



Legislative Assembly
of Ontario

First Session, 38th Parliament

Assemblée législative
de l'Ontario

Première session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 24 June 2004

Jeudi 24 juin 2004

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

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

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

Index inquiries

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

Copies of Hansard

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

Le Journal des débats sur Internet

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

Renseignements sur l'index

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

Exemplaires du Journal

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



LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 24 June 2004

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 24 juin 2004

The House met at 1000.

Prayers.

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

GASOLINE CONSUMER
PROTECTION ACT, 2004

LOI DE 2004

SUR LA PROTECTION
DES CONSOMMATEURS D'ESSENCE

Mr Crozier moved second reading of the following bill:

Bill 80, An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies / Projet de loi 80, Loi visant à fournir des renseignements aux consommateurs en ce qui concerne le prix de l'essence et les propriétaires des détaillants d'essence et exigeant certains renseignements supplémentaires de la part des grosses sociétés pétrolières.

The Acting Speaker (Mr Ted Arnott): Mr Crozier has moved second reading of Bill 80.

You have 10 minutes to make your presentation.

Mr Bruce Crozier (Essex): It is my pleasure to stand this morning and speak on my own behalf and the behalf of tens of thousands of Ontarians when it comes to the pricing of retail gasoline in Ontario.

How many times have you, any of us here, those who might be watching, gone by a gas station in the morning and said, "Well, yes, I need some gas. I think I'll fill up on the way home from work today or on the way home from the store," only to turn around and come back later that day and find that the price has skyrocketed? At the very least, it's higher than what you passed in the morning. How many times have you looked at your gas gauge and there's a weekend coming up, you're going to make a little trip, and you think, "Oh, I better get this filled up tomorrow before we head out," only to wake up in the morning and find that the price of gasoline has again gone up?

I don't know how many times we've spoken about this in this Legislature—countless times. I can remember specifically back in September 1998 when then-Premier Mike Harris stood down there in his place and said,

"We're going to wrestle the major oil companies to the ground." Well, I think since that time, and including that time, the only thing we've done is wrestle them to the ceiling.

This bill, although it acknowledges in what isn't in the bill that oil pricing, retail gasoline pricing, results from a worldwide global market, it does recognize that the purchaser of gasoline, the customer, the ordinary Ontarian, needs a little bit of help in determining when and where to buy their gasoline. Again, I acknowledge that I'm not one who feels that we can control gasoline prices. It's a worldwide market. It fluctuates. In those areas where gasoline pricing is controlled, it's found that, on average, the price tends to be higher, and I certainly don't want to in any way influence higher prices. So one of the main components of this bill is one that allows the customer to determine when they're going to buy gasoline, dependent upon what the price of gasoline is.

Let's take an example. It will require that gasoline prices, if they're going to change—and this is up or down—be posted 72 hours in advance. So if the price is going to go up, somewhere in that 72 hours, and probably more toward the end of it, it gives you the opportunity to top up your tank at that lower price, if I might use the term "lower," but at today's price, before it goes up.

Someone might say, "Well, that's great, but you're also going to have to warn us when prices come down." I say, "Absolutely," because in that case, if prices are going to come down sometime in the next 72 hours or at the end of 72 hours, why, you then can use your gas sparingly, or you can do what they do in racing terms: have a "splash and go." Mr Decker at the table would understand that term, because we talk about racing a lot. But you could buy a minimal amount of gas, wait till the price comes down, and then purchase your gasoline at the lower price.

What it would also do is have in legislation what we see at many pumps today, and that is that the retailer would have to post the amount of taxes that are in a litre of gasoline. Many of our pumps, have that there today, where there are 10 cents of federal excise tax, where there are 14.7 cents of Ontario tax, and then there's the GST on top of that. So you'll know what taxes you're paying in a litre of gasoline.

The next thing this bill would do—and it's one of clarity and letting everyone know just who they're doing business with—is require a gas retailer to post their affiliation, if it isn't already on their sign, be it one of the major oil companies' gasoline stations, or if you're affiliated and carry their sign. But if you're affiliated

with them and don't have the major oil company sign on it, then you would be required on your receipts and visibly at the station to identify the major oil company or the oil company that you're affiliated with.

There is another thing this bill would do that I think goes to its transparency, and that is that it would require the major oil companies that have business along the line—ie, retail, wholesale, refining and exploration, or getting the crude out of the ground—to disclose to the public their profits in all four areas so, for example, if they are losing money at the retail level and therefore being predatory on some of the other market, we would be able to identify that. Quite frankly, predatory pricing is an issue these days. So it would make it more transparent so we can understand where those oil companies are making their money. If, for example, one of the major oil companies has a retail station where they also sell a variety of goods—be it candy, cigarettes, newspapers, the whole gamut—we can see if perhaps they're enticing customers in an unfair way, just to make money in another part of their retailing environment.

1010

This really is all about clarity. It's all about transparency. It's all about knowing when gasoline prices are going to change and being able to judge your buying that way.

These points that I have in this bill came from a study that was given to, I believe, the consumer and business services minister of the former government. I would expect that they're the kinds of issues about which my friends in the official opposition and, I certainly hope, in the third party would share the same concerns, and I hope they will support me.

What we're trying to do is take some volatility out of the market. We're trying to give customers the opportunity to buy gasoline mainly before price spikes. That's really what it's all about. It's the price spikes that bother us most. Rarely do we see prices drop quite as rapidly as they go up. So it's on these rising markets that I'm really trying to say to the folks out there, "We understand why you're so concerned."

In closing, I'd like to say, as I began, that a lot has been said about this. Certainly a lot is talked about out in the public and a lot has been said in this place about it but, quite frankly, nobody has done anything about it. I think it's time we sent a signal to the people of Ontario that we are genuinely concerned about this issue and that we really do want to take a step in the direction of addressing their concerns. For far too long we've given this issue lip service and we've all complained about it. We've said to our constituents, "Yes, I understand what you're talking about," but we've done nothing. I think it's time, with your support, that we send a message to the government of the day that it certainly is time we did something. It's time we stepped up to the plate and protected our consumers, and I would urge you to support me in taking that step.

The Acting Speaker: Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm pleased to join the debate with the member from

Essex. Bruce Crozier has certainly been on this matter for a little while. It would be nice if the Minister of Consumer and Business Services was in the House to join in the debate and understand what is going on here, because this directly affects him.

If you talk about looking at this in terms of doing something, I had my Bill 48 in front of the House a week ago and—

The Acting Speaker: I would remind the member that it's inappropriate to make reference to the absence of any other member in the House.

Mr Tascona: I know the rules, Speaker. Thanks very much.

I just want to say that this is a serious issue. My Bill 48 was in the House a couple of weeks ago—and Gilles Bisson, the member from Timmins-James Bay, is with me on this: If the member wants to get volatility out of the market, you're going to have to do a lot more than post notices of changes in gas prices. The bottom line is that my Bill 48, which deals with gas prices and putting a freeze on them to get some volatility out of the market, received first reading and was passed in second reading—

Mr Crozier: Freeze them higher than they are today.

Mr Tascona: Oh no, the prices are still higher than what I put it at, if you go up to my area and you go up to the north. I don't know where you're buying your gas.

But I'll tell you right now, what the Liberals did and what the government did was put it into the committee of the whole, and everybody knows it will die a slow, lingering death, because that was their intent. If you wanted something to be done, you should have put it into a committee for hearings. So put your money where your mouth is. We'll see where you are today, whether you're going to kill Mr Crozier's bill in terms of putting it into committee of the whole. Bill 48, which I put forward, would put price stability in there, but it was put into committee of the whole by the Liberals, and I'm going to try to get it out. We'll see whether we can get it out, because we need price stability in this province.

As you look at it, the member makes a very good point: The money is not made at the retail level; the money is made at the refinery level. You have the big oil companies; there are three of them. They're making money off the refinery. I've heard reports that they're making as much as a 26% return on their money at the refinery level. I believe in transparency. I join with the member with respect to making sure there is transparency, but there have to be consequences. If they're making that kind of money and we find out what kind of money they're making—that's if he can get the support of his own government, let alone the Minister of Consumer and Business Services, whose record on birth certificates doesn't speak to us going too far on this—I would say that there should be consequences.

In the state of Maryland, they do not allow a major oil company to retail and also refine. There's good reason for that because of the way they can set the price and the way they control the market. This is all about controlling

the market. I can tell you that if we don't get some competition in this marketplace, we're going to be at a loss. What we need here is for the federal government to get rid of the GST, which is an illegal tax on the retail prices. I haven't seen anything from the current federal Liberal government about getting rid of that GST, though they had a task force in 1998—a very good task force; Dan McTeague was on it—that very clearly said, “Get rid of the GST. It's an illegal tax.” Nothing has been done with respect to the GST, and that is wrong.

The other part of it is looking at the volatility. They say it's tied to the world oil prices. There is no way it's tied to the world oil prices. We had a spike in Barrie from 79 cents up to 95 cents and back to 79 cents, all in the space of three weeks. Come on; that had nothing to do with world oil prices. It has to do with how much money is going to be made. I like what the member is doing with respect to getting at the refineries in terms of how much money they're making, but the competition is the issue. You've got the big oil companies controlling the refineries. There's no other place they're going to be able to get the gas. That's why you don't see, for example, the Wal-Marts come in and try to make more competition. Canadian Tire has to get their gas from the big oil companies' refineries, and that's why we don't have competition.

One of the recommendations of our task force said to the federal government, “We want you to look at the Competition Act.” They're looking at it right now, but the problem with the Competition Act, when you're dealing with a market-dominant position, is that they hold it to a criminal standard of proof. We're not dealing with crimes here; what we're dealing with is business and competition. It should be held to the civil standard of proof, a much lower standard of proof, to deal with unfair competition. All we want is fairness in the business place. That's what this is all about: fairness.

The province of PEI sets the price for gasoline. In this province, we set the price for what's going to happen with respect to hydro. So my question is, what's the next logical step here? Why are we afraid to set the price with respect to retail gas? You're not afraid to do it with respect to electrical prices. What are you afraid of? Is it the big oil companies that are going to control this and tell you what should be going on? All I'm looking for is fairness in the marketplace. I don't believe giving a notice of 72 hours—I don't even know whether that's legal because I've heard it may not be legal under the federal Competition Act. All it does is say to the oil companies, “We're going to spike it 10 cents and then it's going back around six cents. Then we're going to spike it another 10.” What does that do to volatility? It doesn't do anything to volatility. But the key issue here is to deal with that volatility.

That's why my Bill 48, which was killed by the Liberal government about two weeks ago—and I know Gilles Bisson is a big supporter of my bill, and it was supported by the House. Where did they put it? They put it in the committee of the whole so we couldn't have public hearings.

1020

I don't know where this bill from my friend Mr Crozier is going, but I would like to see it get out of the committee of the whole. If what we're doing here is wasting our time debating a bill that the government is going to shove into the committee of the whole and never have any public hearings on, then nothing is going to ever happen to this. What's the point, if the Liberal government's going to kill Mr Crozier's bill like they killed mine?

What we want is something done. The volatility of what we're facing here is very serious. We need to deal with what the real problem is. There's no competition in this province with respect to retail gas pricing. It's controlled by the three companies. The federal Competition Bureau is toothless because the federal Liberal government continues not to do anything at that level, and they also haven't gotten rid of the GST. I want people to know that.

I'm very pleased to speak on this. I support anything we can do to get clarity and transparency in the gasoline industry. I'll be supporting this, but I'm supporting it for one reason: I want to see some public hearings on this. If we're not going to get public hearings and it's going to be killed by the Liberal government as usual, then what's the point?

I commend the member for doing this. I hope the Minister of Consumer and Business Services is listening on television, so he knows what's going on.

The Acting Speaker: Further debate? The member for Timmins-James Bay.

Mr Gilles Bisson (Timmins-James Bay): Thank you very much, Mr Speaker.

Mr Mike Colle (Eglinton-Lawrence): That's why he's wearing blue all the time. Colour coalition.

Mr Bisson: Yes, my affiliation is starting to show with the pink shirts, right?

Interjection.

Mr Bisson: No, those are colour problems with your television. Turn the tint a bit and you'll notice it's orange. You've got to do that on your glasses.

I want to take the opportunity this morning to go through this particular bill for a few minutes. Generally, at the end of the day, should we vote for it or should we not? I want to see what happens through debate.

I want to make clear a couple of things. The bill in itself ain't going to do a heck of a lot to deal with gasoline prices. I guess that's part of the problem I'm having with this debate and the way the bill is structured. The member is saying that what we need to do is have a provision in law that says that if a gas company wants to raise or, presumably, lower prices, they would have to post their intention of doing so for a period of 72 hours.

I'm not sure what the heck that's going to do at the end of the day in a big way to deal with the issue of gas prices overall. As we know, gas prices are set on the open market, based on what world prices are. The way that they have this quirky system—

Interjection.

Mr Bisson: Well, I know what you're saying. But presumably, they get together, they collude and all that stuff. We know.

The point I'm trying to make is this: I'm not convinced that saying we're going to post the increase or the decrease for a period of 72 hours is going to do a heck of a lot to force oil companies to stop gouging the public of Ontario.

Now, there's one provision of the bill which I think is a good idea, and that's one of the reasons I might end up supporting this in the end, and that is the idea of having segmented reports, made in law, that oil companies have to post how much profit or loss they made in various parts of their business. We all know that there are the people who do the extraction, the refining, the marketing and the sales. It's a segmented industry, the way the gas industry is set up. Forcing them to post their profits and how much money they've made in each of those parts of the business ain't a bad idea, because we just might find out exactly how much they are gouging us.

I believe oil companies collude. They come together and whisper behind closed doors about how much they're going to raise the price of gas on Thanksgiving Friday, so they can get the public for even more money as they travel to see family and friends. Then all of a sudden, miraculously, the price goes down. You're not going to tell me that OPEC and everybody else all of a sudden decided to raise the oil price on Friday. That's clearly a function of the oil companies themselves. So listing those profits in some sort of segmented report is not a bad idea.

However, even with that, I'm not convinced it's going to lower the price of gas overall. The issue is that what we can do to lower the prices, quite frankly, can be better done at the federal level. The federal government has refused—Mr Martin and, before that, Mr Chrétien—to basically hold those oil companies accountable. At the end of the day, it's a federal regulation. It's federal law. The federal government, the Liberals, want to do nothing. Why? Because they're beholden to the oil industry. They don't want, in the province of Alberta, to cause potential conflict that they may get from the oil companies and lose some possible support that they think they may, or probably don't have, in Alberta. So we have a toothless Liberal government that's not even prepared to whisper at the insurance companies to basically bring them into line. So what the member here is trying to do, I guess we can commend, but I'm not—because they're not roaring; they're whispering.

Mr Norm Miller (Parry Sound-Muskoka): The gas companies.

Mr Bisson: Did I say “insurance”? Them too; they're in the same boat, as far as I'm concerned.

I just say, I'm not so sure. What could we do provincially? I think there are a couple of things that we can do that are pretty direct. One is that there was a bill introduced by Mr Tascona. I've introduced a bill that deals with the issue of trying to freeze the price of gas. That's something that's within our jurisdiction, our ability to do. Threatening to freeze the price of gas to the

insurance company by way of provincial legislation—I will guarantee you—

Interjections.

Mr Bisson: Did I say “insurance” again? You know, insurance prices are so high in this province since you guys have come to office. They keep on going up and up. I've got insurance calls coming in to the office every day, and I've got insurance on the brain. I want to apologize for that.

I just say, if we really wanted to deal with the price of gas, one thing that we could do provincially is pass Mr Tascona's bill, take it out of the committee of the whole and pass it, or call my bill and pass that as well. My bill basically does what Rick Bartolucci asked the government to do when he was in opposition, which is to say, “Let's freeze the price of gas for a period of time to get the attention of the gas companies, and once they know that we can do that to them, they'll be less likely to come around and gouge people as they do now by practice.” Let's call a spade a spade. The federal Liberal government has done nothing to deal with this issue, and that's why we find ourselves in that debate today.

I support any initiative that tries to deal with the price of gas. However, I'm not confident that this bill will go anywhere near dealing with the issue. I'm not convinced that the idea of having to post the price of gas 72 hours in advance of an increase or a decrease is going to work. In fact, it may have an opposite effect when it comes to decreases. You may not get the decrease, because of the posting. We ought to think about that.

The other issue is having to force the gas industry to post profits and losses in the various segmented parts of the industry. I'm not convinced that, at the end of the day, it's going to do a heck of a lot when it comes to lowering the price of gas. The two big measures in the bill—we don't have a heck of a lot when it comes to forcing down the price of gas.

The last issue that he deals with is having small independents post their affiliation—who they're buying their gas from. I've got a bit of a problem with that one because it may have an opposite effect in taking away some of the competition that we've actually got in the system. Often, it's a small independent who comes in and offers the low price that forces the oil companies to lower their prices overall. If we start getting into this affiliation stuff, it may put at a disadvantage the small independents. I don't think that we should be doing that, because far too often we find ourselves, because of the independents, in a gas war that lowers prices. If we start monkeying around with the independents, I'm not so sure we're going to have the added effects.

I support anything that would deal with trying to get the price of gas down. I think this bill isn't going to do that and I think, as my good friend Mr Tascona said, if we do pass this bill, it's got to go to committee and we've got to bring in provisions from my bill and Mr Tascona's bill so we actually have some teeth when it comes to dealing with it.

My last point—because I know my friend Mr Prue wants to speak—is, if this thing does pass, I would guess

that this will never see the light of day when it comes to being proclaimed. Not a chance. I challenge my good friend Mr Crozier to show me that he's got an agreement with the government House leader that this bill will be passed this spring or next fall at third reading and you expect to have it proclaimed. I don't think it's ever going to happen. We should take this for what it is. He's trying to get ahead of an issue. God bless; I understand why he's doing it; but it's toothless.

Mr Michael Gravelle (Thunder Bay-Superior North): I am very pleased to support Bill 80, from my colleague from Essex. I think the important point that needs to be made almost immediately is that what this is about is finding some way for us to protect consumers, to at least give consumers an opportunity, in essence, to have warning about the price changes. There's no doubt many members of the Legislature, myself and all my colleagues who are speaking here today, brought forward legislation in the past. We've debated these issues and tried to find a solution to it. This legislation, if we are able to get it through the Legislature and get it passed, will be one specific way of allowing consumers to have some notice of rising prices and indeed of prices that may be going down in the future. I would hope my colleague will have the full support of the House.

1030

As a member from northern Ontario, I can tell you that we feel particularly aggrieved about the price of gasoline at the gas stations in the north. As many of you will know, whatever the prices are down here, perhaps in the Toronto area, they tend to be substantially higher in the north. Recently, I must tell you, that discrepancy has been extraordinarily wide. There has been about a 20-to-25-cent differential between Thunder Bay and parts of Thunder Bay-Superior North, my riding, and down here in Toronto.

One thing we did in my riding was that we got together and picked a gas price task force, which the former mayor of Thunder Bay, who is now running federally in the federal election, Mr Boshcoff—and I'm sure Mr Boshcoff will do—

Mr Michael A. Brown (Algoma-Manitoulin): A good man.

Mr Gravelle: He's a very good man. As mayor, he was also upset about this, so we got a gas price task force together, which he chaired. I was very involved with that as well. It brought the oil companies in. We tried to understand what difference there should be between northern Ontario—I mean, we understand there are costs associated with transportation and other costs. We determined, quite frankly, that it was quite fair game for there to be about a four-cent differential, that that was legitimate. Our frustration has always been that the differential seems to be much, much wider in the north. As I say, recently we had an almost 25-cent differential. So we've been trying to find some way to deal with that.

I'll be honest. The frustration we have is also centred around the fact that when the prices went particularly high recently—they seemed to be in the mid-90s and

over a dollar a litre in some places in northern Ontario. When that happened, the oil companies came to our task force and, as usual, said to us, "We have no control over this. It's the high price of crude. It's instability in Iraq. It's a variety of other reasons." But the last time this happened, which I think was actually February 2002, when the quarterly reports came out, we saw record-breaking profits by the Canadian oil and gas companies. So for them to tell us that they have no control over these things, that the price of crude is high, is quite frustrating. I expect that when the quarterly reports come out we are again going to see record or massive profits by the oil and gas companies. So I also applaud the section of my colleague's bill that looks for the information in terms of the profits being made. Certainly in the north we are very concerned about it.

I myself have put forward a couple of pieces of legislation, one that I'll be reintroducing this afternoon, the gas price watchdog commission, that will allow us to—

Mr Brown: Tell us about that.

Mr Gravelle: Well, we will have the legislative power, if we are able to pass this bill, to have a watchdog commissioner, a commission office, that will be able to monitor and investigate. It will have whistle-blower protection. It's a good piece of legislation. I should give credit to my colleague next to me, Mr Colle, the member for Eglinton-Lawrence, who will be speaking, because he was the first one to introduce it, and he and I worked together on this closely.

Mr Colle: I was trying to help the north.

Mr Gravelle: Absolutely. He was. In fact, Mr Colle encouraged me to introduce it a year or so ago. So I'll be reintroducing that, because I think we need to find some way—this was one, and, may I say, a relatively benign way—to give somebody legislative power to go and check out the price differential, why the prices are what they are, because the oil companies invariably, when they come in to meet you, polite as they are, will never tell you exactly why the price is 95 cents a litre that particular day. They will not break it down for you. We know about the taxes, and there is that big differential. We know about the issue related to refineries.

The long and the short is, we need to do something. I believe this piece of legislation is terrific. I will be supporting it, and I hope that all colleagues in the House will support it today. Thank you for the opportunity to speak.

Mr Miller: It's my pleasure to speak to Bill 80, the private member's bill introduced by the member from Essex today. It is An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies.

There have been a lot of gas price bills, private members' bills, introduced in this place. I commend him for introducing it. I know he is trying to, in a small way, address the problems of high gas prices, but I wonder how much it's really going to do.

One provision is that it requires 72 hours' notice. I would question whether that's going to be an advantage or not. If you're going away on a long weekend, if you fill up three days ahead of time, if you drive much, your tank's probably going to be empty by the time the long weekend rolls around, or you're going to have to buy gas on the weekend anyway. I'd be afraid that it would just provide an opportunity for collusion among the wholesalers, the refineries, the oil companies.

The bill also requires gasoline retailers that are affiliated with major gasoline retailers to indicate their affiliation. I have no problem with that. I'm not sure how much that's going to accomplish, but I don't have any problem with it.

The bill requires large oil companies that produce, refine and market gasoline to file annual segmented earning reports with the Minister of Consumer and Business Services. That's interesting. The more knowledge we have in terms of how much money is being made by the oil companies and refineries in particular, the better, in trying to improve the situation.

But the issues I'm hearing about in my riding to do with gas prices are, first of all, the high gas prices, but second, it's the differential for areas especially in northern Ontario. In my riding, particularly in the Parry Sound area, the prices are higher than in other parts of the riding, and there doesn't seem to be a logical explanation of why that is happening. I've certainly heard from Mr Tim Pelette of Parry Sound, who has been a real advocate, working very hard in his way to do what he can to raise awareness of the issue and to try to get something happening to correct the situation.

I've also heard from independent retailers in my riding who are concerned about the tactics used by large oil companies and refineries that have the effect of lessening competition and basically give the big oil companies more control. They inevitably put some of the small retailers out of business. It lessens competition and gives them more control over the prices.

I've been in contact with the Canadian Independent Petroleum Marketers Association. They have good ideas for a private member's bill that I probably will be putting forward in this place to address some of those issues in terms of trying to keep more competition for the independent operators. They have a proposed act, an act respecting fair marketing practices in the sale of gasoline and diesel oil. "The purpose of this act is to promote greater fairness in the pricing of gasoline and diesel oil. Specifically, the act restores the natural arbitrage that ensures that wholesale prices do not exceed retail prices of these fuels. This act will reduce geographic price differences at the pump to reasonable levels"—as I say, that's a real concern in northern Ontario, a real concern in Parry Sound—"and it will increase price competition," which we've heard from a few members is something we really need, "ultimately benefiting consumers of gasoline and diesel oil." But it doesn't attempt to limit retail prices in any way. As I think has been stated by a few members, the price of gas is really something that is set worldwide.

I think this bill deserves some consideration, this one being suggested by the Canadian Independent Petroleum Marketers Association, because it really would keep more of the independent operators alive and put them on a fair playing field.

It does this through a few specific means. "The highest wholesale price the refiner or wholesaler charges at a location must at no time be higher than: the retail price at the refiner's or wholesaler's directly or indirectly operated retail outlet." So they can't have a lower price than they're charging to independent operators, thereby putting the independent operators out of business. That is certainly a good point.

In this bill, they would also require that "No refiner shall restrict the quantity of fuel available at a supply point at which a retailer or wholesaler is able to obtain gasoline or diesel oil." A refiner can't basically cut off an independent operator so they don't have a supply of fuel to sell, once again restricting competition. And, "No refiner or wholesaler shall set a retail price for gasoline or diesel oil other than at its directly or indirectly operated outlets." So it can't set the price in places it doesn't control.

This bill, which I will be introducing, could really address a couple of the critical problems, especially the fact that the independent operators are being squeezed out of business, thereby very much reducing competition in this area. The more competition we have, the better. The more true competition we have, the better.

1040

I commend the member for Essex for trying to address some of the problems with high gasoline prices. I don't really think the 72-hour notification is going to achieve too much. I note also that the member for Barrie-Simcoe-Bradford has introduced Bill 48 toward price stability—as he mentioned, it has gone into committee of the whole—and he raised some good points. He also brought up the idea that there has to be more competition in the pricing of fuel.

Consideration should be given to trying to address the key concerns I'm hearing about: the geographic differences in prices, particularly in more remote areas in northern Ontario. In my riding, around the Parry Sound area the price seems to be consistently higher. Also, legislation needs to be introduced to address the unfair tactics that big oil companies and refineries use to limit competition, which inevitably gives them more control over the market and leads to higher prices. I think we need to see more competition in the market for gas, and that should result in lower prices.

Mr Michael Prue (Beaches-East York): It is indeed an honour and a privilege to rise and speak to Bill 80, but I have to admit from the outset that I have very mixed feelings about the bill. The bill does two good things and one that I think it doesn't do at all.

Let's deal with the good things first. It requires that gas stations post the affiliations of the gas companies that control or supply them so the whole world can see that. It's important that people know the product they are

buying and know full well whether or not they trust the company to sell them what they need or want.

I think back to about a year or two ago when many General Motors cars were afflicted by Shell gasoline, where the deposits in the gasoline or what they were mixing in it were causing all of the dials and gas gauges to be faulty. People would say, "I'm not going to buy Shell gas because I'm worried about my faulty readings." That happened to me when I ran out of gas one day. I stopped buying Shell gas. But of course many of the independents buy their gas from Shell. People would go down to Congo or one of the other independents or smaller gas companies and buy the gas there and feel they were safe, but in fact they were not. I'm glad to say that I believe Shell has got away from that problem, but it is one of the key aspects: that consumers must know about the product they are buying.

Also, not particularly to pick on Shell, but there was a time when many people were boycotting Shell gasoline because of Shell's policies in Nigeria. For a while even the city of Toronto had a stipulation that city of Toronto tenders could not include Shell gasoline for precisely their practices in the Third World and how they were treating the people particularly of Nigeria. Consumers need to know that information and should have that information so the gas stations or the gas companies can't sell off their gas to independents in the guise that it is an independent company. The reality is that most of the profits, if not all, are made not by the little guy on the corner pumping the gas but by the big multinational corporations.

Consumers have a right to know what they are buying, from whom they are buying and the conditions under which that product was produced, so we are in agreement with that section of the act and believe it is valuable.

The second section is the segmented reports, which is too often not done, so that consumers—people, the general public—can understand the actual pricing and the cost of the gasoline or the motor fuel they're putting in their cars, because it could also be diesel, ethanol or any other number of products that cars can use these days. They need to know whether the profits are being made in refining or sales or marketing or production. They need to know that. If we as a government are to know that, if we are to make laws and regulations around the pricing of gasoline or to have any influence at all, those statistics, those facts, need to be known, and they can only be known if there is a law requiring their production. If we are without that information, we will never be able to regulate the gas industry because we will never know whether there are profits in fact being made with the spiking of gas prices, as seems to happen daily, weekly, monthly. It happens all the time.

I am constantly amazed. I was out last night and gasoline was selling for 77.9 at a gas station. I was in a restaurant across the street and, when I came out of that restaurant, it was selling for 82.9. I don't know what in the world caused it to go up five cents while I had dinner, but there it was. There is the reality of what is happening, and the consumers obviously are very upset about that.

That brings me to the third point, and I think the controversial point—or maybe it's not controversial at all—and that is the 72 hours' notice for prices to change. I would prefer that this said, "72 hours for prices that are going up," because, quite frankly, I don't believe that gas companies or independents or anyone who wants to reduce the price should have to give notice. In fact, it may stop some small independents from doing that, because they're going to have to post and give advance notice to the big companies that they're going to reduce their prices 72 hours hence, which gives the big companies an opportunity to match them.

I have some real problems with that, because it is the small independents that usually lead the way in keeping the prices lower. I do know that if you go to some of the smaller independent companies in my neighbourhood, they usually run, on average, about one cent a litre less than the big companies, particularly—well, I don't have to mention the six sisters; there they are. They are the ones who control and usually have the highest price for their gasoline. So I am very wary about hurting the small independent retailers. I am very worried about not giving them the option to reduce the price of gas without giving notice to the giants. Quite frankly, I believe the bill should have said, "72 hours' intent of notice to increase the price." If that's all it was, I would not have the same misgivings about this particular section but, as it reads now, it's any fluctuation at all, whether it's going up or down, a penny, half a penny, a tenth of a cent, whatever it is.

I invite people to look at the cost of gasoline too, because I'm constantly amazed. If the crude oil price goes up a dollar for a barrel—a barrel contains almost exactly 200 litres; it's 50 gallons US—that should reflect about half a cent a litre. But I'll tell you, when the crude oil price goes up a dollar per barrel, instead of raising the price by half a cent—and they have reserves for months. Notwithstanding that, instead of raising it half a cent, you will see huge fluctuations—eight, 10, 12 cents—based on half a cent. I know these guys have to be gouging, and we all know they're gouging.

The reality is—and I've got 25 seconds—I support two parts of the bill, and I'm not sure exactly—I want to hear more debate—whether to support it or not. But I don't think the 72 hours is right. If it does go to committee, it needs to be changed.

What we really need, though, is stronger bills. Those which were proposed by Mr Bartolucci, Mr Bradley, Mr Colle, Mr Bisson and Mr Tascona were all a little bit stronger than this one, but we really do need to get our act together for the consumers.

Mr Colle: I think Bill 80, put forward by Bruce Crozier, the member for Essex, is an extremely positive and important bill because it doesn't just whine about the price of gas; it actually proposes a solution. The solution is not all-encompassing, because we don't have power over the price of a barrel of oil coming out of Iraq or Saudi Arabia or even coming out of our friend Ralph Klein in Alberta. We pay world prices for Ralph's oil.

Therefore, we have a bill here that says, "Within our power, realistically, here are some suggestions that protect the consumer." It brings about transparency. It deals with disclosure of profits in different segments. It also tries to do something about the manipulation of prices that the member from East York mentioned, where you go into a coffee shop for a doughnut and you say, "I'll get gas on the way out." Going in, it was 80 cents; you come out the door and it's a dollar. There's no reason for that. I think the 72-hour provision is an attempt to bring some kind of rationality to it.

1050

Again, these are things within the parameters of provincial government. I really think it's worth a good, strong look by our government.

I also hope we realize that in this bill is also the continuing declaration of how much of gas goes in taxes. I would like to include on that line too that now, for the first time in the province's history, we're putting some of that gas tax revenue, which is 14.7 cents per litre—two cents of that—to go for better transportation and better transit. I'd like to see that put on the sticker at the gas station. That's a dedicated tax, which our government has done, and that starts to flow in October.

I think we also try to protect the independent operator in this bill, because the more independent operators there are out there, the more competition there is. That is also addressed in this bill.

We should also ensure that the government does more generic things to deal with dependency on gasoline, like more long-term solutions. That's why I think it's important for us to push alternate fuels. The oil giants are dragging their feet on supporting our initiatives on ethanol. That has got to be made more readily available. We can't be totally dependent on Ralph Klein and the Middle Eastern countries. We've got to try and keep investing in alternate technology.

We have good hybrid cars for the first time. I don't want to mention names, but I know Toyota has a great little car. The Ministry of the Environment drives one around. Now Ford has a new hybrid SUV, believe it or not. Talk about oxymorons: a hybrid SUV. Anyway, it's coming out in September. It's going to have a huge battery in the back, and it's going to give you enough power to match what you get in a six-cylinder engine. I know the member from Peterborough's looking at buying one later on this fall. So we also have to look beyond dealing with the oil companies and just manage what we can.

This bill, again, is positive. It has got some very concrete steps. I think it deserves our individual support as MPPs to ensure it gets attention at committee, that ministry officials look at it. If you go through each part of it, you may not agree with one aspect of it—the 72 hours—but I think one proposal after the other has an extremely positive suggestion to it that I think deserves consideration because it begins to get rid of the feeling of exploitation. I think sometimes that's what people really get upset about. It's not the fact that we know oil now

costs \$40 a barrel, and the price is going up; they don't see the correlation between what's going on in the barrel cost and what they're paying at the pump. They think there's a lot of manipulation by the big oil companies in between. This bill tries to get rid of that kind of cynicism with more transparency and more openness. I think that's what we can do as a provincial government.

Yes, there are stronger proposals, and I put some forward myself. We all know the trouble is that we can't do everything within our parameters provincially, but this is something we can do. Therefore, let's support this and make sure it goes into committee to get some analysis from ministry officials, industry officials, consumers and independent operators.

I think this is doable piece of legislation that deserves full support. I hope even the media starts talking about positive solutions. This is a positive proposal. Let's support it.

Mr Brown: In coming to speak to this bill, the first thing we really need to do is congratulate the member for Essex for bringing this forward this morning. This is an issue he has pursued with dogged determination for quite some time, as we all have been very concerned about the price and delivery of gasoline across this province.

I represent one of the northern constituencies, and I would note that Mr Crozier, the member for Essex, represents the most southern constituency in the province of Ontario. Detroit would be to his north. So it gives us some sense of how this resonates across the entire province of Ontario.

I did a quick survey of what gasoline prices were over the last 24 hours. I think this will be interesting. I noticed that in Toronto, the lowest price I could find was 72.5 over the last 24 hours, so we made some calls in my constituency to see what those prices were. In Elliot Lake it was 86.4; Bruce Mines, 89.9; Blind River, 89.7; Mindemoya, 91.9; my home, Kagawong, 90.9; Manitouwadge, 94.5; Hornepayne, 93.9; White River, 94.9; Chapleau, 96.9; Wawa, 93.9.

The interesting thing about that is, I think members would have got the sense that there was very close to 25 cents' differential between the lowest price in Toronto and the price in Chapleau. I can account, as the member from Thunder Bay-Superior North has pointed out, for some transportation differences, but you cannot account, no matter how you do it, for a difference of almost 25 cents a litre. That is absolutely absurd.

What we need is a bill like Mr Crozier's, which is suggesting that you have to post prices and you have to post them 72 hours in advance. I go to pick up the mail at Aussie Hunt's in Kagawong and I see flyers in there from the grocery store. It says that if you come on Monday you can buy your cereal for this price. You know it's on sale and on Monday you're going to buy it for this price. It's very clear. It makes for a marketplace where your competition has to meet your price. Everybody knows. The transparency is there. Therefore, you should be able to have a price that is fair to the consumer, at least to the point that he can decide whether he is going to buy that

product on Monday or is going to wait for Friday when there is a sale at a different store. You don't have that choice with gasoline.

I drive probably as much as anybody in this place. I have a daughter who lives near Yonge and St Clair and I've had the same experience. I drove Amy home one evening. She had come for dinner at the apartment. On the way up, I noticed at a gasoline station that the price was such-and-such. I thought, "Gee, I'll stop on the way back to get gasoline." That was a 10-cent-a-litre mistake. You don't want to do that. It's kind of like a lottery when you drive around Ontario trying to guess where the best station is to stop for gas, and at some point you are forced to do it.

This would bring some certainty to the situation, and I think that's what people in Ontario want. They want some certainty. They want some transparency. They understand we cannot control world oil prices. It would be nice if we could, but that is not possible. What we need to be able to do is to say to the people in Chapleau, "The fact that you're paying 25 cents a litre more is just totally unacceptable," and because the oil companies have to give notice, we would know across the province what those prices will be on the following day.

The long weekend is coming. I am very interested to know what the prices will be come June 29 and June 30, in advance of the holiday weekend. I think they might be up. I'm just guessing on that one, and I'm guessing that maybe they might be down again the following Monday. But we're not sure. That's part of the guessing game; it's kind of the excitement. If you use much gasoline, you know it's a problem.

I think all members should know that they should be supporting Mr Crozier's bill this morning and applaud him for his efforts.

I thank you for the time.

The Acting Speaker: The member for Essex has two minutes to reply.

Mr Crozier: Thank you to the members for Parry Sound-Muskoka, Barrie-Simcoe-Bradford, Timmins-James Bay, Beaches-East York, and particularly to Mike, Mike and Mike, from Eglinton-Lawrence, Thunder Bay-Superior North, and Algoma-Manitoulin.

I've been in elected office for almost 20 years, so my skin has grown rather thick and I certainly don't mind some criticism of the bill. I didn't bring it forward thinking it would have unanimous consent, but I do still ask for consideration that you support the bill, because if we can get it to committee and if we can get it looked at there, we can amend it.

The bottom line of all this is, we've tried to get various gasoline bills through two governments now, and, as I said, nothing has been done. It has just been paid lip service. Each of us is trying, in different ways, to get something done. That's what I'm looking for here, to let the driving public know that we really are concerned about the issue and that someone's willing to take on that concern.

This, although it doesn't get to some of the root problems with pricing, at least gives the buying public some

flexibility, some option, some choice. Maybe, because we take this step, it might be a signal to the major oil companies that they'd better just tread carefully or there may be other steps that will be taken or that should be taken.

With that said, I appreciate everybody's comments. I ask for your support when it comes to a vote.

1100

TAXPAYER PROTECTION AFFIRMATION ACT, 2004

LOI DE 2004 CONFIRMANT LA PROTECTION DES CONTRIBUABLES

Mr Klees moved second reading of the following bill:

Bill 85, An Act to affirm the Taxpayer Protection Act, 1999 / Projet de loi 85, Loi visant à confirmer la Loi de 1999 sur la protection des contribuables.

The Acting Speaker (Mr Ted Arnott): Pursuant to standing order 96, the member has 10 minutes for his presentation.

Mr Frank Klees (Oak Ridges): I'd like to begin this portion of the debate by reading into the record a portion of the preamble to the bill:

"On September 11, 2003, Dalton McGuinty, before his election as Premier, signed a written pledge 'not to raise taxes or implement a new tax without the explicit consent of the voters' through a referendum as required by the Taxpayer Protection Act, 1999. He also stated publicly that a government led by him would comply with that act."

That preamble is contained in the bill that I've proposed for debate before the Legislature today. This bill, although entitled An Act to affirm the Taxpayer Protection Act, really could be entitled the integrity act. The reason I say that is that it goes to the heart of this government and this Premier's inability to recognize how important integrity in government is, how important it is for the people of this province to be able to rely on the commitments that are made during an election period, to be able to rely on the commitments of the Premier, who holds the highest office in this province. The role here in the Legislature really is to make laws. So we have a situation in this province where the Premier, the individual whose responsibility it is to make laws, and surely as well to uphold laws, blatantly has broken not only an election promise but, far worse than that, has gone on to break a law of this Parliament that he in fact voted for when he was in the opposition benches.

Essentially, this is a reset bill. It resets the Taxpayer Protection Act to the time in history when Mr McGuinty, then a candidate for the position of Premier, made a very specific commitment to the people of Ontario, and that was that he would keep this law. It includes a provision under which any taxes that may be wrongfully taken by this government, in breach of the Taxpayer Protection Act, will be rebated to Ontarians. It goes on to say very clearly that if this government does wrongfully withhold

taxes under their budget, each individual actually has the right, under the law, to withhold that against any other monies owed to the province.

As I said before, why is this bill even before us today? It really gives us as a Legislature, on what will probably be the last day of sitting in this session before we go into summer recess and back into our constituencies, an opportunity to once again reaffirm, at least on the part of members who will have the courage to vote in favour of this bill, to say to their constituents, the very people who elected them, "I believe in upholding and supporting the law that was created here in this Legislature."

It also gives members here in the House an opportunity to signal clearly to their constituents that they take seriously the trust that the electorate has placed in them to uphold the law. It gives members of the Liberal Party here today, who I know have been under tremendous stress—particularly the member from St Catharines, because I know him to be a man who would want to keep every promise that was made. I know he has been agonizing under the burden that his Premier has placed him under, which is to have to face his constituents, as a long-standing member of this House, and try to justify what this government has done.

It gives members of the Liberal caucus today an opportunity to stand in their place, because this is private members' hour. The role of the government whip is to force, essentially—unfortunately, that's what happens all too often—members to vote against their conscience and in support of a government position. Members of the Liberal Party in this House today have an opportunity to stand in their place and say, "I stand with my constituents and I stand on the principle of integrity." Election campaigns are worthless unless promises are kept. In fact, democracy, I say to you, is worthless and is undermined unless our promises are kept.

I have here a representation of petitions that have been sent to my office—literally thousands of petitions—that are urging our Premier to honour the Taxpayer Protection Act. I want to take this opportunity to thank the many people who have downloaded this petition from my Web site and are, as we speak, having their friends and neighbours sign petitions like this and send them in. They are frustrated because, in addition to signing this petition, what they're asking me is, how can we recall this government? Is there anything at all in Ontario's law that would give us the authority and empower us as constituents, as citizens of this province, to recall this government in whom we've lost absolute trust?

I'd like to thank people like Mr Manser of Kanata; Mr Les Jaworski of Cambridge; Mr and Mrs Groh of Brampton; Mr George Smith of Oakville; Ms Tessa Gardner of Parry Sound; Mrs Eleanor Corbett of Etobicoke; Edwin and Lillian Gemmell of Innisfil; and Mr and Mrs Crawford of Bradford for all of their work. There are hundreds of people like these, who have taken the time to get these petitions signed.

I want to take this opportunity as well to read into the record a letter I received from Angello Capobianco. It says:

"Please read this note in the House ... and ask Mr McGuinty what is he trying to do to the seniors like myself. I also know of others who get pensions and still have to work in order to survive. As for me, with my bad health, I am unable to work and it has become impossible for me to pay my bills.

"All these broken promises, especially the one not to help us seniors with the property tax, which the previous government was willing to do, has made things very difficult for us.

"Thanking you for taking the time to do it."

1110

I do this on behalf of Mr Capobianco, but he is representative of literally hundreds of thousands of people in this province who share the same concern, not only about the additional tax burden they have as a result of this government but because of the lack of integrity of this government to stand behind the very laws of this province that they themselves—many members who now sit on the government benches were in opposition and voted for this bill.

I look forward to hearing my colleagues in this House in their debate. I'll be listening very carefully, as I'm sure people across the province are listening, to what they are telling their constituents about what they believe in terms of integrity in government. That's really the message. Will they be using empty words to simply justify this unjustifiable action on the part of this government? This bill allows this House to rectify, before we go into summer recess, this lack of integrity on the part of this government.

I urge members to consider making their stand on behalf of their constituents, on behalf of democracy, on behalf of this Legislature, on behalf of the integrity of lawmaking and law-keeping in the province of Ontario, and give this bill their vote in principle as we vote on it for second reading today.

The Acting Speaker: Further debate?

Mr Bob Delaney (Mississauga West): It's always a pleasure to rise and comment on a proposal by the member for Oak Ridges, a member I've had a chance to get to know outside the forum of the Legislature and someone I consider a legislative colleague with whom I look forward to disagreeing passionately without being disagreeable.

The member's principal thesis is that Ontarians must undergo a referendum vote because it's the law. In fact, my colleague frequently repeats this phrase as if to underscore it. The member for Oak Ridges, as a former minister of the crown, will doubtless be familiar with another law: You can't put a "slow moving" sign on a vehicle that isn't slow-moving if you plan to drive on Ontario's highways. A vehicle displaying a "slow moving" sign that isn't slow-moving, that is moving at normal speed, will be stopped and the driver fined. It's the law. On Ontario highways, one-horse open sleighs must have bells attached to the sleigh or to the horse. It's the law, and you can be fined \$5 for disobeying it.

Just because it's the law, nothing prevents the law from being out of date, unworkable or just plain wrong.

So let it be with Bill 85 and the law to which it refers, the Taxpayer Protection Act. The Taxpayer Protection Act is a fundamentally and fatally flawed piece of law. It fails to protect the taxpayers. It failed, for example, to require the previous government to substantiate in any way its claim right up till the date of the election that Ontario's budget was balanced, when subsequent impartial audits found a hidden deficit of at least \$6.2 billion and another \$2 billion hidden in operating deficits and debt of hospitals, of which the only shareholder is the taxpayer of Ontario.

How much is \$6.2 billion? Let's use an analogy. The previous government left a hidden operating deficit which is the equivalent of 60—that's six zero, 60—sponsorship scandals.

You are not allowed to saw wood on the streets or wash your automobile in Toronto. It's the law.

So what do we have a referendum on? Whether the previous government and its ministers should be taken to task for concealing an in-year deficit, an in-year deficit that's in violation of the Taxpayer Protection Act, an in-year deficit that is double our government's 2004-05 operating deficit?

In the state of Pennsylvania, no man may purchase alcohol without the written consent of his wife. It's the law. One wonders if single men may legally purchase alcohol in Pennsylvania.

If the government's 2004-05 budget had demonstrably run a surplus, had the previous government not run the deficit it had, then the sections of Bill 85 requiring a referendum would be built on a foundation of quicksand and the premise of Bill 85 itself would be false and unworkable.

If you happen upon an injured migratory bird in a Canadian national park, you are required to kill it immediately or face a fine of \$300. It's the law.

One wonders how the referendum question proposed by Bill 85 might read, so let's try a draft: "The government of Ontario has introduced a measure to fund Ontario health care that raises dedicated revenue in an amount equal to about one quarter of the hidden deficit left by the previous government, about which Ontarians and the government they elected could not know and about which the former government steadfastly concealed details. Should sanctions be applied retroactively against the former government and the members of its executive council? Yes or no?"

You cannot release 10 or more helium-filled balloons in any city of Toronto park within a 24-hour period. It's the law.

There are many other provisions of Bill 85 that make no sense. In essence, it says the government must cause a referendum to occur in Ontario if the Ministry of Finance proposes to do anything with taxes other than to lower or eliminate them. For example, selling and leasing back all of Ontario's hospitals would be a dumb idea and definitely not a way to protect taxpayers, who would then be at the mercy of private health insurers, whose proven insatiable appetite for consumer premium income is on

display every day in the United States. But turning a public asset into a private user fee is just fine under the Taxpayer Protection Act. It may be ridiculous, but it's the law.

Canadian law states that no person shall offer a reward for lost or stolen property if promising that no questions will be asked. It's the law.

So despite the respect I have for the abilities of the member from Oak Ridges, and in deference to his solid commitment to the core values and principles that drive him in this Legislature, I cannot support him on Bill 85. However, I thank him for bringing Bill 85 to the floor of the Legislature, where the serious and fatal shortcomings of the Taxpayer Protection Act can be discussed.

Mr Toby Barrett (Haldimand-Norfolk-Brant): Bill 85 deals in part with the Liberal health tax. There's little doubt that the recent Ontario budget calls for a health premium that kicks in July 1. It represents a new tax, and it's a new tax that the Premier must bring to a referendum in accordance with his signed commitment to the Taxpayer Protection Act. That's the law.

As people across Ontario and across Canada prepare to vote for those who will represent them on the national stage, many will be looking to lessons learned here in Ontario, and as they mark their ballots, many will wonder if the government they choose will keep commitments made during this election campaign.

As we've seen in Ontario, the road leading from the election trail to a government seat has been a long one for Liberal members, a road that's littered with empty words and broken promises and broken laws. In my riding, people are asking me if they can trust politicians when Liberals have made it clear that honesty is no longer part of the job description. They remember a Liberal leader who on their television sets last September said, "I won't cut your taxes, but I won't raise them either." They remember that same man sitting down on September 11 to sign a written pledge not to raise taxes or implement a new tax without the explicit consent of the voters. That was a law. He gave his word. He put his name on the line. He's now flushing his commitment and potentially this province down the toilet.

The Premier is confused as to just what a tax is and just what is the law. According to the Merriam Webster Dictionary, a tax is defined in two ways: "(a) a charge, usually of money, imposed by authority on persons or property for public purposes; (b) a sum levied on members of an organization to defray expenses." The Cambridge Dictionary holds that "a tax is an amount of money paid to the government which is based on your income or the cost of goods and services you have bought." As an example, Cambridge uses some phrases to explain this: "They're putting the tax on cigarettes," and "Tax cuts are always popular." They use that as a way of explaining what a tax is. Clearly, in accordance with these definitions, there's little doubt that the health premium is indeed a tax, as defined in this present law.

1120

Just in case there's any confusion, I'll refer to Bill 83, the Budget Measures Act. Section 17 states—it was right

there in black and white—“... establish a new tax called the Ontario health premium...” If there was any doubt whatsoever that Liberals are breaking the law, the pledge, with this health premium, their own legislation clearly underlines the new tax and the latest in a line of new broken promises that this health premium represents.

My fellow committee member, the member from Durham, and I put forward a number of amendments to try and clarify, to bring some accuracy into section 17. We submitted amendments with respect to this health premium, health tax phrase. One of them we referred to as the Liberal-is-a-Liberal tax. We also put forward an amendment to rename it the Paul-Martin-made-me-do-it tax. Despite these best efforts, section 17 still reads: “... a new tax called the Ontario health premium...”

I’m confused. The Premier clearly signed a pledge to not raise taxes or implement new taxes without a referendum. The health premium is clearly a tax. These two facts are clear, and yet, if we take these two facts to their logical conclusion, things begin to go off the tracks, because every time it’s brought up, the Liberals tell us there is no referendum being planned. Again, I’m asked by people: “How could this be?” To that conclusion, the Premier was—and I have to say it, Premier—they say, lying, he was lying down on the job when it came to maintaining the integrity of a political leader.

The Acting Speaker: I would ask the member for Haldimand-Norfolk-Brant to withdraw the unparliamentary term.

Mr Barrett: I will withdraw the fact that the Premier was lying down on the job when it came to maintaining the integrity.

The Acting Speaker: I would ask the member to withdraw, without qualification, the unparliamentary term.

Mr Barrett: I will withdraw the first sentence with respect to lying, as lying down on the job.

The Acting Speaker: Further debate?

Mr Michael Prue (Beaches-East York): It’s again a privilege to stand here and debate this particular motion that has been put forward by the member for Oak Ridges.

The Taxpayer Protection Act: If ever there was an act that was passed in this Legislature, it was an act that was doomed from the beginning. It was an act that has had nothing but a stormy history since 1999. If we take ourselves back to the time when it was debated in this Legislature, when people from all of the parties, as they then were in this Legislature, stood up to talk about why it was necessary to have a Taxpayer Protection Act, and if you read that history, you will see that every single Conservative voted for that act and, surprisingly, every single Liberal voted for that act as well. It was only the New Democrats who said, “This is not going to work.”

Mr Norm Miller (Parry Sound-Muskoka): The Liberals voted for it?

Mr Prue: Yes, the Liberals voted for it. It was the New Democrats who said that this is not going to work, for a couple of reasons. Number one is because we often have cyclical periods in the economies of the province,

Canada and, indeed, the world, and it’s not going to work because you cannot hamstring future governments, future cabinets from doing what is best in terms of the economic circumstances that exist at that time. Notwithstanding that we gave sage advice, the Legislature chose to pass this act.

Having passed the act, the amazing thing has happened: Within a couple of years, the very Conservatives who passed the act were the first to break their own legislation. They did so, of course, in the year 2002, when they stood during the budget to announce that they were not going to implement the very budget measures which they were bound to in the act. They called it a delay, but the reality was that they were disobeying their own act.

It was kind of amazing to watch in the last election, because the Conservatives, of course, signed the Taxpayer Protection Act in that famous opportunity, but they were upstaged by the Liberals, who beat them to it with a full news conference in signing that there would be a balanced budget.

I had to smile when I saw that. There, of course, was the Premier, or the man who was going to become the Premier, standing there surrounded by a cadre of Liberal candidates from around the province with big smiles on their faces for what they were going to do and how they were going to uphold the Taxpayer Protection Act that they had always supported, that they had voted for, and that they were going to implement. I had to especially smile, of course, because my Liberal opponent in that campaign was sitting beside Dalton McGuinty when he actually signed the papers.

Now we have what is happening here today. Within two years, we have the Conservatives who break the act and we have the Liberals who are not obeying the act which they supported and which they signed with much fanfare, in the heat of a provincial election. I want to tell you that this smacks of—I don’t know. I think it was foolishness, if I can use that word. I hope it’s not unparliamentary. It was foolishness on the part of those people to say that they would uphold such an act, knowing the circumstances that Ontario was finding itself in.

I take you back to the period when we knew that the province was not going to be able to balance its budget. We knew that, and so did everyone else who commented, everyone from the Fraser Institute to Gerry Phillips, people in this Legislature. Everyone knew that the budget was not going to be balanced. Conservatives knew it; Liberals knew it; New Democrats knew it. It was foolish for any party to have signed such a pledge in the leadup to the election.

You campaigned as a party, and initially as a government, as if you would do the impossible. You were saying you were going to make all of these promises and do good things that needed to be done, some of which I share to this day with you, but you said you were going to do it without raising taxes and that you were going to follow the Taxpayer Protection Act. It was one of the

first promises that you broke. In fact, it was a promise we knew you had to break.

I don't know what else you could have done. If you could tell me what else you could have done, I'm sure you would have done it. To listen to Minister Sorbara in the finance committee over the last two days, he said it was the most difficult thing he has ever had to do in his political life, to stand up and break the key promise that he made and that his party made during the election.

Here's the scenario we have, and it's kind of bizarre: We have the new Bill 83, which has just been forced into law—the only bill that this government saw fit to invoke closure on since the last election. You've invoked closure. It's rather arcane wording, but I'd like to read it into the record so people watching can see this:

“Section 2 of the Taxpayer Protection Act, 1999, as amended by the Statutes of Ontario, 2002, chapter 8, schedule L, section 1, is amended by adding the following subsection:

“(7) Despite subsection (1), the following provisions may be included in a bill that receives first reading in 2004:

“1. A provision that amends the Income Tax Act to establish a new tax called the Ontario health premium in English and contribution-santé de l'Ontario in French.”

That, in a nutshell, was going around the Taxpayer Protection Act. What it did, in effect, is establish that the health premium, which has a very strange-sounding, almost Harrisonian ring about it—like the Tenant Protection Act that doesn't protect tenants, this is a health premium that is not a premium but is in fact a tax. Here we are debating whether or not you as a government are following the laws. Well, I'll tell you, you don't like this law now that you have to live with it. So now we have Bill 84, which is on the books, on which we're waiting, and Bill 84 completely undoes what you promised to do in the election and what you voted for in this very Legislature a scant five years ago.

1130

Subsection 4(1) of Bill 84 says it all, and I'd like to read that into the record, because this is what this government intends to do. Notwithstanding the debate here today, notwithstanding what they told the electors of Ontario last September and October, notwithstanding what they voted for in 1999, the true intent is to do the following:

“4(1) For each fiscal year, the executive council shall plan for a balanced budget unless, as a result of extraordinary circumstances, the executive council determines that it is consistent with prudent fiscal policy for the province to have a deficit for a fiscal year.”

What that means is that we are going to go back full circle, because that is in effect what the policy, the practice and the law was in Ontario for the first 120-some years since Confederation. That is the way the law read, that governments consistently tried to come up with a balanced budget unless circumstances would not allow for them to have a balanced budget. The Liberals are going back to where we were before and, quite frankly,

where any government should be going, because you cannot bind a government in the first year of its mandate to a balanced budget. You cannot expect, through good political practice, that they will follow that throughout the mandate.

That is what we expect of politicians. We do not expect politicians to make irrational, crazy promises during the heat of a campaign which they should know full well, and which I believe they did know full well, could not be met during the course of their mandate.

Now we have a motion here today put forward by the member for Oak Ridges that says you should do what you promised to do. How can anyone disagree with that?

Interjection.

Mr Prue: And hold the referendum. How can anyone disagree with that? You promised to do it.

On the other hand, I have to be rational and I have to be reasonable. I never expected you to do it. Maybe the public expected you to do it, but people who were around this House and who knew the political realities and the economic realities of Ontario knew you could never do it and that you had no intention of doing it.

Mr Klees: They could have a referendum tomorrow. You know that.

Mr Prue: Yes, they could have a referendum tomorrow. Yes, I agree they could have, but I also know—

Mr Klees: That's all I'm saying.

Mr Prue: Yes, I know what you're saying and I agree with what you're saying, and I'm probably going to vote for your motion.

Mr Klees: Thank you.

Mr Prue: But I want to tell you, because I think this government should have to be bound by the promises they made. People expect that. But the reality is that you're going to go back in Bill 84, which I assume is going to be passed this year—probably not till the fall, but certainly in time for the next budget debate, when you probably will again not balance the budget because there are many pressures there that seem to indicate to me that it cannot be done in the second year of your mandate as well. You are going to pass this to make sure you're not asked this same question next year.

The reality is that this is a political motion, which I wanted to finish with. This is a political motion being put forward by a member of the official opposition to embarrass the government, and quite frankly, you should be embarrassed. You should be sitting over there saying, “Why did I do something as foolish as I did? Why did I allow my party to make promises that could not be met? Why did I support a bill initially which is going to hamstring me? Why, oh why, am I here? How, oh how, can I get out of it?” You've answered that by introducing Bill 84, and we know how you're going to get out of it. But the reality is that this government has a lot to answer for.

I've only got three minutes left, but I am going to sit here in rapt attention as speakers from the governing party stand up and explain why they should not follow what they promised to do in the last election. I am going

to sit here in rapt attention as speaker after speaker tries to blame the former government for having run a deficit.

There's no doubt in my mind that they ran that deficit. There's no doubt that Mr Peters was right in his report. But there is also no doubt in anyone's mind in this Legislature that you should have known the reality of what you were going into. You should have known the reality. Certainly Gerry Phillips knew it. Certainly—

Mr John Wilkinson (Perth-Middlesex): He didn't know it.

Mr Prue: He knew it.

Mr Wilkinson: He speculated.

Mr Prue: OK, he speculated, but you should have been watching that speculation. You should have listened to that man who sat on the finance committee for years and certainly was the voice and the conscience of your party. You chose not to do it because you wanted to see the world in rose-coloured glasses. It's going to be very interesting in the next little bit to see how you explain away all of this, because I will tell you, going from door to door, as I am wont to do, even helping my federal friends, the biggest issue at the door in this federal election is the provincial health tax. That's the biggest issue in the—

Mr Lou Rinaldi (Northumberland): You're knocking on the wrong doors.

Mr Prue: No, I'm knocking on doors in Beaches-East York, and the single biggest issue as I go from door to door is the provincial health tax and the fact that they believe this government, this newly minted government, was not brutally honest with the people. They feel they were misled. The reality is that they were expecting something very different than what they got.

In conclusion, having listened so far to the debate, having listened to what the member from Oak Ridges had to say, and in an attempt to bring some kind of—I don't know—some kind of contrition to this government, I think we need to hear what they have to say. If they do not have a firm rationale for not holding the referendum, I believe they should be bound by their very words, and I'm going to ask them to bind themselves. If they want to stand up and say that they are not going to be bound by those words, that they are not going to be beholden and that they are in fact going to change the Taxpayer Protection Act—which they have, up until this time, always supported—then they are going to have to explain and convince the people of Ontario why Bill 84 is the new answer, why they have gone full circle back to the way governments operated before 1999, and why that bill is going to give some kind of guarantee to the people of Ontario that they are good for their word, that they will do everything possible to balance their budget and that they will not continue to waste taxpayers' funds.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join in the debate with my colleague from Oak Ridges on his bill, which I think is a very appropriate bill. Frank Klees is a man of integrity, and I can tell you that this is an issue all about integrity.

It's about accountability and it's about what happened in the previous election.

Prior to the election, the Taxpayer Protection Act, 1999, was passed by this Legislature with full approval of the Liberal official opposition at that time. We know, as the member has stated, that during the campaign it was very clearly stated by the Premier, in writing and verbally, and recorded, that he was not going to increase taxes. In fact, what he implicitly said was that he was not going to do anything to the Taxpayer Protection Act, 1999.

If he had said to the public, who were looking for full information in terms of how they were going to cast their ballot, that he was going to repeal the Taxpayer Protection Act and that he was going to do the things that have currently occurred with respect to the OHIP premium, which is now viewed and is clearly set in statute as a tax that is going to be collected through the Income Tax Act, I think the public would have had a much clearer and more transparent view of what was happening out there in terms of what the Liberal government of the day was running on. But, as we know, that wasn't the case. What we're faced with now is legislation to repeal the Taxpayer Protection Act with respect to making sure that the tax premiums can come into place. So the OHIP tax premium for the public comes into place July 1 of this year. It's going to be collected off your wages. It's going to be collected off pensioners' pensions. It's going to be a tax. It's going to be something that people are not going to be happy with, because we did get rid of the OHIP premium back in 1989 and it was brought back in without consultation by this government. All the member from Oak Ridges is asking for is accountability to make sure this doesn't come in without going to the public with respect to what they want.

1140

I also want to refer to an article by Linda Leatherdale in today's Toronto Sun, where she's quoted about this health tax. She says:

"First, it's not a health premium; it's an income tax that will be deducted from our paycheques under income taxes, so we will never know how much is actually the health levy.

"We do know, thanks to the ... budget, that how much we pay a year goes from \$300 on incomes of \$25,001 to \$36,000; \$750 on incomes of \$72,601 to \$200,000, and \$900 for incomes over \$200,000—all while important services like eye exams, physiotherapy and chiropractic treatments are delisted," and, in effect, privatized.

"Yet how do we know this new tax revenue will go to health care, as McGuinty promises us?....

"And, just how many health taxes do we need in Ontario—especially when leaders fighting for the Prime Minister's seat are promising more health care dollars.

"In Ontario, we're already paying the Fair Share health levy, and employers with payrolls over \$400,000 are paying the employer health tax (EHT).

"But it gets worse: A circular by Mercer Human Resource Consulting warns the Liberals are hoping to

squeeze another \$1.24 billion from Ontarians in the next four years by hiring more tax auditors to make sure we don't cheat."

Now, I know that's something that the Liberals didn't fib about during the campaign. They basically indicated to the public that they were going to be hiring more tax auditors because they wanted to make sure they got their fair share of taxes. What we're going to see is a campaign to ensure that taxes of fair-minded Ontario citizens of all accounts are going to be hounded by the tax office. So we're not only going to have increased taxes; we're also going to have a campaign of going after taxpayers in terms of getting as much money into the government coffers to do who knows what.

The bottom line, in closing, is that the member from Oak Ridges has it right. We have a problem here of accountability. We have a government that is now changing legislation to fit their mandate. They should have said what they were doing during the campaign. I can guarantee you, there would have been a different view from the public with respect to this government's mandate.

Mr Wilkinson: I want to speak briefly to this bill, because there's just one simple point I have to make. I read the member from Oak Ridges' bill. In it, he says that the reasons for us to pass his bill "include protecting the right of the taxpayers of Ontario to receive government that is fiscally prudent and accountable to them, and ensuring the integrity of the political process...."

Mr Speaker, I want you to know that the member from Haldimand-Norfolk-Brant said something that was unparliamentary. I don't want to go into the weeds; all I can tell you is that I know the word "hypo" is parliamentary and I know the word "critical" is parliamentary. Those two words, "hypo" and "critical," are both parliamentary. Maybe the combination of those words is not parliamentary, but "hypo" and "critical" are both parliamentary terms. There are some critical hypos in Ontario, when we find out that the previous government is walking in here and telling us that somehow this is fiscally responsible.

There is a grand urban myth that has been promoted across the land that the Leader of the Opposition of the day—my leader, Dalton McGuinty—was somehow supposed to know about the fiscal state of the books coming out of that famous Belinda budget over at the Magna plant that never went through this House; that somehow he, and only he, was supposed to know the fiscal state of the balance of this province; that the Premier of Ontario, Mr Eves, and the Minister of Finance, Mrs Ecker, didn't have to know that there was a secret \$6.2-billion deficit but the opposition was somehow supposed to know this. So for my friend the member from Oak Ridges to come in here and say, "We have this sheen, this patina, of respectability, and we are the people in charge of setting this higher standard"—I can't believe that. I think there are critical hypos all across Ontario on that grand urban myth.

I'm a certified financial planner and I can tell you that the Taxpayer Protection Act gives a perverse incentive to government to spend money. It doesn't say to govern-

ment, "If you're having a good year, put a little aside for a rainy day." What it says is, "You'd better spend all the money. Don't put it down against any deficit and save the interest and save the cash flow." I tell people to pay down their debt. Instead, this bill says that government should spend all the money. So we saw this drunken spending of money at the end of the last term of the dying government of the day, the Harris-Eves government, and what did we end up with? We ended up with critical hypos all across the province.

I can tell you that as a member of the government I won't be supporting this bill, despite my friendship with the member from Oak Ridges.

I want to leave good time for my fellow member the member from Ottawa-Orléans just to deal with this issue itself.

Mr Phil McNeely (Ottawa-Orléans): Mr Speaker, I'll be sharing my time with the member for St Catharines.

I'm pleased to rise today to speak against Bill 85. Tough decisions were needed to clean up the mess left to us by the former government of Ontario. Imagine, in good times, in spite of former Minister Ecker saying to the estimates committee on June 2, 2003, according to the Hansard record, that they would be paying down debt of \$5 billion and that they would have a balanced budget in 2003-04—and that was one quarter of the way through that year—what they did was leave a deficit of \$6 billion. They were \$6 billion out, plus what they intended to pay down on the debt.

If we go by the record of that legislative committee, the standing committee on estimates, our member Mr Phillips chased the Minister of Finance through about eight pages trying to get her to tell us what the assets were that the government was going to sell. Of course, she couldn't come up with any assets that they were going to sell that they were going to balance the budget with. And of course, it wasn't \$2.2 billion that they were missing, as she said; it was over \$6 billion.

In good times, Conservatives added \$25 billion to the debt of Ontario, and at the same time our Prime Minister Martin paid down the Canadian debt by over \$50 billion. This government took on \$25 billion worth of additional debt while the federal government, properly run, paid down \$50 billion.

In addition to the additional debt taken on in the eight years of Tory government—and this interests me, as an engineer—the schools need \$8 billion worth of maintenance. Roads and bridges: You didn't realize that when you were Minister of Transportation, but roads and bridges require \$6 billion. It's true. They're unsafe; they became unsafe through your eight years. We have a lot of things. Energy generation was set back eight years by the minister of lost generation, who is my neighbour in Nepean-Carleton. He put the province into the dark ages. Remember last August. You bled the infrastructure of this province at the same time.

You left us a mess. I think we could call this bill the "clean up the Tory fiscal mess act." That would be the

proper name for it. We're going ahead, cleaning up your mess, and we had to do it through Bill 83.

Ms Laurie Scott (Haliburton-Victoria-Brock): I'm pleased today to rise to speak in favour of Bill 85, introduced by my colleague from Oak Ridges. The intent of the bill is very simple, for you people over on the other side. It would create a reset mechanism that would override Premier McGuinty's attempt to rewrite the Taxpayer Protection Act to bypass the referendum requirement. Taxpayers would be eligible for a refund on any money collected prior to the required referendum.

I know the members opposite, at least those who showed up to vote in favour of their budget—there are at least a few of you over there who felt a few qualms about renegeing on your promise to abide by the Taxpayer Protection Act, especially the ones who here before October 2, who voted at one point in support of the act.

The Taxpayer Protection Act provisions requiring a referendum could easily have been met. When the firestorm erupted because of your unwillingness to stand by your promises, you could have responded quickly by saying you were prepared to take the issue to the people. Who knows what may have happened? You might have won—I somehow doubt it—but we're never going to know.

1150

Back in October of last year, it was quite an age of innocence here at Queen's Park. You hadn't yet begun to break your campaign promises. You also introduced the democratic renewal secretariat, to great fanfare. I'm going to read a quote from an October 23, 2003, press release from the Premier's office: "It's time to restore people's faith, bring our 19th-century democratic traditions into the 21st century and bring citizens—especially young people—back to the centre of politics."

This, of course, was before your government broke faith with the people of Ontario, breaking promise after promise. Your press release spoke of "consulting with the people of Ontario," and you're not going to consult with the people of Ontario. That was one of your central planks in your election campaign. You claim to have a mandate for change, but I don't think the people who voted for you could possibly have envisioned your total disregard for their desire that taxes not be raised. That's what I hear at the doorsteps.

All the while the finance minister was starting to plan how to backtrack from one of the signature promises of your campaign. You can toss numbers around all day and discuss who knew what and when they knew it and how big the magical increasing deficit really was, but it's clear to even the most casual observer that your leader, in the middle of the campaign, signed the taxpayer protection pledge.

Eight years of having a government that kept its word might have played a part, too. Taxpayers across the province thought your word would be your bond. Part of that promise you made to the people of Ontario was that you would hold a referendum if you planned to raise taxes.

I think everyone in the House would agree that it is important to protect the rights of our taxpayers of Ontario. It's one of the reasons our constituents sent us to this place. Ontarians ought to be able to expect that their government will be fiscally prudent and accountable to them. The government of Ontario ought to keep its promise on fiscal matters. What can be wrong with that? If you're going to raise taxes, you should, as you promised during the election, go to the people of Ontario and ask for their permission.

The increase in taxes, user fees and the delisting of health services are all of critical importance to thousands of Ontarians and will ultimately put a financial strain on our working families the likes of which we have not seen in over a decade.

People across the province, across my riding, would like to have a chance to let your government know what they think of your budget and what they think of your new health care premium. People are going to have to make changes in their lifestyles in order to pay.

I want to share with you the other wrong-headed decision, the decision the government used to delist medical services. In the Lindsay Post today, "Optometrist Says Delisting Will Increase Wait Times." I thought your goal was to decrease wait times. Dr David "Stone has joined the Ontario Association of Optometrists in urging the provincial government to change its mind regarding delisting the services...."

I want to stand in support of this bill today. I know I'm running out of time, but more people from my riding—Joyce Bartley from Norland needs a chiropractor and will be missing work. Long-term pain in their pocketbooks; long-term physical pain. No matter what you want to spin in your budget, it's not long-term gain, it's short-term gain. It's less health care, fewer services, and we're paying more.

The Liberal election platform documents state, "We will live by the balanced budget law," and, "We will comply with the Taxpayer Protection Act and balanced budget legislation, not bend the law at whim." These are very good sentiments we should be paying attention to here today. I urge you to join in supporting the bill from the member from Oak Ridges.

Hon James J. Bradley (Minister of Tourism and Recreation): I remember so well the Magna budget where the Conservative government said they had a balanced budget and wanted the people of this province to believe it. I must recognize that they have more nerve than a canal horse to be bringing forward a resolution of this kind today. I well recall that when the Liberal plan was developed, the Premier of this province of today was obsessive about the fact that the budget should be balanced and that there would not be a need for tax increases. He based that, even taking into consideration that there might be a \$2-billion deficit.

I agree with John Tory, the candidate running for the leadership of the Conservative Party, who says that the previous government should have been honest about the financial situation in the province.

This is what some credible people had to say. This is after the Provincial Auditor, who is completely neutral, came in and said, "By the way, the budget isn't balanced. It's a \$5.6-billion deficit at least, and there are other hidden deficits at hospitals and family and children's services," and things of that nature that would bring it to over \$6 billion.

Based on the plan of the previous government, even with a \$2-billion deficit built in—in other words, not believing they had a planned budget—David Hall, Vista Economics, former senior economist, Bank of Montreal, said, "...in my professional opinion, your fiscal plan produces at least balanced budgets and a prudent reserve every year."

Jack Marmer, forensic accountant: "I conducted a detailed, line-by-line review with your staff. To do this, I spent about 70 hours. I agree both with their methodology and the costs determined as a result of the application of that methodology...."

Warren Jestin, senior vice-president and chief economist, Scotiabank: "After examining the program details, I believe that it is a workable plan for our province ... your commitment to balancing the budget is both reassuring and an essential ingredient in successful long-term fiscal planning."

All of these individuals looked at the Liberal plan that was developed very carefully, even building in the fact that the government might be fudging its figures by some \$2 billion. On that basis, it would not have called for a budget to be unbalanced—in other words, a deficit. It would not have called for the need for any new revenue measures on the part of this government.

By opening the can, we find it's a can of worms that the previous government has left. I've heard the term "liars" applied on many occasions. I'm not implying it. I've heard the term "liars" applied—

The Acting Speaker: I'd ask the Minister of Tourism and Recreation to withdraw. You can't say indirectly what I wouldn't allow you to say directly.

Hon Mr Bradley: The people who have not provided the accurate information for this province are in fact—

The Acting Speaker: The minister for—

Interjection.

The Acting Speaker: I'll give you extra time. The minister has not yet withdrawn what I asked him to withdraw.

Hon Mr Bradley: Thank you very much, Mr Speaker. I have withdrawn that.

Those who have provided inaccurate information in this province are in fact those who were part of the previous government. That is why we're in the financial jam we're in in the province of Ontario. You have more nerve than a canal horse over there to be critical of this government.

The Acting Speaker: You have two minutes to reply, member for Oak Ridges.

Mr Klees: In the dying hours of this legislative session, we've heard from the Liberal members opposite. They are reaffirming with the people of this province that

they care nothing about the truth and that they are going to continue to justify to the people of this province—I listened to speaker after speaker, and instead of acknowledging the fact that they should have kept the law, they have made light of what is taking place in this House.

They are going back to their constituencies over the summer. They will find out from their constituents. If they don't want to listen to us here in the House, they'll hear it on the doorsteps and they'll hear it at the picnics they go to that the people of this province have lost trust in them.

By listening to the debate here today, what we have heard is such an absolute lack of integrity that the people of this province will send a very strong message. I'm disappointed, I'm extremely disappointed, because they have an opportunity to take a stand.

Nothing in this bill speaks to the fact of a deficit. What this bill simply states is the one promise this government could have kept, and that is simply to go back to the people of Ontario with a referendum asking their opinion, which is what the law states. That is it. It costs you nothing. But you've refused to do even that.

Once again, you've broken the law, you've broken trust, you've broken faith. The people of this province will not forget.

The Acting Speaker: The time provided for private members' public business has expired.

GASOLINE CONSUMER PROTECTION ACT, 2004

LOI DE 2004 SUR LA PROTECTION DES CONSOMMATEURS D'ESSENCE

The Acting Speaker (Mr Ted Arnott): We will first deal with ballot item number 29, standing in the name of Mr Crozier.

Mr Crozier has moved second reading of Bill 80, An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies.

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

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Pursuant to standing order 96, the bill is referred to the committee of the whole House.

Mr Bruce Crozier (Essex): I ask consent that the bill be sent to the new justice policy committee.

The Acting Speaker: Shall the bill be referred to the standing committee on justice policy? Agreed?

All those in favour of the question will please rise and remain standing.

The majority is in favour. The bill is referred to the committee on justice policy.

TAXPAYER PROTECTION
AFFIRMATION ACT, 2004

LOI DE 2004 CONFIRMANT LA
PROTECTION DES CONTRIBUABLES

The Acting Speaker (Mr Ted Arnott): Now we deal with the second ballot item, ballot item number 30.

Mr Klees has moved second reading of Bill 85, An Act to affirm the Taxpayer Protection Act, 1999.

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

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

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

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

The division bells rang from 1202 to 1207.

The Acting Speaker: All those in favour of the motion will please rise one at a time and be counted.

Ayes

Barrett, Toby	O'Toole, John	Sterling, Norman W.
Hardeman, Ernie	Prue, Michael	Tascona, Joseph N.
Klees, Frank	Runciman, Robert W.	Witmer, Elizabeth
Miller, Norm	Scott, Laurie	Yakabuski, John

The Acting Speaker: All those opposed will please rise one at a time and be counted.

Nays

Arthurs, Wayne	Gerretsen, John	Peters, Steve
Berardinetti, Lorenzo	Gravelle, Michael	Phillips, Gerry
Brown, Michael A.	Lalonde, Jean-Marc	Pupatello, Sandra
Brownell, Jim	Leal, Jeff	Ramal, Khalil
Caplan, David	Levac, Dave	Rinaldi, Lou
Colle, Mike	Marsales, Judy	Sandals, Liz
Craitor, Kim	McMeekin, Ted	Sergio, Mario
Crozier, Bruce	McNeely, Phil	Smitherman, George
Delaney, Bob	Milloy, John	Van Bommel, Maria
Di Cocco, Caroline	Mitchell, Carol	Watson, Jim
Duncan, Dwight	Mossop, Jennifer F.	Wilkinson, John
Fonseca, Peter	Parsons, Ernie	Wynne, Kathleen O.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 12; the nays are 36.

The Acting Speaker: I declare the motion lost.

All matters relating to private members' public business having now been completed, I do now leave the chair. The House will resume sitting at 1:30 pm.

The House recessed from 1209 to 1330.

MEMBERS' STATEMENTS

STUDENT BUSING

Ms Laurie Scott (Haliburton-Victoria-Brock): I rise today to draw your attention to a matter that I believe the Minister of Education needs to address. We wrote him to express our support for the students and families of Carden and Dalton in their efforts to continue to send

their children to schools within the Simcoe County District School Board.

On March 9, Garfield Dunlop and I wrote to the minister, asking for help to resolve the student busing issue. We asked the minister for assistance. We asked him about a 2003 regulation, introduced by the Progressive Conservative government, that was to be reintroduced and considered by cabinet this past spring.

On May 3, I asked the minister a question in the Legislature. He replied, "I undertake to the member opposite that we are exploring that now and will report back to her further on our success, in terms of both dialoguing with the board and looking at how provincial rules may have brought a part of this situation about."

Garfield Dunlop has also been working very hard to try to resolve the matter for students. He has also risen in this House to mention it on several occasions.

It is now June 24, and still we have heard nothing from this minister. The parents and school boards have heard nothing from this minister. Calls to his office have only confirmed for us that our letter has been received and a response is being worked on.

It is time to start putting students first. The parents, students and school boards are all waiting for the minister to respond. It has been almost four months. The school year is drawing to an end and still nobody has any more information than they did in March.

ONTARIO RANGERS

Mr Jeff Leal (Peterborough): It's my pleasure to rise in the House today to announce that 2004 marks the 60th anniversary of the Ontario Ranger program, formerly known as Junior Rangers. I'm pleased to have this opportunity today to extend an invitation to all former Rangers to join me and natural resources minister David Ramsay, who himself is a former Ranger, at the Ranger reunion on August 7 and 8 at Trent University in the wonderful riding of Peterborough.

Since 1944, more than 75,000 young Ontarians have spent a memorable summer working as Rangers. I'm sure there are members in this House today who enjoyed that experience. For many young people, working at a Ranger camp was their introduction to Ontario's wilderness. It was where they first witnessed the beauty and power in nature and learned the concept of resource stewardship. For most, it was an unforgettable lesson in the importance of nature and a healthy environment. For some, it was a life-changing experience that sent them on a path to a career in resource management.

Today, the program provides close to 400 job opportunities every summer for 17-year-old high school students. Today's Rangers can be found working in provincial parks and on ministry forestry, fish, wildlife and mapping projects right across Ontario. They plant and prune trees. They clear trails, build campsites and help restore fish and wildlife habitat. Many of us who enjoy Ontario's outdoors benefit from their work every year.

We should all be proud of this program and its continued commitment to providing job opportunities and unique work experiences for Ontario's young people. The spirit and enthusiasm that has kept the Ontario Ranger program going for 60 years has helped strengthen our communities, our environment, our lakes and rivers, our fish and wildlife habitat and our air and water quality.

I trust that 60 years from now, this wonderful program will still be providing generations of young people with a better understanding of and appreciation for the magnificent natural heritage of our province.

PKU AND FABRY'S DISEASE

Mrs Elizabeth Witmer (Kitchener-Waterloo): PKU and Fabry's disease are two severe health conditions that affect Ontarians and create extreme financial hardship because of the cost to cover medicinal and dietary patient needs.

PKU is a rare metabolic disorder that causes a chemical imbalance in the blood sufficient to result in permanent damage to the brain. Since 1965, screening for PKU has been provided to all newborns within the first 28 days of being born. Since then, the province has instituted legislation that provides funding for medicines and the special diets for those with PKU up to the age of 18. However, this does not recognize the fact that even past the age of 18, persons with PKU still need to stay on this diet or they will become ill. It is not reasonable to expect persons with PKU to be able to afford the \$28,000 per year in medicinal costs for PKU drugs.

The application for extended coverage of PKU beyond the age of 18 has been submitted to the Ministry of Health and Long-Term Care. They were told they would receive a response by the end of March, and as yet they have received no response.

Fabry's disease is a rare genetic disorder that results in stroke, cardiac arrest and kidney failure. The government has committed to fund it until June 15, and again, no response.

I would urge the Minister of Health to demonstrate compassion and let the people with PKU and Fabry's disease know about the funding arrangements.

GAY PRIDE WEEK

Ms Marilyn Churley (Toronto-Danforth): This is Gay Pride Week. I look forward, as I always do, to the dyke parade on Saturday and the big parade where millions of people come out on Saturday, and to the church. Jack Layton will be there; our leader, Howard Hampton, I believe will be there; and David Miller, our mayor, will be there. Of course, it's also the day when Brent Hawkes from the Metropolitan church holds a big service on the street. As always, it's very inspiring. The Metropolitan church is in my riding, and I must say I would invite anybody to attend a service at this church.

I want to point out to the government as we enter into Pride Week that it's been a year plus some weeks since

the Halpern decision in recognition of same-sex spousal marriage, but the Attorney General, after promising, I understand, has yet to see to it that dozens of Ontario statutes are amended to reflect this landmark court decision. I would say to the government, just get on with it. You have the New Democratic Party's full support and, I would hope, the Conservative Party's support as well.

The other thing is the government's last-minute intervention in the Hislop ruling, in which it is siding with the federal Liberal government and saying that CPP survivor benefits for same-sex partners should not be retroactive to April 1985. That's the time when many partners of many of our friends died tragically from HIV and AIDS. They should not be doing this, and I hope they will reverse their decision.

Happy Pride Week to everybody.

SAUNDERS SECONDARY SCHOOL

Mr Khalil Ramal (London-Fanshawe): I want to stand today in this House and offer my congratulations to the staff and students of Saunders Secondary School in London, Ontario, on the recent success of their cancer society fundraiser.

In April and May of this year, the students of Saunders Secondary School took part in the school's annual Canadian Cancer Society fundraiser. Three years ago, the students raised \$10,000; last year, they raised \$20,000; and this year, led by Saunders teachers Jamie Clark and Michael Deeb, and student organizer Brynne Gilmore, the school was able to raise \$44,000 for the cancer society.

They raised the money through classroom competitions, student-teacher basketball games, and shop students did oil changes for \$40 apiece. As well, the school raffled off a 2004 Pontiac Sunfire provided to the school by the Brian Finch Pontiac Buick GMC dealership of London.

I'm glad our government is committed to helping students like those at Saunders succeed through student success rescue teams so that more students can take a leadership role in their school and help create opportunities and build stronger communities.

I congratulate everyone at Saunders school on their amazing campaign results and thank them for helping to fund the research needed that will some day lead to a cure for cancer.

1340

DISTRICT OF MUSKOKA

Mr Norm Miller (Parry Sound-Muskoka): On Monday, my riding of Parry Sound-Muskoka played host to Paul Martin, Prime Minister of Canada. Mr Martin said that as a child he looked forward to coming to Muskoka, and he went on to say, "As far as I'm concerned, when I came up here, I was coming to northern Ontario ... unless there has been some tectonic shift in

the pre-Cambrian plates, I am still, as far as the federal government and of all our programs are concerned, in northern Ontario.” He added, “I don’t agree with that decision and I am certainly prepared to do whatever I can to help in that [regard].” Of course, the Prime Minister was referring to the McGuinty government’s politically motivated decision to remove Muskoka from the north.

I would like to point out that in the district of Muskoka, the average family and individual incomes are third lowest of all the ridings in northern Ontario and \$10,000 below the provincial average.

We don’t have any large mining and forestry operations in Muskoka. In fact, we’ve had two major manufacturers close their doors in the last three and a half years. Yet the Minister of Finance insists that Muskoka is part of the vibrant economy of southern Ontario.

Well, this is what one of my constituents wrote to me: “As a professional woman with 20 years’ experience in Toronto and income to match, I figured I could make a go of it and realize my dream of moving home to Muskoka to be near my family. I was warned, but I refused to believe that it was still as badly depressed as it was when I was growing up. Things had to have changed since I left in 1979. I was so wrong.”

Premier, on behalf of all the people who work and live in Muskoka, on behalf of the more than 8,000 people who have signed my petition, I ask you to reconsider this politically motivated decision.

STUDENT ACHIEVEMENT

Mr Lou Rinaldi (Northumberland): It’s with extreme pride and honour that I announce in the House today that in my riding of Northumberland four students have been awarded the 2004 Canada Millennium Scholarship Foundation Excellence Awards. This year’s recipients are Chris Berrigan of St Mary’s High School in Cobourg, Elaine Cortesis of CDCI West in Cobourg, Kristin Elizabeth Anderson of Trinity College School, and Alexander Sculthorpe of Port Hope High School. One of these students, Chris Berrigan, is also my youth liaison person to assist me in my riding with youth issues.

These scholarships are awarded based on community involvement, demonstrated leadership abilities, innovative thinking and academic achievement. This is an exceptional achievement. I know I speak on behalf of all members of this House when I say it’s with great honour that I convey congratulations to these four outstanding graduates. Each should be extremely proud of their accomplishments.

On Monday, June 28, the recipients will be honoured at an official reception hosted by the Honourable James K. Bartleman, Lieutenant Governor of Ontario. These students are fine examples of our next generation. They provide hope. That is why our government is committed to providing students with the foundation and tools necessary to succeed in life. That is why we are reducing class sizes in JK to grade 3. That is why we launched

pilot projects to assist students with literacy and numeracy. We said we’d do it, and we’ve done it.

ST AGATHA SEPARATE SCHOOL

Mr Lorenzo Berardinetti (Scarborough Southwest): On Friday, June 11, I had the opportunity to visit St Agatha Catholic school in my riding of Scarborough Southwest. St Agatha school was built in 1965. It is the seat of the French immersion program for south Scarborough. It also boasts of many academic, athletic and artistic achievements. St Agatha has great staff, great students and a great parent committee.

However, cuts to school boards by the previous government have left the school crumbling. It is overcrowded. It houses 460 students where half are schooled in portables that are in a poor state on their own. Many students travel between the portables and the main building to use the bathroom or the library, often unsupervised, which places children in an unsafe and unsecure environment. Speaking of bathrooms, there are only two to serve the entire population. The water quality in the school is poor and taps are left open for 30 minutes every morning just to get clear water. There is little ventilation, as many windows do not work properly, nor is there air conditioning.

I was shocked to see the state St Agatha is in. However, I can say that I am pleased the Dalton McGuinty government is committed to assisting school boards across the province to finance school renewal. Schools in a poor state, such as St Agatha, will be able to access a \$200-million amortization fund in order to repair the roof, improve their water taps, upgrade computer networks, fix windows and walls, and build more washrooms. These improvements will undoubtedly help our children to learn in a safe and secure environment and will lead to better student achievement.

GOVERNMENT’S RECORD

Mr Dave Levac (Brant): I’m honoured to stand in the House today to speak about the achievements of this government in just eight short months. At the end of this session, I can say with confidence that we are only beginning to implement the agenda of real, positive change.

Our first budget will shorten wait lists and deliver improved health care for all Ontarians: shorter wait times in the area of cancer care, hip and knee replacement and cataract surgery, as well as new MRIs and CT scanners. The McGuinty government is providing enhanced funding for long-term-care facilities to the tune of \$406 million just in 2004-05.

We’re investing an additional \$2.6 billion in public education over our government’s mandate. We’re increasing the number of turnaround teams for struggling schools from 42 to 100. We have frozen tuitions and now we’ve committed to compensating post-secondary institutions during that freeze. We are delivering enhanced

funding for OSAP to improve access to student loans for more than 50,000 students. We've eliminated the private school tax credit. We called on school boards to place a moratorium on school closures.

We're taking steps to ensure that our children receive a first-rate education while our parents can receive quick and accessible health care services when and why they need it. We're delivering real improvements for our children, our families and our friends, and I applaud this government's commitment to a better quality of life for the people of Ontario.

INTRODUCTION OF BILLS

GAS PRICE WATCHDOG ACT, 2004

LOI DE 2004

SUR L'AGENT DE SURVEILLANCE DES PRIX DU CARBURANT

Mr Gravelle moved first reading of the following bill:

Bill 115, An Act respecting the price of motor vehicle fuel and the appointment of a Gas Price Watchdog / Projet de loi 115, Loi concernant le prix du carburant pour véhicules automobiles et la nomination d'un agent de surveillance des prix du carburant.

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

Mr Michael Gravelle (Thunder Bay-Superior North): The purpose of this bill is to ensure that retailers, wholesalers and manufacturers of motor vehicle fuel are accountable to the public with respect to the pricing of fuel. This legislation will have a positive impact all across the province, but it is particularly needed in northern Ontario. This morning in Toronto, gas could be bought for 72.5 cents a litre, while in Thunder Bay it was almost 89 cents a litre and in Marathon it was 95 cents a litre—a massive price discrepancy that cannot be justified.

My bill would establish the Office of the Gas Price Watchdog, which would monitor, investigate and report to the Minister of Energy on pricing practices in the province with respect to motor vehicle fuel and could conduct inquiries into pricing practices on the order of the minister.

Clearly, this is legislation that is needed, and I hope it continues to receive the support of the House and our government as it proceeds through the legislative process.

DENTAL HYGIENE AMENDMENT ACT, 2004

LOI DE 2004

MODIFIANT LA LOI DE 1991 SUR LES HYGIÉNISTES DENTAIRES

Mr Flaherty moved first reading of the following bill:

Bill 116, An Act to amend the Dental Hygiene Act, 1991 / Projet de loi 116, Loi modifiant la Loi de 1991 sur les hygiénistes dentaires.

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

Mr Jim Flaherty (Whitby-Ajax): I've introduced this bill to remove the restriction that currently prohibits dental hygienists from cleaning a patient's teeth without first having to obtain a dentist's order. This will allow more people in Ontario to obtain affordable and accessible oral hygiene care. It is particularly important for residents in long-term-care facilities, non-ambulatory residents of rural and remote areas and individuals without private dental insurance.

The recommendation of the Health Professions Regulatory Advisory Council, which is the government's own advisory body, was that this restriction be removed. This was supported by none other than Dalton McGuinty in a letter he wrote to the dental hygienists on September 29, 2003. For that reason, I'm sure all the members opposite will support my bill.

1350

LOI DE 2004

SUR LE STATUT BILINGUE DE LA VILLE D'OTTAWA

OTTAWA IS A BILINGUAL CITY ACT, 2004

M. Bisson propose la première lecture du projet de loi suivant:

Projet de loi 117, Loi prévoyant une politique sur les langues française et anglaise pour la ville d'Ottawa / Bill 117, An Act to provide for an English and French languages policy for the City of Ottawa.

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

M. Gilles Bisson (Timmins-Baie James): Comme on le sait, aujourd'hui, c'est la Saint-Jean-Baptiste, la journée où les francophones à travers le Canada ont la chance de célébrer la francophonie de ce pays. Ce projet de loi est pour s'assurer que le gouvernement libéral garde les ententes et les promesses qu'ils ont faites dans l'élection le printemps dernier pour accepter que la ville d'Ottawa devienne une ville officiellement bilingue.

Avec ça, je demande le consentement unanime que le projet de loi soit passé, deuxième et troisième lectures, aujourd'hui, maintenant.

The Speaker: Mr Bisson has asked for second and third reading. Is it the—I heard a no.

Hon Dwight Duncan (Minister of Energy, Government House Leader): I seek unanimous consent to move the following motion without notice and to have the question be put on the motion without debate or amendment:

That the following committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party

whips and tabled with the Clerk of the assembly to examine and inquire into the following matters:

Standing committee on estimates to consider the estimates of certain ministries;

Standing committee on finance and economic affairs to consider certain legislation referred to it;

Standing committee on general government to consider certain legislation referred to it;

The Chair of the standing committee on the Legislative Assembly, one committee member from each recognized party and the clerk to adjourn to Salt Lake City, Utah, to attend the annual meeting of the National Conference of State Legislatures;

Standing committee on public accounts for the purpose of report writing, and that the Chair, one committee member from each recognized party, the clerk and research officer be authorized to adjourn to Fredericton, New Brunswick, to attend the annual Canadian Council of Public Accounts Committees conference;

Standing committee on social policy to consider certain legislation referred to it; and

That the committees be authorized to release reports by depositing a copy of any report with the Clerk of the assembly during the summer adjournment, and that upon resumption of the meetings of the House, the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

The Speaker: The government House leader has asked for unanimous consent. Do we have unanimous consent? No.

Motions?

Hon Mr Duncan: Mr Speaker, I seek unanimous consent to move the following motion without notice and to have the question be put on the motion without debate or amendment:

That a select committee on the five-year review committee final report reviewing the Securities Act (Ontario) be appointed to fulfill the review; consultation and reporting obligations set out in section 143.12(5) of the Securities Act, and specifically the priority recommendations, as set out in the five-year review committee final report reviewing the Securities Act (Ontario), including securities regulation in Canada and a single regulator system and the appropriate structure for the adjudicative tribunal role of the Ontario Securities Commission;

That the committee Chair be a member of the government party and that the Vice-Chair be a member of the third party, and that the three party whips table the names of the committee members, identifying the Chair and Vice-Chair, with the Clerk of the Assembly on or before Tuesday, July 6, 2004, as follows: six to be named by the chief government whip, two to be named by the whip of the official opposition, and one to be named by the whip of the third party;

That the committee have the authority to meet concurrently with the House and during any adjournment of the House;

That, at its discretion, the committee may have the authority to issue interim reports; and

That the committee submit its final report to the assembly on or before Monday, October 18, 2004, and, if the House is not sitting, the committee have the authority to release its report by depositing a copy of it with the Clerk of the assembly and, upon resumption of the sittings of the House, the Chair of the committee shall present the report to the House in accordance with the standing orders.

The Speaker: The government House leader seeks unanimous consent. Do I have unanimous consent? I heard a no.

Hon Mr Duncan: I seek unanimous consent to move the following motion without notice and to have the question be put on the motion without debate or amendment:

That a select committee on emergency powers and disaster management be appointed to review and report on the adequacy of Ontario's emergency management statutes;

That the committee Chair be a member of the government party and the Vice-Chair be a member of the official opposition and that the three party whips table the names of the committee members identifying the Chair and the Vice-Chair with the Clerk of the House on or before Tuesday July 6, 2004, as follows: six to be named by the whip of the government, two to be named by the whip of the official opposition and one to be named by the whip of the third party;

That the committee have the authority to meet concurrently with the House and during any adjournment of the House;

That the committee be authorized to adopt the text of a draft bill on the subject matter of its terms of reference and, where the text of the draft bill is adopted by the committee, it shall be an instruction to the Chair to introduce such bill in his or her name as the primary sponsor; the other committee members who support the bill may have their names printed on the face of the bill as secondary sponsors;

That the committee be authorized to adjourn from place to place in North America;

That the committee submit its final report and introduce its legislation on or before Monday, November 1, 2004, and, if the assembly is not sitting, the committee have the authority to release its report and draft legislation by depositing copies with the Clerk of the assembly and, upon resumption of the sittings of the House, the Chair of the committee shall present the report and introduce its legislation to the assembly in accordance with the standing orders.

The Speaker: The government House leader has requested unanimous consent for the motion as stated. Do we have—we have no unanimous consent.

Hon Christopher Bentley (Minister of Labour): I seek unanimous consent to call the order for third reading of Bill 56, An Act to amend the Employment Standards Act, 2000 in respect of family medical leave and other

matters, and to have the question put immediately without debate or amendment.

The Speaker: The Minister of Labour seeks unanimous consent for the motion. Do we have unanimous consent? We don't have unanimous consent.

STATEMENTS BY THE MINISTRY AND RESPONSES

ALTERNATIVE ENERGY SOURCES

Hon Dwight Duncan (Minister of Energy, Government House Leader): One of the greatest challenges we face as a province is the looming gap between electricity supply and demand. Unfortunately, previous governments failed to plan ahead. As a result, we have been left with an enormous challenge to ensure there is enough electricity to keep the lights on in our province. The McGuinty government is facing up to this situation. We are moving swiftly and responsibly to tackle these challenges instead of running away from them or hiding them or passing them on to our children and grandchildren, and we're doing so in a way that will minimize the environmental footprint we leave to future generations.

A grade 5 class from Owen Public School in North York recently sent me over 60 letters, arguing that we need to replace fossil fuels such as coal with cleaner forms of generation. I've brought these letters with me and I'd like to take a moment to share what some of these young students had to say.

One student writes, "Ontario should think about using alternatives to fossil fuels due to their bad effect on our environment and our health ... it will cost money to develop the technologies but it will be worth doing it in the long run. Think about our Earth, because it's the only one we have..."

Another student added, "We need to make better choices on our energy sources so that Ontario will be a greener and healthier place to live..."

1400

Another student writes, "In my opinion, we cannot depend on fossil fuels for much longer ... they cause pollution which damages the environment and contributes to health problems for humans and animals.... Let's change it before it's too late."

Another student writes, "We should use renewable energy sources so we won't have as much pollution. So please, start using renewable energy sources whenever you can!"

Like these thoughtful young students, the McGuinty government understands that there's no more time to waste. We understand that finding clean, affordable and sustainable sources of electricity must be a top priority for this government. Currently electricity from non-hydro renewable sources makes up less than 1% of our overall

supply mix, even though there is enormous untapped potential in this province.

That's why on April 28 of this year we initiated a call for proposals for 300 megawatts of new renewable energy capacity, opening the door to a significant increase in the amount of clean power sources in Ontario, such as wind, solar, water, biomass and landfill gas.

The response to this call has been no less than astounding: 90 proponents have expressed interest in responding to the call for proposals we put forward. We have received expressions of interest equal to 4,400 megawatts of potential renewable energy supply; 4,400 megawatts of clean, green electricity. That's almost 15 times what we asked for this time around.

This strong interest shows that by encouraging renewable interest, we are attracting new participants to the electricity supply business who are innovative, environmentally conscious and can improve the quality of our air with greener sources of power.

This is not only good for the environment, but it's also good for the economy. By tapping into this wellspring of interest in creating renewable electricity, we are also tapping into a fertile source for job creation and economic growth. This will be the first of many opportunities for renewable electricity providers to come to the table and help us meet our needs.

Given this interest, in the future we will be presented with proposals that will not only help us keep the lights on, but help clean up our air and create new jobs and new opportunities for the people in this great province. The range of proposals we expect to receive will allow us to choose the most viable, cost-effective projects for Ontario's consumers.

There is no doubt that the interest we've received will ensure we exceed our targets of generating 5% of Ontario's total energy capacity from renewable sources by 2007 and 10% by 2010. Achieving these goals would make Ontario a clear leader in the world in encouraging alternative power and greener forms of energy.

There will be even more good news tomorrow when we initiate a separate call for proposals for 2,500 megawatts of new capacity or demand-side management. This represents one third of our government's commitment to replace coal-fired generation. We're moving, and we're going to achieve that target. This will mean jobs and help boost our economy.

Not only are we looking for proposals to build new generation capacity; we're also looking for proposals that will conserve electricity, and, for the first time in this province's history, we will treat them on an equal footing.

These calls for proposals will be conducted in a way that is open and transparent. Prospective bidders and other interested parties can find details on both of our calls for proposals by visiting a dedicated Web site at—I know Mr Bradley will want to write this down—www.ontarioelectricityrfp.ca.

Through these initiatives we're bringing about real, positive change that will mean a better quality of life for

Ontarians. We're cleaning up our air and creating a healthier Ontario. We're properly recognizing the importance and potential for renewable energy and conservation, and we're acting decisively to protect the best interests of the people of this province for today and for future generations to come.

LANGUE ET CULTURE FRANÇAISES
FRENCH LANGUAGE AND CULTURE

L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones): Je m'en voudrais de commencer ma déclaration aujourd'hui sans rendre hommage aux Franco-Ontariens, aux Acadiens, aux Québécois, aux Fransaskois et à tous les grands peuples de la famille canadienne-française en cette fête de la Saint-Jean-Baptiste.

En 2004, nous allons fêter toute l'année partout au Canada parce que nous célébrons fièrement 400 ans de présence française en Amérique du Nord. Je pense que l'annonce de la création de mon comité consultatif provincial sur les Affaires francophones est une excellente façon de souligner le 24 juin. Pendant notre campagne électorale, nous avons promis de créer le comité consultatif provincial sur les Affaires francophones. Aujourd'hui, nous tenons notre promesse.

Notre gouvernement veut entendre l'opinion de la communauté francophone sur les principaux sujets touchant la culture et la langue françaises. Les francophones font partie intégrante de notre province et il faut les écouter.

Le nouveau comité conseillera la ministre déléguée aux Affaires francophones sur l'élaboration des stratégies, l'établissement des priorités et la création des programmes qui touchent la communauté francophone ainsi que sur la planification et la prestation des services en français au sein de notre gouvernement. Il nous aidera également à maintenir un dialogue constant avec notre communauté francophone.

De toute évidence, en écoutant les Franco-Ontariens et les Franco-Ontariennes et en s'assurant qu'ils ont leur mot à dire sur les politiques qui les concernent, nous serons mieux en mesure d'offrir les services qui satisferont à leurs besoins et à nos priorités.

Le comité est composé de 12 personnes qui ont démontré leur engagement à l'égard de la préservation et de la promotion de la langue et de la culture françaises en Ontario. Il est composé d'hommes et de femmes de toutes les régions de la province. Il sera présidé par Donald Obonsawin, un ancien sous-ministre, qui a près de 25 ans d'expérience autant dans le domaine fédéral que provincial.

Très rapidement, je nomme les autres membres du comité: Denise Culligan, Diane Dubois, Rolande Faucher, Colombe Hinse, Norman Labrie, Guy Matte, Jacques Michaud, Florence Ngenzebuhoro, Jacqueline Pelletier, Wesley Romulus et Ryan Paquette. M. Paquette est avec nous aujourd'hui et j'aimerais que l'assemblée lui souhaite la bienvenue.

Monsieur le Président, la présence des Franco-Ontariens et des Franco-Ontariennes en Ontario remonte à plus de 400 ans. Ils ont beaucoup contribué à la vie politique, sociale, culturelle et économique de la province.

J'aimerais aussi remercier toute l'équipe de l'Office des affaires francophones, qui sont ici, et qui par leur dévouement ont travaillé très fort à la préparation du comité. Plus particulièrement je voudrais saluer Serge Bastien, Suzanne Lessard, Daniéla Goldsmith et Gabriel Manseau.

La communauté francophone doit maintenant relever un important défi: survivre à l'assimilation. Notre gouvernement a l'obligation d'aider sa communauté francophone à cet égard.

Il y a près de 20 ans, en 1986, un autre gouvernement libéral a énoncé clairement son intention d'aider la communauté francophone en adoptant la Loi sur les services en français. Dans le préambule de la Loi, le gouvernement reconnaît que le français est une langue historique et honorable. Il souligne l'apport du patrimoine culturel de la population francophone et il désire le sauvegarder pour les générations à venir. La Loi énonce clairement l'intention du gouvernement de préserver la langue et la culture françaises.

Oui, monsieur le Président, notre gouvernement préservera la contribution de la population francophone ainsi que son héritage culturel. Grâce aux conseils de ce nouveau comité, nous pourrions offrir de meilleures perspectives d'avenir pour tous les Ontariens et Ontariennes.

C'est une belle journée ensoleillée, et c'est ainsi que je vois l'avenir pour les Franco-Ontariens et pour toute la province de l'Ontario. Merci.

The Speaker (Hon Alvin Curling): Responses?

1410

Mr John O'Toole (Durham): It's a pleasure to respond to both the ministers' statements today. Very briefly, and respectfully, I would respond to Madame Meilleur, on the extension of French language consultations in the province of Ontario—more importantly on St Jean Baptiste Day, which happens to be my wedding anniversary as well, so it's always close to my heart.

I'm somewhat uncertain here. Forming another commission is a laudable announcement but really of not much substance. I'm somewhat disappointed because, as I read the comments you've recently made seeking the support of cabinet, it doesn't seem, despite your keen enthusiasm, which I commend you for, to support the French language, you don't have support around the cabinet table. You've committed, as you might know, to having a French language ombudsman in the province. If I, as part of the estimates committee, look at their budget, it has been flatlined; in fact, it's marginally reduced. I think you have some time here; what the committee does is give you some time.

One of the other concerns is that you've stated publicly, as I read my notes here, that you want, for ex-

ample, to talk to your colleagues about the francophone immigrant service to children, training for francophones and nominations of francophones for agencies, boards and commissions. The problem is, you're going, as I understand, to ask for all administrative tribunal public decisions to be monitored in both official languages. I'd like to know, and I'm requesting you to tell us, the projected cost of that, when at the same time you're delisting or privatizing health care.

There are some questions here, on St Jean Baptiste Day. I don't think you're done. You must keep a tight handle on that file, for sure.

ALTERNATIVE ENERGY SOURCES

Mr John O'Toole (Durham): I want to respond to the Minister of Energy. As the critic in that file, I'm again disappointed. You used the term "astounding response" to the RFP for renewables. I'd say what's astonishing here is that you haven't created one kilowatt of energy.

I'm reading an article here from the New York Times, dated June 17: "With Ontario on the brink of an energy ... squeeze" and supply crisis, with an uncertain future—so the whole market is waiting for you to make one firm commitment to create more new energy sources in Ontario. I think it's commendable.

If you want a reference point, look at the alternative fuels committee, which was chaired by Dr Doug Galt—he's now a candidate in Northumberland in the federal election—and Steve Gilchrist. Dr Marie Bountrogianni was on that committee as well. We had a unanimous consent report, which you would know halves most of the targets you've enunciated today by increasing the amount of renewables in the base load and the overall capacity of the system. But to date you haven't announced anything but more bureaucracy and more price.

I often read foreign papers to get a better handle on the energy file. There's news in the New York Times and the Salt Lake City news than there is in the province of Ontario. You aren't talking very clearly about alternatives for the replacement of coal. You know you're removing 7,500 megawatts of energy from our generation capacity. You haven't replaced one of those, and all the experts say your date of 2007 is too short a timeline.

I'm reading a report here, dated June 17, that was just issued—I'm sure you have a copy of it; it's from the Power Workers' Union of Ontario and raises several questions. I'm going to read one reference to Dr Ross McKittrick, an associate professor of economics at the University of Guelph. He's talking about coal-powered plants. "Based on a careful review of the scientific evidence, he concluded that power plants play a small role in Ontario air quality and have little impact on severe air quality episodes."

Minister, you've contradicted your Premier. The Premier said on TVO a couple of weeks ago that he wasn't committed to the elimination of coal. The other

day when I asked you the question, you said you're committed, and yet you wouldn't resign.

You have no plan. The only plan I've heard is that you're going to raise the price of electricity. The only short-term supply solution you've really got is natural gas. You know that the price of natural gas has gone up by as much as 300%.

What you're not doing here is telling the people the truth. The truth is that you're going to pass billions of dollars on to the hard-working people of Ontario. Stand up and do your job. Tell us what new sources—

The Speaker (Hon Alvin Curling): Thank you.

Interjections.

The Speaker: Could I request that you keep your personal discussions a bit quieter so I can hear.

LANGUE ET CULTURE FRANÇAISES

M. Gilles Bisson (Timmins-Baie James): La ministre, M^{me} Meilleur, a annoncé aujourd'hui un comité aviseur, et on peut dire que ce n'est pas une méchante affaire. C'est toujours bien de consulter la population ontarienne pour savoir, sur les dossiers, ce qui est important pour la communauté.

Mais, madame la Ministre, je veux vous rappeler que pendant l'élection au mois d'octobre, vous avez fait des promesses très claires. Vous avez dit que c'était pour donner une autonomie à la TFO. Il est neuf mois plus tard, neuf mois depuis que votre gouvernement a été élu, puis la première annonce qu'on a du ministère c'est qu'on va créer un comité aviseur pour consulter—quoi? Que vous avez des promesses que vous avez oubliées?

Vous avez fait, par exemple, une promesse à la communauté francophone, madame Meilleur, que je supporte et que je pense fait beaucoup de bon sens. Ça, c'est dire à la ville d'Ottawa que oui, ils ont le droit d'être officiellement bilingues par un statut provincial. Ça prend un néo-démocrate qui rentre dans la Chambre pour vous le rappeler aujourd'hui? Madame, c'est dans votre plateforme électorale. On s'attend à ce que vous gardiez ces promesses.

Vous avez dit que vous étiez pour mettre à l'intérieur des ministères un ombudsman pour s'assurer que les francophones, quand ils ne sont pas desservis, peuvent aller quelque part. Madame la Ministre, c'est neuf mois. Les promesses ne sont pas là. Vous donnez un comité aviseur. On dit que c'est beau, le comité. Bravo. Mais on attend les promesses que vous avez faites. À ce point-ci, madame, vous ne les avez pas gardées.

ALTERNATIVE ENERGY SOURCES

Mr Howard Hampton (Kenora-Rainy River): It is with pleasure that I respond to the non-announcement of the Minister of Energy today, because here is the reality: After the Premier said that a Liberal government would close all coal-fired plants by 2007, here we are now nine months later, and do we have even a plan? No. The Minister of Energy hasn't even been able to present a

plan. All he has come with today is an announcement that they are now going to call for proposals for 300 megawatts of renewable energy. So he's going to call for proposals. That will be another six-month, nine-month, 12-month process, and still no plan. Then, in the fine print, he says that the government will call for 2,000 megawatts of new electricity capacity, but that's not a plan either.

So here is the reality of what is happening: The government doesn't have a plan. The government doesn't have any construction. The government doesn't even have anything real to announce here today. Nine months into the government's mandate, and this is what we have: We have a government that fiddles while coal burns. This is what we have: a government that fiddles while coal burns.

What's interesting is that if you compare Ontario with other jurisdictions, Manitoba, for example, is actually bringing wind turbines on stream. Manitoba is actually in the environmental hearing stage for bringing new production on stream. Has this government done any of those things? Not even close. No plan, no concrete proposals, no financing, no engineering, no environmental approvals. Nothing is happening. Shocking. Surprising.

We know from the other announcements made by the Minister of Energy that the 300 megawatts he's talking about here, the call for proposals for renewables and the 2,500 for new production, if it ever does come on stream, is going to be very expensive electricity indeed. I read the announcement, and I was looking for the part that said how much this is going to cost the consumer. I think we know how much it's going to cost.

This minister, six months ago, boasted that the price of electricity was going to be set by the Ontario Energy Board. Now, when we read his legislation as proposed the other day, he wants to continue to have the same kind of electricity prices set in the backroom that the Conservatives had. What does it say to me? It says that the cost for consumers is going to be very, very high, and the government doesn't want to admit it.

DEFERRED VOTES

GREENBELT PROTECTION ACT, 2004

LOI DE 2004 SUR LA PROTECTION DE LA CEINTURE DE VERDURE

Deferred vote on the motion for third reading of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001 / Projet de loi 27, Loi établissant une zone d'étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d'Oak Ridges.

The Speaker (Hon Alvin Curling): Call in the members. This will be a five-minute bell.

The division bells rang from 1420 to 1425.

The Speaker: All those in favour, please rise one at a time and recognized by the Clerk.

Ayes

Arthurs, Wayne	Duguid, Brad	Patten, Richard
Bartolucci, Rick	Duncan, Dwight	Peters, Steve
Bentley, Christopher	Flynn, Kevin Daniel	Phillips, Gerry
Berardinetti, Lorenzo	Gerretsen, John	Prue, Michael
Bisson, Gilles	Gravelle, Michael	Pupatello, Sandra
Bountrogianni, Marie	Horwath, Andrea	Ramal, Khalil
Bradley, James J.	Hoy, Pat	Ramsay, David
Brotten, Laurel C.	Kennedy, Gerard	Rinaldi, Lou
Brown, Michael A.	Kular, Kuldip	Sandals, Liz
Brownell, Jim	Lalonde, Jean-Marc	Sergio, Mario
Bryant, Michael	Leal, Jeff	Smitherman, George
Cansfield, Donna H.	Levac, Dave	Sorbara, Greg
Caplan, David	Marchese, Rosario	Takhar, Harinder S.
Chambers, Mary Anne V.	Marsales, Judy	Van Bommel, Maria
Churley, Marilyn	McMeekin, Ted	Watson, Jim
Colle, Mike	McNeely, Phil	Wilkinson, John
Cordiano, Joseph	Meilleur, Madeleine	Wong, Tony C.
Crozier, Bruce	Milloy, John	Wynne, Kathleen O.
Delaney, Bob	Mitchell, Carol	Zimmer, David
Di Cocco, Caroline	Mossop, Jennifer F.	
Dombrowsky, Leona	Parsons, Ernie	

The Speaker: All those against, please rise and be recognized by the Clerk.

Ayes

Arnott, Ted	Klees, Frank	Runciman, Robert W.
Barrett, Toby	Miller, Norm	Scott, Laurie
Chudleigh, Ted	Murdoch, Bill	Wilson, Jim
Flaherty, Jim	O'Toole, John	Witmer, Elizabeth
Hardeman, Ernie	Ouellette, Jerry J.	Yakubski, John

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 61; the nays are 15.

The Speaker: The motion is carried.

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

SANDY'S LAW (LIQUOR LICENCE AMENDMENT), 2004

LOI SANDY DE 2004 (MODIFICATION DE LA LOI SUR LES PERMIS D'ALCOOL)

Deferred vote on the motion for third reading of Bill 43, An Act to amend the Liquor Licence Act by requiring signage cautioning pregnant women that the consumption of alcohol while pregnant is the cause of Fetal Alcohol Spectrum Disorder / Projet de loi 43, Loi modifiant la Loi sur les permis d'alcool en exigeant que soient placées des affiches avertissant les femmes enceintes que la consommation d'alcool pendant la grossesse occasionne l'ensemble des troubles causés par l'alcoolisation fœtale.

The Speaker (Hon Alvin Curling): Call in the members. This will be a five-minute bell.

The division bells rang from 1429 to 1434.

The Speaker: All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Duncan, Dwight	Patten, Richard
Arthurs, Wayne	Flynn, Kevin Daniel	Peters, Steve
Barrett, Toby	Gerretsen, John	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Prue, Michael
Bentley, Christopher	Horwath, Andrea	Pupatello, Sandra
Berardinetti, Lorenzo	Hoy, Pat	Qaadri, Shafiq
Bisson, Gilles	Jackson, Cameron	Ramal, Khalil
Bountrogianni, Marie	Kennedy, Gerard	Ramsay, David
Bradley, James J.	Klees, Frank	Rinaldi, Lou
Broten, Laurel C.	Kormos, Peter	Runciman, Robert W.
Brown, Michael A.	Kular, Kuldeep	Sandals, Liz
Brownell, Jim	Lalonde, Jean-Marc	Scott, Laurie
Bryant, Michael	Leal, Jeff	Sergio, Mario
Cansfield, Donna H.	Levac, Dave	Smitherman, George
Caplan, David	Marchese, Rosario	Sorbara, Greg
Chambers, Mary Anne V.	Marsales, Judy	Sterling, Norman W.
Chudleigh, Ted	McMeekin, Ted	Takhar, Harinder S.
Churley, Marilyn	McNeely, Phil	Van Bommel, Maria
Colle, Mike	Meilleur, Madeleine	Watson, Jim
Cordiano, Joseph	Milloy, John	Wilkinson, John
Craitor, Kim	Mitchell, Carol	Wilson, Jim
Crozier, Bruce	Mossop, Jennifer F.	Witmer, Elizabeth
Delaney, Bob	Murdoch, Bill	Wong, Tony C.
Di Cocco, Caroline	O'Toole, John	Wynne, Kathleen O.
Dombrowsky, Leona	Ouellette, Jerry J.	Yakabuski, John
Duguid, Brad	Parsons, Ernie	Zimmer, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 78; the nays are zero.

The Speaker: I declare the motion carried.

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

Mr Ernie Parsons (Prince Edward-Hastings): On a point of order, with your indulgence, Mr Speaker: This is a marvellous place when everyone comes together; it really is. We don't do it enough, but you did it today.

On behalf of myself, my wife Linda, our oldest son Shane, other children who came here before and didn't enjoy it all that much, and our home-and-play day for their last day of school, and our son Sandy, I thank you. I especially thank you for the individuals not yet born, who will have a different life because of the collective actions of all of us.

I've said before that I'm very proud of you, and our province should be very proud of you. We made a difference today that we may not be able to measure, but I know it will happen, and we can go home tonight saying, "Together we can do anything." Thank you so much for your support.

1440

LEGISLATIVE PAGES

The Speaker (Hon Alvin Curling): This is the last day for this group of pages. I'm happy to say that the pages are disappointed that no one was being named in their time here. They are very disappointed. I know all members will want to join me in thanking them for their assistance over the past several weeks. So let us all recognize them in the usual, wonderful way.

VISITORS

Mr Gilles Bisson (Timmins-James Bay): Mr Speaker, on a point of order: I have to say that we not

only have these pages who are leaving us today, but we have a former page, Alex Steele, from Sault Ste Marie, who is here with his family, visiting his sister, who is currently a page. We'd like to welcome him back and wish you a safe trip back home.

Mr Bob Delaney (Mississauga West): Mr Speaker, on a point of order: If I may, my first page as the member for Mississauga West, Jamie Franks, is leaving us today. I'd like to recognize the presence of her parents, Danette and Brian; her brother, Alexander; and her grandmother, Clarissa Wong.

The Speaker (Hon Alvin Curling): I hope all the pages' parents are not here today, because we're going to have a lot of points of order.

Mr Ted Chudleigh (Halton): My former page's parents are not here. However, the mayor of Halton Hills, Rick Bonnette, and his wife, Josey, are here, and I'd like to recognize them.

Mr David Zimmer (Willowdale): Mr Speaker, on a point of order: We have another former page visiting today to see the windup of the events, Mr Sameer Rabbani.

ORAL QUESTIONS**HEALTH PREMIUMS**

Mr Jim Flaherty (Whitby-Ajax): To a less pleasant subject of taxes in Ontario, to the Acting Premier: Your government, when it was seeking office, promised not to raise taxes, and then did, with this Ontario health tax. Indeed, the legislation itself imposes a new tax called the Ontario health premium. There's no question it's a tax. My question to the Acting Premier today is about the equal application of this new tax to working families in Ontario. I would ask for assurance by the Acting Premier to all the people of Ontario, on behalf of his government, that all working people in Ontario will be called upon to pay their applicable share of your new tax.

Hon Dwight Duncan (Minister of Energy, Government House Leader): The Minister of Finance.

Hon Greg Sorbara (Minister of Finance): One of the very attractive elements of the Ontario health premium is that it's geared to income. So the reality is—I thought my friend would have known this because he has been here most days for question period—that some 48% of Ontario tax filers will not have to pay the premium. In fact, 37% of all Ontario families will not have to pay the premium. But the premium is geared to income so that those with the most modest incomes, in fact those with incomes under \$20,000, pay nothing at all, and those with the highest incomes pay the largest part of the premium.

We're proud of the fact that we've been able to raise this revenue to enhance our health care system but make the premium that helps us pay for that system geared to the income of the people of Ontario.

Mr Flaherty: As the legislation says, this is a new tax. This new tax was referred to by the Premier the other day in the Legislature, saying it's "different from previous premiums introduced by previous governments of Ontario because they are tied to income, meaning they're going to be collected under the Income Tax Act and deducted from paycheques accordingly."

Here is the concern, Minister: CUPE, the Toronto District School Board and others have indicated that as part of their collective agreements they will be insisting that clauses that were there before, or clauses that they will insist be inserted, will provide that this tax will be paid not by their members but by their employers in the public sector and the broader public sector, which in turn will mean that the members of those groups, those employees, compared to other employees in Ontario, will not be obliged to pay your new health tax.

I say to you that that is an inequitable attribution of that responsibility to taxpayers in Ontario. I hope you'll assure the people of Ontario that you'll not permit it to happen in the public sector or the broader public sector.

Hon Mr Sorbara: I really much appreciate this line of questioning from my friend from Whitby-Ajax, because it gives me an opportunity to say once again in this Legislature that this is not a premium as contemplated by those collective agreements. The critical difference, sir, is this: Failure to pay the premium is a violation of the Income Tax Act, and the penalties arise accordingly. But it does not disqualify any individual in this province from the health care services that we provide through the Ministry of Health and other agencies. So to that extent, it doesn't have that classic definition of a premium and is not covered by those collective agreements.

I'll say one final point, sir, that if workers and employers choose to bargain on this issue, they are perfectly free to do that. But this premium is not covered by those old provisions.

Mr Flaherty: So if you say that, then you're going to instruct every one of your ministers—including the Chair of Management Board and the Minister of Education—in the collective bargaining that is going to go on this summer when this Legislature is not in session, that they will not agree that any of this health tax that you're imposing will be paid by employers; that is, in the public sector or the broader public sector, be it school boards or hospitals or CUPE—whatever.

You will assure us that that will not happen, so that when we come back to this place, the people of Ontario, through those elected here, will be able to come to this place and say that everyone is paying their fair share of your new health tax, that no one is getting preferential treatment, that you instructed them in the negotiations that this is a health tax and is to be paid by everyone and will not be on the table for negotiation. Assure the people of Ontario of that.

Hon Mr Sorbara: My friend the Attorney General says, "He's just making it up as he goes along." I think that's a fair comment.

I think I've answered the question, sir. I think I've made it perfectly clear that this premium does not come within the four corners of those pre-existing collective agreements.

But I want to tell my friend one other thing: our ability with this revenue under the premium will give us the capacity to start to transform the health care system; to start to invest in home care again; to start to invest in long-term care again; to start to reduce waiting lists; to start to make those transformations of primary care that the Minister of Health has so eloquently spoken about. That's the real essence of the premium, and that's why it was a central part of our budget. We're very proud that we're going to be able to get on with that transformation.

CAPITAL FUNDING

Mr Ernie Hardeman (Oxford): My question is to the Acting Premier. Yesterday, I stood in the House and asked your Minister of Public Infrastructure Renewal why the Woodstock General Hospital was still waiting for approval to go to tender on their new hospital, after \$12 million had already been spent on the project and everything is ready to go.

Now I'd like to ask you why the Tillsonburg District Memorial Hospital has been waiting for capital approval to make renovations to the facilities for over a year. The hospital has approval from the Ministry of Health to build a satellite dialysis unit in its facility. The community has raised all the money needed to provide the equipment—well over \$700,000. Yet the hospital can't make the renovations to the rooms because they haven't heard from the government.

These projects have all met the necessary requirements and still don't have the final approval. I hope this is not your government discriminating against my constituents because of my political affiliation.

Hon Dwight Duncan (Minister of Energy, Government House Leader): The Minister of Public Infrastructure Renewal.

Hon David Caplan (Minister of Public Infrastructure Renewal): I understand why the member would want to frame his question in those terms, but I can assure him that's not the case.

Previous to our government assuming office, his government took on Michael Decter to do a health care capital review for both the health ministry and, at the time, the SuperBuild secretariat. The problem was that his government, unfortunately, had authorized so many of these projects without any dollars attached that there was no way they could ever be attended to.

Of course, as Mr Decter has advised—and we have released the report publicly; it is available to this member, as it is to any member of Ontario's public—there is a need to review the health care capital funding model because, unfortunately, of the infrastructure deficit that his government and, I would say quite honestly, the previous government have left. We are working at

cleaning up the mess that you've left us, and we will be getting to it as quickly as we as we possibly can.

1450

The Speaker (Hon Alvin Curling): Supplementary?

Mr John Yakabuski (Renfrew-Nipissing-Pembroke): My question is also for the Acting Premier. Yesterday I asked the Minister of Public Infrastructure Renewal questions about the Pembroke Jail and the ongoing unanswered questions surrounding it, and also the seeming situation regarding a possible stop-work order with the courthouse renovations in Pembroke. Has there in fact been a stop-work order issued? If so, when will it be lifted, and are you penalizing Conservative-held ridings like Renfrew-Nipissing-Pembroke in Ontario?

Hon Mr Caplan: I was glad to answer the question yesterday, and the answer today is no different. The previous government left a complete mess when it came to capital projects in this province. I know the member opposite has done some extensive research into the justice sector in Renfrew county and I appreciate getting his perspective on these issues. I know, and I am hoping, that members opposite will work with us so that we can get these capital projects moving along.

But this is not a small problem. The government of the day previously left us with an enormous deficit, more than we can possibly attend to in any one year. We are developing a 10-year capital plan that will begin to proceed to get some of those projects going, as the finance minister spoke about in our budget. We are introducing new and innovative financing tools like the Canada-Ontario municipal rural infrastructure fund. I will be happy to elaborate more in the second supplementary.

The Speaker: Final supplementary?

Mr Jim Wilson (Simcoe-Grey): We're sensing a bit of a pattern over here. I remind the ministers that you took an oath on October 23 to govern for all the people of Ontario, and it's pretty clear from an assessment of our ridings that you're not living up to that commitment.

You've delayed or cancelled projects in Renfrew-Nipissing-Pembroke, in Oxford, and I'm told you're interrupting phase 2 of a correctional facility that would create over 200 jobs in Leeds-Grenville. And that's not all. I have it on good authority that you're stalling the redevelopment of Highway 26 from Stayner to Collingwood in my riding of Simcoe-Grey. The money for this project was set aside over four and a half years ago, so it can't be a fiscal issue. There have been a number of horrific fatalities and accidents. According to the MTO, there have been 420 accidents on this old strip of road since 1988, and in the last election your Liberal candidate, Mark Redmond, said he supported this highway.

I can only conclude, ministers, that the only reason these projects are being held up is that you're discriminating against Tory ridings, that you're not—

The Speaker: Thank you.

Hon Mr Caplan: Nothing could be further from the truth. The member's question contains his own answer. If something happened four and a half years ago when he sat at the cabinet table, why didn't you ever do anything

about it? Obviously the information the member has presented is not correct. I must tell you that all the bluff and bluster I hear opposite is just a continuation of what we saw for eight years, where the government of the day claimed they were going to make all these investments, but never did, and unfortunately decided to pass these problems on to future generations.

I can assure you that through the Canada-Ontario municipal rural infrastructure fund, through OSIFA, the Ontario Strategic Infrastructure Financing Authority, and innovative infrastructure renewal bonds, we are putting the proper tools in place to be able to deal with the problems that, frankly, those members opposite refused to during the eight years they were in government. Thank God we have a government that is prepared to roll up its sleeves and get down to do the job that is necessary to rebuild this province.

HEALTH PREMIUMS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. You're about to sneak away from Queen's Park one week before your regressive health tax starts eating into the paycheques of modest- and middle-income Ontario working families. You'll be hiding somewhere when those working families discover that another \$50 a month is being taken from their paycheques. It's pretty clear that your new health tax is a direct attack on the millions of working families and seniors who now are going to be paying \$300 a year more, \$600 a year more, \$1,200 a year more because of your regressive and unfair tax. So on the last day of the Legislature you still have time to do the right thing. Will you axe the tax?

Hon Dwight Duncan (Minister of Energy, Government House Leader): Just several minutes ago, that member voted to prevent committees from sitting all summer. What kind of hypocrisy is that? They're preventing committees from sitting to hear bills, they're preventing select committees from dealing with important issues, and they're preventing the passage of legislation that would allow people who have dying relatives time off work, legislation that you and a few of your members said they would pass.

You should be ashamed. The only one shrinking from his responsibilities is you—you and your caucus. We want to meet this summer. We want committees. We want to pass legislation. We want select committees. I can tell you that this finance minister and this Premier are leading the way.

Unlike you, we did what we said we'd do: We cut the corporate tax. You voted against it. You voted not to cancel the private school tax credit. Why don't you agree to sit this summer and pass that bill, and understand that this government is doing what is right for—

The Speaker (Hon Alvin Curling): Thank you.

Mr Hampton: The Acting Premier must be hallucinating. I don't remember a vote on any of these things that he's talking about. I do remember a government that said

it wouldn't impose health care premiums because they're regressive and unfair for working families, and then turned around and did it. I do remember Liberals who said they wouldn't cut health care services, but then turned around and cut services of chiropractors, physiotherapists and optometrists.

That's the second problem with your budget. While you tax working families more, you're actually going to cut health services. That's what is really unfair: Working families pay more, get fewer health services, and when they need to see a chiropractor or a physiotherapist, they're told, "Pay out of your own pocket"—two-tier health care.

You still have time. Will you axe the tax and reverse your health care cuts?

Hon Mr Duncan: The Minister of Finance.

Hon Greg Sorbara (Minister of Finance): I'll tell you what's regressive. What's regressive in this place is eight members of this Parliament who refuse to allow a vote in this Legislature to pass a simple piece of legislation that would allow for families with sick parents to take leave from their work without putting their jobs at risk. That's regressive. Eight members of this Legislature are leaving this place today and are not allowing that bill to pass. It's very difficult to focus on anything else while those eight members insist that we will not have legislation allowing for urgent family medical leave. That is absolutely shameful.

Mr Hampton: The Minister of Finance must be hallucinating. With all these Liberal members, you could come back and sit on Monday, Tuesday and Wednesday.

Interjections.

The Speaker: Order. I ask the government House leader—order. I'm trying to hear the leader of the third party in his supplementary.

Mr Hampton: If you want to pass legislation, you could come back next week. You have a majority.

There's another problem with this budget. It takes \$2 billion a year out of the pockets of modest- and middle-income families. But when you look at the numbers in terms of what's going to be spent on health care services, the same amount isn't going to be spent. Some of this money is going to go for sewer pipe. Some of it will go for television ads. Some of it we don't know what it's going to go for, but it won't go for health care services. This is not a health care budget.

You still have time. Axe the tax. Stop your cutting of health care services.

Hon Mr Sorbara: I think it is absolutely shameful that those who are watching this question period now do not know that just a few short minutes ago in this Legislature, when the government House leader asked for unanimous consent to bring forward family medical leave legislation and the opportunity to continue this Parliament so that we could get this bill passed—he talks about family, but really all he's interested in is his narrow, partisan political interest and trying to score a few points.

So I reject categorically the kind of rhetoric that has come from the leader of that party in this question and his

behaviour, particularly today in this Legislature by not allowing family medical leave legislation to pass to protect working families and, in particular, working families that have sick members who need care.

1500

HOSPITAL FUNDING

Mr Howard Hampton (Kenora-Rainy River): To the Acting Premier—and I guess the Minister of Finance has forgotten how to file a notice of motion saying you want the House to sit next week.

We had another demonstration on the lawns of the Legislature today. Hundreds of people demonstrated against the cutting of obstetrics and paediatric services at Georgetown hospital. With the cutting of these services, expectant mothers from Georgetown will have to drive 35 minutes to Brampton to give birth, while Acton mothers will have to drive over an hour. Yet we have the Liberal government taking \$2 billion a year more out of working families' pockets while you cut and shut down more health services.

Can you explain, Acting Premier, to the people of Georgetown and the people of Ontario, the logic in taking \$2 billion more and saying it's going into health care services, while you cut these services at hospitals like Georgetown? Where's the logic?

Hon Dwight Duncan (Minister of Energy, Government House Leader): The Minister of Health.

Hon George Smitherman (Minister of Health and Long-Term Care): On this issue, I want to be able to say right from the get-go that it's true that the William Osler hospital, which is a three-site hospital servicing the north part of Halton region, the Brampton community and also the northern part of Etobicoke, is a hospital that is struggling on the financial side. I want to send a message very clearly to the mayor of Halton Hills, who is here, who I had a chance to speak with earlier, to Bruce Hood, a political candidate in that area who called me earlier in the week, to the honourable member, and especially to the people from that community that, while a proposal that is taking shape at the board level might be an advance, it hasn't come to the point where the Ministry of Health has a chance to say yea or nay.

I'm pleased to offer to the people of Halton Hills today the commitment from this government on two fronts. First, the viability of that hospital in Halton Hills will not be put at risk by our government. When I say "viability," I mean that it will continue to be an important community-based acute care hospital. This government and this Minister of Health will not sign off on a plan to shut down, move or cancel obstetrics or programs at the Halton Hills hospital.

Interruption.

The Speaker (Hon Alvin Curling): Order. I'm going to ask the visitors in the gallery not to participate in this applause. I'm going to ask the members also not to encourage it. Supplementary?

Mr Hampton: This should be relatively easy for the Minister of Health. You see, I'm sure I've heard the Premier on the phone, I'm sure I've heard the Premier on the radio, I'm sure I've heard him in dozens of places saying that all the money from the new health care tax will go to health care services. So it should be very easy for you, given that you're going to get \$2 billion a year more out of this health care tax, to say categorically that these services will not be shut down and the money will be available for those services to be continued. I want the second part of the answer, that the Ministry of Health will make available the funding so that these services will not be shut down.

Hon Mr Smitherman: I'll say this one more time for the member: This Minister of Health and this government will not sign off on any plan that puts these important services at risk. In exchange, I offer and ask the honourable member opposite this question: Why don't you stand in your place and do the right thing, which you haven't done so far today, and that is provide the protection to the families of the province of Ontario that is contained in our family leave act? Why is it that you stand up in your place all the time and lecture everybody, but because you want a sweetheart deal with an additional allocation of mad money for Howard Hampton to play around with—as a little temper tantrum for not getting your sweetheart deal, why is it, sir, that you think it's an act of leadership in this province to block leave for families that want to be united in a time of crisis? Why is that?

The Speaker: Final supplementary.

Mr Hampton: As with all other legislation, you have a majority and can file a notice of motion saying you want to sit next week and pass the legislation, and I invite you to do so. If you're so full of yourself, I invite you to do so.

Interjections.

The Speaker: I'm going to ask the government side to come to order. I'm having difficulty hearing the leader of the third party in his final supplementary.

Leader of the third party, could you put your final supplementary?

Mr Hampton: On behalf of the people at Georgetown Hospital, you didn't answer the second part of the question. Given that you're now going to take \$2 billion a year out of the pockets of hard-working modest- and middle-income families, we want a commitment that the Ministry of Health is going to provide the money for continuation of these services, that you're not going to go back to the hospital and say, "If you want to continue these services, cut something else." Let's hear the commitment that the Ministry of Health is going to come up with the funding so these paediatric and obstetric services can continue at Georgetown hospital. Let's hear it.

Hon Mr Smitherman: This fake display of credibility from a man who was part of a government that cut training spots to produce new doctors in our province, who was part of a government that, for years running, froze the Ontario drug benefit for our seniors—he's

going to lecture us on the provision of services? I doubt it, and I especially doubt it on a day when he and his party stand against an initiative, a piece of legislation, that would allow for eight weeks of protected leave so that Ontarians can be united with their loved ones in a time of crisis.

He offers in exchange for his conduct, which is based simply on his desire to get more mad money and cash for his caucus—he's willing to put families and the support that can be offered in a time of crisis at risk, and then he stands in his place and tries to lecture us. I say to the mayor of the community of Halton Hills, to the people who are here today and represented by a newspaper from that community, that this government will stand behind the obstetrics program at a viable hospital in that community.

The Speaker: New question.

Mr Ted Chudleigh (Halton): My question is for the Minister of Health.

Interjection.

Mr Chudleigh: Well, there might be a small twist on it.

Earlier today, Minister, there were, I think, about 300 citizens from Halton Hills, who were at the Legislature rallying to save the obstetrics unit at Georgetown hospital. They brought with them 7,000 petitions that were raised in just eight days. So you can see that a hospital in a small town is a very passionate issue, Minister, and I appreciate very much the answer you gave to the leader of the third party just a few minutes ago.

Obviously, this is a new area we're trending into. There are three campuses of this hospital, the Georgetown campus being the smallest of the three. There is obviously a way to manage these hospitals that isn't currently in vogue in Ontario.

I'm asking, Minister, would you strike a committee and put some people from Georgetown on this committee, some people from Halton Hills, to try to find a solution that will not let the big hospitals beat up on the small guy? Will you do that, Mr Minister?

Hon Mr Smitherman: It's interesting, isn't it, that the member goes out of his way to mention that there are some significant challenges associated with operating a three-site hospital that was the design of the government he was a part of for eight years? Let's face the facts: There are challenges at William Osler hospital and they're very significant, and it's your creation.

1510

The fact remains that the local community needs a stronger voice here, but the same honourable member who opposed the government taking powers through Bill 8 to be more involved now stands in his place and says, "Get involved and manage the local hospital," when you know that voluntary board governance is the principle of hospital operation in our province. You guys always want to have it both ways.

I say to the honourable member, though—I said it to the mayor earlier and I say it to this House again; I said it

to Bruce Hood earlier in the week—I'm going to work my way through these issues with the local communities. The hospital in Halton Hills can be assured that at the end of this process it will continue to play the important role that it has for a long, long time, that it will be a viable, community-based acute care facility. We will make sure that's the case.

Mr Chudleigh: Minister, we appreciate that commitment and we look forward to that fulfillment in the way in which it's going to be fulfilled. You've mentioned there are challenges; yes, we all recognize there are challenges. We recognize that a stronger voice is needed from some of the community that is being affected by the decisions of the William Osler board of directors. Making sure that stronger voice takes place for the people of Halton Hills, for the people of Georgetown who are serviced by the Georgetown campus; making sure that stronger voice is a fair one, is a just one and is one that works with the three-campus type of action that the William Osler hospital has: That is what we're interested in today. Minister, will you commit to make sure that happens in the future, as you have made sure it will happen in the immediate area?

Hon Mr Smitherman: The assurance I'll give the honourable member is that I'm interested in a solution that helps to get a stronger community voice in the relationship with the board there. But I just say to the member that I'm having a hard time figuring how you think you can have it both ways. In the House today, in front of your local community, you present yourself as the guy who sees the government as the solution point for issues with respect to the hospital. But you stood in your place, alongside all your other members, and voted against a bill that is designed to make sure we can enforce the accountability that Ontarians expect. All the little chirping from the recent arrival in the front bench notwithstanding, the fact of the matter is very clear: We have serious challenges at William Osler hospital and we're going to work through those, but the challenges we have there are of their design.

WATER QUALITY

Ms Marilyn Churley (Toronto-Danforth): I have a question to the Minister of the Environment. Minister, you've already broken your promises to stop sprawl and protect water at the source. You've just quietly given approval to the big pipe in King City. Citizens, councillors of King City and respected environmental groups like Great Lakes United have warned you how the big pipe will degrade the Humber watershed. The pipe extension will damage streams and headwaters that supply water to Toronto. So much for your stated commitment to protecting water at the source. Minister, they are calling on you to revoke your certificate of approval and hold a full environmental assessment. Will you do that?

Hon Leona Dombrowsky (Minister of the Environment): We're very aware of the big pipe situation. The Ministry of the Environment has a responsibility to ensure that the environment and the people in the

community are protected, and that is exactly what we are doing. I am very proud of this government's record in terms of source water protection, the initiatives we've taken to date and the investments we are making. I know the residents in that community are certainly going to benefit from the due diligence this ministry is exercising on that project.

Ms Churley: Minister, you've already broken the spirit of your new greenbelt legislation, which we passed this afternoon. You keep on trying to paint your government as committed—and, Mike Colle, you should know better—to protecting prime agricultural land, environmentally sensitive areas and watersheds from urban sprawl. But you still don't get it. The decision to approve the big pipe will encourage sprawl on the Oak Ridges moraine. You still don't get it. King City lies on class 1 agricultural land, on the moraine, at the headwaters of the Humber river. It is exactly the kind of area that needs protection from sprawl. Minister, I ask you again, will you show your commitment to stop sprawl, keep your promise, do the right thing and stop the big pipe?

Hon Mrs Dombrowsky: I must say, I'm very surprised that the honourable member would stand in her place and lecture us about doing the right thing today, when her party is preventing this Legislature from passing very important legislation that would enable family members to be with their loved ones during a very difficult time.

So I'm sorry; it's very, very difficult for me to accept that from the member opposite. I would ask them to do the right thing today and enable this piece of legislation that is intended to support families. Allow it to pass today.

FAMILY MEDICAL LEAVE

Mr John Wilkinson (Perth-Middlesex): I have a question for the Minister of Labour. Earlier this year, the government introduced Bill 56, the family medical leave act.

Interjections.

The Speaker (Hon Alvin Curling): Order. I am unable to hear. The member from Eglinton-Lawrence and the member from Toronto-Danforth, I call you to order. Thank you.

The member from Perth-Middlesex.

Mr Wilkinson: So that there is no confusion in this House by any of the members, can you explain to me what this bill does and why it is so important?

Hon Christopher Bentley (Minister of Labour): The family medical leave bill is all about compassion. The bill will provide up to eight weeks of job-protected leave so that workers can be with a dying family member. Imagine that you have a job and you learn that your mother or your father, your spouse or your child is terminally ill. You then have an impossible choice: a choice to either keep your job or be with your family member during their last days.

The family medical leave bill provides up to eight weeks of job protection. It dovetails with the federal em-

ployment insurance benefits. Today I brought a motion asking for unanimous consent to have this matter voted on—if people want to vote against it, that's fine; but just to have it voted on—and the NDP blocked it. They claim to be the great defenders of the workers, but they're really the great pretenders. This is about compassion, about justice and about fairness. The NDP blocked it. That's shameful.

Mr Wilkinson: I'm reviewing Hansard, and I find that every member present for second reading of this bill voted in favour of it. So why is it not becoming the law today?

Hon Mr Bentley: I'm referring to the House leader.

Hon Dwight Duncan (Minister of Energy, Government House Leader): In fact, the member is right. This bill passed second reading. It's in third reading. Nobody requested committee hearings. Here's what's on the record. Page 1630, April 21, 2004, Mr Michael Prue: "The reality is, this bill is going to pass. It has to pass because you have to jig it all with the federal legislation. I hope all members of the Legislature will understand that this bill—what can I say?—needs to be passed. It should be done rapidly."

Rosario Marchese, page 1530, Bill 56 debate: I'm happy to speak to Bill 56 ... I've got to admit that I haven't canvassed all New Democrats, but I suspect they will be supporting this bill. I certainly will be supporting the bill."

Mr Peter Kormos, page 1620: "So is it bad legislation? No, and you're not going to hear a New Democrat say, 'Oh, this is horrible legislation; we've got to block it.'"

Pass the bill, please.

1520

DEAF-BLIND SERVICES

Mr Frank Klees (Oak Ridges): My question is to the Minister of Community and Social Services. June is Deaf-Blind Awareness Month, and I think it's appropriate that I put this question to you today. In the gallery today, in the east lobby, we have several members of Ontario's deaf-blind community, each with their communications assistant and advocate. They're here on behalf of the Rotary Cheshire Homes community, including Ms Joyce Thompson. I'd like members to welcome them to the House today.

For some time now, this community has sought government assistance for a modest plan to expand unique services to their particular community. There are many services that MCSS provides, but not for this community, which is unique in that they have become deaf-blind after birth. Minister, would you agree to find some time to meet with this group, who have in the past requested an opportunity to meet with you to explain to you in detail what it is they need as specific services? Would you agree to meet with them following question period today to arrange a time when they can have a more fulsome discussion with you?

Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's

issues): I hope the member opposite knows that I hope it is well convenient for people to come to this House. Many people who have various kinds of disabilities have a very difficult time with transportation, with coming to the House, and often our ministry has done such tremendous outreach to talk to people across the province. I hope you don't use this as some kind of opportunity to exploit people's disabilities.

What I will tell this member is that the individuals who are here in this House today provide a tremendously important service to their community, and we in this ministry are doing everything we can to stretch every single dollar we have so that we can help people who need these services, and in fact find ways to expand the services.

Let me say to the member opposite that we knew when we walked in as government that we were going to do three things: We were going to better health care, we were going to better education and we would help vulnerable people. What I know is that after eight years of your government, we have been saddled with such a deficit that it will take us much longer to do everything we know needs to be done in this sector, and I commit to this member that I will work on that.

Mr Klees: I am absolutely astonished at that response. Minister, all I was asking on behalf of this community is that you would take the time, even if it's only five minutes, to meet with them to discuss the specific request they have been making of your ministry, and they have had no response. They asked for a meeting with you; the response they got ignored the request for a meeting. This is not about partisan politics; this is about you, as the minister responsible for this community, to simply take the time and listen to them. I'm not even asking you to agree with them. At least give them the opportunity to share with you their concerns. Will you please just agree to do that?

Hon Ms Pupatello: Let me assure this member opposite, I will do more than just meet with these people: I will meet them today and we will meet repeatedly. Not only that, our ministry has been working on this issue since October 2, since this cabinet was sworn in. We had a look at what was going on in the Ministry of Community and Social Services, which your government used as a punching bag for the last eight years, and, in particular, when services should have been enhanced over those many years. The community you are speaking about today continues to grow, and you as a cabinet minister acknowledged in your eight years as government that those services increased every year, yet you did not commit the appropriate funding required. But we are committed to helping, and I guarantee that member that we will work on this issue, as we have been since we became cabinet in this government.

Mr Klees: Mr Speaker, on a point of order: I want to thank the minister for agreeing to meet with this community today.

The Speaker (Hon Alvin Curling): That is not a point of order.

COMMUNITY REINVESTMENT FUND

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Finance. You will know that a number of northern communities are worried because they're getting signals from your ministry that the community reconciliation fund, which is in place to offset the downloading, set by the Tory government, on to the municipalities, will not be adjusted this fiscal year. Could you please reassure the communities of northern Ontario that that is not the case and that you will adjust the funds so that the end of this year is revenue-neutral?

Hon Greg Sorbara (Minister of Finance): I think I would invite my friend, who is one of the more rational, saner and brighter members of that caucus, to reassure this House that his party is going to change their mind, even at this very late moment, and agree to vote for third reading and full passage of the act that will allow individual family members medical leave in cases where they have a sick member at home and need care.

I will reassure him that the measures we've taken in our budget this year, including the elements of the northern prosperity fund, will begin to transform the northern economy. In respect to the community reinvestment fund, we have set aside specific funds in our budget to ensure that there is no detrimental effect on northern communities. This is the first budget that has specifically addressed the very serious circumstances confronted by northerners. That's one of the things this caucus is most proud of in our budget.

Mr Bisson: It's kind of passing strange on the answer. I'm going to ask you this question: Why in heck, then, did your ministry send letters to the municipalities of northern Ontario saying that they should expect, that quite possibly, there will not be a reconciliation? I stand here and ask you the question because your ministry sent a letter to northern municipalities that said, "Hang on to your socks, people in northern Ontario. It's quite possible that there's not going to be a readjustment and a recalculation for this upcoming fiscal year." So I want a clear "yes" answer, that you are going to make sure there's reconciliation at the end of the year. "Yes" is the answer I'm looking for.

Hon Mr Sorbara: I think I answered comprehensively. My friend from Kenora-Rainy River—I simply invite him to give us a "yes" answer now to tell us that the eight members of the New Democratic Party are going to give their unanimous consent to bringing back the bill that will grant medical leave to individual workers who need medical leave to look after sick family members. I invite him to do that. I plead with him to do that. I tell him that his voters right across the north, his supporters, are anxious that they take that generous step and make sure that bill gets passed today.

EDUCATION

Ms Laurel C. Broten (Etobicoke-Lakeshore): My question is for the Minister of Education. Teachers in my

riding of Etobicoke-Lakeshore are concerned about the increase in the amount of outside tutoring that their students are seeking. They're telling me that resources are not allocated properly in the curriculum. As a result, students are turning to private tutoring to fill in the gap.

They want their students to excel, but they're concerned about the fact that students are forced to give up their after-school free time, when they should be playing with friends or spending time with their family, in order to succeed in the classroom. What is our government doing to help kids get the education they need in the classroom and eliminate the need for after-hours tutoring for our kids?

Hon Gerard Kennedy (Minister of Education): I appreciate the question and all the advocacy the member has done on behalf of constituents who want to reduce not just tutoring, but who want to increase the chances that students have in school. Today we announced, thanks to the Minister of Finance, in the budget \$160 million worth of support for literacy and numeracy in our schools. We're not going to have people depend on having to buy help; we're going to give the help where it belongs: in our publicly funded schools, for every student who is there.

Starting this fall, there will be lower class sizes. The school I was in had classes of 28 kids; a tremendous teacher is going to have 23 kids, instead, next year. Their grade 1 is going down to 17 kids per classroom. Rather than as they did under the past government, having to buy extra help, they're going to get it from their publicly funded teachers.

They're going to get individualized attention at an early age, when it can do them the most good. It's what we know works and what we've, unfortunately, up to now made our children wait for for too long. They need wait no longer.

Ms Broten: That's great news. I know that the students, parents and teachers in my riding will be very pleased. They want to make sure our government ensures a full education—reading, writing and math—in the classroom. Can you tell me how a child in an early grade in Etobicoke-Lakeshore, in one of our schools, will benefit from the announcement made this morning?

1530

Hon Mr Kennedy: Boards are now in the process of hiring an extra 1,100 teachers. They'll be in Etobicoke-Lakeshore, they'll be in every part of this province, doing what needs to be done for our students. There will be 16,000 lead teachers, four for every elementary school—two in literacy, two in numeracy—with extra training able to help all the rest of the teaching staff. We will train every one of 36,000 primary teachers, including 9,000 this summer. That will be underway to make sure that they have access to the latest resources and benefits.

We're dedicating \$15 million to make sure that, when it comes to literacy and numeracy, this plan is able to provide the resources they need. We don't just have the dollars and a plan that we know will work. The school I was in today has a 100% increase in the number of

students who can now read and write at a high level because one of our pilot projects. It was one of the worst-performing schools; it's now one of the better-performing schools. We are looking forward to the results. Starting in September, parents should know that there's going to be a big boost in the instructional quality in our schools, thanks to this initiative.

GOVERNMENT CONTRACT

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Minister of Finance. It has been public knowledge for some time now that you gave political direction to Decima to subcontract work to Paul Martin's campaign manager, David Herle. Earlier this week at estimates, you were asked for cost figures with respect to that matter. You've had some time to become apprised of what was involved: the time involved, the cost involved. Are you prepared to reveal that information today? How much did your government pay Mr Herle for his sage advice?

Hon Greg Sorbara (Minister of Finance): Returning to the issues that were being discussed at estimates, I simply tell my friend that there was no contract between our government, the Ministry of Finance and Mr Herle or Mr Herle's associate or company. The work that was done for the Ministry of Finance was done through an agency-of-record contract with Decima Research. The invoices and the billing from Decima Research have not yet been submitted to the government for payment. When those invoices are submitted, I would be delighted to report to the member and tell him exactly how much the Ministry of Finance paid Decima Research for the work that was done.

Mr Runciman: I guess the minister is suggesting that no one in his political office or otherwise advised the agency of record that Mr Herle was the appropriate individual to subcontract to. Is that what he's suggesting here today, that there was no knowledge in his office, no knowledge in the Ministry of Finance, that this was the firm, the individual with direct ties to the Prime Minister, the campaign manager for Paul Martin? Is he suggesting that's the case today? I'd like to have him reveal if indeed that is the case. I don't think there'll be too many believers across the province.

We need to have those facts. We need to have them, I think, before Monday. He should be tabling that figure today. How much did they pay this gentleman—the campaign manager for Paul Martin—for that work? And also, I think we could talk at length about the appropriateness of this individual being retained. But for today, we will settle for knowing how much of taxpayers' money was spent for the campaign manager for Paul Martin.

Hon Mr Sorbara: I'm delighted to tell my friend that the engagement was done under very strict rules. They are done under rules that ensure value for money. They are done under rules that ensure that only competent contractors can qualify. I will tell him that these are very tough rules, but they're very fair rules. I will tell him that

they are the rules implemented by his government when he was in power. We adopted those rules, we applied those rules, and those rules resulted in a fair contract.

They were not the same rules that allowed those folks over there while they were in power to pay our dear friend Paul Rhodes over \$1 million in untendered contracts, to pay under a different system our dear friend Tom Long some \$2.3 million in unpaid contracts, and to even allow the former Premier of this province to receive a contract from Ontario Hydro—as if he didn't get enough as Premier—for some \$18,000.

WEST NILE VIRUS

Ms Andrea Horwath (Hamilton East): My question is to the Minister of Health and Long-Term Care. Yesterday, you told this House that you were making an alteration to the funding formula for the West Nile virus program. In your description of that, you made it sound that the NDP was in some way fabricating a letter that your ministry sent to medical officers of health including a 22% cut to the West Nile virus funding. Oddly enough, Hamilton's medical officer of health, Dr Elizabeth Richardson, also received the same letter, and it indicated—surprise, surprise—that we in Hamilton also needed to expect a 22% cut in our West Nile virus funding.

Minister, why are you cutting the money for this dangerous disease and trying to camouflage it with the kind of rhetoric that you foisted upon us yesterday in this House?

Hon George Smitherman (Minister of Health and Long-Term Care): The interesting thing is that yesterday I had in the House the opportunity to do a couple of things. One of those was to tell the people of the province of Ontario that the strategy that Ontario has for West Nile virus this year is a good one. It adequately protects them, and I think that Dr Basrur's work on this front is something we should all applaud.

I will tell the honourable member that I had the opportunity in scrum to remind people that while there are allocations that are made, not all of the money gets spent. For last year, Hamilton is a very good example of over-projection. They were given \$1.3 million and they didn't spend \$300,000 of it. What is that in a percentage term? It's 23%. The point here is that our health units have adequate funding. We have an adequate program that is going to protect the people in the province of Ontario.

But you're a new member, and you still have an opportunity to make a difference on an issue in this Legislature today, and that is on behalf of the families of the province of Ontario. I'd like the honourable member in her next question to stand in her place and tell me how proud she must be to be part of a caucus that is choosing to block family medical leave for Ontario families.

Ms Horwath: In fact, I actually participated in the drafting of Hamilton's budget and understand the plan for West Nile for Hamilton for this year. The reality is,

the bottom line is, that this cut is going to have a significant effect on Hamilton's budget.

Notwithstanding that, you claimed yesterday that you had already consulted with health units across the province. In fact, you claimed that your 22% cut was one of the changes that people felt were necessary, yet not only Hamilton but, in terms of health officials, Barbara Yaffe, Toronto's acting medical officer of health, was not one of those happy campers who asked for a 22% cut. She said, "I am very concerned about what the impact will be.... We're not asking for more than we got last year, but we really can't do with less either."

Minister, when you cut municipalities in the middle of their year—and yes, notwithstanding your misstep yesterday, the middle of the year, because it starts in January for municipalities, not April—you make it very hard for them to do more—

The Speaker (Hon Alvin Curling): Order. Minister of Health?

Hon Mr Smitherman: I don't know what's going on. I don't know what they did at caucus lunch today, but let me say it again for the honourable member: Last year, Hamilton did not spend 23% of what they asked for, and this is the situation in many other parts of the province of Ontario as well.

We have a good program this year for the West Nile virus. But the honourable member ducked the essential issue of the day, which is why is she so proud to stand in her place and be part of a caucus which, on a day when it had an opportunity to simply say yes and allow honourable members the privilege and opportunity to stand in their place and cast a vote, yea or nay, in favour of an initiative that would have helped to unite families in a time of crisis—why is it that this new influx of energy in the NDP caucus is all of a sudden drawn right down to the lowest common denominator with the rest of them, which is, trying to leverage the families in the province of Ontario—

The Speaker: Thank you. New question?

DOCTOR SHORTAGE

Mr John Milloy (Kitchener Centre): My question is also to the Minister of Health. Residents in my riding of Kitchener Centre are frustrated. There's a real shortage of family doctors in my area and, at the same time, a large number of foreign-trained doctors who are unable to practise. The message my constituents sent me in the recent election is that we should do everything possible as a government to get these highly skilled individuals practising medicine in Ontario. While I understand that we need to maintain a high standard for competency and skill, I would like to see a reduction of barriers in the accreditation process, particularly in one of the most problematic areas: assessment.

I was wondering if the Minister of Health would outline the new funding that he announced yesterday to increase access to physicians and how it will help reduce barriers facing internationally trained doctors in my community and throughout the province.

1540

Hon George Smitherman (Minister of Health and Long-Term Care): There is no doubt that a real challenge and perhaps a crisis has been created in this province by the actions of these two parties when they were in government. First off, these guys made the decision to close down medical schools because they didn't think doctors were important, and they took three or four years to get the point and get on with rebuilding it.

As a new government, we put our money where our mouth is. The fact of the matter is that yesterday, as a result of our initiative, we were able to announce \$11.5 million in additional funding to double the assessment and training capacity. These are the key barriers that stand in the way of communities all across the province being able to depend upon, to rely upon, the services of medical doctors.

We launched IMG Ontario. We simplified it; it's now one-stop. In addition, we worked with the College of Physicians and Surgeons of Ontario to support fast-track assessment and registration for up to 40 international medical graduates who are practising outside the province of Ontario. In the few short days since we've done that, we've already begun to repatriate doctors from other jurisdictions to the province of Ontario.

Mr Milloy: I thank the minister for his answer. I know the people of Kitchener Centre will be pleased with the efforts he's making. Nevertheless, I'm concerned that this initiative alone will not be enough to give the residents of Ontario, and more specifically the residents in my riding, the access to family health care they need. So I'd like the minister to tell me what else he's doing to improve Ontarians' access to health care.

Hon Mr Smitherman: Yesterday we had the opportunity to make the IMG announcement. Uday Shankardass, the president of the Association of International Physicians and Surgeons of Ontario, said this, "The establishment of IMG Ontario represents a significant step toward creating more opportunities for Ontario's internationally trained physicians to integrate into the health care system." When we think about the word "integration," our mind comes to family health teams, bringing doctors, nurses, nurse practitioners and other medical practitioners together to operate on behalf of patients in a team approach.

That's not all. In addition to building 150 family health teams, we're also supporting and encouraging and excited about the progress being made with the new northern Ontario medical school. It has been fully accredited and will be taking students starting in September 2005.

These initiatives are designed to reverse the very sad reality, which is their record and their record.

Hon Christopher Bentley (Minister of Labour): On a point of order, Mr Speaker: I seek unanimous consent to call the order for third reading of Bill 56, An Act to amend the Employment Standards Act, 2000 in respect of family medical leave and other matters and to have the question put immediately without debate or amendment.

The Speaker (Hon Alvin Curling): Do we have unanimous consent? I heard a no.

Mr Robert W. Runciman (Leeds-Grenville): On a point of order, Mr Speaker: I seek unanimous consent for additional time for one more question. We only had three today because of lengthy responses. I would ask for one more question for one of our members.

The Speaker: Do we have unanimous consent for one more question? I heard a no.

VISITOR

Ms Marilyn Churley (Toronto-Danforth): On a point of order, Mr Speaker: When others were introducing their former pages earlier, I neglected to introduce Laura Konkel, who is from Toronto-Danforth and likes it here so much she often comes back to volunteer. Welcome, Laura.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: I seek unanimous consent to move the following motion and to have the question on the motion put immediately without debate or amendment: that the standing committee on general government be authorized to meet during the summer adjournment to consider Bill 3, An Act to protect anaphylactic students.

The Speaker (Hon Alvin Curling): Do we have unanimous consent? I heard a no.

PETITIONS

TAXATION

Mr Frank Klees (Oak Ridges): I'm pleased to present a petition to the Legislative Assembly to force Premier McGuinty to obey the taxpayer protection law.

"Whereas the McGuinty government's 2004 budget will break the taxpayer protection law by not conducting a referendum on tax increases; and

"Whereas Dalton McGuinty signed an election pledge on September 11, 2003, not to raise taxes without the explicit consent of voters through a referendum; and

"Whereas Dalton McGuinty promised in TV ads not to raise taxes by one penny on working families; and

"Whereas Dalton McGuinty pledged in writing to obey the taxpayer protection law, which requires a referendum before increasing taxes;

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

"To ensure that all of the McGuinty government's tax increases are put before the people of Ontario in a referendum."

I will be presenting all these petitions to page Peter Lyu of Oak Ridges to table in the House today. Thank you, Peter.

CHIROPRACTIC SERVICES

Mr Howard Hampton (Kenora-Rainy River): I have the following petition to the Legislative Assembly of Ontario:

"Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

This has been signed by literally hundreds of residents of my constituency, and I have affixed my signature as well.

VISITORS

Mr David Oraziotti (Sault Ste Marie): I have a brief petition to the Legislature, and I'd like to read it.

"We, the undersigned, would like to welcome to the Ontario Legislature from Sault Ste Marie page Vivienne Steele and her family: her mother, Wendy Steele, as well as her brother, Alexander Steele, who is 15, and her sisters, Evelyn Steele and Audrey Steele, who are nine and six."

WATER QUALITY

Mr Toby Barrett (Haldimand-Norfolk-Brant): "Whereas the riding of Haldimand-Norfolk-Brant is made up of many small communities which have little or no access to municipal water services in our homes, churches, halls and other public buildings but must be on private wells; and

"Whereas these buildings are now required to abide by regulation 170 of the Safe Drinking Water Act, which calls for expensive, unnecessary reports and tests if the buildings are to be used; and

"Whereas the government of Ontario maintains it will institute all recommendations of the O'Connor report, including number 84, which recommends provincial funding when approved systems are not economically viable for the owner; and

"Whereas the Minister of the Environment agrees the regulation is flawed;

"We, the undersigned, petition the Ministry of the Environment to put enforcement of regulation 170 on hold until either a provincial funding program is put in place to assist rural public buildings and the organizations they house meet the regulation, or a change to the regulation is made to make it more reasonable and appropriate."

I agree with this petition.

DOCTOR SHORTAGE

Mr Peter Kormos (Niagara Centre): I have a petition sent to me by the folks up in Kawartha Lakes. It reads:

"The undersigned petition the province of Ontario, our Premier and our Minister of Health to fast-track family doctors into the city of Kawartha Lakes."

It's signed by thousands and by me as well.

SENIORS' PROGRAMS

Mr Mario G. Racco (Thornhill): On behalf of Mr Bhatla, president of the Thornhill Asian seniors' club, I would like to read a petition, which says:

"To the Legislative Assembly of Ontario:

"Whereas we, the seniors of Thornhill, would like to thank Premier Dalton McGuinty and the Honourable Greg Sorbara, Minister of Finance, and our Thornhill member of the provincial Parliament, Mario G. Racco, for allocating funding for seniors in the spring 2004 budget,

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

"We ask that the senior programs in home care continue to receive funding and awareness so that we can be healthier and happier as we continue to live in our own homes for as long as we choose."

I'll sign my name to it.

1550

CHIROPRACTIC SERVICES

Mr Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly regarding support for chiropractic services under the Ontario health insurance plan. There are many whereases, and I will skip those so that other members can get on.

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 8, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

SENIOR CITIZENS' HOUSING

Mr Howard Hampton (Kenora-Rainy River): "To the Legislative Assembly of Ontario:

"Whereas residents living at Patricia Gardens seniors' supportive housing in the city of Dryden have been living under undue stress for nine months due to a labour dispute; and

"Whereas the board of Patricia Gardens is trying to substantially reduce the supportive housing services offered prior to the labour dispute, therefore contradicting the government's stated long-term-care policy and not in the best interests of the seniors in the Dryden area; and

"Whereas if the elimination of services is allowed to take place many of our frail seniors will be forced to live in a long-term-care home which has an exceptionally long waiting list; and

"Whereas the Patricia Gardens board is informing the residents and family members that the elimination of services is due to a reduction in government funding grants; and

"Whereas supportive housing services need to be increased, not decreased, so seniors can live as independently as possible before needing full-time care in a long-term-care facility;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to intervene in the current labour dispute and ensure the level of supportive housing services prior to the labour dispute is maintained."

This is signed by hundreds of residents of the Dryden area, and I affix my signature as well.

CHIROPRACTIC SERVICES

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I have a petition to the Legislative Assembly.

"Whereas the elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic services will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Whereas elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to the government of over \$200 million in other health care costs; and

"Whereas there was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

I'm pleased to present this.

And I want to just say, with 30 seconds of indulgence, that we're proud of all the young pages who serve here. I'm particularly proud of this young man. His name is Cameron McMeekin. He's a nephew. Cameron, you've done a great job and I'm really proud of you.

SCHOOL ZONE

Mr Norman W. Sterling (Lanark-Carleton): “To the Legislative Assembly of Ontario:

“Whereas northbound traffic on Highway 15 coming into and through the village of Franktown, Ontario, is causing a serious danger to schoolchildren, school staff and residents of the village;

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

“That the boundaries of Franktown be extended to include Calvary Christian Academy;

“That the highway in front of the above-stated school be declared a school zone.”

I have signed that petition.

LITERACY PROGRAMS

Mr Howard Hampton (Kenora-Rainy River): I have a petition to the Legislative Assembly of Ontario.

“Whereas the Ministry of Training, Colleges and Universities funds Ontario literacy programs; and

“Whereas the Ministry of Training, Colleges and Universities has cut funding to literacy programs such as the Sioux-Hudson Literacy Council; and

“Whereas these non-profit, community-based, client-centred programs provide free help to all area adults who desire to upgrade their English, math, computer and other related skills;

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

“(1) To reinstate literacy program funding to former levels;

“(2) To guarantee access to literacy programs in rural communities;

“(3) To provide adequate funding for daily access to literacy programs; and

“(4) To promote the importance of literacy programs for Ontario.”

This petition is signed by hundreds of residents of the Sioux Lookout area, and I affix my signature as well.

STATUS OF BILL 56

Mr Shafiq Qadri (Etobicoke North): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas the NDP—the New Democratic Party—is blocking passage of Bill 56, the family medical leave act;

“We, the undersigned, petition the Legislature of Ontario as follows:

“To pass this important legislation today.”

I have already signed it and present it to page Samuel.

CHIROPRACTIC SERVICES

Mr Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario.

“Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, the government and the province of Ontario.”

I affix my name in full support.

PENSION PLANS

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

“Whereas Stelpipe Ltd and Welland Pipe Ltd are currently operating under the protection of the Companies’ Creditors Arrangement Act (CCAA), as part of the restructuring process being undertaken by Stelco Inc; and

“Whereas there is a significant unfunded liability in the Stelpipe and Welland Pipe pension plans for hourly employees; and

“Whereas there will be a significant negative impact on the pensions of both active employees and retirees in the event of a windup of these pension plans; and

“Whereas the pension benefits guarantee fund (PBGF) does not protect the entire amount of accrued pension benefits; and

“Whereas the PBGF may not have sufficient assets to provide such protection;

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

“(1) to amend the provisions of the PBGF in order that it provides complete coverage and protection for the accrued pension benefits of all pension plan members;

“(2) to amend the financing provisions for the PBGF in order to ensure that sufficient funds are available to provide for the complete protection of all accrued pension benefits;

“(3) to take interim action as required in order to provide immediate protection of the accrued pension benefits of both active employees and retirees of Stelpipe and Welland Pipe.”

It’s signed by thousands, as well as myself.

STATUS OF BILL 56

Mr Brad Duguid (Scarborough Centre): I have a petition to the Legislative Assembly of Ontario.

“Whereas the NDP is blocking passage of Bill 56, the family medical leave act;

“We, the undersigned, petition the Legislature of Ontario as follows:

“To pass this important legislation today.”

It’s amazing how quickly the people out there can react to this stuff.

PROPERTY TAXATION

Mr John O’Toole (Durham): It’s my pleasure to present a petition, and I appreciate the member for Parry Sound-Muskoka’s giving up his time so I can read this petition.

“To the Legislative Assembly of Ontario:

“Whereas recreational trailers kept at parks and campgrounds in Ontario are being assessed by the Municipal Property Assessment Corp (MPAC) and are subject to property taxes; and

“Whereas owners of these trailers are seasonal and occasional residents who contribute to the local tourism economy without requiring significant municipal services; and

“Whereas the added burden of this taxation will make it impossible for many families of modest income to afford their holiday sites at parks and campgrounds;

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

“That the tax not be imposed in 2004; and that no such tax be introduced without consultation with owners of the trailers and trailer parks, municipal governments, businesses, the tourism sector...”

HEALTH CARE

Mr John O’Toole (Durham): “Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services; and

“Whereas abandoning support for these services will place greater demand on other health care sectors such as physicians, emergency wards and after-hours clinics; and

“Whereas no Ontario citizen should be denied access to necessary medical care because of lack of funds;

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

“To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services.”

I’m pleased to present both these petitions at once.

1600

CHIROPRACTIC SERVICES

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

“Re: support for chiropractic services in Ontario health insurance plan

“Whereas elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

It’s signed by thousands of people and by myself as well.

ORDERS OF THE DAY

ONTARIO HERITAGE AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI SUR LE PATRIMOINE DE L’ONTARIO

Resuming the debate adjourned on June 14, 2004, on the motion for second reading of Bill 60, An Act to amend the Ontario Heritage Act / Projet de loi 60, Loi modifiant la Loi sur le patrimoine de l’Ontario.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I ask for consent to continue the lead from the previous day.

The Deputy Speaker (Mr Bruce Crozier): The member for Haldimand-Norfolk-Brant is asking for unanimous consent to continue the leadoff of the official opposition, in that the original speaker is not here today. Agreed? Agreed.

Mr Barrett: I do thank all present for that opportunity. As we’ve heard, Bill 60, the Ontario Heritage Amendment Act, contains a list of significant changes aimed at protecting and preserving Ontario’s valuable heritage. I’ll be focusing my remarks on those that apply to marine heritage in Ontario, by and large making reference to those wrecks and artifacts that lie on crown land beneath the surface of the water of our Great Lakes.

I take particular interest in marine heritage. It builds on a consultation, legislative and committee work that I helped spearhead with a private members’ bill on the subject in 1999. Bill 113, the Ontario Marine Heritage Act, 1999, was introduced in this House on November 15. It would have prohibited the taking of artifacts from

marine heritage sites and it would have imposed tougher penalties for those who broke the law.

I'm happy to say that the bill we're debating today echoes many of the goals we aimed to achieve back in 1999. On that note, I would like to draw on some of the past work of our government, work that was done to help understand the nature of the proposed legislation we're examining today.

I'm from a commercial fishing town, Port Dover. It's also a commercial diving town. Much of the work involves the repair and installation of wellheads for the natural gas industry. Over the years we've seen a considerable number of recreational divers and charter boats. It's an industry that's becoming very significant, not only in Port Dover, the inner bay on Lake Erie, but for many, many other harbours across the Great Lakes.

In 1998, a friend of mine from Port Dover, Jim Murphy, wrote me a letter asking for tougher marine heritage protection for the shipwrecks and artifacts, the hundreds and hundreds of shipwrecks that lie beneath the lakes. I quote from his letter—

Mr John O'Toole (Durham): Tell them about that story—

Mr Barrett: I may do that, comrade. I quote from this letter from Mr Murphy:

"With a province-wide diving community of several thousand divers, it is imperative we have a strong protection mechanism in place to protect these sites from looting divers." Under our current laws, the Ontario Heritage Act does not specifically address marine issues. You will not find words like "marine" or "shipwreck" in the Ontario Heritage Act. People tell me the Ontario Heritage Act needs to be supplemented with a very clear message on the protection of marine heritage sites. With respect to other jurisdictions, considerable work has been done in the state of Michigan, for example, and in the province of Nova Scotia.

In addition to Mr Murphy, many other divers, historians and conservationists have argued for something like the Marine Heritage Act to ensure that wrecks lying in Ontario's waters are protected. It was input like this that pushed me to draft private member's legislation to deal specifically with the protection of marine heritage.

On November 10, 1999, the 24th anniversary of the sinking of the Edmund Fitzgerald, I introduced my intention to announce the marine heritage legislation. We had a news conference in Port Dover at our local Dover Dairy Bar. As I mentioned, there are hundreds of wrecks in our Great Lakes. Probably the first ship lost would be the Griffon in 1679. If you go back 325 years ago, on September 18, 1679, the French explorer LaSalle watched his ship, the Griffon, set sail on Lake Huron, only to vanish without a trace, and to this day, the Griffon remains the quest of countless recreational divers and historians.

The first European explorers who came to Canada and to Ontario arrived by way of water. We're all aware of the contribution of the Atlantic fishing industry, the fur trade, and more latterly, the lumber trade in the mid-

1800s: again, endless travel moving these goods along the inland waterways. The Great Lakes eventually became one of the busiest shipping lanes in the world and became the backbone of commerce, not only in Ontario, but also Quebec, Manitoba, and of course, our neighbouring American states.

In 1880, there were over 3,000 commercial vessels on the lakes. You can imagine during those times how many of those foundered, went up on rocks or collided with other vessels: 3,000 vessels in 1880. It's truly astounding when you figure today there is something in the order of maybe 200 or so lying in our Great Lakes.

Increased traffic presents a greater risk for mishap, a greater risk for accidents—the same holds true on our waterways—whether it's on the road or on a shipping lane. Couple that with the arrival of a sudden raging storm, a collision with another vessel, an error in navigation, and that can sink a vessel quite easily.

Some say the Great Lakes have an insatiable appetite for sailors, for their passengers and the ships themselves. Cargo ships or canoes, our lakes and rivers play no favourites. Once a boat leaves port, there is always a chance it will run into a gale, an exposed rock or another ship. Lack of communication, lack of proper navigational aids, and in some cases, ship wreckers made travel especially dangerous in the 18th and 19th centuries.

The dangers faced by sailors differed throughout the lakes. Lake Erie, for example, is shallow. The average depth is about 30 feet. Lake Erie can be vicious in any kind of a strong wind. It whips up quite rapidly. Lake Superior, as we all know, is very deep and very cold, with a history of furious November gales like the one that put down the Edmund Fitzgerald. Lakes Huron, Michigan and St Clair also have a track record, and they have proven no less treacherous. Georgian Bay is filled with scores of camouflaged reefs, thousands of rock encrusted islands. They have laid many a good ship and her crew to permanent rest.

I don't know whether anyone here has ever run a boat up on a reef. Probably one of the stupidest things I ever did, I ran a fishing boat up on a reef in the south Atlantic. Regrettably, we hit that reef 12 times. We bounced down over the other side. If anyone has ever come close to either sinking a boat or drowning, I would hope that they would reflect on that when they consider the seriousness of the part of this legislation that enshrines the artifacts and the wrecks on our lakes. In many ways, these wrecks are graveyards. One or two hands were lost in some cases; hundreds of people have perished on these wrecks. They are forgotten, and I think the point of this legislation, certainly the point of work that I've done over the last several years, is to do our best to ensure that at least not every single wreck in the Great Lakes gets stripped.

1610

Ontario clearly has a strong marine history. Many, many people, unfortunately, have perished on the water, shipping merchandise, or protecting our country, for that matter. One cannot help but admire and respect these sailors. We know there are memorials. We have a fairly

recently constructed memorial in Port Dover commemorating those commercial fishermen who over the years have lost their lives on Lake Erie, oftentimes in the early spring or in one of those November gales that I have spoken of. As one travels, you see these memorials. You see them in Lunenburg; you see them in Digby; you see them in Gloucester, Massachusetts. Gloucester, over the centuries, has lost, as I understand, thousands of commercial fishermen and sailors to the Atlantic. We, as citizens of this province, in my view, cannot help but admire and respect these sailors. I feel we should honour their memories, the memories of these men and women, by respecting their resting places. This legislation will do that, and it will help to ensure that others respect them as well.

I made mention of a bit of a close call that I had off the coast of Brazil, and that occurred at 2 o'clock in the morning. We really had no idea what was going on. God was with us. We were able to, through the wind, get pushed off the reef.

I wish to quote an anecdote, really. This is an introduction from a book many will recognize, titled *The Perfect Storm*. It was soon made into a film. My family and I viewed that film. I made sure we viewed the film after we got off the ferry that came across from Portland, Maine, to Yarmouth. And when I attended that film, to my surprise, my colleague Bob Runciman and his family were sitting in the same theatre, by coincidence. But I'll quote a section from the introduction of this book.

"One mid-winter day off the coast of Massachusetts, the crew of a mackerel schooner spotted a bottle with a note in it. The schooner was on Georges Bank, one of the most dangerous fishing grounds in the world ... [T]he captain uncorked the bottle and turned to his assembled crew," and he read the note: "'On Georges Bank with our cable gone our rudder gone and leaking. Two men have been swept away and all hands have been given up as our cable is gone and our rudder is gone. The one that picks this up let it be known. God have mercy on us.'

"The note was from the *Falcon*, a boat that had set sail from Gloucester the year before. She hadn't been heard from since.... This was the end, and everyone on the boat would have known it. How do men act on a sinking ship? Do they hold each other? Do they pass around the whisky? Do they cry?

"This man wrote; he put down on a scrap of paper the last moments of 20 men in this world. Then he corked the bottle and threw it overboard. There's not a chance in hell, he must have thought. And then he went below again. He breathed in deep. He tried to calm himself. He readied himself for the first shock of sea."

Again, I did talk to a fellow once who did come close to drowning. He was a trucker. He ran his rig off the road on Vancouver Island, on the way out to Tofino. He showed me the lake where this truck went in. He stayed down below, sat at the wheel, totally at peace, with total calm. He was aware that he was breathing in water and completely accepted his fate. A trucker who was following him crawled down the rocks, got the door open, and

pulled him out of the cabin, and this is one person who survived to tell the tale.

Certainly, in the field of diving medicine, a lot of work has been done with respect to how one drowns. I'll quote, in part, a description here: "The instinct not to breathe under water is so strong that it overcomes the agony of running out of air. No matter how desperate the drowning person is, he doesn't inhale until he's on the verge of losing consciousness. At that point, there's so much carbon dioxide in the blood, and so little oxygen, that chemical sensors in the brain trigger an involuntary breath, whether he's under water or not. That is called the break point" in laboratory experiments—something that occurs within the first 87 seconds. There's certainly much more to the research on the last minute, minute and a half, the last two minutes that one has, as their boat has rolled over, in many cases, or as they watch the water come up above their knees and over their head.

Partly because of some of these stories that we hear, and recognizing that thousands and thousands of people in provincial waters have gone down in these wrecks over the centuries—it's for these reasons that I got involved initially and very simply in trying to bring in measures to stop people from stripping wrecks. Hence, the private member's bill in 1999.

I want to make it clear that my legislation was not intended to be a barrier to recreational divers. I did receive many letters and phone calls from divers who were very, very concerned that government was stepping in, in a very intrusive way, and would take away their right to dive. My intention was to educate people about shipwrecks, that they are precious, they're a non-renewable resource, and in my view, and given the loss of lives by and large on the majority of these ship wrecks, they essentially are graveyards for mariners and for their crews.

With this legislation, very clearly, we must strike a balance between protecting and preserving those artifacts and preserving what's left of the wrecks themselves, but at the same time, we have to encourage business. We have to encourage dive tourism, which is growing so rapidly out of many of our Great Lakes ports. I think this is particularly significant in many of the far-flung ports, those communities where time has passed them by with the demise of lake shipping. The death knell for many of our Great Lakes ports occurred with the advent of the railroad and much improved highways and four-lane highways. Tourism is one bright light for many of the isolated towns along our lakes, and dive tourism is certainly in that category.

Under the legislation that I worked on, it would have been an offence to remove a protected artifact from a heritage site unless that person was licensed to do so.

1620

It raises the question: Of the hundreds of wrecks, how many do you designate? I would advocate that in this legislation and through accompanying regulation, the number of designated sites would be small: sites in the order of the Hamilton and the Scourge in Lake Ontario,

for example; a site like the Atlantic, which went down off the point of Long Point in Lake Erie.

As it stood at the time, a person who found a shipwreck was not required to report the location of the wreck, and oftentimes, when someone comes across a wreck, a newly discovered wreck, they play their cards very close to their chest. It's a very competitive environment, especially those people in the professional dive community. I think of Mike Fletcher, for example, now an internationally known diver and filmmaker who resides near my farm at Port Dover. It's a very competitive environment. When someone finds a new wreck, oftentimes after years and years of research, they're not going to tell anybody. The last thing they want to do is tell the government.

I think it does have merit, and it would be required that anyone who finds a shipwreck notify the Ministry of Culture with respect to the nature of the wreck, what kind of shape it's in, and with respect to the location. And of course there are going to have to be measures in place to ensure that the dive team, the diver who originally found that wreck, would not have that information on the 6 o'clock news the next day. There has to be an arrangement where that can be worked out between the diver and his government.

Further, the bill we put forward would have made it illegal for anyone to knowingly access or enter a prescribed heritage site, and when I say "prescribed" wreck, we're not referring to all the wrecks down there; again, we're referring merely to a handful of wrecks that people would agree need to be protected. I mentioned the Atlantic in Lake Erie. There was a very high-profile, international court case over the Atlantic, where both a Canadian dive team out of Port Dover—in this case, Mike Fletcher—and a group out of California laid claim to the same wreck. The Edmund Fitzgerald: We know where it is; we know who died on the Edmund Fitzgerald. I think there's a consensus that that hull, that wreck, should not be stripped. I know the bell was taken off. I think the bell sits in the city of Detroit in a memorial.

So Bill 113, as it was known at the time, would have made it illegal for anyone to knowingly access or enter one of these prescribed heritage sites or to remove part of a heritage wreck or remove silt or other naturally occurring substances unless he or she was licensed to do so.

I'll move up to the spring of 2000. During the spring of 2000, I did receive a considerable amount of input from both individuals and organizations involved in the business, involved in sport diving. My office received roughly 170 written submissions. We met with a number of prominent organizations, including scuba clubs, of course, dive shop operators, the Ontario Underwater Council, Save Ontario Shipwrecks, Preserve Our Wrecks, and other groups. Many of these groups also latterly came forward before a standing committee of this Legislative Assembly.

As a result of these consultations, I drafted a series of amendments to the bill to try and accommodate the push

back, if you will, that I received in the many e-mails and letters that came in—amendments to the bill for consideration by the general government committee, which is where the bill was referred. These proposed amendments were designed to ensure a balance between protecting and preserving marine heritage, and encouraging tourism through providing access only to those recreational divers deemed responsible.

Again, that's a tough call. The responsibility of divers can only be enhanced through information and education. Legislation and regulation like this helps. I think the real answer is the dive community self-regulating, and policing, if you will, in those cases where there are problems.

The general government committee hearings got underway in October 2000. We received 39 oral and written submissions from these organizations. The majority supported the goals of the proposed legislation. However, there was little consensus on how to get there, how to achieve these goals.

During the committee hearings, Tim Legate, who represented Save Ontario Shipwrecks, made a presentation in which he personally thanked me for bringing forward the bill. He said: "I think it's been one of the most important milestones in marine heritage to come along in many years, not so much because he's got a wonderful bill"—I hear what he's saying—"but because he has elevated the discussion"—Mr Legate is referring to me—"he's brought it ... up to the forefront, he has a bill before the Legislature, and you gentlemen and ladies are sitting here today really looking at the issues of Ontario's marine heritage and the pros and cons."

To that point it had really not been on the radar screen with respect to the dive community. Those marine archaeologists and historians, in many cases, were kind of working quietly on their own. Mr Legate certainly had issues with the bill; however, it really goes without saying that we all agree the protection of our marine heritage should be brought to the forefront. For that reason, I compliment this piece of legislation for getting things on the front burner.

Unfortunately, that protection was not to come at that time. The bill stalled in committee, as so many private members' bills do. However, since those hearings, we've seen a number of government-driven attempts to enshrine in law the protection of marine heritage sites.

I direct your attention to what's referred to as the Government Efficiency Act, passed on November 21, 2002. This legislation built on the consultations, the committee work that went into the private member's bill I've just described, with respect to amending the Ontario Heritage Act to better protect marine heritage sites.

We see these amendments introduced as part six of the Ontario Heritage Act. I'm pleased to see that they have introduced terms like "marine heritage" and "artifacts" in legislation, and ensure that a licence is required for alteration to archaeological sites and for any removal of artifacts from those sites.

The Eves government followed that legislation with consultations throughout 2002-03 for consideration for

further changes to the act. A year ago, Minister David Tsubouchi introduced proposed legislation to reflect those consultations. That was Bill 24, the Ontario Heritage Amendment Act, 2003. This act died on the order paper when the election was called. Its marine heritage aspects have now returned in the Liberal bill we debate today, Bill 60, the bill we see before us.

1630

I'm very pleased to see that this particular piece of government legislation contains those very same amendments with respect to marine heritage.

In particular, Bill 60, as was the case with the previous Bill 24, would prohibit access to significant and sensitive sites without a site-specific licence. These prescribed sites—for example, sites containing human remains—would be the most fragile and sensitive sites, as they should be, in due respect to those men and women—those sailors, passengers, mariners—who lost their lives in that particular wreck.

Obviously that would include the ships I mentioned previously from the War of 1812: the Hamilton and the Scourge. The Edmund Fitzgerald would fall under this category.

As most sites would continue to be accessible, only about 10 or 15 sites would be prescribed by this act. Recreational divers, in my view, should not be significantly affected. However, at those prescribed sites accessibility restrictions would be in effect. Diving would be prohibited within 500 metres, as well as the operation of submersibles or towed survey equipment. I think of side scan sonar equipment. Underwater cameras would be prohibited within 500 metres.

I'm glad to see that public consultation is also proposed for the present government plan. I think this is very important before any regulations go into effect. I can attest to that, given the hundreds of phone calls my office received with respect to the initial crack at this kind of protection. There will be concern. There will be a push back from the recreational diver consumer and community. They may not understand much of what the government is attempting to do. I suggest we all be forewarned.

I look forward to the opportunity to take part as we continue down this road. It's been a number of years now with respect to attempting to protect our marine heritage, attempting to protect that situation where, whenever a new wreck is found anywhere on the Great Lakes, it only takes a few weeks and it's stripped. It's gone. The artifacts end up in somebody's rec room. They end up being sold. They get shipped across the border.

It's very important to continue down this road toward marine heritage protection. I, for one, have been involved since 1999, and I commend the direction this government is taking with respect to the wrecks that are sitting down there on crown land.

Mr O'Toole: It's a pleasure this afternoon to follow the member from Haldimand-Norfolk-Brant. He brought a number of perspectives to the issue, including the perspective of marine heritage. But this bill is about pre-

serving history—its structures and other artifacts, I suppose—in the broadest sense.

The debate is really quite complicated. I think it's best demonstrated by an issue that's ongoing in my riding of Durham. That's why I'm here this Thursday, the last day of the Legislature, to bring a voice to my constituents from the municipality of Clarington.

But before I do that, I want to pause for a moment and have a real celebration. It's the last day and there's a sense of harmony here today, with the exception, perhaps, of the member from Niagara Centre. You can feel the spirit of co-operation. It's in that spirit that I want to stop for a moment. Last night I had the privilege of passing Bill 33, I think it is, which is the Irish Heritage Day Act. With the co-operation of all caucuses and all MPPs present, it was voted unanimously to receive third reading. Later today, I've been invited with the Lieutenant Governor of Ontario to participate in its actual assent into law. Now that's a privilege. When you see it from birth to—not death—life—

Mr Peter Kormos (Niagara Centre): To maturity.

Mr O'Toole: To maturity. That's exactly it. It's birth becoming life, sort of like the incubator period.

Mr Kormos: From the point of conception.

Mr O'Toole: Conception, exactly. That's the starting point. This idea conceptually came to me many years ago while watching the debate on the Good Friday accord in Ireland, and it caused me to reflect on Irish heritage and the contribution of the Irish culture to our province of Ontario.

In fact, I would say just a few remarks on that, which I would like to keep for my own record. I am a person of Irish heritage, as I said. I'm very proud of our contribution to the province of Ontario—and of all cultures, but in this specific instance, the Irish. Having been raised in Peterborough—

Interjections.

Mr O'Toole: Peterborough is a great home to many Irish families. But Irish immigrants were among the earliest settlers in Canada. In 1845, they began settling in Ontario in large numbers while fleeing the potato famine. I can hardly say the word "potato." Can you imagine that, being Irish and having difficulty pronouncing that word? I grew up on them.

The Irish brought with them their values of hard work, devotion to family, service to their community and the hope of a better future for all. If I look around my riding of Durham very specifically, I can hardly go through a single community without being reminded of the great Irish settlers of the area that I have the privilege of representing.

Originally, the area was Darlington and Clarke townships. Prior to that, I believe it was Northumberland township or part of the greater part, before townships were initiated, I think, in the 1800s. All of the area from Toronto right through to Kingston was kind of referred to, I believe, as Northumberland. I could be wrong about that.

I go through communities each day like Tyrone, Enniskillen, Kendal and Kirby. Almost all the little communities in the area can trace themselves back to either the settlers or members of the settlers' families while they started to give birth to new communities right here in Canada. That's a great tradition.

That really brings me back to the whole idea of the preservation of heritage because, as I was mentioning in speaking about the passing of Gord Mills, the former member, while he was there he worked very hard to change the name of the now municipality of Clarington from the municipality of Newcastle. Newcastle dates back to the old country as well. The confusion was that there was already a Newcastle village in the town of Newcastle.

Interjection.

Mr O'Toole: Exactly. So when visitors came and you gave them instructions to go to King Street in Newcastle—there are 15 King Streets in Newcastle because there's King Street in Courtice, King Street in Bowmanville and King Street in the village of Newcastle. All those communities were subordinated under the major name of the regional municipality, so it was mass confusion.

So heritage almost got ignored in all of that debate because the names of communities, whether they're here or they're back in your home country, are extremely important. Whether it's streets or homes that have names, those things are important.

I think of names that are great builders. Just for those listening, in my research I paid some attention to James Joyce. When I was in university, I took a couple of English courses. I could read the books; I could understand them mildly, and others were quite complex.

But that being said, the Irish tradition of the storyteller and the storywriter became clear to me: James Joyce, Brendan Behan—Maeve Binchy is another one. There are a lot of very famous authors of Irish heritage. But I looked more closely. We've all heard the name Marshall McLuhan—the medium is the message—the professor from the University of Toronto. He understood communication and language but also that the medium—that is, the transformation of visual and other modes of communication—in a sense became the message. You see that today with television and multimedia. McLuhan was Irish, but he was way ahead of his time, as most Irish are, in some cases.

1640

Also Timothy Eaton: The Eaton family was a great Irish family; the Eaton Centre and the name and traditions and values of customer service and customer loyalty. Certainly the Eaton family was a builder of the city of Toronto, no question about it.

Then there's Thomas D'Arcy McGee.

I was proud that Hilary Weston was the first Irish-born Lieutenant Governor of Ontario.

Mr Kormos: With a name like Weston?

Mr O'Toole: Well, Hilary Weston is her current name. They have property, of course; whenever you

travel to Ireland, you'll see they have significant property and significant opportunities.

I was pleased to have my name attached to this change. The change has its limitations, as all changes do. For the record, I would just read, in the very few minutes I have here—the intent here was not to confuse people. If you recall the debate during the time of the Good Friday accord, which was the attempt to bring north and south Ireland together and get away from the years and centuries of religious struggle, that was the purpose for the presentation of the bill.

I had the privilege, on my own hook, my own price, of going to Ireland as part of a delegation, a peace accord, as a peace observer. Because I was not a federal member, I was with Sid Ryan and John—

Mr Kormos: The next federal member.

Mr O'Toole: Sid Ryan was with me, and he's running for the NDP in Oshawa. I was with John Murphy as well, who at that time was the president of the power workers—both Irish. I was actually almost in their homes. It was so wonderful to be there with people who are more closely linked to it than I and to travel around.

It was quite unusual, because we were actually in Belfast and Dublin. In Belfast, there was this great, huge conundrum of the parade season. We were there as peace observers, and I saw things that made me feel quite vulnerable. I was right at Falls Road, right at Drumcree. I was there when the drums were beating. It would just scare the hell out of you, really. When they had the big stand-off, CNN was right there. I was with American senators, Canadian senators and a number of other people.

At the end, we were each asked to write a report and submit it to be a statement of our observations. I observed a number of what I'd call violations, and I was glad to move along, shall we say. I wrote a dissenting report, being that motivated. I said the biggest thing is that they had to diversify their culture and quit fighting amongst each other when there are so many other people who would just love to live in their country. That really was my observation: They wouldn't have much to fight about if more people brought more preservatives to the debate.

But really, the more important thing was not to disrupt the importance and traditions of St Patrick's Day, March 17. All I was saying was it's Irish heritage, and on March 17 everyone believes they're Irish, and everyone should. I'm pleased to have my name attached to that small private member's bill and to have the support of this House.

Thank you for that permission to digress, but it does relate to the importance of Bill 60. As a former member of local and regional council in the municipality of Clarington, once Newcastle, I had the privilege of serving on LACAC, which is the local architectural conservation advisory committee. I was part of trying to, as a member of that group and the liaison with council, engage planning, the planning staff—Frank Wu at that time was the director of planning—and others. They pub-

lished a book of properties that were identified and designated, and some of which had not been designated, but it was the work that lay ahead in preservation of our architectural heritage in the area. There are some wonderful streetscapes and country landscapes that are part of heritage as well.

When you talk about heritage, it's hard to separate the buildings and what I call the general terrain of an area: the shores of Lake Ontario, the Oak Ridges moraine. It's all part of the landscape heritage that we expect. In fact, if you drive around my riding, the endangered species today are the old rural barns. The hip roof barns are in shorter and shorter supply, because now they're great, magnificent monuments to architecture. The agricultural industry has very sophisticated farming operations today, and outbuildings and older style barns, the stone foundations, are becoming a somewhat scarce commodity.

But it is on balance that I want to reflect for the few minutes left. If you take the importance that I think everyone here would attribute to preserving heritage, be it cultural, be it physical property or whatever, you do bump into some enveloping or barriers to full, uniform, universal acceptance. I think it really comes down to property rights issues.

I want to put on the record the current debate going on in Clarington, because this is very current. The municipal staff under David Crome, who is the director of planning now—I've sent copies of Bill 60 to them, to members on both sides of the debate, asking for their input. What they're going through here, for those viewing today, is a heritage district. It's in Bowmanville, which I think was incorporated in 1856, and it's in a neighbourhood that's surrounded by, I believe, Wellington Street, Beach Street and probably Liberty Street. It's that quadrant there. They want to designate the whole area as a heritage district. As a heritage district goes, all of the properties would have some encumbrance on them, either on title or in the designation itself.

This is where the problem began: someone else, some bureaucrat, so to speak, telling you what you can do with your property. Now, many people who live in the area admire the local community atmosphere, the streets, the streetscapes, the trees and other attributes of the community and its surroundings. It's not just the buildings, it's a whole neighbourhood; there's no question, and it always has been. Whether or not it gets this official designation and the pursuant encumbrances or restrictions is really the issue.

I think this would be important just for the record. Here's an article I'm reading. It's this month. I can't see the exact date. We'll say it's June 15, 2004: "Neighbourhood Heritage Drive Moves Forward." There was a vote taken, there were submissions made and votes taken afterwards, of course, and they decided to move on to phase 2 of the study, to determine the implications of having a heritage district.

I will commit to the record a number of names of persons who I think are very strong citizens, actually, and very committed to determining the appropriateness of

this heritage district. I'm going to cite here from Wednesday, June 2, 2004—I think it's the Orono Times. It says:

"Mayor Mutton said he would vote in favour of moving into phase 2, but he had to have absolute proof that the vast majority of the public are supportive of moving forward with the designation before he would ever approve moving forward with heritage designation" in this district. So there is Mayor John Mutton. That's his position, and I'm reading it. I'm not attributing to him, other than I'm reading it from the newspaper.

The next person, the advocate for the designation: "Bill Humber of the Old Bowmanville Neighbourhood Association said he was pleased with the outcome of the meeting. 'It is exactly what we have asked for,' he stated. 'This is not about heritage designation. It is about moving on to phase 2'" of the study of a heritage district.

But as in all things, as you move forward, you get deeper into the forest. One can hardly get out of the forest after one is in it. This is the deal.

1650

Now, this is quite interesting too. A contrarian position was expressed by Rick James. Rick James and the James family are very well known. The family had the family newspaper for 100 years. Johnny James was a former Liberal member. I was surprised he was Liberal. Back then they were probably more like us. But they were a very respected family—let's leave it at that—for over 100 years the publisher of the Canadian Statesman.

"A contrary opinion was expressed by Rick James, who said, 'We understand and respect council's decision to move forward but we are very concerned this pushes us one step closer to the actual designation of the neighbourhood. From the very beginning of this process, it has been made clear by the majority of homeowners that designation is not wanted, yet we keep creeping in that direction because of a small group of advocates who don't seem to respect the wishes or rights of their neighbours.'"

So you can see how controversial—you move from what I would call the highly objective review until it involves you. That's the issue here. It is a property rights issue. I think that's why governments, advisedly so, have moved slowly in trying to find an appropriate solution.

Bill 60 sets out a few things that give municipalities new powers to prevent demolition of heritage sites: new provincial powers to identify and designate heritage sites and prevent demolition; clear standards and guidelines for provincially owned heritage properties; improvements to municipal designation processes; clear, transparent processes. It strengthens and protects for heritage conservation districts. Now, that's kind of new. There are heritage districts, no question; it's a process. It increases provincial protection for significant marine heritage sites, as Mr Barrett said earlier. It enhances provisions for conserving archaeological resources, and it streamlines agency provisions on the Ontario Heritage Foundation and the Conservation Review Board.

It's in these new powers where there is some problem. As we read in the newspaper yesterday, Maple Leaf

Gardens became a grocery store last night—Loblaws—and the largest liquor store in Ontario, I think.

Interjection.

Mr O'Toole: Well, the Liberal government is in charge, and I have no problem with that. It was the Toronto council; let's be clear about it. But I'm sure they're working in consultation with the provincial board, the Ontario Heritage Foundation, as well as trying to find ways to make this a very valuable commercial property. Here's where the property rights issue comes into it. Let's say I own Maple Leaf Gardens and that you are telling me what I could do with that property. I have no problem, provided you're going to give me compensation. If you think it's worth preserving, pony up.

Interjection.

Mr O'Toole: Well, there are shareholders, and some of the shareholders of Maple Leaf Enterprises are the teachers' pension fund, the public sector pension fund. They invest in these things. You don't want the government to just come in and take away all your rights. But I'm pleased to report that they must have found a solution, because the facade of the Maple Leaf Gardens will be preserved.

It's clear that through working co-operatively without ramming it through, while listening to the people, you can find solutions. My understanding and my commitment would be that we need to have more consultation on Bill 60. I would leave it at that, that I'm for more consultation, getting it right, and at the same time being on the record that I am a supporter of preserving heritage in this province, not just cultural heritage.

In the dying few moments here, I think of Peterborough where I grew up. I grew up in a rural district, Otonabee township, a great place right on the Otonabee River. This year, for instance, is the 100th anniversary of the Peterborough lift lock. It's a marvellous engineering feat. It's 100 years old and stands and serves the people today. There are those who would have said it's not modern enough, but it's the largest hydraulic lift lock in the world. I was fortunate to have a cottage in the area. Unfortunately, we sold it a couple of years ago before the market actually would have kicked it up a bit, but hey, that's—

Interjection.

Mr O'Toole: It is in that vein.

I can think of Peterborough and I think of Lakefield and the whole Trent-Severn Waterway system.

My mother-in-law, Madge Hall, is a wonderful lady. She doesn't think much of Peter Adams.

Interjection.

Mr O'Toole: Oh, no, she wouldn't vote for him if he came and brought her lunch. She'd give him lunch.

Madge, I know, would be happy to know that I remember Lakefield is an important part in the history and heritage, with Catharine Parr Traill, Trent University. Madge would be proud. She'd support this bill.

The Deputy Speaker: Questions and comments?

Mr Kormos: I don't know Madge Hall, but I know other folks like her, and you can bet your boots Madge

Hall is not pleased at all with seeing the privatization of health care by the Liberals here at Queen's Park. You can bet your boots that Madge Hall is as mad as anybody can get when she's told that she—

The Deputy Speaker: I think you should be talking about the speeches that were given, in your two minutes.

Mr Kormos: Indeed I am, Speaker. It was the speech by the member for Durham that I'm responding to. He's the one who talked about Madge Hall, and you see, that's the problem now. I've got to do questions and comments on his speech.

Interjection.

The Deputy Speaker: I didn't hear those words in his speech, so I'd prefer that you keep your comments to that.

Mr Kormos: Madge Hall has a fascination, I'm sure, with heritage buildings and the maintenance of heritage buildings. And Madge Hall, a good woman, while she advocates the maintenance of heritage buildings and would implore this government to protect heritage buildings, I'm sure she decries this government's attack on seniors as it privatizes health care. I'm sure that as Madge Hall wants to see strong legislation protecting heritage in communities, whether it's hers or anywhere else in this province, I'm sure she decries the tough new taxes imposed by Liberals upon herself and others like her. I tell you, Madge Hall, while advocating for the preservation of heritage places, has no time for a government that would privatize health care and break every promise that it made in the course of an election campaign; why, would indeed say everything it had to to get elected, but then break every promise it made in a New York minute.

Hon David Caplan (Minister of Public Infrastructure Renewal): I want to congratulate the member from Durham on his comments, and the member from Haldimand-Norfolk-Brant as well. Certainly, I want to congratulate the member from Durham on the passage of his private member's bill, Irish Heritage Day, that he did talk about. Congratulations, sir. That's wonderful.

It's very interesting. Bill 60 is supported by municipalities across this province. They were here on its introduction. Many municipalities in fact have applied to this Legislature through private bills to gain these types of abilities to protect heritage properties across this province. This bill has the support, I think, of legislators from every political party.

I think the question is not only to the member from Durham but to the last speaker, from Niagara Centre: Why is the NDP blocking passage of Bill 60, which could see municipalities get the kind of protection they need for the heritage properties that exist in this province?

In fact, we are seeing New Democrats block Bill 56, family medical leave. It has been the heritage of this place that when we have non-contentious pieces of legislation, legislation that would give family members the ability to care for dying loved ones and give them job protection, to be able to give protection to critical heritage properties like in Bill 60—but we see, unfortunately,

Mr Kormos, the member for Niagara Centre, and Mr Hampton block passage of this much-needed legislation, whether it's Bill 56 or Bill 60.

I hope the member from Durham is going to want to speak about this bill and about why a third party would want to block legislation. Ironically enough, the only reason that members of the third party have given for the stand they've taken is because they are looking for additional coin. They're looking for additional dollars above and beyond the \$1.8 million they've gained quite recently as a result of the by-election in Hamilton East. Shame on them.

1700

Mr Rosario Marchese (Trinity-Spadina): I should say that I do support this bill. I sometimes say it reluctantly, because whenever you support anything around here, with Liberals in particular, they will plaster your name on every billboard in any election so they can take advantage of the fact that even a New Democrat supports this bill or that bill. So you're very careful, right? We are careful here because it has been abused by Liberals before, so you carefully say here that you reluctantly support this bill.

Interjection: It has not been abused.

Mr Marchese: It has been, against my colleague Michael Prue. Let me show it to the folks. This is my friend Michael Prue, used in a by-election in Hamilton against him and against us as New Democrats. This is the danger. If this happens on a regular basis, then New Democrats say, "Hmm. I'm not sure we're ever going to support another bill again."

Some of you might say, "It's a by-election," but we say that in whatever context you use it, whether a regular election or a by-election, it was wrong, a mistake, because then you don't get the co-operation of the opposition parties.

So I say to you, Minister, you've got to be careful. Around here, we negotiate. What gets passed in this Legislature is a matter of negotiation. It didn't work, and obviously the government did not want to make it happen, so we hope the government will take some responsibility for that.

Ms Jennifer F. Mossop (Stoney Creek): I'm very pleased to speak for Bill 60, because I am the parliamentary assistant to the Minister of Culture. Just for a refreshing change, so that the people at home know exactly what it is we're talking about, I'd like to just go over the changes we are proposing in this legislation, which I know is being supported by all parties. So let's take a look.

We have new municipal powers to prevent demolition of heritage sites, new provincial powers to identify and designate heritage sites of provincial significance and prevent their demolition, clear standards and guidelines for provincially owned heritage property, improvements to the municipal designation process, strengthened protection for heritage conservation districts, increased provincial protection for significant marine heritage sites, enhanced provisions to conserve archaeological resour-

ces, and updated agency provisions for the Ontario Heritage Foundation and Conservation Review Board.

These are long-overdue changes to this act. For many, many years we've watched around the province as buildings and sites have been destroyed, with absolutely nothing standing in the way between them and the wrecking ball. It's been a tremendous tragedy, because once those properties are destroyed you can never bring them back. They're gone.

So this is a wonderful piece of legislation. We're very proud of it. We are pleased that it has been given support from virtually everybody in this House, and we're going to be moving forward with it.

I was at a couple of conferences with some heritage conservancy groups and they were very, very pleased with this. Time and time again, it's been made very clear that if you are going to preserve anything, you have to have strong legislation to do so. That is what we are bringing in. We are bringing in strong legislation to protect the heritage of this province, which is valuable and irreplaceable.

The Deputy Speaker: The member for Haldimand-Norfolk-Brant has two minutes to reply.

Mr Barrett: The member from Durham made mention of property rights. I think it's very important to stress that those of us present who have ridings that front on the Great Lakes always remember that that land under the water is crown land, Ontario government land, if you will.

When I look at a map of my particular riding, essentially half of it is underwater. My riding fronts on the border with Erie, Pennsylvania. If you're the middle of the lake, it fronts on New York state, Erie and the state of Ohio.

I think it's very important, as this legislation moves forward—and I'm referring specifically to the marine heritage component—that we take a big-picture view of the lakes—not to forget about the rivers in the province of Ontario—look at our neighbours on the other side of the waters and make sure that our marine heritage legislation is in keeping with the legislation of those neighbouring states.

Property rights are a factor. It's very important to realize that those wrecks on crown land under the water are the property of the province of Ontario. For that reason I feel there is a very strong case to prevent the pirates, if you will, from stripping these wrecks.

There was a court case very recently with the steamship Atlantic. Again, the province of Ontario went head to head with Port Dover diver Mike Fletcher. In that case, the court ruled that all shipwrecks and their associated artifacts located on Ontario's crown land are the property of the province. We have that responsibility, the responsibility on our parliamentary assistant, to look after the Hamilton, the Scourge, and to keep the Haida floating, for that are matter.

The Deputy Speaker: Further debate?

Mr Marchese: I want to repeat what I said just a couple of minutes ago, that I personally support this bill. I think it's a good bill.

I say it reluctantly because, again, it has happened in the past where one of our members said something in agreement by way of a bill that was passed in this place, and then it was used against him in a Hamilton by-election. I say, if this were to become a regular habit, most of us here would be, and would become, very wary of saying that we support bills by this government.

Mr Shafiq Qadri (Etobicoke North): Very wary.

Mr Marchese: Very wary.

Mr Qadri: Very wary; interesting phrasing.

Mr Marchese: We would be very wary.

I say this because it's important to remind Liberal members that when they use it in inappropriate ways, as has been witnessed, it makes a whole lot of people nervous. This is a good bill that can be supported, and that I suspect will be supported, by most New Democrats when the time comes.

I want to speak to some of the elements in the bill that are good, and I want to speak to some of the other elements that I think could be strengthened. I want to thank, not so much the government, although they've done the right thing, but those who are in the heritage field, for having pressed the previous Conservative government for years to pass this type of legislation. They have been the very ones who have pressed the Liberal government to pass the legislation, with amendments that I believe have strengthened the Ontario Heritage Act in ways that are good for people in Ontario.

People don't realize that the way bills are introduced in this place has a lot to do with pressure that is put upon government and put upon individual members of the government in order for government to even consider any legislation. Legislation doesn't happen in this place willy-nilly, or at the will of individual ministers, or at the will of Premiers. Sometimes it does. If Premiers want to move certain things, they happen, and they happen quickly. This is true.

It isn't always true of individual ministers. Some ministers may have strong feelings about some things, but it doesn't mean those bills get introduced and/or passed in this place. The way bills get introduced has a lot to do with the pressure the public puts, not just on the individual minister or on the individual member, but on the government as a whole before they even consider it.

1710

So I thank all those who have worked in the heritage field over the last 20 years, because it is the efforts you have made individually and collectively that forced the previous government, in its last dying days, to introduce an act, and as far as this Liberal government is concerned, to introduce an amendment act that makes that bill so much better.

I want to thank people like Catherine Nasmith, the past chair of Heritage Toronto. She has been working in this field and has had an interest in heritage for a long time. Individuals like Catherine Nasmith have made a difference.

I congratulate the Doors Open folk who created this a couple of years ago, and have created a desire and an

interest in maintaining our heritage, in preserving it and in seeing it. Without their efforts, there would be fewer people out there demanding an Ontario Heritage Act, and in this case an amendment act that would strengthen Ontario's culture, Ontario's heritage. Doors Open was, in my view, one of those initiatives that has got a whole lot of people from all over Ontario to see its heritage.

So many people have so little knowledge of what we own, of what we have, of what we've had, and of what we've lost. That's why I commend individuals who commit so much of their time to understanding and preserving our heritage. I've always been a strong believer in our tangible heritage. I've always believed that we needed people who think the same way, because so much of our physical structures, our physical heritage has been lost in Ontario, in Canada. So much we have given away to developers.

I think, when I go to Italy, France, Germany or anywhere in Europe, and maybe Greece, when you travel to some of these countries, what it is that I admire and what millions of tourists admire when they go to places like Florence or Venice or Rome and any of the surrounding regions is the physical heritage that has been so beautifully preserved.

Mr Lorenzo Berardinetti (Scarborough Southwest): Sienna.

Mr Marchese: Lorenzo loves Sienna. I do too, by the way. Beautiful little city. That is why indeed people go there rather than saying, "Let's go to some Ontario little city and see what we've got." We haven't preserved our heritage. We've simply lost so much.

Interjection: Stratford.

Mr Marchese: Stratford is a beautiful place. So many of our cities are beautiful, and by the grace of, not so much God but the energy and effort made by so many city councillors and citizens who wanted to preserve their heritage, we've maintained a lot of the buildings that otherwise would have been lost.

People go to Europe because they want to see what's old, what has been there for hundreds of years, what still remains, some of it intact and some of it, yes, partly in ruins, but they still hold on to it. That's why I love to go. I adore Italy, and that's why whenever I have an opportunity to travel, I take it. It's not often, but I love what Italy has to offer, and it is part of that heritage.

What this bill gives us that is a critical part of why I support it is that, for the very first time, municipalities will be able to refuse a demolition application by an owner of a heritage property designated under the heritage act. This was a power that we wanted and sought for a long time. This is the power that is in this amendment act that was not there in the act the Tories introduced in their last, dying days. Cities needed this power. Without the ability of a city council to say to someone, "You cannot destroy, you cannot demolish that building," we were powerless. Communities were powerless, all those dedicated to their heritage or their communities were powerless. Individual councillors had no say. It didn't matter what appeal you made to the OMB or anyone,

minister or otherwise, you had no power. This corrects a deficiency of the old act, without which we wouldn't have the necessary powers to preserve our heritage.

Anthony Tung, who New Democrats brought here a couple of years ago from New York City, a preservation commissioner, said this was the most important thing the province could do to protect heritage buildings. We have known this for quite some time. We didn't necessarily need Anthony Tung to tell us, but it was important to have his voice, because New Yorkers have done a great deal to preserve their heritage. In fact, they destroyed the Pennsylvania Station in 1963. It was demolished. In spite of the uproar and in spite of opposition, it was demolished. Evidently, it was a beautiful station, with much to admire. But that was the catalyst, evidently, that turned things around for those who wanted to preserve the heritage of their communities, to the extent that so much changed across the United States by way of giving powers not just to the states as states, but to the cities, in order to preserve heritage.

So this initiative, this addition, is one of the most important things that I, as a New Democrat, support. Imagine how proud and happy those individuals, who have been working to bring an Ontario Heritage Act that they could be proud of, are today that there is a bill that speaks to what they have been trying to do for so many years. So it's a good day. It's a good feeling. It's something that, yes, we can be proud of. The province will be able to designate properties and refuse demolition of properties. That's a good thing. Not only are they giving municipalities the power to prevent demolitions, but the province maintains its power to do so, as well. That too is good thing.

We have the Concourse Building. I remember going there a year and a half ago. This is a beautiful art deco building in the Toronto financial district, not yet demolished. The province could intervene in trying to preserve this wonderful art deco structure. I am not sure whether the province will use its own power to prevent its demolition, but if you wanted to act and wanted to show leadership and wanted to show how Bill 60, the new Ontario Heritage Amendment Act, actually works, this is the place that the Minister of Culture could start. Use your power to say the Concourse Building will not be torn down. We will wait and see. My suspicion is that the government will say, "A decision has already been made. Why interfere with that? Why get ourselves into trouble with that? We would be seen to be doing something retroactively."

God knows you did that with the private school tax credit. One wonders whether you'll be able to retroactively use this power you now have to change the decision that has been made, which was in my view a mistake, and preserve a beautiful art deco structure.

1720

We'll wait and see. You now have the power. It is a good power. We'll wait and see whether we'll be able to preserve the interior of Maple Leaf Gardens, a structure that a lot of people love, that people have been to and that

a lot of people want to preserve. Let's see how the city and the province use their power to stop the gutting of that historic heritage building. The minister will be able to issue a stop order to prevent demolition if she, in this case, believes properties have heritage value—good powers, important powers, powers that were absent in the past in the act that would give us the ability, those of us who are interested in holding on to our heritage, to be able to say no to the destruction of our buildings.

Municipalities have the right to impose specific property standards on owners of designated heritage properties. This is yet another good power that municipalities have been given, because they are the ones that have the knowledge and expertise of their own communities, of their own histories. I personally believe that it's good for municipalities to have such a power and to be able to impose standards on the owners of designated heritage properties.

We hope it will not unduly restrict municipalities in terms of what they can and cannot preserve, or what they can and cannot destroy. Municipalities hopefully will be able to have the power to decide on what is considered a heritage site or property to preserve—again, a good power to include, but hopefully it will not be a power that will unduly restrict what municipalities can do.

We hope you will give cities the power to find the balance they think they would need. Municipalities can create study areas to prevent alterations and demolitions for up to one year while a municipality and community studies whether to make the areas a permanent heritage conservation district. We think it's a good thing. I believe it's a good thing. We heard the member from Durham speak against this idea, but I believe it's a good idea.

Interjection.

Mr Marchese: John, you don't have to do a point of order. I'll repeat it for you. Municipalities can create study areas to prevent alterations and demolitions for up to one year. This gives municipalities and communities the time to study whether or not the area should be considered a permanent heritage district.

I think this is good. Why not give the city, a municipality, the power to be able to do that? There are districts that we might want to protect as a district. Given what I said previously in terms of providing standards for owners of designated heritage sites, why not do that so we are able to decide what kinds of things can be done in those areas, how you want to modify the particular building or area, what kinds of colours you want, what kinds of brick you might want or not want, or what design you might want or not want? This is a good thing.

There are districts that should be preserved. There are areas and districts in Europe, in fact whole cities, that you can't touch; you need a permit to make any slight alteration on anything. Some people might say, "This is a bit too much. It might slow things down a whole lot. You might not be able to do what you want, and that's an infringement on those individuals' rights," but you're preserving culture. You're preserving what we are—what you are—as a people. It's not an undue hardship to

impose on a district or on those properties to be able to say, "This is what you can or can't do." Again, I think it's a good thing.

There are many other things the bill does that I think are very helpful. Where an owner of a designated property applies to have the designation removed, the public will now be entitled to notice and have an opportunity to comment. Previously this was not the case. We want to be able to give the power to a community, given notice, to come before the politicians and say, "We agree or disagree." Why would you take that power away? Why wouldn't you give the power to the people to have their say? This is a good thing.

Protection of marine archaeological sites is being strengthened, as is licensing of archaeological personnel. The member for Haldimand-Norfolk-Brant spoke at length about this. This again is a good thing. We've had an opportunity to debate this in committee for a long time, and again, this is a good thing.

Areas where I think we need to do a little more work: The owner of a designated property will have a right of appeal to the Ontario Municipal Board in the case of either a municipal or provincial refusal of a demolition permit. We have no quarrel with that. This is perfectly reasonable. Where we say we need some change is in the following: It should be changed to allow third parties to appeal the consent of a municipality to a demolition to the board as well, which does not appear to be allowed under the current wording. So we agree that the owner of a designated property should have a right of appeal to the Ontario Municipal Board in the case of a municipal government or the provincial government saying no to a demolition permit, but we believe third parties should be able to have the power to appeal the consent of a municipality to a demolition. That's not an unreasonable thing to do or to ask for.

Why couldn't a third party have the power to appeal; why wouldn't you allow that? That's the question I ask the minister and this government. This is not something that I think is an unreasonable request to make. This is something the government will have time to reflect on. Therefore I hope, having raised it here, you will consider it and, when we get it to committee hearings, others will join me in suggesting or demanding that that request be heard and implemented by this government.

Another good thing I forgot to mention—it's not a problem but it is a good thing—is that members of the Conservation Review Board, which reviews designation decisions, will be able to sit on the Ontario Municipal Board for hearings into demolitions. This is a good thing. These people have expertise and knowledge. The fact that they will be able to sit on the Ontario Municipal Board gives us a voice. It gives those who care about heritage a voice so that when they get to those OMB hearings, we will be able to have experts who will help to guide some or many of the members of the Ontario Municipal Board who may not have sympathies for heritage or knowledge of heritage. This addition to the Ontario Heritage Amendment Act is a good thing.

1730

We think and suggest and hope that the government may want to consider some training for Ontario Municipal Board members, because it is my suspicion that we've had very few people on this board who have sympathy for or knowledge of heritage: heritage buildings or heritage history in general. I make this sweeping generalization, but I suspect my suspicions are correct, something on which I suspect the government and the minister might agree with me, and if she does, this is one area that we could help the Ontario Municipal Board with. We might be able to do it by making sure that new appointments to the Ontario Municipal Board will have the expertise, knowledge of, and sympathy for and with heritage. If that's the case, we might not have to do too much training of current Ontario Municipal Board members. But that's something we should reflect on.

I just got a little note here, minister of infrastructure, that Portugal won the game against England. It was a wonderful game. I couldn't see it, having had to be here on duty and having to speak to this particular bill.

Hon Mr Caplan: On a point of order, Mr Speaker: I rejoice for all Portuguese Ontarians, and I must tell you that Ricardo himself saved the last goal and scored on penalty kicks. I know that my friend opposite would want to know this critical information.

The Deputy Speaker: That's not a point of order, but it is interesting. Thank you.

Mr Marchese: I want to congratulate Portugal. I share the joy with many of my constituents who happen to be of Portuguese extraction. In fact, about 25% of my riding is of Portuguese origin, so imagine the horns tonight on College and Dundas, and the parades from one end of Bathurst to the other. It's going to be exciting. My sympathies to England and the English fans. They were a good team. I suspect there aren't a lot of people who enjoy soccer in this place, but I'm a big fan, so it was a big disappointment to have to be here on duty—and I enjoy being here—and not having the opportunity to see that game. Nevertheless—

Ms Mossop: And we enjoy being here with you.

Mr Marchese: I'm so happy to hear that.

There is another point I wanted to make in relation to what is good about the bill. You see, when you skip around, you miss a couple of things. But there is a fine of up to one million bucks for demolitions under the act, and that's an appropriate fine. I think if it were any less, it would probably be a problem. A \$1-million fine on anyone who demolishes a building they shouldn't is a good deterrent for those who think it's OK to demolish heritage buildings. So that is a good thing.

I wanted to suggest that there is very little in the bill that encourages people who own heritage buildings to maintain them. I think the minister and this government should spend at least a couple of minutes to reflect on this. Unless we find a way to give incentives to owners of heritage buildings to preserve them, it's going to be an incredible burden that we impose on them. If maintaining and preserving a heritage building is a public good, as I

believe it is, if it is in the public interest to preserve and maintain our heritage buildings, then I believe we have to properly compensate; we have to find incentives for people to be able to keep those buildings.

It's not a cheap enterprise here. Preserving heritage buildings is a very costly business. Having to make renovations in this building, which is a heritage building, has been very costly. It was built in 1904—well, it burned down once or twice—and it wasn't built according to the codes of 2003. As a result, every change we make in this building is costly, and it's never perfect—

Interjection.

Mr Marchese: Sorry, Brad? Couldn't hear you. So whatever change you make is expensive.

Because I'm supporting this bill, I'm looking forward to support, rather than—I don't know—chiding remarks. Help me out. I'm supporting your bill. It appears as if sometimes I get these funny remarks about certain things. If you like this bill, and I like it, you've got to help me out, right? So when I make some suggestions, you've got to say, "Hmm, that's a good idea. We're going to consider it. Gee, we never thought of that," something like that, as a way of encouraging someone like me in the opposition to be supportive of you, right?

Right, John? Hey, Brad, did you see Ed Broadbent's little rap? Did you see it? Did you like it? You should do one, because I saw you doing my imitation. That's good, Brad. Could we get the cameras on Brad Duguid over there? That's good, Brad. You should do your own little video.

I like it when you imitate me, I really do, but I want you to support my suggestions. If you don't, it's going to be painful. If you don't support our suggestions, I don't know whether I can support yours, right? That's the way it works. That's negotiation. That's how we negotiate and compromise, right? The Minister of Public Infrastructure earlier on said, "Ah, the New Democrats are stalling." We said, "Sorry, this is negotiation." We negotiate in this place, right, Carol?

Ms Mossop: Jennifer.

Mr Marchese: Jennifer. We've got to negotiate. That's what this place is about.

Interjection.

Mr Marchese: No, I like to go all over the place. I want the cameras to move with me so they can see the other members. That's the way it works. There's nobody to the right.

So Liberals, work with me a little bit. The fines are good. The \$1-million fines for demolition are good; no problem with that.

Mr Bob Delaney (Mississauga West): We've had some great houses demolished in Mississauga.

Mr Marchese: He wants me to talk about Mississauga. You've got to stand up. I think you guys are next in line. I want to hear you do the 20 minutes, Bob Delaney from Mississauga West. I want Bob Delaney from Mississauga West to talk about the great culture you've got in Mississauga: what you may have lost and what you want to preserve. I'm looking forward to your

two minutes and your 20 minutes to talk about your love of heritage. He's not in his seat and he's going to get there soon to be able to do that; don't you worry.

What incentives does this bill give for people to be able to preserve their buildings? Does any Liberal know? What incentives? I don't hear anything. That goes to show you that they don't know. There are no incentives in your bill.

Hon Mr Caplan: Intrinsic value.

Mr Marchese: Yeah, David: intrinsic value; intangible heritage. No, no, you've got to offer some incentives. You haven't thought about that, or maybe you did and maybe you thought, "Well, we have no money." But you can't say to people—

Interjection.

Mr Marchese: Lorenzo, hold on. You can't say to people, "Preserve the buildings, but we've got no money for you. Yes, you're doing this for the public good, for the public interest, but we have no money for you. Yes, we're going to let the city decide on how they can help you, but they have no money for you." Unless the province kicks in some money, we've got a problemo.

I was pointing out that preserving heritage buildings is a very expensive enterprise. While it is good economically for those who want to restore old buildings and to maintain our heritage buildings—while that creates spin-off jobs, and while that is part of a public good—unless those individuals who own those buildings are given some support, they might not have the money to be able to preserve those buildings, and then what do we do? Then what do you do?

That's why New Democrats have proposed a fund for dynamic downtowns, which would have provided \$300 million per year for, among other things, municipalities to make available substantial grants or property tax breaks for owners of designated heritage property. It's what you've got to think about, it's what you've got to do.

1740

Minister of infrastructure, you've got to help me out. This is a bill you like. This is a bill—

Hon Mr Caplan: Have you got a pothole?

Mr Marchese: No, not potholes. This is a bill you like, that you want passed. Before we pass this, there have got to be a couple of changes. I'm not being unreasonable in the suggestions I'm making to make this bill a little more supportive.

There's another matter I wanted to bring to your attention, Minister of Infrastructure, because you seem to be here directing traffic today. The minister should amend the transition provisions in the bill to ensure there isn't a frenzy of demolition just before it receives royal assent. All buildings that are not in the process of physical demolition should be subject to the new rules, not after royal assent, as the bill says, but after the date of introduction of the bill. The point about this is that those who want to demolish heritage buildings can do so now. Those who know that this bill has been introduced in this place will figure out, sooner or later, that it's a question

of time until this bill is implemented. It may not receive royal assent as quickly as some would like—

Hon Mr Caplan: It could today.

Mr Marchese: It may not, for a variety of reasons that are disputable. But I say to you that, when the time comes, we are ready, as an assembly, to pass this bill. What you've got to do is make sure you adjust for transition provisions to make sure there isn't a frenzy of demolition. And you know, Minister of Infrastructure, that there will be.

Hon Mr Caplan: Pass it today.

Mr Marchese: No, we can't pass it today.

Interjections.

Mr Marchese: We can't pass the bill today.

Mr O'Toole: You're alone. Do it. Stand up for democracy.

Mr Marchese: We can't do it. We operate in this place on the basis of arriving at some agreement entre nous, and that requires the agreement of three political parties. We obviously were not able to get that agreement from the government. The government, of course, will stand up and say, "Well, blame the NDP," which is what every government does. The Conservative government did it before the Liberals, and the Liberals are doing it now. What they're saying is, if this bill doesn't get passed today, the only ones you can blame are the NDP. You can believe that, those of you who are watching, all you want; or you will, or might, understand the political process and that there are negotiations on a regular basis before the end of a session, and those negotiations obviously did not go very well.

Would you think, those of you who follow this political channel, that an opposition party would simply be here and say yes to everything the government wants on the basis that they are good and the rest are bad, on the basis that every bill they pass is good and whatever the opposition has to say is bad? Would you think we would do that? No. It would be simplistic. It would be naïve. It would be puerile. It would be silly, right?

Negotiations haven't been going very well, and there are reasons for that. There are reasons for that. Part of the problem we've had are the broken promises of the Liberal Party.

Interjections.

Mr Marchese: Well, it's true. Part of the problem we've been having for the last month are the broken promises. McGuinty said, "We won't introduce a health tax because it would be wrong. The Tories introduced it." McGuinty said, "We wouldn't do it," and then he does it. You see, that got you into a whole lot of problems.

I can understand why you would want to try to introduce so many bills that you think people would like out there in order to overshadow or subsume so much of what you've done that is bad. I understand your efforts to want to do that. Why would we oblige your political agenda? Sorry. Would I want to make it easy for you to be able to go out there and say, "Look at all the great things," so that you can forget all the bad things? No; it's

not my job, certainly. It's your job to try to do that. It's not my job.

Mr Khalil Ramal (London-Fanshawe): I have a question, Mr Marchese: What does the NDP want?

Mr Marchese: What the NDP wants? We don't negotiate here on the floor, please. Khalil, what's the matter with you? You don't negotiate on the floor. You do it in the privacy of various rooms. You discuss it and then you try to be as reasonable as you can. At the end of the day, the government said no to whatever negotiations were going on. God bless. You've got the wheels. You're in charge. You've got the power.

I believe that we need several things, as I said. First of all, at the OMB, we need retraining of many of those members because I don't believe they're well qualified to deal with these issues. We need to deal with the fact that there are no incentives in this bill to help those individuals who own properties and want to maintain them. We believe that the minister should amend the transition provisions in the bill to ensure there isn't a frenzy of demolition just before it receives royal assent. That's something that I think the government and the minister need to review as they send it to committee hearings.

Is it possible this government doesn't want to send this bill to committee hearings? My suspicion is that you would want to make sure the public gets one last crack at speaking to this bill. This is a good thing for you. The public supports the bill, generally speaking. You would want to hear whether or not there is any opposition to what you have introduced by way of amendments, and you would want to hear from those individuals who want to speak to other amendments that they think should be introduced, which I don't believe, based on what I've presented here, are difficult to bring forward. They may have other things they want to talk about; I don't know. But I believe there should be hearings, and I want to make sure that happens.

If we were to pass it today—second and third readings—it wouldn't work. If we did that, then the public wouldn't be able to have its say, and it certainly wouldn't be participatory, would it?

Mr Berardinetti: After second reading, it goes to committee.

Mr Marchese: We're not going to do that today. We could have done that today, but it just didn't work out.

What can I say about this bill, generally speaking, except that it's timely? It is important to give people who fought for preservation of our heritage something they could hold on to. We've been dealing with this for 20 years—imagine, 20 years. People have been fighting all sorts of governments, and it started in my time, in fact when I was Minister of Culture in 1991, when people started to talk about the need to introduce a new heritage act, which hadn't been changed for decades. We started those debates in late 1990, 1991, and we involved many different ministries, because heritage isn't something that is exclusive to the Ministry of Culture but to many ministries. It took a long time. They lobbied us, and we failed to introduce it in 1994-95, when we could have,

and that is a problem I take some responsibility for, because I believe we could have introduced it then.

Yes, there's always competition in this Legislative Assembly about which bills come before this place to be debated. Indeed, in my time in government, many ministers and many different people were competing over which bills should be introduced. We had Tories and Liberals obstructing every move we made. So unhappy were they to have an NDP government that they wouldn't let up with every obstructionist initiative they could think of. So impossible was it to introduce any bill that we needed to decide which bills were to be introduced on the basis of what we thought was critical or important to people at that time. Obviously, heritage didn't make it—and rarely makes it. And that's the point.

People in the heritage community work day in and day out to defend and protect something they believe strongly in. They don't know how to lobby governments. They've learned to lobby, but in the beginning it was very hard. Lobbying consisted of making an effort to visit the minister and hope that in convincing the minister, they would be able to move the initiative along. It wasn't so simple. It's not so simple. This is why I say to people who are interested in convincing government or ministers about any initiative, the way to do it isn't just to lobby the minister; you've got to lobby every member of this House, of this Legislative Assembly. You've got to lobby every member in every constituency office, and you do that by sending those who are interested over and over again to those offices until the members of provincial government listen to what you have to say.

1750

Simply writing a letter is not sufficient. Simply writing a letter and hoping for a response is not sufficient. Writing a letter to the minister that doesn't say "Private and confidential" will never reach the minister. In fact, it will reach the minister, but by that time they'll be out of office. So if you want to connect to the minister, write on the letter "Private and confidential," because if you do that, nobody will be able to be open that envelope except the minister.

This is important. Some of you who haven't been lucky to be in cabinet don't know some of those little tricks.

Interjections.

Mr Marchese: This is what you learn. You learn that if you want to reach the minister, you've got to put "Private and confidential"; otherwise, the civil servants open that envelope and then it takes a whole year or two, by the time it goes through the echelons of power, and by the time it reaches the minister, they're gone. It's a dead issue. You understand what I'm saying? It's important.

You've got to lobby, day in and day out. You've got to go to the members and you've got to make yourself a headache to the member. If you simply go to the member and say, "I really believe this particular issue is important," and the member says, "Oh, yeah, I agree with you," and you go back home thinking, "My job is done," don't believe that. Most MPPs are going to say, "Of course I

agree with you." Generally speaking, even if they disagree with you, they'll probably say, "I agree with you," just to get you out the door.

Mr Kormos: Look what the Liberals said before the election.

Mr Marchese: Yeah, look what the Liberals said prior to the election and you'll understand why you have to be wary of what it is the politicians tell you. We told them before the election there were certain things you couldn't do. You can't promise \$7 billion of new services, no new taxes, deal with the deficit and balance the budget, like it's that simple. You can't do that. It takes time. It takes a civil society, actively engaged, to make every member of this place accountable.

When you go to that political office, every minister is available in their constituency office on Fridays to meet with you. And if they're not available to meet with you on Fridays, they don't want to meet with you. That's just the way it works. They're always busy.

Interjection: They are.

Mr Marchese: Look, with all due respect, they are, but they ought never to be that busy that they can't find the time on a Friday morning or a Friday afternoon, when we're not sitting in this place, to meet with you. So it is possible that some ministers are finding the time to meet with you. All I'm telling you is, I'm giving you the tricks of the trade, right? When a minister says, "I'm too busy," if he's too busy to see you, he doesn't need your vote or doesn't want it. So go to the constituency office, meet with the staff and say you want to meet with the minister and/or the member. If the member is too busy to see you, they don't want your vote or they don't need your vote. That's just the way it is. Again, if you go individually to that office and only one person in that constituency office comes to say to you, "I want this bill or that bill," it's not enough. You need a movement, right? You need a movement of people.

That's what Jennifer and the heritage community have done. That's what they did. The heritage community did exactly that, making themselves heard everywhere, in every office across Ontario. I want to thank so much so many of those who influenced the previous government and this government—people like Jane Jacobs. An active citizen like Jane Jacobs you have never, ever met. She has helped to mobilize so many people around not only issues of cities, but issues of heritage as well. And we need people like Jane Jacobs and Catherine Naismith to mobilize others to take an interest and to bring them to every constituency office across Ontario.

I congratulate people like Margie Zeidler, who is the owner of 401 Richmond, in my riding. Some of you who are close to the city will be familiar with this building. It is a wonderful heritage building that has been preserved by Margie Zeidler, and I congratulate her, because there aren't too many people like that who take a project like this on and say, "We can fix this building up and we can bring a variety of different people—small business people, cultural community types, art galleries." There is an array of people in that building that makes it indeed

vibrant, so vibrant that it has become a model for so many other people to imitate. That's what we need. We need individuals like that. And we can never thank them enough for doing what they do.

So again, they lobby, and we have been forced to listen. It has taken literally 20 years to finally get to this place where we are dealing with a bill that—I was going to say, “with all due respect,” but with a bill that is good, with some changes that I propose can be made, that I believe will make it better, but it is essentially a bill that I think should be supported.

Again, we do want this bill to be debated, based on the suggestions that we are making. We want those who are watching this parliamentary channel to know what we have to say. We want heritage people to know that changes can be made, changes can still be made that will make this bill even better, that we shouldn't take less, that we don't have to rush it to be able to say, “Let's take this and move on, because you never know what might happen.” More changes can be made that will make this bill better. Why would I prevent that from happening? Why would I hasten the decision-making process on this bill just because the Liberals say, “Well, I want it today”? I wouldn't do that. I want to have the debate. I want the heritage community to come. I want them to come and make other suggestions, and when the right time comes, we will support the bill. We will. But we want to hear from the heritage community what it is they have to say.

Now, Speaker, I've got eight more minutes. Please indicate when it is that you think I should be stopping.

The Deputy Speaker: Now is a good time. Thank you.

ROYAL ASSENT

SANCTION ROYALE

The Deputy Speaker (Mr Bruce Crozier): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to give assent to certain bills in his office.

Deputy Clerk (Ms Deborah Deller): The following are the titles of the bills to which His Honour has assented:

Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act,

2001 / Projet de loi 27, Loi établissant une zone d'étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d'Oak Ridges.

Bill 33, An Act proclaiming Irish Heritage Day / Projet de loi 33, Loi proclamant le Jour du patrimoine irlandais.

Bill 40, An Act to amend the Insurance Act to protect emergency service providers from rate increases to their personal contracts of automobile insurance / Projet de loi 40, Loi modifiant la Loi sur les assurances visant à protéger les fournisseurs de services d'urgence contre l'augmentation des taux dans leurs contrats d'assurance-automobile personnels.

Bill 43, An Act to amend the Liquor Licence Act by requiring signage cautioning pregnant women that the consumption of alcohol while pregnant is the cause of Fetal Alcohol Spectrum Disorder / Projet de loi 43, Loi modifiant la Loi sur les permis d'alcool en exigeant que soient placées des affiches avertissant les femmes enceintes que la consommation d'alcool pendant la grossesse occasionne l'ensemble des troubles causés par l'alcoolisation fœtale.

Bill 104, An Act to amend the Health Insurance Act and the Ministry of Health Appeal and Review Boards Act, 1998 / Projet de loi 104, Loi modifiant la Loi sur l'assurance-santé et la Loi de 1998 sur les commissions d'appel et de révision du ministère de la Santé.

Bill 114, An Act to amend the Election Finances Act / Projet de loi 114, Loi modifiant la Loi sur le financement des élections.

Bill Pr2, An Act respecting the Malton Seventh-day Adventist Church.

Bill Pr3, An Act respecting the Association of Registered Graphic Designers of Ontario.

Bill Pr5, An Act respecting Conrad Grebel University College.

Bill Pr6, An Act respecting Redeemer University College.

The Deputy Speaker: At this time, I would like to wish all the members, staff and pages a safe, happy and pleasant summer.

It being 6 of the clock, this House is adjourned until 1:30 of the clock, September 27, 2004.

The House adjourned at 1801.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman
Speaker / Président: Hon / L'hon Alvin Curling
Clerk / Greffier: Claude L. DesRosiers
Deputy Clerk / Sous-greffière: Deborah Deller
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Arnott, Ted (PC)	Waterloo-Wellington	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering-Ajax-Uxbridge	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Baird, John R. (PC)	Nepean-Carleton	Deputy opposition House leader / leader parlementaire adjoint de l'opposition
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	
Bartolucci, Hon / L'hon Rick (L)	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Bentley, Hon / L'hon Christopher (L)	London West / London-Ouest	Minister of Labour / ministre du Travail
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Boutrogianni, Hon / L'hon Marie (L)	Hamilton Mountain	Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration
Bradley, Hon / L'hon James J. (L)	St Catharines	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
Broten, Laurel C. (L)	Etobicoke-Lakeshore	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
Brown, Michael A. (L)	Algoma-Manitoulin	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Brownell, Jim (L)	Stormont-Dundas- Charlottenburgh	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Bryant, Hon / L'hon Michael (L)	St Paul's	Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique
Cansfield, Donna H. (L)	Etobicoke Centre / Etobicoke-Centre	Parliamentary assistant to the Minister of Energy / adjointe parlementaire au ministre de l'Énergie
Caplan, Hon / L'hon David (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint
Chambers, Hon / L'hon Mary Anne V. (L)	Scarborough East / Scarborough-Est	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Chudleigh, Ted (PC)	Halton	
Churley, Marilyn (ND)	Toronto-Danforth	Deputy New Democratic Party House leader / leader parlementaire adjoint du Nouveau Parti démocratique
Colle, Mike (L)	Eglinton-Lawrence	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Cordiano, Hon / L'hon Joseph (L)	York South-Weston / York-Sud-Weston	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Craitor, Kim (L)	Niagara Falls	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Crozier, Bruce (L)	Essex	Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative
Curling, Hon / L'hon Alvin (L)	Scarborough-Rouge River	Speaker / Président
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	
Dhillon, Vic (L)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	
Di Cocco, Caroline (L)	Sarnia-Lambton	Parliamentary assistant to the minister responsible for democratic renewal / adjointe parlementaire au ministre responsable du Renouveau démocratique
Dombrowsky, Hon / L'hon Leona (L)	Hastings-Frontenac-Lennox and Addington	Minister of the Environment / ministre de l'Environnement
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Urban) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Secteur urbain)
Duncan, Hon / L'hon Dwight (L)	Windsor-St Clair	Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	Chief opposition whip / whip en chef de l'opposition
Eves, Ernie (PC)	Dufferin-Peel-Wellington-Grey	Leader of the Opposition / chef de l'opposition
Flaherty, Jim (PC)	Whitby-Ajax	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Gerretsen, Hon / L'hon John (L)	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Gravelle, Michael (L)	Thunder Bay-Superior North / Thunder Bay-Superior-Nord	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham-Kent Essex	
Hudak, Tim (PC)	Erie-Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	
Kennedy, Hon / L'hon Gerard (L)	Parkdale-High Park	Minister of Education / ministre de l'Éducation
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea-Gore-Malton-Springdale	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire à la ministre des Affaires civiques et de l'Immigration
Kwinter, Hon / L'hon Monte (L)	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
Marchese, Rosario (ND)	Trinity-Spadina	
Marsales, Judy (L)	Hamilton West / Hamilton-Ouest	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Martel, Shelley (ND)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire à la ministre des Services sociaux et communautaires
Mauro, Bill (L)	Thunder Bay-Atikokan	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
McGuinty, Hon / L'hon Dalton (L)	Ottawa South / Ottawa-Sud	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
McMeekin, Ted (L)	Ancaster-Dundas- Flamborough-Aldershot	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées
McNeely, Phil (L)	Ottawa-Orléans	
Meilleur, Hon / L'hon Madeleine (L)	Ottawa-Vanier	Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound-Muskoka	
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire au ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron-Bruce	Parliamentary assistant to the Minister of Agriculture and Food / adjointe parlementaire au ministre de l'Agriculture et de l'Alimentation
Mossop, Jennifer F.(L)	Stoney Creek	Parliamentary assistant to the Minister of Culture / adjointe parlementaire à la ministre de la Culture
Munro, Julia (PC)	York North / York-Nord	
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward-Hastings	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Minister of Education / adjoint parlementaire au ministre de l'Éducation
Peters, Hon / L'hon Steve (L)	Elgin-Middlesex-London	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs
Phillips, Hon / L'hon Gerry (L)	Scarborough-Agincourt	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Prue, Michael (ND)	Beaches-East York / Beaches-York-Est	Deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Pupatello, Hon / L'hon Sandra (L)	Windsor West / Windsor-Ouest	Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	Parliamentary assistant to the Minister of Children and Youth Services / adjoint parlementaire à la ministre des Services à l'enfance et à la jeunesse
Racco, Mario G. (L)	Thornhill	
Ramal, Khalil (L)	London-Fanshawe	
Ramsay, Hon / L'hon David (L)	Timiskaming-Cochrane	Minister of Natural Resources / ministre des Richesses naturelles
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjoint parlementaire au ministre du Renouvellement de l'infrastructure publique
Runciman, Robert W. (PC)	Leeds-Grenville	Opposition house leader / chef parlementaire de l'opposition
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph-Wellington	Parliamentary assistant to the Minister of Community Safety and Correctional Services / adjointe parlementaire au ministre de la Sécurité communautaire et des Services correctionnels

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Scott, Laurie (PC) Sergio, Mario (L)	Haliburton-Victoria-Brock York West / York-Ouest	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
Smitherman, Hon / L'hon George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Sorbara, Hon / L'hon Greg (L)	Vaughan-King-Aurora	Minister of Finance / ministre des Finances
Sterling, Norman W. (PC)	Lanark-Carleton	
Takhar, Hon / L'hon Harinder S. (L)	Mississauga Centre / Mississauga-Centre	Minister of Transportation / ministre des Transports
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Van Bommel, Maria (L)	Lambton-Kent-Middlesex	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Rural) / adjointe parlementaire au ministre des Affaires municipales et du Logement (Secteur rural)
Watson, Hon / L'hon Jim (L)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Wilkinson, John (L)	Perth-Middlesex	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Wilson, Jim (PC)	Simcoe-Grey	
Witmer, Elizabeth (PC)	Kitchener-Waterloo	
Wong, Tony C. (L)	Markham	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Wynne, Kathleen O. (L)	Don Valley West / Don Valley-Ouest	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités
Yakabuski, John (PC)	Renfrew-Nipissing-Pembroke	
Zimmer, David (L)	Willowdale	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Cameron Jackson
Vice-Chair / Vice-Président: John O'Toole
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,
Cameron Jackson, Kuldip Kular, Phil McNeely
John Milloy, John O'Toole, Jim Wilson
Clerk / Greffier: Trevor Day

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-Président: John Wilkinson
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,
Phil McNeely, Carol Mitchell, John O'Toole,
Michael Prue, John Wilkinson
Clerk / Greffier: Trevor Day

General government / Affaires gouvernementales

Chair / Président: Jean-Marc Lalonde
Vice-Chair / Vice-Président: Vic Dhillon
Marilyn Churley, Vic Dhillon, Brad Duguid,
Jean-Marc Lalonde, Deborah Matthews, Jerry J. Ouellette,
Shafiq Qaadri, Lou Rinaldi, John Yakabuski
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

Chair / Présidente: Elizabeth Witmer
Vice-Chair / Vice-Présidente: Andrea Horwath
Lorenzo Berardinetti, Michael Gravelle,
Andrea Horwath, David Oraziotti, Ernie Parsons,
Laurie Scott, Monique M. Smith,
Joseph N. Tascona, Elizabeth Witmer
Clerk / Greffière: Susan Sourial

Justice Policy / Justice

Chair / Président: David Oraziotti
Vice-Chair / Vice-Président: Bob Delaney
Michael A. Brown, Jim Brownell, Bob Delaney,
Kevin Daniel Flynn, Tim Hudak, Frank Klees,
Peter Kormos, David Oraziotti, Mario G. Racco
Clerk / Greffier: Katch Koch

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Legislative Assembly / Assemblée législative

Chair / Présidente: Linda Jeffrey
Vice-Chair / Vice-Président: Mario G. Racco
Donna H. Cansfield, Kim Craiton, Bob Delaney,
Ernie Hardeman, Linda Jeffrey, Rosario Marchese,
Norm Miller, Mario G. Racco, Mario Sergio
Clerk / Greffier: Douglas Arnott

Public accounts / Comptes publics

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-Présidente: Julia Munro
Laurel C. Broten, Jim Flaherty, Shelley Martel,
Bill Mauro, Julia Munro, Richard Patten,
Liz Sandals, Norman W. Sterling, David Zimmer
Clerk / Greffière: Susan Sourial

**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley
Vice-Chair / Vice-Président: Tony C. Wong
Gilles Bisson, Marilyn Churley, Jeff Leal,
Gerry Martiniuk, Bill Murdoch, Tim Peterson,
Khalil Ramal, Maria Van Bommel, Tony C. Wong
Clerk / Greffière: Tonia Grannum

Social Policy / Politique sociale

Chair / Président: Jeff Leal
Vice-Chair / Vice-Président: Khalil Ramal
Ted Arnott, Ted Chudleigh, Kim Craiton,
Peter Fonseca, Jeff Leal, Rosario Marchese,
Ted McMeekin, Khalil Ramal, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

Continued from overleaf

ROYAL ASSENT

The Lieutenant Governor 3283

OTHER BUSINESS

Legislative pages

The Speaker..... 3255

Visitors

Mr Bisson..... 3255

Mr Delaney 3255

Mr Chudleigh..... 3255

Mr Zimmer 3255

Ms Churley..... 3265

TABLE DES MATIÈRES

Jeudi 24 juin 2004

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

**Loi de 2004 sur la protection
des consommateurs d'essence,**
projet de loi 80, *M. Crozier*
Adoptée3245

**Loi de 2004 confirmant la protection
des contribuables,**
projet de loi 85, *M. Klees*
Rejetée3246

PREMIÈRE LECTURE

**Loi de 2004 sur l'agent de surveillance
des prix du carburant,**
projet de loi 115, *M. Gravelle*
Adoptée3249

**Loi de 2004 modifiant la Loi de 1991
sur les hygiénistes dentaires,**
projet de loi 116, *M. Flaherty*
Adoptée3249

**Loi de 2004 sur le statut bilingue
de la ville d'Ottawa,**
projet de loi 117, *M. Bisson*
Adoptée3249
M. Bisson3249

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Langue et culture françaises

M^{me} Meilleur3252

M. Bisson.....3253

DEUXIÈME LECTURE

**Loi de 2004 modifiant la Loi sur le
patrimoine de l'Ontario,**
projet de loi 60, *M^{me} Meilleur*
Débat présumé ajourné.....3283

TROISIÈME LECTURE

**Loi de 2004 sur la protection
de la ceinture de verdure,**
projet de loi 27, *M. Gerretsen*
Adoptée3254

**Loi Sandy de 2004 (modification de la
Loi sur les permis d'alcool),**
projet de loi 43, *M. Parsons*
Adoptée3255

SANCTION ROYALE

Le lieutenant-gouverneur3283

CONTENTS

Thursday 24 June 2004

PRIVATE MEMBERS' PUBLIC BUSINESS

Gasoline Consumer Protection Act, 2004, Bill 80, Mr Crozier	
Mr Crozier	3229, 3237
Mr Tascona	3230
Mr Bisson	3231
Mr Gravelle	3233
Mr Miller	3233
Mr Prue	3234
Mr Colle	3235
Mr Brown	3236
Agreed to	3245
Taxpayer Protection Affirmation Act, 2004, Bill 85, Mr Klees	
Mr Klees	3237, 3245
Mr Delaney	3238
Mr Barrett	3239
Mr Prue	3240
Mr Tascona	3242
Mr Wilkinson	3243
Mr McNeely	3243
Ms Scott	3244
Mr Bradley	3244
Negatived	3246

MEMBERS' STATEMENTS

Student busing	
Ms Scott	3246
Ontario Rangers	
Mr Leal	3246
PKU and Fabry's disease	
Mrs Witmer	3247
Gay Pride Week	
Ms Churley	3247
Saunders Secondary School	
Mr Ramal	3247
District of Muskoka	
Mr Miller	3247
Student achievement	
Mr Rinaldi	3248
St Agatha Separate School	
Mr Berardinetti	3248
Government's record	
Mr Levac	3248

FIRST READINGS

Gas Price Watchdog Act, 2004, Bill 115, Mr Gravelle	
Agreed to	3249
Mr Gravelle	3249
Dental Hygiene Amendment Act, 2004, Bill 116, Mr Flaherty	
Agreed to	3249
Mr Flaherty	3249

Ottawa is a Bilingual City Act, 2004,

Bill 117, Mr Bisson	
Agreed to	3249
Mr Bisson	3249

STATEMENTS BY THE MINISTRY AND RESPONSES

Alternative energy sources

Mr Duncan	3251
Mr O'Toole	3253
Mr Hampton	3253

Langue et culture françaises / French language and culture

Mrs Meilleur	3252
Mr O'Toole	3252
Mr Bisson	3253

ORAL QUESTIONS

Health premiums

Mr Flaherty	3255
Mr Sorbara	3255, 3258
Mr Hampton	3257
Mr Duncan	3257

Capital funding

Mr Hardeman	3256
Mr Caplan	3256
Mr Yakabuski	3257
Mr Wilson	3257

Hospital funding

Mr Hampton	3258
Mr Smitherman	3258, 3259
Mr Chudleigh	3259

Water quality

Ms Churley	3260
Mrs Dombrowsky	3260

Family medical leave

Mr Wilkinson	3260
Mr Bentley	3260
Mr Duncan	3261

Deaf-blind services

Mr Klees	3261
Ms Papatello	3261

Community reinvestment fund

Mr Bisson	3262
Mr Sorbara	3262

Education

Ms Broten	3262
Mr Kennedy	3262

Government contract

Mr Runciman	3263
Mr Sorbara	3263

West Nile virus

Ms Horwath	3263
Mr Smitherman	3263

Doctor shortage

Mr Milloy	3264
Mr Smitherman	3264

PETITIONS

Taxation

Mr Klees	3265
----------------	------

Chiropractic services

Mr Hampton	3265
Mr Murdoch	3266
Mr McMeekin	3266
Mr Ouellette	3267
Mr Kormos	3268

Visitors

Mr Oraziotti	3265
--------------------	------

Water quality

Mr Barrett	3265
------------------	------

Doctor shortage

Mr Kormos	3266
-----------------	------

Seniors' programs

Mr Racco	3266
----------------	------

Senior citizens' housing

Mr Hampton	3266
------------------	------

School zone

Mr Sterling	3267
-------------------	------

Literacy programs

Mr Hampton	3267
------------------	------

Status of Bill 56

Mr Qaadri	3267
Mr Duguid	3267

Pension plans

Mr Kormos	3267
-----------------	------

Property taxation

Mr O'Toole	3268
------------------	------

Health care

Mr O'Toole	3268
------------------	------

SECOND READINGS

Ontario Heritage Amendment Act, 2004, Bill 60, Mrs Meilleur

Mr Barrett	3268, 3276
Mr O'Toole	3272
Mr Kormos	3275
Mr Caplan	3275
Mr Marchese	3276
Ms Mossop	3276
Debate deemed adjourned	3283

THIRD READINGS

Greenbelt Protection Act, 2004,

Bill 27, Mr Gerretsen	
Agreed to	3254

Sandy's Law (Liquor Licence Amendment), 2004,

Bill 43, Mr Parsons	
Agreed to	3255
Mr Parsons	3255

Continued overleaf