do our part to get it on the books. Now you have the responsibility to make it work for the families and children in Ontario.

The Deputy Speaker: Members now have up to two minutes for questions or comments.

1620

Mr Kormos: I want to thank the five people across Ontario who are watching this on the legislative channel. I want to tell them there's an hour and a half at the most left and, friends, grab that clicker and change channels now because it ain't going to get any better. This place is like a mausoleum. There's nary a moving body here. The discourse has descended to *sotto voce*. The air hangs thick and as immobile as the bodies seated here. There isn't a heckle to be heard. Mr Kwinter continues to sit there, so I can't make a quorum call and at least ring bells for 15 minutes. I've been counting heads and Tories, and there are but 12 people sitting in the Legislative Assembly.

To boot, the government House leader serves notice of a time allocation motion, indicating that the government will forbid this bill going to committee, notwithstanding that there are a whole lot of folks out there—practitioners in the family bar, advocates for women and kids—who have had to work with FRO problems and access to the courts and access-to-counsel problems, who would want to make some comments about it and help make it a little better. Not only is this government blocking this bill from going to committee—it is; that's what a time allocation motion does, and the government is being incredibly obstructionist—but it's blocking the bill from receiving any third reading debate.

There you go, friends. The fix is in. The deal has been struck. The government doesn't care that the bill may well undergo some scrutiny and subsequent improvement. It doesn't care about improvement. Fluff. Mere puffery. What a sad, disappointing day yet again.

But the government will have to spend a day on the time allocation motion. We'll be pleased to debate that one, won't we, Speaker?

The Deputy Speaker: I thought it was quiet because of competent chairing, but there you go.

The member for Oak Ridges now has the floor.

Mr Klees: Likewise, Speaker, I was about to commend you for the order that you're keeping in this place. There is no heckling. Would that all of our sessions of debate were as quiet, as focused and as intense as this one.

I have to respond to the member from Hastings-Frontenac-Lennox and Addington. To this point, the tone of the debate around this bill has been extremely supportive and very focused on the objective we're trying to achieve. I'm disappointed at the cynicism I heard from the member in terms of the motivation, why the government is bringing this forward. I want to assure the member that she does not have a lock on compassion for

people in this province who have needs, and particularly children whose support orders are not being paid. I'd like to remind the member that those support orders are not being paid not because of something the government isn't doing; they are not being paid because some parent is irresponsible, and the role of government, to the best that they are able to do, is to try to at least enforce some of that.

I have always said that the Family Responsibility Office is inappropriately named. It should be named the lack of family responsibility office, because that's what is at the core of the problem. I can tell you that it's not a perfect system, as I've said before, but let's not use this as a political weapon to try to accuse the government of not caring for children who are not being looked after by their parents.

This is our response to it. Get with the program. Let's fix the problem.

Mr Kwinter: I want to respond to the comments of the member for Hastings-Frontenac-Lennox and Addington. As I said earlier, I'm totally supportive of this bill. I think the intent is good. I do have concerns about the reality of dealing with it.

At the present time, just like in the criminal section, where there are countries where there are no extradition treaties and criminals flee to those places if they think they have a safe haven, there are jurisdictions in the United States that have no interjurisdictional relationship with Ontario, and some delinquent parent might feel, "That's where I want to go because they can't get me." So this is a very positive thing from that point of view, in that a parent seeking to get support from an errant partner will not be confronted with an official in a particular jurisdiction in the United States saying, "Sorry, we don't have any jurisdiction over this. We have no relationship and there's nothing we can do about it. Sorry."

But I want to hark back to what I said earlier. The concern I have—and my colleague really talked about it and I'm sure all of us have had that experience. I've actually had delinquent parents come in to see me, really irate: "How dare anyone come after me to get this money? I'm going to declare bankruptcy. I'm going to do this and I'm going to do that." They have no shame in telling me that they're going to do this because they're upset that in a free society anyone would compel them to do anything. They seem to think this is totally acceptable.

It really is a dilemma. We have a serious problem here with people who live in Ontario, where at least they have a hope of engaging a lawyer or engaging somebody to try and get some sort of satisfaction.

This is a great step. It does address a certain problem. How practical it is, I don't know.

The Deputy Speaker: I see the chief government whip.

Mr Galt: I just enthusiastically wanted to respond to the member from Hastings-Frontenac-Lennox and Addington, looking after the riding where I grew up, and I did want to make some comments on her speech.

First, I'm a little nervous about this next comment I'm going to make because it's the first time ever in this

Legislature that I've really felt comfortable agreeing with the member from Niagara Centre when he described the House, what was going on in here and how quiet it was. All I can relate it to is that most of the members, if not all, are agreeing with this legislation. Maybe it's not too surprising that it's quiet in here today and things are going along very smoothly.

The member from Hastings-Frontenac-Lennox and Addington made some comments again about the Family Responsibility Office. To some extent, she's right: there's room for improvement. No question, there's a lot of room for improvement, but it's fortunate maybe for her and her staff that she wasn't around here in 1995-96, when we became the government and took over the problems that were in that office. It was phenomenal, Mr Speaker, and I'm sure you may have some recollection of some of the difficulties we had at that time.

As a government, I think we've been doing quite a bit for children and single parents, particularly things like 15 new child-friendly courts that have been brought in, a tremendous assistance to children with family disputes and helping children in that area.

She talked about suggesting different tools. Yes, there might be other kinds of tools you could look at, but I also wanted to comment on our government and what we've come through with for children. Ontario's Promise: I wanted to share with her that that involved a healthy start, an adult who cares, a safe place to learn and grow, the tools to succeed and the chance to make a difference. That's what the province of Ontario is doing for the children in this province now.

The Deputy Speaker: The member for Hastings-Frontenac-Lennox and Addington now has up to two minutes to respond.

Mrs Dombrowsky: It's good legislation. It's important and it's necessary because it will provide a tool that will ensure that children who require and deserve support from a non-custodial parent get it, even if that non-custodial parent doesn't live in Ontario.

Just responding to the comment made by the member from Oak Ridges to get with the program, that's what I tried to say to you folks there: get with the program. What you have in place right now isn't even working for the children who have non-custodial parents when they live in Ontario. Now you're going to introduce legislation that will enable you to go after non-custodial parents outside of the province. You can't handle what's there now, and I'm worried that the problems that folks in my riding and ridings across Ontario are going to encounter are going to be compounded.

I'm not suggesting who cares or doesn't care about children. All I'm saying is, if you look at the record, if you look at the priorities, if you look at what your throne speeches say, if you look at what your budgets have said, where they direct their resources, it hasn't been in this direction.

What I'm saying to you, members of the government, is that's what this needs. If you really want to help custodial parents and children who aren't getting what

they deserve, put some resources here to put the people in the field who can go after the people who are not paying their bills. That's what this is all about. I'm not suggesting the government pay the bills, but surely they have some responsibility to make people who have that responsibility do that. They can do that by withholding their driver's licence. I think that would be great. That very rarely happens. Get with the program and make sure that all children in Ontario get the money they deserve.

1630

The Deputy Speaker: The floor is now open for further debate.

Mr Gill: Thank you, Mr Speaker, and let me commend you. You are doing a wonderful job because there is no heckling. Hopefully that will still continue, with no heckling as I make my remarks.

Mr Smitherman: Why are you all teasing?

Mr Gill: There he is. It starts already. He didn't listen to my request.

It is a pleasure to take part in the debate on Bill 131, the Interjurisdictional Support Orders Act, 2002, An Act to facilitate the making, recognition and variation of interjurisdictional support orders. I know it's a mouthful but it's a very important bill, as we have heard from members from all sides. It's an important bill and I'm sure everyone will be getting together in terms of speedy approval of this bill because it's so needed, especially for single parents and especially for the children.

It is terrible. I just can't understand how some parents would deny access to the much-needed services and funds for their own children. This is beyond belief, but I know there are problems and in the FRO, and as the member said, the government is working hard to make sure people do get access.

I want to thank our hard-working Attorney General, David Young, who brought this bill forward. Yes, it's long overdue, but nonetheless it's a step in the right direction. Society has an important duty to do everything it can, Mr Speaker, as you know—I know you agree with me—to protect children and ensure they have the best future possible. This government takes that duty very seriously. That is why we have introduced this legislation.

If passed—it seems like it will be because I hear all parties saying yes to it; the intent is right and they are supporting the bill, but it's not passed yet so I must say that “if passed”—the Interjurisdictional Support Orders Act would simplify and streamline existing processes, making it easier and less costly for Ontario families and children to obtain support from people who live outside the province.

This also seems like a red-tape reduction bill, if you want to call it that. It appears to be that way. Let me remind viewers as well as the members who have maybe not visited the conference currently going on that today is the second day of the conference in Toronto, Red Tape to Smart Tape. I encourage people to go in and see how to reduce—as you know, this government has reduced red tape in over 1,900 different bills. I'm very happy to be, as

you know, a member of the Red Tape Commission. Its work is very much needed so that businesses, companies and even people, including students, don't have to go through too much red tape as they access the services they very much need.

These changes will also affect spousal support. It is our belief that no child should ever go without support simply because one parent has left the province. I know some people will say, "What about the people who not only leave the country to go to the US, but leave the country to go to different countries?" I think that's where the federal government's responsibility comes in. I encourage the federal government. As we become more and more global in where people travel to and live and where people have come from, it is important for us to make sure that the arm of the law is far-reaching and that those countries are also included at some point in time. I urge the federal government to perhaps have some kind of bilateral agreements.

Recently—it was about a year ago now, in August 2001—at the annual Premiers' conference, provincial leaders all agreed and made it clear that they also share the same belief. The Premiers committed to introducing effective reciprocal family support orders legislation in all provinces and territories. This summer, Premier Ernie Eves reiterated his commitment to this legislation at the annual Premiers' conference in Halifax. A number of provinces—I know Manitoba is one of them—have already moved forward on this issue. Alberta, British Columbia, Manitoba—as I said already—Saskatchewan, New Brunswick, Nova Scotia and Yukon have all passed similar legislation. So as I said, this is long overdue. It is now time for Ontario to move forward as well.

That is why I'm urging all members of this House to support it. I might be repeating myself, but just to reiterate, I think everybody is in agreement. I think the member opposite just nodded his head. I think he's quite enthusiastic to support this.

Our proposed legislation would affect thousands of families and children. As you know, being the father of two children—one of them just started university at McMaster in Hamilton, by the way, Mr Speaker, in part of your riding, I suppose, and I'm very pleased. I think the opportunity should be given to all children to be the best they can be.

I just don't like and don't agree with parents—and I will not single out just dads, as the Liberals were saying; I would say parents—who are not responsible toward their own children. They must do so.

At any given time, there are over 7,000 Ontario support orders being enforced in other jurisdictions. In addition, Ontario enforces over 5,000 support orders from other jurisdictions. It is clear from these numbers that we live in a world that is increasingly on the move. Our laws must recognize and reflect that reality.

If passed, this bill would recognize the challenges of a mobile population by allowing for greater co-operation between provinces, territories and countries. With this

proposed legislation, we would modernize family law to keep up with increased global mobility.

As I stated earlier, this proposed legislation would make it easier and less costly for families to register, establish and vary support orders where one of the parties lives outside Ontario.

This bill, if passed, would streamline and update existing processes by replacing the Reciprocal Enforcement of Support Orders Act, which is the current legislation in place in Ontario. For example, under the new legislation, the current complex two-stage hearing process would be replaced by a single-hearing process.

With a single-hearing process, someone wishing to establish or vary a support order would simply complete an application package, which would be sent to the receiving jurisdiction for a support determination. This means that a hearing would only be held in the receiving jurisdiction. It would no longer be necessary for the court in the originating jurisdiction to hold a provisional hearing, which currently is the case—once again, a case of less red tape, streamlining the process.

The proposed legislation would also help the courts determine which jurisdiction's laws apply. It would provide guidance to Ontario courts in determining whether the laws of Ontario or those of another jurisdiction apply to a particular case. This bill, if passed, would ensure a child-focused test in determining which jurisdiction's laws apply to child support.

Another important element of this proposed legislation is that it would give automatic recognition to orders from other Canadian provinces and territories. An order from another Canadian province or territory would be registered in Ontario and would be automatically enforced. Parties would no longer have the right, as they do now, to apply to set aside registration of an order from another Canadian province or territory. Anyone objecting would be required to address their concerns in the province that made the order.

1640

As I mentioned earlier, this proposed legislation would replace the Reciprocal Enforcement of Support Orders Act, which currently governs support cases where one party lives outside Ontario. Under the current legislation, Ontario has arrangements with all the other provinces and many other countries to register, establish and vary support orders when the parties are living in different jurisdictions. Earlier this year, our government and the United States federal government established an arrangement which allows Ontario and the US to enforce family support orders for each other's residents. Ontario had arrangements previously with only 40 US states, but this new federal-level arrangement captures the additional states and the US protectorates of the District of Columbia, American Samoa, Guam, Puerto Rico and the US Virgin Islands—everywhere the US has control. So this law would be far-reaching.

This arrangement also makes it easier to improve enforcement co-operation with the US because Ontario can deal with one federal agency instead of 50 state agencies.

I would like to stress that all existing reciprocity arrangements would continue under the proposed legislation.

Ontario is doing its part to help children and families obtain or vary support orders in the most streamlined and least costly manner possible. The legislation being debated today is further proof of our government's commitment to children. We are committed to ensuring the well-being of every child in Ontario. We are committed to ensuring that all of our children have a chance at a better future.

The Deputy Speaker: Members now have up to two minutes for questions and comments.

Mr Mike Colle (Eglinton-Lawrence): Just listening to the member for Bramalea-Gore-Malton-Springdale talking about children and families—certainly in my riding of Eglinton-Lawrence one of the most serious impacts on our children and families is housing and the lack of it. There's basically no affordable housing left since this government walked away from affordable housing. Although there are no tent cities in Eglinton-Lawrence, there are many people living on the margin in basements, in near-garages, because they cannot afford the high rents because of rent controls being taken off. They certainly can't afford to buy homes in Toronto, which are basically out of reach of most working families.

Also, the other thing affecting our children in Eglinton-Lawrence is certainly our schools. This government has ravaged our public school system to the point where we don't have caretakers to clean our schools; we don't have books. These are some of the finest schools in North America. Schools like Allenby, John Ross Robertson and John Wanless are fabulous schools that have taken two generations of hard work to create. Yet this government has underfunded and defunded them, destabilized them so that our children and our families in Eglinton-Lawrence and throughout the city of Toronto have been hurt, and hurt badly, by this government, which basically talks about doing things for children when there is such vivid proof in every school in Toronto that they are harming and hurting children by their reckless so-called education policy.

Mr Michael Prue (Beaches-East York): I rise to my feet, but it is somewhat difficult. I'm on day four of the welfare diet. I've asked the members opposite to join me on this welfare diet. If you think that you can survive for eight days on \$12.05, you will start to see that your mind gets a little clouded. I actually thought for a minute there that some of the comments made by the speaker—not you, Mr Speaker, but by the previous speaker—made some sense. That caused my addled brain to wonder, but I quickly cleared my head. There was one comment he made: he could not understand why parents would not support their children. For all of us, that's probably a very good question, but the answer is that the root cause of most families breaking up is financial. It is financial because they simply cannot make ends meet with the tools they are given. They cannot make ends meet for themselves and for their families, and invariably one of

the partners walks away. Most often that is the male partner, but not exclusively. They walk away because of the breakup and because they don't have sufficient money and because of the poverty that oftentimes brings upon them in the circumstances in which they live.

Your government has played a role in some of that. The previous commenter commented about schools, but I think the most important thing is the lack of a housing policy, the lack of a clear and consistent welfare policy, the lack of a clear commitment for those on ODSP to get any kind of raise, forcing them in the end to be on a welfare diet for all times—not just for eight days like me but for all times—with the despair and the loneliness that causes. That's what causes families to break up. It's all well and good to make the deserting partner pay, and we agree with him or her paying. But it's more important to make sure those people do not break up their families, so that the kids have stable homes.

Hon David Young (Attorney General, minister responsible for native affairs): Indeed, I wanted to rise and comment upon the speech that was given a short while ago. I thank the member for his insightful comments. He clearly understands that this legislation is going to do a lot of good. There are literally thousands of families throughout Canada who will benefit as a result of this legislation and as a result of the reciprocal legislation that is being passed in every other province. This is an example of representatives from different parties and different regions coming forward and working together to make a difference. I thank the members opposite for their support. I'm very proud to have tabled this bill.

I do want to comment briefly, if I may, on the last speaker's remarks. I will certainly acknowledge that when there are financial stresses upon families, it can be difficult. Probably on occasion it does lead to the separation and in some instances ultimately the divorce of parents. But of course there are other reasons. It is a complicated, complex, long-standing issue. Divorce isn't new and it isn't restricted to the affluent or those who are less fortunate in society. It is something that is pervasive and it is something that we as legislators must do our best to help address the consequences of.

That's what we're here to do today. Particularly where there are young people involved, it's very important that we use every resource available to expedite payment of maintenance and support so that those young people get the money when it is due to them. It makes a real difference in their lives during the formative years. I'm very pleased to hear the supportive debate that has taken place to date and I look forward to the remainder of it.

Mr Bryant: I am pleased to follow on our side of the House the member for Eglinton-Lawrence. In our constituency too, St Paul's, I'm shocked, although no longer surprised, at the number of families who turn to their MPPs for assistance because of a deadbeat dad or a deadbeat spouse not paying their support payments. I think the public is increasingly becoming aware of this, but they too would be astounded at the number of people.

I'm encouraged to hear from the Attorney General of the thousands of injustices in this province that ought to

be remedied by this new legal tool, if you like. We of course need to ensure that not only is a court order enforceable in this province but that it is in effect enforced, and that is the job of the Family Responsibility Office, in part. We are supporting this bill in very large part because I know that all three parties find it just unacceptable that it has become so acceptable to so many citizens of this province and across this country that they not follow a court order and pay the support owing.

Now, it is not any legislator's fault or any government's fault that they do not do that. It us up to the government, and we're trying to pursue this today with this bill from the Attorney General, to ensure that in fact this right to support, enshrined in a court order, is provided a remedy. That's the purpose of this bill: the tool that will provide that. Thus, the support from this side of the House.

1650

The Deputy Speaker: The member for Bramalea-Gore-Malton-Springdale now has up to two minutes to respond.

Mr Gill: I thank the members who took an active part in response to the few words I spoke earlier, especially the members from Eglinton-Lawrence, Beaches-Woodbine, the Attorney General, who spoke on that as well, and the member from St Paul's. I appreciate some of the comments they made, especially the member from Eglinton-Lawrence, who in a way went on a tangent and talked about education and the lack of schools.

I am very pleased to say that yesterday I was at not the groundbreaking ceremony but actually the start of the construction ceremony for the new hospital that is coming up in my riding. It's the biggest community-based hospital in Canada.

At the same time, I'm pleased to say that several new schools—not one but several—are being opened up in the great riding of Bramalea-Gore-Malton-Springdale. I do have concerns about education in terms of not enough classrooms and the portables coming in. I say we should be building for future expansion, because we know communities are increasing. So the school boards should be a little bit more aware of the needs of the people.

The member from Beaches-Woodbine talked about financial reasons, and I happen to agree with him. It is the financial reasons, many times, that cause this kind of problem. At the same time, we should not forget that this government was able to help bring about one million additional jobs. So I'm very happy to report that more and more people are working. That is a different kind of problem, because there's a gridlock problem. I know the Minister of Transportation is working very hard to make sure that Highway 410, which runs through my riding, is expanded quickly. It's much-needed.

I want to thank all the members who took part in the debate.

The Deputy Speaker: The floor is now open for further debate.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to join the debate on Bill 131, the Interjurisdictional

Support Orders Act. Let me begin by saying I will vote in favour of this legislation, as will my colleagues. It's legislation that I believe has been well written. It is legislation that I believe is long overdue. I regret that it's taken the government this long to bring it forward.

I'd like to speak about the bill in the context not only of what happens interjurisdictionally—because I suspect in my riding, probably more than in many ridings, we run into situations where payers go, as we say in Windsor, “across the river.” Many times, in many broken families, the payer winds up in the United States, whether it's in the state of Michigan or elsewhere, and many times it's very difficult to enforce collection, to enforce the payment not only of arrears but ongoing payment for those who go across the border to the United States or even further afield. So we believe this is long overdue.

The government has brought this bill forward in the context of the whole situation at the Family Responsibility Office. I'm delighted that the Attorney General is here to listen to this debate. I think it shows a degree of integrity and commitment on the part of the minister to be here to hear the debate. I'd say to him with respect today, that office is in a mess and it has been since the government removed what I think they used to call the support and custody orders enforcement office. The acronym was SCOE when I was first elected in 1995.

At that time we had one of those offices in Windsor and I probably got one call every two or three months with respect to the enforcement of payment orders and so on. We were able to resolve issues very quickly when they came about because of that. Well, the government of the day—this government—decided to change that. They centralized everything and got rid of the regional offices, ostensibly to save money and to provide more effective or efficient or better collection. I say, with respect to the government, it hasn't worked.

Now, like most members, I think that FRO inquiries, problems and complaints are probably the largest volume of cases I have in my office. Probably we get 30 to 40 cases a month. I don't want to say new cases, because I'm not sure, but certainly the number of discrete cases is far and away the largest, certainly in an area of exclusive provincial jurisdiction. We do get a lot of welfare calls in my office. I have an urban riding where we run into problems at the first of the month. But far and away this is the most problematic, if you will, and the one I hear about the most from my constituents on a monthly and a daily basis. It's unfortunate, because some of them could be very easily resolved, except I don't believe the government has allocated enough resources to the proper execution of the functions this office has been given responsibility for.

I would advocate and say to the Attorney General and to the government that, given the nature of this particular function, this particular beast, if you will, the concept of regional offices, when they were established, was and remains, in my view, something the government should look at again, rethink and decentralize those functions, if you will. The old system worked well. Like any system, it could have been improved, I'm sure.

The government was proper, as any government is, to review programs, to study, to make sure the taxpayer is getting the most bang for the buck from any particular function of government. But I would submit to this government that the old system was more efficient, provided more bang for the buck and, most importantly, protected those spouses who require the support payments to be on time in order to feed their children and provide for their families, those custodial parents who are reliant on payment from a spouse who no longer is in the marriage. That's my first point; that is, the government ought to look at this whole office and how it functions or, I should say more properly, how it isn't functioning well.

What's ironic in many cases in my office, Mr Speaker, and I don't know if it's the same in yours, is that I often hear from payers. The money is getting deducted from their paycheques, it's going to the FRO, but it's not making it to the spouse who's collecting. It's astounding that this could go on.

Try to get through to that office. Oftentimes when my constituents call, they call me out of frustration. They have tried and tried to get through to the Family Responsibility Office and they're not able to. The former Attorney General—I believe it was Mr Harnick—set up a special hotline system for MPPs. I say to the Attorney General, when you go back to the office tonight—I know you'll work late, as you often do; you have very onerous responsibilities—get briefed on that issue, because even members can't get through now.

Hon Mr Young: It's over at COMSOC now.

Mr Duncan: It's over at COMSOC now? I apologize. But I'm glad you're here anyway. You'll relay it to her. Talk about this at the cabinet table, I urge you in the strongest possible terms. That function is so important, I say to the minister and to the Attorney General, this notion of being able to answer problems. Now our office finds that they wait for long periods of time to get a response.

I think the government was genuine in its desire to make supporting spouses pay and support their families. I believe the government was genuine in that. I believed it at the time. We, as parliamentarians, can debate which method, which system is most effective. I urge the government today to have another look at this because, again—and I'm only one of 103 members of this assembly—in my experience as an MPP over the last six years since this system has been in place, I can't think of any front-line government office that works less efficiently and doesn't provide the service I think this government intended it to provide. So, in my view, you need to look at all of that.

1700

We had agreements in the past with 40 out of 50 states, as I understand it, and that caused problems in terms of enforcement. This new legislation will permit, not only with the United States but with other countries, reciprocal arrangements that will work better in the interests of all broken families where the parent no longer lives in Canada or in Ontario.

I think it's important to make a couple of other remarks in the time I have, to talk about what the main function of this office is. I've talked to you about the frustration individuals experience in terms of their own relationship with this office, but I'd like to spend a few minutes now looking at whether the government has been effective in reducing the amount of payments that are in arrears.

I think the answer, unfortunately, is that they have not. They have not had the success, I believe, that they wanted to have. The most recent statistics we have unfortunately, I believe, go back to 1999. The Provincial Auditor indicated that the FRO had 170,000 registered cases and almost 128,000 were in arrears. That's an astounding number: 75%. Given the government's objective in 1996 of reducing that number, I think it's clear they haven't achieved that objective. This bill, while important, doesn't begin to address that very fundamental question.

I would ask the government to rethink what they've done. When any responsible government of any political stripe takes a policy initiative, whether it be to save money or to provide more efficient service or better service, it needs to review. I know that members in this government have talked about sunseting legislation and programs. I think periodic program review is extremely important. My cursory review of what has gone on here admittedly can only be based on probably 400 or 500 cases a year in my riding, which may or may not be an indicative sample of what's going on everywhere. As I listen to the debate, I hear other members are experiencing the same kinds of volumes and the same kinds of issues. I say to the government that now is the time to make corrections to the FRO.

I would urge, from my perspective, number one, that we go back to a system of regional offices, and number two, you need more staffing.

I stress that I believe the government was well-intentioned when they brought about the changes they did. We were very concerned at the time about what they were doing and how they were doing it, but I'll give them the benefit of the doubt on intention.

We spoke against the changes they made. I remember that when it was announced, in my community, myself, my colleague from Windsor West, Sandra Papatello, and my colleague from Essex, Bruce Crozier, spoke at the time against that. We felt it was a mistake to close the regional offices, given the nature of what those offices did. In fact, it was the Peterson Liberal government that opened that office and a number of the other offices around the province. It was done in response to what we felt was the importance of local delivery of this particular service, and it is a service, a sad service admittedly, one that we wish we didn't have to deliver. But that is the reality of our modern society and it's a reality that isn't going away.

The most recent statistic we have for arrears outstanding is \$1.2 billion, which is an astounding amount of money, given the bar that this government set for

itself. This was the government—I remember Mr Harnick and others on the other side at the time saying, “We want to reduce the arrears. We want to eliminate the arrears.” Noble goals, but the challenge comes down to not just what your goals are, but how you propose to set about achieving them. The government ignored the advice of the official opposition at the time. I know it ignored the advice of many of its own backbenchers. Those members, like members on this side of the House, hear about these issues all of the time. So we welcome this particular legislation.

It’s unfortunate that we are not going to have committee hearings on it. The opposition has requested them; the government has denied them. My colleague from Welland, Mr Kormos, I know has a number of amendments. My colleague Mr Bryant I know has suggested some amendments. We would have enjoyed the opportunity to place those amendments to this bill and have a more detailed discussion of the legislation; also, importantly, to allow practitioners in the area of family law to have some say in this legislation. The government’s decision to jam this through without any committee hearings is unfortunate.

This is the type of legislation, in my view, that lends itself to public hearings. It should have the input of people in the field, whether they are family law lawyers, whether they are people involved in the collection of arrears. Those individuals should have the opportunity to have some input into this legislation, to criticize the parts they think may not work well and indeed to tell the government where they think they are doing it right. Overall, we believe they are doing it right in this bill. It doesn’t take away from the principle.

Unfortunately, this government, over the years, has had a predilection toward not having committee hearings, to jamming things through. Just this afternoon I was served with notice of motion that this bill will be time-allocated; that is, close debate. What they wind up having to do is they have to go back and fix the legislation down the road. That’s unfortunate.

I would again urge the government to reconsider their decision. The request of the opposition was that we have the normal three days of second reading debate on this bill and that it then go to committee for three days of committee hearings. The government was prepared to go to committee, but only if we gave up second reading debate time, which really doesn’t give the opposition enough time so that members who want to address it—indeed I wouldn’t have had the opportunity to address this bill were it not for this extra day of hearings.

So I urge the government to send this bill to committee. Let’s hear from some family law experts. Let’s have a further discussion about not only interjurisdictional issues but the role of the Family Responsibility Office and how it is performing its role, whether it’s performing it well or not. Don’t rely on my evidence. Constituents of mine, if there were hearings in Windsor, I know would love to go out and tell the government about their frustration with this office.

Employers who are judiciously fulfilling their obligations in terms of garnishment of wages and so forth, finding out that those wages aren’t making it to the families of the payers—it’s a very unfortunate set of circumstances, one that could have been avoided and one that I say to the government can be fixed at relatively low cost to the government. It would probably save money overall because, just thinking about myself, the amount of staff time my office puts into it, the amount of systems the government has had to put into place at the Family Responsibility Office, I have to believe there is a better way to do it than we have right now.

In conclusion, I support the bill. I believe this effort will lead to more collection from payers who have left the country, whether to go to the United States or to some other foreign shore. I believe that the House should pass this. I think that public hearings on this bill would be important in order to hear from experts in the field.

Moreover, I urge the government to look at the Family Responsibility Office in its entirety. This government made a set of decisions when it first came to office. I believe that they were well intended. I believe, and will say to the government, you wanted a higher rate of collection. It hasn’t happened. You closed regional offices, which made it more difficult for constituents, individuals, whether in my riding or any other parts of the province where offices were closed, to access this service and to get the kind of service that they need.

1710

I urge you, as we wrap up debate on this bill, to look at that whole situation. If the minister wants, I’d be more than happy to provide her with the names of literally thousands of my constituents who have had to live with the Family Responsibility Office as it is.

I say to the government, set a new goal. Let us commit, as a Legislature, that we will reduce the number of cases in arrears from 75%. Imagine that: three out of four cases that are dealt with by the Family Responsibility Office are in arrears. Surely to goodness we can do better than that. Surely we can serve those children who need this service, those spouses who need this service, better. Let us undertake that we will redress that \$1.2 billion in outstanding arrears. Let’s undertake, as a Legislature, to get that amount down. It is not enough to pat ourselves on the back over this if we’re not getting at the real issues involved in support and custody enforcement.

This bill is a step forward. It’s one that I will vote in favour of, but it can only be considered in the context of all of the difficulties of the Family Responsibility Office, and on a more personal level, to those constituents of mine who have been wronged or cannot collect. Indeed, I have situations where the paying spouse faithfully makes their payments on time. They may be garnished, they may be made on time, but they don’t get to the spouse who is collecting or to the children.

Surely we, as a Legislature, can look at this responsibly and acknowledge that there have been problems and address those problems in a meaningful fashion that will

provide better service for our constituents, will provide a better quality of life for those people who rely on the FRO to collect and will allow us, as parliamentarians, to have a full discussion on all these issues. This issue is important to hundreds of my constituents who have gone through these hoops.

I urge the government, as we pass this bill, to look at the broader picture surrounding Bill 131, and that is the condition of the Family Responsibility Office.

The Deputy Speaker: It's now time for questions or comments. Members have up to two minutes.

Mr Kormos: You've been hearing it again and again and again over a very short period of time—literally but a handful of hours that the government is allowing for this debate—that all the support or maintenance orders in the world, piled this high, coming out of your yin-yang, still ain't going to result in any money in the pockets of moms and their kids if they can't be enforced.

This government has demonstrated a consistent and persistent inability and lack of capacity to ensure that support and maintenance orders are enforced. It all comes down to 1996 and their collapse of regional family responsibility offices and family support plan offices. That discussion is integral to the debate around Bill 131.

You've also heard opposition members from both parties saying they support the bill. Let's understand. The bill doesn't create any new rights. We've had reciprocal enforcement of maintenance orders in this province for over half a century. It fine-tunes it; that's acknowledged. It harmonizes it, we're told, with other jurisdictions. That's acknowledged. Surely to goodness this government feels some responsibility to 11 million Ontarians who will now endure yet another regime of reciprocal enforcement and maintenance orders. To that end, put it before committee so that the bill can be scrutinized, can be commented upon and amended where amendments are warranted, because this isn't going to be revisited for another decade, easy. Government, if you're going to do it, for Pete's sake do it right. Send it to committee for a few days. The bill's been around since November of last year. You never bothered calling it in the fall of 2001 so it could go to committee during the break, did you? You guys are asleep at the switch. You couldn't organize a drunk-up in a brewery.

Hon Mr Young: But nobody has bothered writing.

The Deputy Speaker: Order, the Attorney General.

Hon Mr Young: Sorry, sir. I apologize.

Mr John O'Toole (Durham): It's my pleasure to respond to the member from Windsor-St Clair. I can assure him as well that our office spends a great deal of time trying to help individuals and families resolve this issue. In fact, the reason this government moved on it in the first place was because the collection rate when we were elected in 1995 was such that it was clear some changes had to occur.

But I look at things in a very practical sense, perhaps. At the end of all this, I see the family under a certain amount of siege today on many fronts and for many different reasons and different agendas. But even more

importantly, the children, at the end of the process, are the ones who lose.

You have to recognize today as well that society and families are very mobile, which really gives cause to the whole issue of interjurisdictional support orders. I know our Premier spoke at the first ministers' conference in Victoria, I believe it was last year, and he raised that. He urged Ottawa to have parallel legislation by amending the federal Divorce Act by the summer of 2002. The federal government, by the way, has yet to move on that.

This of course would change the process and establish support orders under federal rather than provincial law. Clearly, it's important here that governments should learn to work together.

This legislation does go a long way to establishing a clearer process. What it does, for example, is end the old two-stage process that Mr Kormos spoke of, where the area that would have to issue an order would be the reciprocating jurisdiction—it would have to comply with the support order as it would stand in their jurisdiction.

I commend our Attorney General for bringing this important and timely legislation forward. It's clear you could debate this for 100 years, but remember the children and families whom we are really, at the end of the day, trying to support.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to comment on the comments by the member for Windsor-St Clair and would start by saying that I don't think there's anybody in the Legislature who understands, on a day-to-day basis, the relationship between Ontario and the US as well as the member for Windsor-St Clair. He lives it on a daily basis. Being the member for Windsor, he certainly, in our caucus, is able to articulate the enormously close relationship. He talks often about the number of Windsorites who cross the border daily to work, and talks about the trade. I think Ontarians recognize that Ontario is the most export-oriented jurisdiction in the world. Nobody exports a larger percentage of the gross domestic product than Ontario. It used to be about 29% of our gross domestic product. It's 55% today, 95% of that to the US, and heavily through Windsor. In fact, it's the largest trading jurisdiction in the world. There's no place in the world that sees as much daily trade go on as between Windsor and Detroit.

I listen carefully to our member for Windsor-St Clair when he talks about the need to establish mechanisms that are future-oriented. This is one of them. This is something we need to deal with. In a society such as Ontario where we are now a global trader—dare I say mainly with the US?—where people will work here in Ontario and work in the US and then back again, we need these sorts of mechanisms. As I say, our member for Windsor-St Clair knows this, in my judgment, better than anyone and I think articulated well the need for this legislation to proceed perhaps more quickly than it has.

Hon Mr Galt: I appreciated the comments that the member from Windsor-St Clair was making, some very thoughtful ideas there, and also the member from

Scarborough-Agincourt recognizing the member from Windsor in understanding some of the cross-border issues. I'm sure both of them are quite enthused about some of the announcements yesterday that will be happening into the future at Windsor with international trade and exports from Ontario. It was great to hear the member from Scarborough-Agincourt recognizing the economic boom that's occurring in Ontario, the exports and that kind of financial activity that's going on. It's been so refreshing. Since 1995 almost a million net new jobs have been created in the province of Ontario.

1720

But getting back to some of the comments that the member for Windsor-St Clair was making, I'm sure he appreciates it's not easy sometimes to follow some of the so-called deadbeat parents who are not supporting their children as they should be, and that's basically what this bill is about. It's about responsibility, as he was, I believe, pointing out in his comments, recognizing those responsibilities, regardless of whether that parent who is not supporting lives in Ontario or lives abroad, whether it be in the US or other provinces or wherever. The child and spouse are still theirs and they have that responsibility. We, as a government, take responsibility very, very seriously, and consequently this piece of legislation is being brought forward for consideration by the Legislature.

I'm sure that all parties, when it comes time to vote, will enthusiastically support this piece of legislation, the Interjurisdictional Support Orders Act.

The Deputy Speaker: The member for Windsor-St Clair has up to two minutes to respond.

Mr Duncan: I thank the members for Welland-Thorold, Durham, Northumberland and Scarborough-Agincourt for responding. It's good to see that we agree on this bill. That was the very first thing I said: that this bill is worthy of passage.

But I say to the government members, the reality of the Family Responsibility Office is they are not collecting as well as they used to. Don't take my word for it; take it from the Provincial Auditor. In a spirit of co-operation, I've tried to suggest to you that I believe that when you made the changes you did so with good intention. We've now had them for six years. Program review has to be an essential component of how we govern ourselves if we really want to make sure that we're doing things properly and efficiently, not only in terms of the cost of providing a service but in terms of the quality of the service we provide.

I think every member of this House knows full well, based on the calls to their offices alone, that too many moms, too many children aren't getting the money that's intended for them. To suggest somehow that this is a problem because the federal government hasn't done something or to look at it in any other way than what you did in 1996, which was to close the regional offices, centralize the processing, is really to miss the essence of what I said.

I say again, this bill is supportable, but deal with the real problem, a problem that you created in 1996 when you closed the regional offices, consolidated the service to one central location and didn't staff it properly. The numbers are clear: too many moms, too many kids aren't getting the support that's due to them. Your efforts have failed so far, and I urge you to deal with the real question that goes well beyond what's contained in this legislation.

The Deputy Speaker: The floor is open for further debate.

Hon Mr Galt: I'm enthusiastic to respond and speak to this particular piece of legislation, the Interjurisdictional Support Orders Act. This is a bill that's about failure to pay child and spousal support. We know that this is indeed a social problem that extends far beyond Ontario's boundaries, particularly in this era of transportation. It's nothing to be aboard a plane and in 24 hours be on the other side of the world. It's a problem that really affects all of our provinces and all countries.

It's a problem that causes many people—most of them women and children, but not all—economic and emotional hardship. It's a problem that affects taxpayers. That's because when support is not paid, many single parents end up seeking social assistance for their families. It's very understandable.

As I mentioned earlier in some of the responses, I see this bill is about responsibility and parents taking that responsibility. Whether they're together as a united family or whether they're split, it's still their responsibility. But most importantly, the failure to pay child and spousal support is a problem that affects children.

I don't think there's been a government more supportive in investing more into children's services than our government has since 1995.

Mr Kormos: On a point of order, Speaker: I don't believe we have a quorum, sir.

The Deputy Speaker: Would the table check for a quorum, please.

Deputy Clerk (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker: Call in the members. This will be up to a five-minute bell.

The Deputy Speaker ordered the bells rung.

Deputy Clerk: A quorum is now present, Speaker.

The Deputy Speaker: A quorum now being present, the chief government whip may continue his remarks.

I recognize that in addition to making the speech, you were the one who had to round up the members. As the member takes his place, he may resume his remarks.

Hon Mr Galt: Thanks very much, Speaker, for being understanding there. I was kind of running two roles at once.

As I was so rudely interrupted here, and to get on with my speech, I wanted to comment on how they don't have the money needed to provide them with nutritious meals—we're referring to these children, of course—warm clothing and sometimes even a place to sleep.

We believe that no child should ever go without simply because one parent has left the province. This legislation, if passed, would make it easier and less costly for families to register, establish and vary support orders when parents live in different jurisdictions. Among other things, the proposed act would streamline the process by replacing the current complex, two-stage hearing process with a single hearing process.

Mr Kormos: Explain that to us. Explain the two-stage process.

Hon Mr Galt: I'm sure the member for Niagara Centre would appreciate that. We believe that children and families who rely on receiving support payments should receive every cent that they're entitled to. These measures and the proposed legislation are a further example of our government's commitment to ensuring the safety and well-being of children and families.

I was mentioning earlier the commitment our government has made to children and how it's been demonstrated. It's been demonstrated to families as we've brought in the friendly family courts. Our government has been very clear about its commitment, in particular, to child protection. Since 1995 we have made significant improvements to child protection systems. Our government has increased funding by 139% for child welfare and by more than 39% for children's mental health agencies. In addition, we've introduced a new approach for funding that better reflects the workload and services needs of children's aid societies.

Mr Speaker, you'll remember the bill we put through for the children's aid societies. It was very enthusiastically received, not only by this House, but by the children's aid societies right across Ontario. As a result of the increased funding and the introduction of a new funding framework, children's aid societies have been able to hire over 1,700 new child protection staff since 1995. That is an increase of more than 77%.

1730

We've also proclaimed new amendments to the Child and Family Services Act, including adding neglect as a factor in determining if a child is in need of protection. The amendments to the Child and Family Services Act were the first major changes to child protection laws in over a decade, and they make it clear that the needs of children must come first. We've heard a lot from the third party about their concerns. But since it's the first in over a decade, I guess it indicates that they did not pass any bills that would have been helpful during their five years.

As I mentioned, our government has increased funding for child welfare by 139%, to over \$860 million in 2001-02. This enhanced funding will help children's aid societies respond to increased service demands and better protect the vulnerable children they are there to protect.

Ontario's 52 children's aid societies provide a comprehensive range of services, which include the investigation of child abuse; counselling for families where a child might be at risk; provision of substitute care, such

as foster homes or group homes; and protection of children.

Just a comment about the Northumberland Children's Aid Society, which has gone out, a bit at risk—and often in government we don't reward those who take a chance. That children's aid society has reduced significantly the number of children who end up in group homes. They go out and work with families through counselling. Of course, we all know the best place for a child, if at all possible, is with their parents. I compliment that children's aid society for being so proactive in the prevention of child abuse. Of course, if one child was misused and it was public, or anything worse happened to a child, they would have a lot to answer for. But they've taken a chance and it's working extremely well. There are fewer in foster homes and fewer in group homes because of the people who work there being so proactive in preventing it.

The safety and well-being of vulnerable children in need of protection is indeed a priority of our government. It's our goal to help every child get a good start in life, to help every child realize their full potential.

Ontario's justice system also has responded to the needs of vulnerable children. Since 1997, Ontario has created 15 child-friendly courts. These courts specialize in child abuse and domestic abuse cases with child witnesses. It must be very, very difficult for a child to be a witness in some of these courts. Child-friendly courts are designed with special features to help make the courtroom less intimidating for young victims and witnesses. These features include a screen in front of the witness stand to shield child witnesses from the accused and others in the courtroom.

Mr Kormos: On a point of order, Mr Speaker: It's extremely irritating not to have the member speak to the bill.

The Deputy Speaker: The member may continue his remarks.

Hon Mr Galt: Thanks very much, Mr Speaker. If you'll excuse the expression, those comments sound like the pot calling the kettle black. But I appreciate that he's following what's being said here and he's interested in my comments. For that I thank him and compliment him for that dedication in sitting there and listening to the eloquent words I am delivering.

We want to do everything we can to lessen the trauma of the abuse of our children. Our government will also be expanding domestic violence court programs province-wide. These courts give priority to the safety and needs of domestic assault victims and their children. I'm sure the member from Niagara Centre, being a lawyer by profession, would appreciate and understand the importance of some of these things our government is doing.

This comprehensive program involves teams of specialized personnel, including police, crown attorneys, the victim/witness assistance program, staff and others who work together to better coordinate services that are tailored to the needs of the victims.

The Ernie Eves government recognizes the importance of providing programs and services that benefit all families with young children. The years from zero to six are the most important learning and development period in one's lifetime. They just soak it up like a sponge, even though they don't seem to be paying very much attention to you. That is why we have provided funding for a number of initiatives through the Ontario Early Years plan. Funding from the plan supports some 41 Ontario Early Years centres that are currently operating right across the province, with another centre scheduled to open this summer and another 62 centres set to open by next spring.

The Ontario Early Years centres serve as a gateway for parents to get answers to questions about their children and referral to services. I happened to be at the opening of one of these Early Years centres in Belleville back in the spring, and it was quite refreshing to see—it's sort of like a one-window approach to getting the services when somebody has a child they're concerned with and want to better understand how they can serve their child better by getting some of these services.

They offer a mix of supports that address common needs, such as literacy and nutrition programs as well as resources for parents. Funding from the Early Years plan supports 50 early literacy specialists, linked to Ontario Early Years centres, who work with children, families and front-line professionals to promote effective literacy programming in the community.

Our government also recognizes that child care is another important issue that affects many families and children. Child care is an essential resource that enables parents to balance the challenges of work and family. I've heard the opposition, particularly the third party, talk a lot about child care and the importance of it, so I'm sure the member from Niagara Centre is going to be quite interested in these comments.

We believe that parental choice is imperative, because different families have different needs. To help give parents the flexibility they need, our government is spending a record amount on child care. This year alone the province plans to spend over \$700 million to help parents with their child care needs, a record amount.

Mr Kormos: On a point of order, Mr Speaker: I don't believe there's a quorum, sir.

The Deputy Speaker: Is there a quorum?

Deputy Clerk: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

1740

Deputy Clerk: A quorum is now present, Speaker.

The Deputy Speaker: The chief government whip may continue.

Hon Mr Galt: Just sort of winding up my comments here—

Applause.

Hon Mr Galt: I see some enthusiasm from the opposition. I appreciate that applause. It's very kind of them.

Two hundred million dollars of this funding is directed exclusively to low- and modest-income families through the Ontario child care supplement for working families.

In the short time I've had today, I have been able to mention just some of the programs and services our government has introduced to help children and families. There are many more, and there will continue to be many more. Our government takes very seriously the responsibility of assuring the safety and well-being of children and families in Ontario. This legislation is further proof of that.

I enthusiastically support this piece of legislation. From what I've been hearing in the House from members of the opposition and of the government, it looks like it's going to be unanimously supported when it comes time to vote. I look forward to the point in time when we have this legislation passed and it receives royal assent and is proclaimed and in place to support families here in Ontario, particularly the children, in the future.

The Deputy Speaker: Members now have up to two minutes for questions and comments.

Mr Smitherman: I want to comment on the comments by the member from Northumberland. I don't often agree with the member for Niagara Centre—well, I do from time to time—but when he did make his interjection and asked the member to speak to the bill, I think he was on a pretty good point, because this guy took a bill about interjurisdictional matters and managed to make it a 15-minute rhetoric-laden speech about all this government has done for children. In the minute and 30 seconds I have left, I'd like to correct the record.

This is the government that clawed back from the poorest kids in our province the child tax benefit directed toward them from the federal government, an effort matched by only by a few other provinces in this country. This government clawed back the nutritional supplement that was intended to make sure kids who were about to be born had the benefit of some better nutrition from their mothers, and in the meantime managed to accuse pregnant mothers who were on welfare of spending the money on beer. This is the government that had a welfare cut of more than 20% that didn't just affect parents and adults but also affected children. This is the government whose early childhood centres in some ridings in our province—they've been spending federal money with little more than an investment in new infrastructure and signage but not in child care services targeted toward children. This is the government that in the city of Toronto has led an unprecedented attack on classroom education with dramatic effects in so many parts of our city. And this is a government which continues to demonstrate its lack of support for meaningful child care.

But hope is on the horizon, because tomorrow my leader, Dalton McGuinty, and the Liberal Party will outline our education and child care policies. I want to let Ontarians know that the gig is almost up for these guys.

Interjections.

The Deputy Speaker: Order, please. The member for Durham.

Mr O'Toole: Thank you very much, Mr Speaker, for paying respect to the issue by making sure there's order in the House and that due attention is given to this important bill.

I think the member from Northumberland has said it all. But at the risk of sitting down early, I will comment. I can't help but think that the primary message here is children and families. I don't want to sound corny—I've often been called Ward Cleaver by some—but ultimately the real purpose here is to make sure that interjurisdictional orders are more easily administered.

Just because there's a finding and an order is issued—what we hear in our offices, and I'm sure all offices do, is the whole issue of trying to collect those orders. And those orders quite often are the very lifeline, if you will, for the family.

Our offices work diligently, as I'm sure all members of the House and their staff try to support those families. But if this interjurisdictional legislation isn't approved, and the members know that—I've heard them all say they support it—it's the right sort of thing to do. But what this does is streamline the process by which these orders would become enforced in the jurisdiction that we have these agreements with.

I know we've seen tremendous leadership by our Attorney General, David Young, as well as our Premier at the ministers' conference, to make sure that all provinces—the federal government has a role here, under the Divorce Act, as well.

When I think of families, in the few minutes remaining, I'm tonight very privileged to attend the volunteer recognition awards. One of the groups and organizations that I have the greatest amount of time for are the Big Brothers and Big Sisters volunteers and organizations, who take this vine and try to wrap it together. Those people that contribute to their communities have to be recognized.

The Acting Speaker: Further questions, comments? There are two spots left. Does anyone else want it?

Mr R. Gary Stewart (Peterborough): Yes, I would like to make a comment on this. In fact, I made a comment on this particular bill on Tuesday, because I was absolutely disgusted with the conduct in this House when people were laughing and carrying on about what I believe is an extremely—

Mr O'Toole: Was it us?

Mr Stewart: No, it wasn't—an extremely important bill, being 131. As had been mentioned by my colleague from Durham, this is all about children.

I guess it's interesting when I hear the comment made about how tomorrow's a big day because Dalton's going to release his plan for children. I hope it has more substance than any of the other ones he has, and I hope the people of Ontario ask, "How is it going to happen, and how much is it going to cost?"

In this particular case, the bill that we're talking about, I want to compliment a lot of the people that work in the Family Responsibility Office. The co-operation that we

get in my office from them is tremendous. The unfortunate part of it is, they have a very difficult job, and that is the reason for this bill. When spouses leave this province, go to another one or to another jurisdiction, it makes it very difficult to follow up on it, makes it very difficult for them to find out where they are and to get the support back to the people.

You know what really bothers me? The fact that we bring children into this world. I think we have a responsibility for them. It disgusts me when I see spouses that will not give the support that I believe their children, whom they brought into this world—they won't give that support to. It disgusts me very much. I implore the people who are in those circumstances to remember, those kids are yours, and support them.

The Acting Speaker: Any further questions, comments? Hearing none, the chief government whip has up to two minutes to respond.

Hon Mr Galt: I appreciate the thoughtful comments from the members from Durham and Peterborough. I appreciate how the member from Durham talked about children and families and this bill and my speech and just sort of summed everything up that's needed in that area.

The member from Peterborough talking about decorum in this House: I certainly respect his comments on that because at times I feel like he does. It bothers me, the kind of lack of decorum that occurs here—of course not when you're in the chair, Mr Speaker.

But also his comments about the Family Responsibility Office and the good relationship that his office has with theirs—it's similar to mine. It's people in those offices that work very hard. There are some very difficult circumstances that they're faced with at times. It's very difficult sometimes to get blood out of a stone.

Then of course the member from Toronto Centre-Rosedale made some interesting comments. He talked about some of the things that he was critical of our government. But he forgot to talk about the government that has gotten more than a half-million people off welfare since we took office. He forgot to comment about almost a million people with new jobs that have occurred since our government took office. He forgot to comment on the \$8-billion increase that our government has brought in for health care, while the federal government has reduced the transfer payments for health care. I'm sure he wanted to mention, he just didn't quite get to it, all the good things that have been brought in in education, such as a new curriculum, the testing and the standards. I'm sure he would have liked to have brought up all the environmental bills that we have brought forward to improve our environment. I know it was only an oversight, and I appreciate his thoughtful comments.

1750

The Deputy Speaker: The floor is open for further debate.

Mr O'Toole: I'm surprised and pleased, actually, that I have this opportunity to complete the time allocated today to make sure that this business goes forward.

It's clear that the opposition is trying to make a statement, as they should. Their duty is to oppose, and they do it effectively at times; not quite effectively enough, unfortunately. Coming second isn't that bad after all, anyway.

I did, with a great deal of passion and foresight—I spoke during one of the quorum bells directly with the Attorney General of the province of Ontario. I have every confidence that he has given this considerable time and consultation. He did remind me to keep in mind that it was Bill 131, the Interjurisdictional Support Orders Act, 2002, An Act to facilitate the making, recognition and variation of interjurisdictional support orders.

I have a fairly large speech here. In the 18 or few minutes that I have left—

Mr Joseph Spina (Brampton Centre): Try eight.

Mr O'Toole: The member is saying eight minutes. I'm going to need 18 minutes just to introduce this bill. That being said, I've decided to put the script aside and go on alone. It's going to be hard.

What actually impresses me and inspires me is, I am going to a volunteer appreciation ceremony this evening. When I look at those constituents of mine from all partisan perspectives, I'm impressed with their commitment to community. Many of them, I might say, are part of the solution to this problem.

The very first group of recipients is the 1st Newcastle Scout Group.

Mr Gill: Name names.

Mr O'Toole: This isn't a bad idea. Actually, the member from Bramalea-Gore-Malton-Springdale is one of the most articulate members. He's always trying to take my time.

Betty Charland has spent 30 years working in the scouting movement. Just think of a 30—

Mr Kormos: Mr Speaker, on a point of order: It being 5:55 pm, I seek unanimous consent that it be deemed to be 6 pm and the end of a sessional day to end this pain.

The Deputy Speaker: Is there unanimous consent? I hear a no, and that person may now resume his speech.

Mr O'Toole: I was somewhat disappointed that members on this side of the House were actually voting to end my time.

But really, I know many of these people personally, because my riding of Durham is my home. There's Hugh Coutts, for instance. I know Hugh personally and have been involved in other activities—25 years in scouting.

The point I'm trying to make, and the member from Niagara Centre might want to pay attention, is that they contribute to the essence of vulnerable children, or the essence of making community and families, and supporting that infrastructure. It's not just the courts. Children need five kinds of commitments, under Ontario's Promise that Premier Harris initiated in this province.

The next group, surprise, surprise, is Bethesda House, which is a women's shelter that I strongly support. I know our minister was very supportive of the announce-

ments in the last budget to expand women's shelters, which is part of this whole debate, to some extent.

I have to recognize Margaret Lingard, who has volunteered from the founding of that organization—and I commend her for that—Anthony Fortune, who has also been on the board, and Robyn McGill, just to name three of them, because I do want to get as many names in as possible.

I look at the next group. By coincidence, this complements the point I'm making about the strength of community and supports in the community. A lot of volunteers make an important contribution.

There's the Clarington Community Care group. They have friendly visitors and programming. I commend them as well, with the administrator, Sally Barrie, an excellent person who has worked with Big Brothers. She was the administrator for Big Brothers for a number of years. The names I see here are commonly known, probably better known than I am—I'm working on that—Stanley Hall, for instance, five years; Faye Jones, 10 years; Nancy MacMaster, five years; Jean O'Neill, 10 years; Walter Tink, five years; Ethel Wilson-Besco, five years.

What the symmetry is all about here is that we're talking about a bill that really ultimately talks about making sure that court orders are actually executed to the extent where the family that is supposed to receive the money actually—

Mr Kormos: On a point of order, Speaker: The member is making up words and misusing the ones that aren't made up. Surely that's contrary to the rules.

The Deputy Speaker: Thank you very much. The member may continue his remarks.

Mr O'Toole: As humble as I try to be—it's hard sometimes.

The 4-H club of Ontario—Jim Coombes. He's been president of the Lions, a district governor, and this person gives back. I'm sure he was a member of Big Brothers at one time.

I'm trying to make all this fit together under the umbrella of Bill 131. To support single families and children, it takes a strong community—that's the point I'm trying to make—and that strong community isn't just a cheque. It's having volunteers and organizations like scouts and guides and community groups that are willing to work with children and provide resources when necessary, and also inspiration, leadership and mentoring, more importantly perhaps.

This goes a long way to solving one of the problems in this whole issue of custody and support payments with interjurisdictional dispute mechanisms to make sure children have access to the funds that have been awarded by the courts.

With the indulgence of members here, I want to mention a few more names: Orono Public School—there's a school. Schools are central to a community. Minister Helen Johns was at Orono at the agricultural fair this year, the 150th anniversary. They're still talking

about it. Well, I am, because in the newsletter I put it in there. The Orono school in this case is Marie Nelson—I can tell you that she's a needed and appreciated volunteer at that school.

It speaks to the strength of the riding I have the privilege of representing. There is the Oshawa Folk Arts Council, Russell Charter, 25 years. Scugog Community Care: Margaret Burnfield, Doris Hill, Marj Jackson, Dora Martyn and Carol Morrow. They all have 20 years or more.

When I think of the strength of the community, I'm confident that in my riding, with our office, working in partnership with individual families, the Family Responsibility Office and its purpose will be strengthened going into the future.

It's sad to see Mr Kormos leave, because I was going to mention someone from his riding, but it turns out there's no one here on my list.

It's an important bill. I'm confident the House will vote unanimously to pass it. With your indulgence, I'm just going to have a moment's silence, because we would like to make sure this bill is properly addressed and respectfully paid attention to, even though there are no NDP members present and only one Liberal, George Smitherman.

The Deputy Speaker: It now being 6 of the clock, this House stands adjourned until Monday, September 30, at 1:30 in the afternoon.

The House adjourned at 1759.

ERRATUM

No.	Page	Column	Line(s)	Should read:
32	1580	2	23	Mr Dwight Duncan (Windsor-St Clair): Quid pro quo.

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Continued from overleaf

OTHER BUSINESS

Answers to written questions

Mr Bryant.....	1600
Mr Stockwell.....	1600

Visitors

Mr Bryant.....	1600
The Speaker.....	1609, 1620

Annual report, Environmental Commissioner of Ontario

The Speaker.....	1600
------------------	------

Business of the House

Mr Stockwell.....	1614
-------------------	------

Notice of dissatisfaction

The Deputy Speaker.....	1617
Mr Agostino.....	1617

Erratum.....	1637
--------------	------

TABLE DES MATIÈRES

Jeudi 26 septembre 2002

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 2002 sur les drapeaux

en berne, projet de loi 172,
M. Chudleigh

Adoptée.....	1597
--------------	------

Loi de 2002 sur les prestations

familiales de maladie, projet
de loi 176, *M. Martiniuk*

Adoptée.....	1597
--------------	------

PREMIÈRE LECTURE

Loi de 2002 modifiant des lois

en ce qui concerne la protection
du consommateur,

projet de loi 180, *M. Hudak*

Adoptée.....	1601
--------------	------

DEUXIÈME LECTURE

Loi de 2002 sur les ordonnances

alimentaires d'exécution
réciproque, projet de loi 131,

M. Young

Débat présumé ajourné.....	1637
----------------------------	------

CONTENTS

Thursday 26 September 2002

PRIVATE MEMBERS' PUBLIC BUSINESS

Flags at Half-Mast Act, 2002, Bill 172, <i>Mr Chudleigh</i>	
Mr Chudleigh.....	1583, 1589
Mr Bryant	1584
Mr Tascona	1585
Mr Phillips	1585
Mr Barrett	1586
Mr Bartolucci.....	1586
Mr Kormos	1587
Mr Klees	1589
Agreed to	1597
Family Health Benefits Act, 2002, Bill 176, <i>Mr Martiniuk</i>	
Mr Martiniuk	1590, 1597
Mr Parsons	1591
Mr Christopherson	1592
Mr Tascona	1594
Mr Gerretsen.....	1595
Mr Dunlop	1596
Mr Galt	1596
Agreed to	1597

MEMBERS' STATEMENTS

Long-term care	
Mr Caplan.....	1597
Serbian picnic	
Mr Maves.....	1598
Education funding	
Mr Peters.....	1598
Dean Crandon	
Mrs Munro.....	1598
Violence against women	
Mrs Bountrogianni.....	1598
Ms Churley	1599
Run for the Cure	
Mr Tascona.....	1599
Anniversary of Maltese independence	
Mr Ruprecht.....	1599
Big Brothers and Sisters of Clarington	
Mr O'Toole.....	1599

REPORTS BY COMMITTEES

Standing committee on public accounts	
Mr Gerretsen.....	1601
Report adopted.....	1601

FIRST READINGS

Consumer Protection Statute Law Amendment Act, 2002, Bill 180, <i>Mr Hudak</i>	
Agreed to	1601

MOTIONS

Committee membership	
Mr Stockwell.....	1601
Agreed to	1601

STATEMENTS BY THE MINISTRY AND RESPONSES

Consumer protection	
Mr Hudak	1601
Mr Duncan	1601
Mr Crozier.....	1603
Mr Christopherson	1603

ORAL QUESTIONS

Education	
Mr Kennedy	1604
Mr Eves	1604
Bruce nuclear generating station	
Mr Bryant.....	1605
Mr Baird.....	1605
Hydro rates	
Mr Hampton.....	1606
Mr Eves.....	1606
Ipperwash Provincial Park	
Mr Phillips.....	1607
Mr Young	1607
Consumer protection	
Mr Johnson.....	1608
Mr Hudak	1608
Slot machines	
Mr Kwinter.....	1608
Mr Young	1609
Automobile insurance	
Mr Gill.....	1609
Mrs Ecker	1609
Environmental protection	
Ms Churley.....	1610
Mr Stockwell.....	1610
Birth certificates	
Mr Crozier.....	1610
Mr Hudak	1611
Victims of crime	
Mr Miller.....	1611
Mr Young	1611
Lakeview generating station	
Mr Bradley	1612
Mr Baird	1612
Social services	
Mrs Munro	1612
Mrs Elliott	1612

Hospital funding

Ms Martel	1613
Mr Clement.....	1613

Hazardous waste

Mr Agostino.....	1613
Mr Stockwell	1614

PETITIONS

Natural gas rates

Mr Duncan	1614
-----------------	------

Long-term care

Ms Martel	1614, 1615
Mr Kormos	1615
Mr Bradley.....	1616

Hydro One

Mr Caplan.....	1615
----------------	------

Highway 69

Mr Bartolucci.....	1615
--------------------	------

Optometrists

Ms Martel	1616
-----------------	------

Affordable housing

Mr Agostino.....	1616
------------------	------

Child care

Ms Martel	1617
-----------------	------

Education funding

Mr Caplan.....	1617
----------------	------

SECOND READINGS

Interjurisdictional Support Orders

Act, 2002, Bill 131, *Mr Young*

Mr Bryant	1618, 1627
Mr Gill	1618, 1625, 1628
Mr Kormos	1618, 1624, 1631
Mr Klees	1618, 1621, 1624
Mr Smitherman.....	1620, 1634
Ms Martel	1620
Mr Galt	1620, 1624, 1632, 1635
Mr Kwinter	1621, 1624
Mrs Dombrowsky	1621, 1625
Mr Colle.....	1627
Mr Prue.....	1627
Mr Young	1627
Mr Duncan	1628, 1632
Mr O'Toole.....	1631, 1635, 1636
Mr Phillips	1631
Mr Stewart	1635
Debate deemed adjourned.....	1637

Continued overleaf