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**Official Report  
of Debates  
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**Journal  
des débats  
(Hansard)**

**Monday 25 October 2004**

**Lundi 25 octobre 2004**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 25 October 2004

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 25 octobre 2004

*The House met at 1330.  
Prayers.*

MEMBERS' STATEMENTS

AGRICULTURE INDUSTRY

**Mr Ernie Hardeman (Oxford):** Today, the Ontario Federation of Agriculture issued a statement calling on the Ontario Ministry of Agriculture and Food to get the BSE money out to Ontario producers immediately. Geri Kamenz, vice-president of the OFA, stated, "We're at a point where we need to ask that the minister direct his staff to develop and deliver the federal/provincial funding immediately.... The time for talk is long past. It is time to put the details and programs in front of people. It is time to pay those people who are due a CAIS payment in short order."

Well, Mr Speaker, I agree it's high time Ontario farmers get the money they deserve. That's why BSE funding was the focus of our opposition motion last week, and that's why many of our members spoke to it. We pointed out that the Alberta government had applications and administrative processes available as soon as the federal money was announced, while the Ontario government was not ready.

The Ontario Farmer reported on October 19 that the first cattle set-aside auction had already been held and that most of the participants were from Alberta, whose program was already up and running. It continued to say that no one in Ontario was able to take part because this province has yet to put in place any application system.

I ask, is this all our farmers are worth to this government? Our farmers are suffering because this government isn't competent with agricultural and rural issues. I stand today to demand that the McGuinty government start treating safety net programs with the importance they deserve and make CAIS money available to the farmers of this province immediately.

TRANSIT FUNDING

**Ms Marilyn Churley (Toronto-Danforth):** It appears as though we don't just have one bully left in the Liberal benches; a mini-bully was sent out last Friday to attack Mayor David Miller and all of city council by sug-

gesting that they are misleading the public when it comes to transportation/TTC funding.

The fact remains, and let's get the facts clear, that Mayor David Miller is standing up for the city of Toronto, which is his job, and is making it very clear to the people of Toronto that the TTC is less well off than it was three years ago under the Tories. Can you believe that? That is a fact. The facts are that even though Toronto has only 21% of the province's population, the TTC carries 61% of all Ontario's public transit riders. The mayor has made it very clear that his position is that it wants ridership to be 90% of the criteria.

The fact remains that this year the TTC is worse off under the Liberals than previously under the Tory government. We can't go on like this in this province. They ran on "Choose change." Well, the change, when it comes to the TTC, is that they're actually less funded than they were under the previous Tories. Shame on them.

NORTH YORK SENIORS CENTRE

**The Speaker (Hon Alvin Curling):** The member for Willowdale.

*Applause.*

**Mr David Zimmer (Willowdale):** Thank you, colleagues.

It's my pleasure today to congratulate the North York Seniors Centre, located in Willowdale, on its 30th anniversary. This organization, one of the first in Ontario, has been bringing important services to the people of Willowdale since 1974. They started with just a small storefront operation in Cummer Plaza. Now their programs run out of several sites in the riding and more than 7,000 seniors a year participate in the programs.

These people go the extra mile for my constituents. They have a van that will transport seniors to their medical appointments and grocery shopping when they don't have any other way to get there. They run a lunch program that gives seniors who are frail or isolated the chance to get out and talk, visit and communicate with their friends. They'll even set you up with a community volunteer who will call on you every day, just to make sure that you're safe, healthy and not in need.

When you're living alone in circumstances like this and concerned about the risk of a sudden health problem or even about a crime, that extra support network can

mean the difference between remaining independent and having to move out of your home.

Many of these programs would not be possible without the centre's 250 volunteers. I think it speaks to the excellence of the organization and the compassion of the people in Willowdale that they support this.

I wish to congratulate the North York Seniors Centre on its 30th anniversary.

#### CHILDREN'S TREATMENT CENTRE

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Simcoe county and York region remain the only areas in Ontario that do not have a children's treatment centre. There are approximately 23,000 children and youth in Simcoe county and York region who have special needs. Approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services, and currently the closest services are in Toronto.

Cindy DeCarlo, as a parent, knows first-hand how critical these services are for children to reach their full potential and fears that many of the existing programs are in jeopardy due to the lack of funding. She says, and I agree, "Why should our children not have the same services as others living anywhere else in Ontario?"

In 2003, the Ministry of Health approved the implementation plan for the children's treatment centre. On September 17, the Minister of Children and Youth Services, Dr Marie Bountrogianni, stated in a letter to me, "I understand the increasing pressures created by local growth in your region, and my ministry is working with the Simcoe York District Health Council to find solutions.... I am impressed with the direction taken in the proposal with respect to coordination and integration. I assure you that we are taking a very serious look at this issue for Simcoe county and York region."

It has already been approved. It's time to act, Minister, and release the funding for the children's treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in these areas.

#### VETERANS

**Mr Mario Sergio (York West):** I would like to take this opportunity to draw the assembly's attention to what I and members of the Italian-Canadian community regard as a very special occasion today. Today, nearing the close of the month-long ItalCanadaFest, we participated in a Queen's Park memorial service honouring those valiant Canadians who sacrificed their young lives fighting in Italy during the Second World War. This selfless act serves as a unique testament to the irreplaceable bond that still exists between Canada and Italy today

It is morally imperative that we pay tribute to those soldiers who gave their lives fighting for the liberation of Italy. They pursued their duty with the highest commit-

ment to peace and freedom. We can all be proud of the Canadian contingent and the fact that they earned the respect of all Italians.

Therefore, it is with great honour that I offer my eternal thanks to these brave souls whom we honour today. They have bestowed upon us a powerful message that what is good for everyone is to be shared by everyone. Thanks to them, the freedom and peace that we cherish today will be enjoyed by our sons and daughters of tomorrow. We will not forget them. We should all remember them always.

1340

#### LANDFILL

**Mr Garfield Dunlop (Simcoe North):** In February 2004, the Environmental Commissioner of Ontario received an application under the Environmental Bill of Rights requesting that the Minister of the Environment review the certificate of approval—the operating permit—for a proposed landfill site in Simcoe county. The planned landfill, also known as site 41, is located near the town of Midland. The proposal involves landfilling on 21 hectares of land within a total site area of 60 hectares.

The applicants have questioned the appropriateness of developing site 41 for main two reasons. First, the applicants noted numerous technical issues raised in 2003 by the Minister of the Environment and several independent technical experts relating to the county's proposed detailed design and operational parameters of the landfill. Second, because of impending changes to Ontario's law and policy related to source water protection, the applicants question whether it is prudent to consider the landfill's development. MOE declined to undertake the review. The ECO disagrees with that decision.

In denying the application, the MOE told the applicants that a review of the C of A was already underway and that undertaking the review would create a duplicate exercise. MOE's narrow view is unfortunate. The ministry's consideration of the landfill design and operation focuses on specific technical factors. As well, MOE's intention to review the C of A in light of existing policies, acts and regulations does not address the applicants' request that the MOE broadly consider the merit of developing site 41 in light of the impending changes to Ontario's regulatory framework on source protection. The approach to source protection being considered by the MOE was not part of the ministry's approach to watershed management in the mid-1990s, when the hearing board issued its approval for site 41, or in 1998, when the C of A was issued. Thus, the broader review requested by the applicants would not constitute a duplicate exercise.

The ECO believes that a broad review of site 41 was warranted to increase government accountability for environmental decision-making on this highly contentious proposal. It would have been appropriate for the Ministry of the Environment to evaluate the C of A in

light of the province's intention to strengthen source water protection requirements.

#### WILLIAM OSLER HEALTH CENTRE

**Mrs Linda Jeffrey (Brampton Centre):** I rise in the House today the proudest I've ever been since being elected the member for Brampton Centre. My constituents sent me here with an important mission: to ensure the construction of a desperately needed hospital in Brampton and to ensure that the hospital is publicly owned, publicly operated and publicly accountable. I'm proud to say that the day has finally come when I can finally announce to the people of Brampton: Mission accomplished.

Premier McGuinty made a commitment to me that he would move heaven and earth to build this hospital. This past Friday, one year less a day since our government was sworn into office, construction began on the site of the new William Osler Health Centre.

On the day that Minister George Smitherman was sworn into office, he and I spoke about the need for a new hospital. On that day, the minister's words gave me hope that our hospital would finally move forward. Over the past year, the minister has worked tirelessly to ensure that my community received its hospital.

A project of this magnitude presents many challenges, but the hospital board, especially the chair, Bryan Held, and CEO Bob Bell, focused on negotiating an agreement that was in the best interests of the Brampton community. When this hospital opens in 2007, it will be a true testament to what can happen when we all work together toward a common goal.

#### TRANSIT FUNDING

**Mr Phil McNeely (Ottawa-Orléans):** Friday, October 22, was a great day for the city of Ottawa. Ottawa Mayor Bob Chiarelli and Councillor Janet Stavinga, chair of the city's transportation committee, joined Premier McGuinty and eastern Ontario MPPs in Ottawa to announce the gas tax allocation. This funding will assist Ottawa in further developing its world-class transit system with more buses to serve an increasingly growing city and the possibility of moving forward with plans for an expanded light rail system.

I want to recognize Mayor Chiarelli's contribution to this important initiative. As a former member of Ottawa's city council and transportation committee, I recall the work put into convincing the senior levels of government of the need to put dedicated funds toward improving and extending public transit in our city.

Before and during the consultation process, Mayor Chiarelli led the larger cities in making strong arguments for dedicated transit funding. With strong co-operation from the mayors, the McGuinty government is coming through with that funding—sustainable, long-term funding for municipal transit. Mayor Chiarelli was extremely

pleased with the \$18.9 million allocated to Ottawa for the first year of the gas tax implementation. The gas tax is going to mean great things for Ottawa and municipalities across Ontario: better transit, better air quality, better communities.

#### SCHOOL BUS SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** I stand here today disgusted with the action of the third party last Thursday. It was inexcusable. The NDP blocked debate on Bill 73, thus preventing the bill to protect children and youth on Ontario's roads from passing second reading. This same party stood in this House for the last eight years in support of my school bus bill and is now playing politics with children's lives.

This weekend, Colleen Marcuzzi wrote to the leaders of all three parties to express her outrage, frustration and disappointment with the behaviour of the NDP. Her letter is dated October 23, and she begins with, "Today if she had lived ... it would be my daughter Ryan's 25th birthday. She was killed eight years ago when a man drove past a school bus that was stopped with the sign out ... the arm on the bus extended ... and the lights flashing. She was running for her bus to go to school and the man hit her."

In her letter, Colleen asks for all members of this House to do the right thing: Allow the passage of Bill 73 for the safety of our children.

On behalf of the Marcuzzi and Loxton families, who both lost daughters to reckless drivers passing a stopped school bus, I'm urging all members of this House to allow the passage of Bill 73 so no other parent will have to live with the nightmare of losing a child because an irresponsible driver refused to obey the law.

#### MOTIONS

##### HOUSE SITTINGS

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I move that, pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to 12 midnight on Monday, October 25, 2004, Tuesday, October 26, 2004, and Wednesday, October 27, 2004, for the purpose of considering government business.

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

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

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

*The division bells rang from 1348 to 1353.*

**The Speaker:** All those in favour, please rise one at a time to be counted.

**Ayes**

Arthurs, Wayne	Flynn, Kevin Daniel	Peters, Steve
Baird, John R.	Gerretsen, John	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Bentley, Christopher	Hardeman, Ernie	Ramal, Khalil
Berardinetti, Lorenzo	Hoy, Pat	Ramsay, David
Bountrogianni, Marie	Hudak, Tim	Sandals, Liz
Bradley, James J.	Jackson, Cameron	Sergio, Mario
Broten, Laurel C.	Jeffrey, Linda	Smith, Monique
Brown, Michael A.	Klees, Frank	Smitherman, George
Brownell, Jim	Kwinter, Monte	Sorbara, Greg
Cansfield, Donna H.	Lalonde, Jean-Marc	Takhar, Harinder S.
Caplan, David	Levac, Dave	Tascona, Joseph N.
Chambers, Mary Anne V.	Marsales, Judy	Van Bommel, Maria
Colle, Mike	Martiniuk, Gerry	Watson, Jim
Crozier, Bruce	McMeekin, Ted	Wilkinson, John
Delaney, Bob	McNeely, Phil	Witmer, Elizabeth
Di Cocco, Caroline	Meilleur, Madeleine	Wong, Tony C.
Dombrowsky, Leona	Miller, Norm	Wynne, Kathleen O.
Duguid, Brad	O'Toole, John	Yakabuski, John
Duncan, Dwight	Ouellette, Jerry J.	Zimmer, David
Dunlop, Garfield	Parsons, Ernie	

**The Speaker:** All those against, please rise.

**Nays**

Churley, Marilyn	Kormos, Peter	Martel, Shelley
Hampton, Howard		

**The Clerk of the Assembly (Mr Claude L. DesRosiers):** The ayes are 62; the nays are 4.

**The Speaker:** I declare the motion carried.

**Hon Mr Caplan:** I move that, pursuant to standing order 9(c)(ii), the House shall meet from 9:45 pm to 12 midnight on Thursday, October 28, 2004, for the purpose of considering government business.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: There's no motion on the order paper, as the member has suggested.

*Interjections.*

**The Speaker:** Order. I'd ask Mr Caplan to read the motion again.

**Hon Mr Caplan:** I move that, pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to 12 midnight on Thursday, October 28, 2004, for the purpose of considering government business.

**The Speaker:** Mr Caplan has moved government notice of motion 189.

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

All those in favour, please say "aye."

All those against, say "nay."

I think the ayes have it.

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

*The division bells rang from 1357 to 1402.*

**The Speaker:** All those in favour, please rise one at a time.

**Ayes**

Arthurs, Wayne	Flynn, Kevin Daniel	Peters, Steve
Baird, John R.	Gerretsen, John	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Bentley, Christopher	Hardeman, Ernie	Ramal, Khalil
Berardinetti, Lorenzo	Hoy, Pat	Ramsay, David
Bountrogianni, Marie	Hudak, Tim	Sandals, Liz
Bradley, James J.	Jackson, Cameron	Sergio, Mario
Broten, Laurel C.	Jeffrey, Linda	Smith, Monique

Brown, Michael A.	Klees, Frank	Smitherman, George
Brownell, Jim	Kwinter, Monte	Sorbara, Greg
Cansfield, Donna H.	Lalonde, Jean-Marc	Takhar, Harinder S.
Caplan, David	Levac, Dave	Tascona, Joseph N.
Chambers, Mary Anne V.	Marsales, Judy	Van Bommel, Maria
Colle, Mike	Martiniuk, Gerry	Watson, Jim
Crozier, Bruce	McMeekin, Ted	Wilkinson, John
Delaney, Bob	McNeely, Phil	Witmer, Elizabeth
Di Cocco, Caroline	Meilleur, Madeleine	Wong, Tony C.
Dombrowsky, Leona	Miller, Norm	Wynne, Kathleen O.
Duguid, Brad	O'Toole, John	Yakabuski, John
Duncan, Dwight	Ouellette, Jerry J.	Zimmer, David
Dunlop, Garfield	Parsons, Ernie	

**The Speaker:** All those against, please rise.

**Nays**

Churley, Marilyn	Kormos, Peter	Martel, Shelley
Hampton, Howard	Marchese, Rosario	

**The Clerk of the Assembly:** The ayes are 62; the nays are 5.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ACTIVE 2010

**Hon James J. Bradley (Minister of Tourism and Recreation):** I rise today to inform members about Active 2010, a new initiative designed to get more Ontarians physically active and healthy.

Right now, less than half of all Ontarians are physically active on a regular basis. That is not a healthy situation.

The goal of Active 2010 is to increase Ontario's sport participation and physical activity so that by the year 2010 at least 55% of Ontarians are physically active.

Ontario's sport and recreation system has suffered from years of neglect and underfunding. This government recognizes the importance of investing in sport and recreation, which is why we are committing an additional \$5 million a year to amateur sport and physical activity through the Active 2010 strategy.

Nearly six million Ontarians over the age of 12 are not active enough to maintain good health. Active 2010 starts with youth. To appeal to kids 10 to 14 years old, we are launching a campaign in November called Pause to Play. Pause to Play's transit ads, school posters and Web site will encourage kids to put their video games on pause and instead have fun playing and being active.

It's not just the youth of our province who need to get more active; 57% of Canadian adults do not do the suggested daily minimum amount of activity—just 30 minutes a day. In the spring, we will be launching an adult walking campaign to encourage older adults to get off the sofa, turn off the TV and go out for a brisk walk instead.

In addition to encouraging individual Ontarians to become more active, we will make it easier for them to

follow this advice. The second prong of the Active 2010 initiative is to increase the amount of direct funding to provincial sport organizations by \$1.5 million, for a total of \$7.2 million a year.

This, I remind members of the House, is the first funding boost for these sport organizations in eight years. This money will help train new and existing sport leadership at the community level and increase participation levels. It will allow sport and recreation groups to better serve the needs of their communities.

All Ontarians should have equal access to sport and recreation activities, regardless of their age, ability or income level. Through Active 2010, we will work to remove the barriers that prevent people from participating.

The third thrust of Active 2010 will create supportive environments for sport participation that address the needs of low-income children, people with disabilities and underserved populations such as ethnic communities, women, aboriginals and older adults.

Finally, a new multi-year \$5.2-million communities in action fund will provide increased support for community physical activity planning and local sport projects. This will increase opportunities for disadvantaged groups.

This morning, the Premier announced the first communities in action grant: \$125,000 to help Variety Village provide special gym classes to 600 disabled students attending schools in the GTA.

Our \$5-million Active 2010 commitment today boosts total funding to the sport and recreation sector to \$20 million a year. Active 2010 will be a catalyst for real, positive change in the way we live.

Not everyone makes it to the podium for a medal, but everyone deserves the chance to play, and every Ontarian who plays is a winner.

1410

#### GREEN POWER GENERATION

**Hon Steve Peters (Minister of Agriculture and Food):** I'm very pleased to inform the House that I have just returned from Clandeboye, just north of Lucan, which is north of London, where my colleague Energy Minister Dwight Duncan and myself launched an exciting project that will help to advance green power, support our agri-food industry and build strong rural communities.

We are investing more than \$1.6 million in the creation of an anaerobic digestion facility that converts biogas from manure into heat and electricity. This is innovation at last. With this facility, the Lynn Cattle Co will be able to generate enough electricity to supply its own needs and sell the surplus to the market.

The municipality of North Middlesex has agreed to purchase 2,500 megawatt hours of electricity each year, making it the first green-powered municipality in all of Canada.

Our government is committed to reducing greenhouse gas emissions and providing cleaner energy options. The technology developed for this project will be useful for producing heat and electricity in an environmentally

sound manner for generations to come. This is good news for all of us.

This project is about more than just electricity and heat. The by-products from the process will be sold as organic fertilizers, manure odours on the farm will be reduced by 80% and the facility will create three full-time jobs.

This is truly a win-win situation for everyone. We are looking to repeat this across Ontario. It demonstrates how the province, along with the federal government, municipal governments, the agriculture industry, the private sector and community partners can work together to create real, positive opportunities and create direct community benefits.

This provincial initiative is being made through the Ontario small town and rural fund—the RED program—which helps fund projects that support sustainable rural communities and community partnerships. To achieve meaningful and lasting benefits, we all must work together, invest together and share risks together.

Rural areas in particular depend on the efforts of a range of players to improve their local communities. The McGuinty government understands the importance of the RED program to rural Ontario. It's just one way that our government is delivering real, positive change to our communities to ensure they are strong, healthy and prosperous—and more importantly, how agriculture can be part of the solution to the many challenges our society faces today.

#### MOOSE TAGS

**Hon David Ramsay (Minister of Natural Resources):** It's my pleasure to rise in the House today to advise the members that this government is acting on its commitment to provide northern Ontario residents with increased access to moose-hunting opportunities.

Today I am announcing a proposal to add a second adult moose tag draw for hunters who live in northern Ontario. I'm pleased that this proposal would expand hunting opportunities for northerners while ensuring a sustainable moose population.

We know that most moose hunting in the province occurs in the north. We are proposing a second draw because we feel it is only appropriate to provide northern residents with additional access to those northern hunting opportunities.

Every year, about 100,000 resident hunters from across the province apply for approximately 16,000 adult moose tags. To make sure that Ontario's moose populations are managed sustainably, the ministry adjusts tag numbers annually to reflect estimated changes in herd size and hunter harvest.

Under the proposal I'm putting forward today, the Ministry of Natural Resources would hold back 5% of the adult moose tags available in the wildlife management units north of the French and Mattawa rivers. These tags will be used as a quota for the second draw.

Only northern residents who were unsuccessful in the adult moose tag draws in the previous two years would

be eligible for the second draw. This proposal will be posted today on the Environmental Bill of Rights registry for 30 days for public comment. The proposed changes would apply to the 2005 moose-hunting season.

I'm pleased to take this step today toward meeting the government's commitment to support additional adult moose-hunting opportunities for northern Ontario residents.

**The Speaker (Hon Alvin Curling):** Responses.

#### GREEN POWER GENERATION

**Mr Ernie Hardeman (Oxford):** I have a quick response to the Minister of Agriculture and Food. I thank him for the announcement. Indeed, it is good news for the agricultural community and the farmers of Ontario.

I was a little surprised when the minister, in his statement, had this as "innovation at last." I just want to point out to the minister that that may not be quite accurate and he may want to change that.

I just want to point out, first of all, that he also was very complimentary about the RED program, and indeed I agree with him. I had the pleasure of being the minister when that program was put in place, and I want to commend the minister opposite for being able to convince his cabinet that that was one of the programs that definitely should be left in place, because it does indeed help rural Ontario.

I have here a news release. It says, "Eves Government Invests in Innovative Biogas Cogeneration Initiative in Cambridge." This is dated February 28, 2003. If one wants to read through that, he will find that the announcement is quite similar and the process is identical to what the minister announced today. So I don't think this is innovation at last; it's another innovative project.

I want to thank the farmers who were involved with the program last year, the Law family and the Culham family. I want to congratulate them on what they've done.

Last but not least, I want to talk about accuracy. The minister has put out a news release today that says that the Canada-Ontario set-aside program is now available. That is, again, good news for Ontario's farmers. But then it says, "Application forms will be available in OMAF resources centres across the province and on the ministry's Web site the week of November 1." So they are not available now. I think the people of Ontario should know that this is a news announcement that he will be able to make again two weeks from now, because it is not ready, as he suggests it is.

#### MOOSE TAGS

**Mr Jerry J. Ouellette (Oshawa):** It's truly a sad day for Ontario's moose hunters. You see, although the minister states that there are about 100,000 moose hunters in the province, what he fails to state is that a majority of them are in southern Ontario. As a matter of fact, there are probably more moose tags allocated or more moose hunters in the GTA alone than there are in

all of the north. What about those people from Cornwall? What about those people from St Catharines or Ottawa? Southern Ontario moose hunters were punished earlier on through the year with a calf tag draw when there were clearly other options available that would have achieved the same results. What about the Powley case, which removed hundreds of tags from Ontario's non-Metis residents? Now an additional 5% are being removed from southern Ontario residents.

The tourism industry alone had strong concerns about this, as those groups from southern Ontario normally stayed in tourist camps in the north. How is that going to be affected, and are they going to be compensated?

What's next: southern Ontario resident deer tags, southern Ontario turkey tags only, southern Ontario pheasant or quail tags? And what about those cottage owners who want controls on their lakes? Shouldn't we be giving them special rights as well?

No, this is a bad day for Ontario's moose hunters. What we are creating is an "us against them"—north against south—not only in the moose industry but also in the tourism industry.

#### ACTIVE 2010

**Mr Norm Miller (Parry Sound-Muskoka):** I'm pleased to respond to the Minister of Tourism and Recreation's announcement about Active 2010, which has to do with promoting physical activity. Certainly I would not argue with the goal of increasing physical activity. In fact, I know I am in the target group for the 45- to 65-year-old age group.

I would question the priorities of this government. I would also wonder whether this \$5 million a year is the health tax at work. We know that the health tax is going to fix sewers in downtown Toronto, so I assume this is probably some more work of the health tax, or is this just a Liberal slush fund? In the press release, Active 2010 is to improve awareness of the benefits of physical activity, to motivate people to get active. So if they're watching TV, they're going to see a TV ad telling them they really should get off the couch and do something. It does look a little bit like this is a \$5-million slush fund to go to Liberal-friendly companies and spend some more on advertising. Ontario's version of Adscam is perhaps what we have here.

What about other parties? You could have spent \$1.3 million and kept the Leslie M. Frost Centre open. That would have been a really good use for the money. Or there are some excellent soccer clubs around that you could invest money in, which would be money very well spent, like the Bracebridge minor soccer club.

1420

**Mr Rosario Marchese (Trinity-Spadina):** It's really good to see that the Minister of Tourism is always exuberant and very excited with the announcements that he makes. I can understand why he tries to beef it up by making it appear like these sums are extraordinary sums that we have never, ever seen before. I understand. I hope you won't be too, too surprised to find that this oppo-

sition member won't be jumping for joy with this announcement.

There are a couple of issues. First of all, I remind people that Dalton McGuinty says, "I am Dalton McGuinty, and I want you to know that every penny of Ontario's new health premium will go to health care." Every penny. Page 44: We find that the Minister of Tourism and Recreation has a program called Active 2010, which promotes "increased participation in sports and physical activity, particularly for children, youth and low-income individuals." While I understand the Premier and his ministers want to stretch it out and make health connect to everything imaginable, this money should be coming from a different pot, not from unfairly taxing a whole lot of Ontarians who can't afford to pay that premium.

Second, while you're at it, Minister, you should just nudge Gerard Kennedy over there and say, "Gerard, we've got to do something about gym classes, because a lot of kids are not running. They don't have any gym in those classes, and you and I have got to work together to make sure those kids are going to get physically active." So with a little nudge to Gerard Kennedy, get him to think about it a little bit.

I want to say this to you: There are a whole lot of people working at two or three jobs at a time, working at minimum wage, and that paltry sum, the cents that you guys gave to increase the minimum wage, isn't going to help very much. A whole lot of people are depending on a whole lot more money not only to buy healthy foods but to find the time to walk. They do not have the money or the time to walk, because what you're giving them by way of your paltry minimum wage does not allow them to go out there and walk. They've got to work two or three jobs at a time. So think in terms of increasing the minimum wage and a little nudge to Gerard Kennedy to get him to look at the curriculum and make sure the kids are actually physically active. If you can deal with some of these things then maybe I'll jump with joy at your announcement.

#### GREEN POWER GENERATION

**Mr Howard Hampton (Kenora-Rainy River):** I want to respond to the Minister of Agriculture today. I want to say: My, my, this is another very modest announcement. We heard a few weeks ago from a member of Parliament from Germany, an expert in alternative energy, who came here to Ontario and said he was embarrassed by the low level of commitment of this provincial government to alternative energy sources. What do we have here? A mere \$1.6 million is the commitment of this government. Yes, you try to dress it up by saying that the municipality of North Middlesex has agreed to purchase 2,500 megawatt hours of electricity each year, trying to make that sound as if it's some huge amount. I doubt that we'll even see anything near that amount produced, but we'll wait and see.

I would just say to the Minister of Energy and the Minister of Agriculture: This is yet again evidence of

your very weak, incredibly weak dedication to alternative energy sources.

#### MOOSE TAGS

**Mr Howard Hampton (Kenora-Rainy River):** I want to deal with the Minister of Natural Resources and his scheme to create two tiers of hunters in Ontario. I just say to the minister: I look forward to the details. I invite you to go to Hamilton, Oshawa, Peterborough, Windsor and Cornwall and conduct public consultations on this issue because, let me tell you, creating two tiers of hunters in Ontario is going to create controversy that you don't want to see.

In fact, I'll make a prediction: Within seven or eight months we'll see the Minister of Natural Resources scurrying around Ontario to find his own digester so that he can somehow modify or back away from this proposal, because this will create problems for the tourism industry, it'll create problems with the Federation of Anglers and Hunters and it will create untold problems with the moose draw. I look forward to the public consultations on this issue.

#### VISITORS

**The Speaker (Hon Alvin Curling):** In the west gallery we have a former parliamentarian, our colleague Al Leach of the 36th Parliament, the former Minister of Municipal Affairs and Housing. Welcome.

**Hon Gerard Kennedy (Minister of Education):** On a point of order, Mr Speaker: On your slight indulgence, I have a surprise visitor, a former councillor from the city of Edmonton, my uncle, Father Edward Kennedy. He is in the government gallery here.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Simply falling in line with the tone that's been set, I want to introduce Zuzana Jurova, visiting from Kosice, Slovakia.

**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker.

**The Speaker:** Is this again a point of order that is not a point of order?

**Mr Tony Ruprecht (Davenport):** Yes. I'd like to introduce to you, from the government of Cuba's Department of International Relations, Georgina Chabau Montalvo. She's on the right-hand side here.

**The Speaker:** Is there any other point of order that is not a point of order? Today will be the last day we do that.

#### ORAL QUESTIONS

##### HEALTH CARE FUNDING

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question for the Acting Premier, who I believe is

the Minister of Finance today, related to the furor and concern with respect to the health care premium, as he has described it himself, and who indeed is going to pay for it. Apparently, these guys can't even raise taxes without creating a mess. That seems to be what's happening in this situation.

We have an arbitrator's ruling, in terms of a long-term-care facility, which indicates that despite the assurances of the Minister of Finance to a number of my colleagues earlier this year that this tax would not be applied to employers, the arbitrator's decision is quite the opposite. We would like an explanation from the Minister of Finance today with respect to the conclusion of the arbitrator and what the impact might be across the province.

**Hon Greg Sorbara (Minister of Finance):** I'm sure my friend is referring to an arbitrator's decision that was made public, I think, three or four weeks ago. I've read the decision. I don't agree with its approach. My friend may also be aware of another decision involving the employees of Air Canada Jazz, which took a completely opposite point of view on the premium. So arbitrators will, for a while, have their views discussed publicly.

My views have been made very clear and very direct: The Ontario health premium is an individual tax levied under the income tax system of the province and the country, and it remains a personal obligation of individuals who fall within the taxable categories.

**Mr Runciman:** The minister gets up and repeats the same mantra that we heard in the spring, despite the ruling. And he refers to Air Canada Jazz. We don't know the rationale with respect to that—the wording. As mentioned, it's a federal carrier.

The minister indicated, in his earlier comments this spring with respect to the variety of clauses within a number of collective agreements, that there may be differences. We don't know, with respect to this particular collective agreement, the similarity, the comparability, in terms of other public service unions across the province. We know that community college teachers—approximately 15,000 covered—would have enormous implications; a third of the school boards in this province; the hospital sector, which we are very, very much concerned about, given the cuts being imposed by your government with respect to funding increases this year.

We want to know from the minister, rather than the company line, if you will, that we've heard for months now: Based on this arbitrator's decision, have you truly looked at the impact with respect to this ruling being upheld by the courts? What are the impacts going to be to taxpayers in this province?

1430

**Hon Mr Sorbara:** I will once again try to make it perfectly clear to my friend opposite that the Ontario health premium represents a tax levied under the province's income tax system. He picked up my reference to the Air Canada Jazz case and there was an interjection from one of his friends that that's a federal case. It was not a federal case; it was looking at the very same question. I

just invite my friend to relax, to take it easy. There will be in each of these cases a judicial review of the arbitrator's decision, which is natural.

I want to once again tell my friend that the Ontario health premium is a tax under the Income Tax Act, and it is an obligation of individuals who fall within the taxable categories.

**Mr Runciman:** We would like to know who is going to conduct that review. In some respects, it looks like this is a train they didn't see coming, which happens in so many instances with this government in terms of preparation and raises serious questions regarding competence.

We have to look at the university sector, at the community college sector, at a whole range of public service sectors that could be impacted by this. We are especially concerned with respect to the hospital sector. We know the Minister of Health is bullying the hospital sector with respect to the agreements they have to bring forward in terms of controlling their costs and the impact that is projected to have now on important services to all Ontarians.

Are you guaranteeing us in the House today that not one red cent of this health care tax, health care premium—however you wish to describe it—will be paid for by the hospitals, that it will not impact on health care services in our hospitals? Are you guaranteeing us that today?

**Hon Mr Sorbara:** My friend raises a hue and cry based on an arbitrator's decision that was made almost a month ago, after another arbitrator's decision came to exactly the opposite conclusion. What would he like us to do? Would he like us to put in our legislation that a trade union can't possibly raise this argument?

I say to him that I've read the decision. I'm disappointed with the decision. I disagree with the decision. But I think we might just let a court of competent jurisdiction have a look at these decisions to clear the air in this regard.

#### HOSPITAL FUNDING

**Mr John R. Baird (Nepean-Carleton):** My question is to the Minister of Health. Your hospital underfunding is starting to have devastating consequences in hospitals, big and small, right across Ontario.

I want to bring up the example of the University of Ottawa Heart Institute. Their director, Dr Bob Roberts, says that if they don't get the full budget, then waiting lists will have to be extended.

On page 6 of your election platform, you promised shorter waiting times for cardiac care. Can you guarantee people in my community and around Ontario who use this valued provincial institution that waiting lists will not go up by one single case?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm very happy to report to the honourable member and to remind him that his party campaigned on having an allocation to Ontario's hospitals, for this year, some \$700 million less than what we've

already allocated. I remind the member that in a year in office we've contributed \$385 million, a further \$469.5 million and we've acknowledged \$721 million in working capital debts that are the left-behind operating bills from that party while in government.

With all of that having been said, we are committed to a wait-time strategy that will see 36,000 additional cardiac procedures by the fiscal year 2007-08. We're building those currently, and I can confirm for the honourable member that this government will ensure that Ontario has increasingly good performance related to cardiac initiatives.

**Mr Baird:** That is cold comfort to the families struggling on a waiting list at the Ottawa Heart Institute and not an answer from this minister.

I will bring up two other examples. The Campbellford Memorial Hospital will have to close 19 beds and cut the equivalent of 19 jobs. The Northumberland Hills Hospital will have to close 12 of its 25 complex care beds.

On page 8, you said, "We will bring stability to our hospitals by providing adequate [multi-year] funding."

Minister, can you guarantee me that not a single nurse at the Campbellford Memorial Hospital or the Northumberland Hills Hospital will lose their job? Can you guarantee me that?

**Hon Mr Smitherman:** What I can guarantee to the honourable member and to all Ontarians is that our party in government is putting \$700 million more into Ontario hospitals than you campaigned on in your Magna budget.

Further, what I can confirm for the honourable member is that the process we've established with the Ontario Hospital Association is one that in some cases, in some hospitals, could take us 18 months to get hospitals in balance. This is what hospitals asked for, and we acceded to those wishes. We are at the beginning stages. There is a seven-step process that has been established. The earliest of those steps very clearly asks Ontario hospitals to focus on those issues that are non-clinical, on those areas which don't affect patient care. That's the stage of this discussion that we're at.

While I know that the honourable member seeks to fast-forward to an end point that he sees as delicious, what we're focused on very clearly is working with hospitals to make sure that every precious penny—every precious penny—available can be focused on patient care.

**Mr Baird:** Minister, that non-answer is cold comfort to the people concerned about 31 bed losses at Campbellford Memorial and at Northumberland Hills Hospital.

I want to bring up another example. The constituents of my colleague from Burlington are shocked, worried and concerned about the 90 bed closures that you want to ram through at Joseph Brant Memorial Hospital. That would involve the laying off of 100 people, all of them providing quality patient care to people in Burlington and Halton region.

On page 8 of your election platform, you promised to open 1,600 net new beds in Ontario. Not only are 90 beds being closed at Joseph Brant hospital, but you've already

cancelled some 60 new hospital beds. Minister, would you stand up in your place and commit to providing the necessary funding to Joseph Brant Memorial Hospital so that they will not have to reduce one single nurse or one single bed? Would you do that?

**Hon Mr Smitherman:** What I'm very pleased to do is operate in a fashion that's different from the honourable member's—the honourable member seeks to turn a press release into reality.

We recognize that Joseph Brant is one of those hospitals in the province, particularly as one that has recently had new construction, around which I'll have additional information shortly. Joseph Brant, like all other hospitals in the province that are not in balance—and some 50 or 60 are in balance—is asked to work through a process that has been established with the Ontario Hospital Association. These are the steps we're at, the earliest stages of a seven-step process.

With respect to the honourable member, I think it's important that he be reminded that for two years while his party was the government in Ontario, they actually cut the budgets of hospitals by—get this—\$565 million.

#### C DIFFICILE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health. Last Thursday, the Public Health Agency of Canada said it will begin tracking the deadly C difficile bacterium in 25 major hospitals across Canada. This extraordinary measure follows the deaths of at least 109 hospital patients from C difficile in Quebec over the past six months.

Studies from the US, the UK and elsewhere here in Canada show that a reduction in the quality of hospital cleaning is directly related to the spread of deadly superbugs such as C difficile. And what are you planning to do? You want to cut the jobs and the wages of our hospital cleaners. Minister, why are you trying to cut the wages, benefits and jobs of the very hospital workers who can best protect our patients from the deadly C difficile bacterium?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I do think it's important for the honourable member to recognize that across the province of Ontario there's already a series of different circumstances related to who's involved in cleaning hospitals.

I would say, on the very sensitive and important matter of C difficile, that I believe Ontario has acted very appropriately in the context. As a result of our Operation Health Protection, we've established a provincial infectious disease advisory committee. This is a group of experts who work together, including the OMA and the OHA. We're working very hard to make sure that all that can be learned is applied.

I acknowledge to the honourable member that this is a serious issue in Ontario's hospitals and institutions. We're working with a committee that we've established in the last year, representative of all the groups that you

would want to have input from, to make sure the Ontario plan is the best-established plan in the land.

1440

**Mr Hampton:** Minister, you don't even require the reporting of the incidence of *C difficile* in Ontario. That's where you're at. You're so wound up about beating up on the lowest-paid hospital workers, and meanwhile you don't even require the reporting.

I just want to read some of the information from Britain: "Britain's National Audit Office revealed that infections in hospitals affect 100,000 people each year, costing the National Health Service approximately £1 billion to treat. More importantly, hospital-acquired infections are primarily responsible for killing 5,000 patients per year and are a substantial factor in 3% or 15,000 deaths per year." And what are you talking about? You're talking about going after the first line of protection our patients have from *C difficile*.

Minister, instead of going after the lowest-paid hospital workers, will you pledge today that you will not attack their collective agreements, you will not try to cut their wages and you will not try to contract out their jobs? Will you put the priority where it deserves to be: protecting our patients by keeping our hospital cleaning staff in place?

**Hon Mr Smitherman:** I'm always pleased to get advice on the sanctity of labour agreements from one of the architects of the social contract.

On the issue that the honourable member raises with respect to the reportable nature of *C difficile*, PIDAC, the very committee I referred to in my earlier answer, has this issue currently under consideration. I think it's important for them to come back with advice. In these matters, where the issue is highly scientific, it's prudent on our part to make sure we're involving those people who have expertise in this to provide us with advice. I've established such a committee. They are in the process of providing that advice.

Further, I would say that we're very mindful of the fact, and thankful too, that the federal government's new public health agency has a medical officer of health who is assisting all Canadian jurisdictions in deliberations on this important point.

**Mr Hampton:** Minister, the question was, will you commit to not going after the jobs and wages of the first line of defence in our hospitals in terms of protecting patients from the *C difficile* bacterium?

Let me give you some other advice. This comes from the United States, where "a Chicago Tribune investigative report alleges that in 2000, an estimated 103,000 patients' deaths were linked to hospital infections and that the causes of 75% of these deadly infections (unsanitary facilities, unwashed hands, and unsanitary instruments) were preventable." They also point out that "hospital cleaning staff," in many cases, "were inadequately trained and that cleaning budgets had been steadily cut—15%-20% each year."

Now what do we hear from you? You want to cut hospital cleaning budgets. You think that the first line of

defence our patients have from these kinds of deadly superbugs is to cut the jobs, the wages and the benefits of hospital cleaning staff. How much evidence do you need to show you that you're wrong? You shouldn't be attacking these workers. Will you pledge that you will not try to cut the wages and jobs, or contract out the jobs, of these workers?

**Hon Mr Smitherman:** I think the honourable member needs to be reminded of the point that in Ontario there is a series of different arrangements, as I said in my first answer, with respect to who cleans those hospitals. In the city of Toronto, some of our largest academic teaching centres are not cleaned by the unionized staff the member speaks about.

I would say to the honourable member that the decision point for us, the distinction point, is not whether someone works in Sid Ryan's union or not. That's not where we draw the line. It is that we want to work with people who are competent, to make sure that they are appropriately trained and that we are dedicating the appropriate commitment to the issue of cleaning. In our view, how they are organized is less an issue than the honourable member would make it. Of course, what we depend upon across the breadth of Ontario's health care system is hard-working people who are dedicated to the challenge of their particular employment. I think it's important to note that some of those are unionized and some are not.

#### TRANSIT FUNDING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Transportation. Your government's reaction to Toronto's TTC problems this weekend shows that the health minister isn't the only bully in your government. Last Friday, the mayor of Toronto stood up for the people of his city and pointed out that your recently announced transit scheme will leave the city of Toronto with less money than before; in fact, less money than they had under the Conservatives. Instead of sitting down and discussing this, you unleashed your mini pit bull, member Brad Duguid, to call the mayor of Toronto a liar.

Minister, here's the reality: Toronto will get less money now than it got before this announcement was made. Will you call off your pit bull? Will you sit down with the mayor of Toronto and work out an agreement so that Toronto doesn't lose money on this deal but is able to operate its transit system in the proper way?

**Hon Harinder S. Takhar (Minister of Transportation):** I am very proud of the announcement we made about the gas tax. This is the first time ever in Ontario that we are providing stable new funding for transit in Ontario. This funding will help the municipalities to plan ahead, and they can do it without coming to the province every time they need the money. This is new money, this is stable money, it's growing money, and of the \$680 million we will put out, Toronto will get \$355 million, which is 52% of the total money. So we are very, very proud of our announcement.

**Mr Hampton:** I want to remind the minister of what someone named Dalton McGuinty said. Before the election, Dalton McGuinty promised to stop the fighting between Queen's Park and the municipalities. One year ago, Dalton McGuinty said, "For eight years, instead of leadership from Queen's Park," we've had buck-passing. "Instead of partnership, there has been a patronizing attitude...."

"It's time to start working together. The politics of division ... must stop."

But then I hear the mayor of Toronto pointing out that after this much-ballyhooped transit announcement, Toronto will actually have less money to operate the TTC than it had before. Minister, I don't know what you call it, but I call that a broken promise. The people who operate Toronto transit need help. Will you ensure there is no TTC fare hike this year by guaranteeing that Toronto receives the money that you tried to take away from them with your announcement?

**Hon Mr Takhar:** Let me tell you what I call it. I call it keeping the commitment that we made. I say this is stable funding that we are providing to the municipalities so they can meet their transit needs.

If you don't want to take my word for it, let me read this. Roger Anderson, the chair of the Association of Municipalities of Ontario, said it is the first time in the history of the province of Ontario that there is a permanent source of revenue from gas tax and they are very pleased to see it. He went on to say that it's a huge step forward for the municipalities. It is the first time ever that the province of Ontario has been part of a revenue-sharing formula with municipalities.

We are very proud of this announcement. Let me tell you, the funding that the city of Toronto will get is more than they have ever seen for transit purposes in this province.

1450

**Mr Hampton:** Well, Minister, calling the mayor of Toronto a liar is not a good first step, but it's not just the mayor of Toronto.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order

**Mr Hampton:** The mayor of Kingston says your transit scheme "negates the" McGuinty "election promise to make Ontario municipalities more of an equal partner with Queen's Park." He says, "We're being told exactly how to spend our money ... We have no freedom whatsoever."

The mayor of Brantford is worried that his city will end up with less too. He said, "I'm hoping this money doesn't supersede another program the government has to help us buy buses, because then there'd be no gain."

Minister, instead of trying to conduct war on the mayor of Toronto and the Toronto transit authority, will you meet with the city of Toronto and other municipalities to ensure they can meet their transit needs and avoid fare hikes and cuts to services?

**Hon Mr Takhar:** I am on the record as saying that we are always prepared to work with the municipalities. I also said that they are great people to work with.

I want to tell you more. Let me tell you what the mayor of London said, because I was there. Said, "That's the kind of sustainable funding we've been waiting for.... Now we can start planning for the future. In the past, we haven't always known who to count on for the revenue and how much we'd get."

So this is sustainable funding, this is long-term funding and it is joint funding. We are very, very proud of this announcement, and we will be prepared and delighted to work with any municipality that chooses to do so.

## FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr Robert W. Runciman (Leader of the Opposition):** I have another question for the Acting Premier. This is not a politically sexy issue, but it is important. It's a question related to the meetings tomorrow regarding equalization.

We know that if Ontarians are asked, they will always say they're Canadians first and Ontarians second, but there are some limitations to that patriotism if our provincial government is seen to be fast and loose with the interests of the province. Some of you will know that from Mr Peterson's experience with respect to the Charlottetown accord.

Our party leader, Mr Tory, has called for a broad review of federal-provincial fiscal arrangements. Minister, can you advise us what your government's approach will be? How do you plan to balance the interests of Ontario taxpayers, their loyalty to Canada and the bargaining position of other provinces?

**Hon Greg Sorbara (Minister of Finance):** I will begin by telling my friend that I very much appreciate the question, because it's a timely topic and an important issue, both for the province of Ontario and for Canadians from coast to coast.

Let me say at the beginning that, as we speak, the Premiers are meeting in Ottawa to prepare for the meeting with the Prime Minister tomorrow. I expect that our Premier, Premier McGuinty, will exercise the same sort of energy, dynamism and commitment that he brought to the first ministers' conference on health care.

In answer directly to his question, our position is simple and straightforward: We believe in equalization in this country. That is part of our Constitution. At the same time, we have to be careful in Ontario that fiscal federalism does not get out of whack such that the taxpayers in the province of Ontario are bearing too large a burden as we try to equate services across the country.

**Mr Runciman:** I guess what you consider to be too much of a burden is subjective. I'm told that Ontario taxpayers today contribute approximately \$4 billion in equalization payments to other provinces. Some of the receiving provinces compete with us for investment, using business subsidies; some support their agricultural sector to a degree we can't compete with; some limit access of out-of-province companies and workers to business and employment opportunities.

Minister, is part of your approach to the equalization meeting to ensure that conditions are put in place so that the transfers to so-called have-not provinces are not utilized to unfairly compete with Ontario?

**Hon Mr Sorbara:** My friend's question seems to harken back to the bad old Tory days of Mike Harris, when he had absolutely no interest in this country. His view was simply, "If it's not good for Ontario, I don't want to talk about it." He never went to Ottawa with the interest of the nation at heart. That has changed, and Ontario is back in Confederation with the election of this government.

That being said, I want to tell my friend that we will not support increases in equalization payments beyond what was proposed by the federal government at the first ministers' meeting back in September. They are generous, they are fair, they were the subject of agreement among Premiers at the meeting of the council of the federation in August, and we think they're worthy of support. That's the extent of our support.

#### AUTISM SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question to the Minister of Children and Youth Services. I have a copy of a letter dated October 15 from Toronto Preschool Autism Service, one of the regional providers of IBI. The letter advises that Toronto Preschool Autism Service is changing two of its criteria to accept children into the IBI program. Firstly, as of January 1, 2005, only children with a confirmed diagnosis of autism at the severe end of the spectrum will be accepted. Secondly, effective October 15, only children under five will be accepted into the treatment program.

Minister, at a time when Toronto Preschool Autism Service is apparently receiving more money to provide IBI services, why is it that the agency is actually restricting the number of autistic children who can get IBI?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I really do appreciate the question. I was unaware of that, and if that correspondence is somewhere in my ministry and I haven't received it yet, I'd like a copy from the honourable member.

In fact, we have increased funding for the under-six program. We are reaching 20% more children now. We've actually broadened the definition of children who get help under the age of six.

This comes as a surprise to me. I'd like a copy of that letter, and I will look into it immediately.

**Ms Martel:** This is a really important issue for families with autistic children, because they thought, as a result of your announcement, more children were going to get more services.

I'm advised that your ministry has told IBI providers that they have to get rid of their waiting lists by mid-December. It appears that Toronto Preschool Autism Service is doing that by denying services to autistic children between the ages of five and six, because your

program allows them to have services up to age six. Parents thought that more money meant more services for more kids, not restrictions on those children who are waiting for treatment.

Minister, what are you going to do to guarantee that IBI providers are not cutting services for autistic children just to meet your wait-list deadline?

**Hon Mrs Bountrogianni:** I thank the honourable member for bringing this to my attention. It is my direction that kids will have more services. We are reaching 20% more, right up until the age of six. The analogy I like to give with IBI is learning to read up to the age of six and then reading to learn. That's how we approach IBI. The experts told us to approach it in that way so that we teach children through IBI, up until the age of six, and then they use that learning after the age of six, where we put \$30 million in the school system for children with autism.

I thank the member for the question. I'd like a copy of that letter, and I'll look right into it.

#### ACTIVE 2010

**Ms Monique M. Smith (Nipissing):** My question is for the Minister of Tourism and Recreation. Just last week, my colleague from Markham stated that childhood obesity is on the rise in Canada. Our government has already taken positive steps by banning junk food in primary schools and reopening our schools for community use.

Today, you announced, along with the Premier, that Active 2010 will provide funding to increase participation in sports and physical activities, particularly for children, youth and low-income individuals. We were happy to have Minister Ramsay at the newly renovated North Bay YMCA this morning, together with some of our community representatives—the mayor of Chisholm; a councillor from Powassan; some municipal representatives; representatives from our school board, including Colin Vickers from the Near North District School Board; and some sports and fitness advocates, including Dave Saad and some representatives from our Y—to share the news in the north.

Minister, how will Active 2010 increase participation in sports and physical activity in our province?

**Hon James J. Bradley (Minister of Tourism and Recreation):** It's an excellent question. I think the member recognizes that perhaps some in the Legislature don't want to concede the importance of the prevention of many of the health problems that can exist in the province.

I have some figures here which would indicate that physical inactivity costs \$634 million in direct costs and \$1.2 billion in indirect costs to the health care system. Obesity costs the health care system \$647 million in direct costs and \$905 million in indirect costs. That is why we have developed programs which are going to encourage and facilitate the opportunity for people of all ages in the province, starting with children and those who

are very often denied the opportunity, to participate in physical activity as much as possible. That is why we're developing and funding those programs, to ensure that we are dealing with what the member has appropriately identified as a very serious health problem and with a general enhancement of lifestyle problems in this province.

1500

**The Speaker (Hon Alvin Curling):** Supplementary?

**Ms Kathleen O. Wynne (Don Valley West):** I'm very glad to see that our government is addressing the need to encourage a healthier lifestyle in Ontario. As you're aware, many of the provincial sport organizations are housed in my riding of Don Valley West. These organizations have struggled for years. They're volunteer-based and have been struggling with a chronic underfunding problem, mainly caused by the previous government. As a result, these dedicated groups have had to cut programs that would have increased participation in their particular sport, and the children who most need access have lost access. We rely on these organizations to coordinate community volleyball, basketball, soccer, swim club, track, football, badminton and all the sports that build bodies, foster good habits and support healthy and safe communities. Minister, what does Active 2010 do for these groups?

**Hon Mr Bradley:** In addition to the communities in action fund, which will allow individuals within communities—again, children and other groups that are not as active as they might be—to participate through special funding of special programs, we have put an additional \$1.5 million in sports organizations. As you know, for the last eight years in Ontario those sports organizations have not seen a penny of increase. So for the first time in eight years we will be investing in those sport organizations to try to restore some of the cuts that have been made as a result of the underfunding that took place in Ontario.

I invite all members who want to yammer at the government at this time to check with those sports organizations who for the first time since the Tories cut them to smithereens are finally getting some additional funding to enhance the quality of health and sport in Ontario.

## ENERGY CONSERVATION

**Mr John O'Toole (Durham):** My question is to the Minister of Energy. During your 2000 election campaign and just last week, you announced your famous report card championing your energy conservation culture in Ontario. You know that the first thing you did in your budget was to cancel the Energy Star program, which was instituted by our government. In fact, it was a way of providing incentives to consumers to begin reducing the amount of electricity that they were demanding from the province. Perhaps I could quote from your own ministry Web site: "Energy is good for your budget, your comfort and our environment. Energy conservation is a way to achieve that." Minister, our Energy Star program, which

you recklessly cancelled in your budget, did reduce the tax burden on people, made Ontario cleaner and helped our economy.

When are you going to come clean and clearly respond to the broken promise of failing to conserve electricity in Ontario?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We have a very clear, well-delineated plan to make conservation a cornerstone of Ontario's energy future. First of all, under Bill 100, we are creating the first conservation secretariat with a chief conservation officer—the first time in history. In Bill 4—the member would forget this—we incented LDCs with a quarter of a billion dollars to invest in new energy conservation programs. I say to my friends opposite, wait till next week, because I'm going to tell you something. It's happening, and it's happening bigger than it's ever happened before.

We have announced the installation of smart meters in this province: 800,000 by 2007; and 4 million by 2010. That will be every meter in the province of Ontario, which will empower consumers to manage their conservation.

We have set two targets which are measurable, identifiable and challengeable: 5% of government by 2007, 5% province-wide by 2007; 10% by 2010, a goal that we're proud of—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary.

**Mr O'Toole:** Minister, I believe what you're saying to the people of Ontario is, "Just wait." In fact, there's nothing to wait for, because what you did in Bill 4 was break a promise when you raised the price of electricity. Not only that, but you went on in the budget to raise the price of electricity by reducing the Energy Star program and other tax measures that we incented on renewable energy. It's clear that you really don't have a plan except to increase the price of electricity.

But I want to get you on the record clearly today: Will you stand in your place and promise the taxpayers of Ontario, the consumers of Ontario, that you won't raise the price of electricity?

**Hon Mr Duncan:** The previous government's irresponsible price cap cancelled conservation in Ontario, and to be lectured by them about conservation is really something funny.

Do you know what was wrong with the Energy Star tax credit? It was rejected by everybody—business, consumers. Why? Because people would go and buy a new appliance and put the old appliance in their basement.

*Interjections.*

**The Speaker:** Order. Would the member for Renfrew-Nipissing-Pembroke and the member for Nepean-Carleton come to order, please.

The Minister of Energy.

**Hon Mr Duncan:** The biggest failure of any government in history on electricity was that government. When they weren't rewarding their friends with multi-million dollar secret deals for Ontario Hydro and OPG, they

weren't doing anything about conservation. Prices spiked 22% under their energy policy. Why? Because they didn't think it through, they didn't plan it and they didn't do it right. That party's policy was a complete failure.

We're moving quickly to address conservation, and number two, to bring on new supply. And I'll remind the member that prices under the first year of a Liberal administration are down 17% from what they were in the last year of his administration in the wholesale market. That's an energy policy that works, that's a policy that serves Ontario and that's why they were rejected so overwhelmingly by the people of Ontario a year ago.

#### DETOX CENTRES

**Mr Peter Kormos (Niagara Centre):** My question is to the Minister of Health. Detox centres across this province deliver a critical service and are an important part of the broad range of health care. Niagara's detox centre in St Catharines announced that it's going to shut its doors for six months in the peak of this coming winter, because after 12 years of no increases in funding, but for a 2% adjustment two years ago, it simply cannot sustain the service that it is capable of providing were it adequately funded. Other detox centres are in similar positions of having to shut their doors. In the case of Niagara, with its 22 beds for men and 14 beds for women, it's estimated that some 300 people who need this service will have the door slammed in their face.

Why are you letting Niagara's detox centre and other detox centres shut down their operations when they are so needed?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I do think the honourable member raises an issue which would be of concern to all. I'm not familiar enough, top of head, with the issue related to Niagara. I will look into it and endeavour to get back to the member as quickly as I can.

I can in the meantime say that the issues he raises are somewhat well known. We can trace a pattern of no funding increase back through a fairly long period; I think he said 12 years. That reaches back to 1992. I think this does make the point about the challenge of adequately funding these. In my own case, I've had the opportunity to visit the detox in my riding at St Mike's and to celebrate their long service to the community. I know of its essential nature. So I will get back to the honourable member as quickly as I can with more detail.

1510

**Mr Kormos:** In the case of Niagara, the number is \$121,000-plus, \$122,000. And in fact, not only has the detox centre indicated that it's going to have to shut its doors this winter; it has indicated already that it is going to have to shut its doors for a period of weeks come the next fiscal year. It hasn't been since the NDP government in this province that these detox centres received any increase in funding—an admitted 2% increase two years ago, but no increase in broader based funding.

These detox centres, as you know, are the beginning of treatment and recovery for alcohol- and drug-addicted

women and men across this province. Closure of these detox centres means that people will be diverted to hospital emergency rooms, putting new stress on them. People will be diverted to volunteer-staffed out-of-the-cold programs, putting increased and new pressures on them. We're going to be filling our jails with drug- and alcohol-addicted people rather than treating them.

Will you assure this assembly today that you will address this funding shortfall and ensure that it is addressed effectively and adequately so that these centres can reverse their decisions and announce the reversal of their decisions to close their doors?

**Hon Mr Smitherman:** I remind the member of what I said in my earlier answer, which is that I'm going to work to get the information together and get back to him.

I agree that this is one element of our health care budget that is under considerable strain, and would agree with the honourable member that for three of the five years that the NDP was in power they did not raise the base budgets of these organizations. I think that's a concern that has carried forward and become even more dramatic over time.

On December 22, when I was doing a ride out with the EMS in Toronto, I had the opportunity to visit St Mike's detox. I agree very much with the analysis that the honourable member offers in terms of the vitally important role these detoxes provide in communities, and I endeavour to seek a resolution that is more satisfactory than the one the member outlines.

#### TRANSIT FUNDING

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is for the Minister of Transportation. On Friday, this government made a historic announcement for transit in this province. We announced that, for the first time, gas tax money will be shared with municipalities. In my reading alone, gas tax money will go directly to the TTC, and that's for the first time. What this means for the people of Scarborough Southwest is that new money will go to the three subway stations located in that riding. There will be better bus service on roads like Kingston Road and Eglinton Avenue, as well as reduced congestion on various roads.

Toronto is getting more than half the provincial gas tax funding, which totals \$81 million. The province has already committed \$128 million for the TTC in 2004-05, and with this additional \$81 million, the total comes to \$209 million.

Minister, what I'd like to ask you is, for the record, can you explain to my constituents, the people of Scarborough Southwest, what these new benefits mean to them and to all people in Ontario?

**Hon Harinder S. Takhar (Minister of Transportation):** Actually, I'm very delighted to tell you that last Friday, the Premier and I and several of my colleagues were in Mississauga to make a very important announcement about the gas tax. We made a commitment to give two cents of gasoline tax to the municipalities and we are

delivering on it. Starting on October 1, we have set aside one cent of the gasoline tax. It will go to one and a half cents next October and, a year after, it will be the two full cents. I want to stress that this is permanent money, this is new money and it will give the municipalities the tools to start planning ahead. We are also providing municipalities with flexibility so they can use this money either for capital or for operating.

My friend asked, how will it benefit the communities? Definitely, funding transit will help reduce pollution, it will contribute to easing gridlock, it will make investments in transit attractive and it will make them more accessible.

**Mr Kevin Daniel Flynn (Oakville):** I also have a question for the Minister of Transportation. As a member from the GTA, I too was surprised to hear about Toronto's lukewarm reception to the funding announcement. In my riding, Oakville received a total of over a million dollars and will be using that money to increase transit service to areas of Oakville that are currently not serviced. I know that my constituents and the municipal government in my own riding were extremely pleased with the commitment that we made and that we delivered on.

Minister, how are you responding to the strange and misguided comments from Toronto?

**Hon Mr Takhar:** Let me say this again: We are very proud of the commitment that we made. Let me just tell you what the mayor of Mississauga said: "What a difference this will make to public transit here in Mississauga and across Ontario. It's great to see a government that realizes the value of public transit, puts this kind of funding into it and fulfills its promise."

I was in Waterloo on Friday, and the chair said, "More buses, more often, more efficiently." That's what transit riders in the Waterloo region can expect as a result of the new funding announced yesterday.

Not only just the mayors in Ontario, but the mayor of Halifax said, "We envy them," and he said they were, "decisions we look forward to from our province." Not only that, but the Leader of the Opposition said it's a good idea and a good first step.

I was disappointed to hear about some of the comments from Toronto, and I want to be very clear and tell the people of Toronto that this is new money. It's on top of all the programs we already have.

#### OFFICE OF THE REGISTRAR GENERAL

**Mr Gerry Martiniuk (Cambridge):** My question is to the Minister of Consumer and Business Services. Well, Ollie, it's another fine mess you've got us into. You took over the registrar general's office, staffed by the good people of Thunder Bay to a great extent, and you have created absolute chaos. There are horror stories of delays over eight months, no telephone calls returned—including MPPs, by the way—and lost applications. You cut out same-day service and substituted emergency service. Well, let me tell you about that. All

provinces have emergency or rush services, but in Ontario you have to prove that there's an emergency. You're treating Ontarians like criminals, unlike other provinces. When are you going to stop treating Ontarians like criminals?

**Hon Jim Watson (Minister of Consumer and Business Services):** I'd like to welcome my new critic and thank him for his first question. I look forward to working with him. I have extended an opportunity to the member to fully brief him on the challenges and the opportunities that we've undertaken at the ORG within our ministry. We're still waiting to hear back from the member. The offer still stands.

I would suggest to the honourable member that he talk to some of the former Ministers of Consumer and Business Services who are in his caucus; he actually has three of them. Maybe he can ask them why, when they were in government, they cut back the ORG by 12% and some \$6.3 million. We're finally cleaning up the mess and the backlog that you left behind.

**Mr Martiniuk:** Well, isn't that a surprise? When you panicked in this portfolio, you went out and hired 151 new employees, and then you fired them all. You're right back where we were one year ago. Let me tell you—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. The member for Cambridge, would you complete your question.

**Mr Martiniuk:** You and your administration have caused hardship, pain and suffering to the many people of Ontario who have tried to get birth certificates and marriage certificates, and yet the service you're providing—you say on your Web site it's six to eight weeks minimum. Well, what is happening in Ontario? Why, in PEI, can you get a birth certificate in 10 working days; Quebec, 20 days; Alberta, 24 days; Saskatchewan, two to three days; and here I've got a lady who has written to one of our members that it's taken over eight months? Can you imagine?

*Interjections.*

1520

**The Speaker:** Order. Minister?

**Hon Mr Watson:** I want that member to ask me a question every day. It's wonderful.

This is not back to the future. We're not interested in going back to the way your party ran the ORG. In fact, to correct the record, we still have those 151 hard-working employees fixing the mess that you created. I'd encourage the member, before he asks another question, to come on over. We'll give you a briefing. We'll introduce you to some of those 151 people who are helping to go through the backlog.

There are still backlogs at the ORG, but we've taken the backlog from about 30 weeks down to six to eight weeks for birth certificates. For birth registrations, we still have some way to go. That's why we've kept those hard-working employees on, to get to the level of service that I have a level of comfort in, to serve the people of Ontario.

**The Speaker:** New question.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Consumer and Business Services. You've claimed for a year now that you have fixed the problems at the registrar general's office. I want to bring to your attention today a particular problem.

When someone applies for a birth certificate and they live on a First Nation, they need to have a guarantor who can guarantee their identity. They go to their chief, who's duly elected, and they find out that their chief cannot act as a guarantor. But if they live in a non-native community, they can go to the mayor of the community and he or she, acting as mayor, can guarantee their situation.

Can you tell me, Minister—you claim that you've fixed everything—why it is that someone living in a First Nation community would be subjected to this kind of discrimination?

**Hon Mr Watson:** In fact, I think that's a very reasonable and thoughtful suggestion. I have already been in contact with a number of chiefs of First Nations. We have indicated to them that, with their support, we're more than willing to allow chiefs to have the same status as mayors and other individuals on the guarantor list. They'd be more than welcome to sit down with my colleague the minister responsible for native affairs to ensure that they have the same kind of access, as guarantors, as lawyers and other professions as long as they meet the criteria, and I believe they will.

**Mr Hampton:** I'm quite interested to receive that response after so many First Nations chiefs have raised it and my office has raised it.

I also want to raise this issue. One option might be for an aboriginal person to go to a police officer to have their identity guaranteed. When we look at the list of guarantors, a member of the Ontario Provincial Police, the RCMP, or a municipal police force can be a guarantor, but if you happen to work for Nishnawbe Aski Nation policing, I guess you can't. If you work for Treaty Three policing, you can't.

Once again, Minister, a year after you say you fixed the problems, can you tell us why a police officer who works for NAN policing or who works for Treaty Three policing somehow is not classified as a police officer for the purposes of guaranteeing someone's identity for a birth certificate?

**Hon Mr Watson:** I have the guarantor form here. It's my understanding—and I will verify this—in discussing this with my officials not too long ago that chiefs of police from the native community, the First Nations community, are in fact eligible.

I'm quite prepared—if you have some specific examples of a police chief from the native community who has been rejected, please send them over to me, because, quite frankly, if that is the case, that too is not acceptable.

I also point out the fact that I have not claimed that all of the problems are resolved at the ORG; far from it. But I can tell you that the McGuinty government—our Premier and this cabinet and this caucus—is serious about improving the level of service for all Ontarians. I would ask the NDP to stand up and apologize for their

12% cut in the ORG that cost \$3 million and created the backlog that we're now fixing.

## HOSPITAL FUNDING

**Mr Bruce Crozier (Essex):** My question is for the Minister of Health.

*Interjections.*

**Mr Crozier:** My question, and I'm sure the opposition wants to hear it, is for the Minister of Health. I understand that some hospitals have completed their construction projects or will have completed them later in the fiscal year. The problem is that unless these hospitals are provided with what is known as post-construction operating plan funding, these facilities may sit empty. I'd like to know what our plan is to deal with that and when they might expect funding for their operating costs.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm very pleased to be able to announce to the House today news that that we'll shortly flow—or instantly, I suppose, if people are watching—to five hospitals in the province of Ontario, related to their post-operating cost construction. This is, of course, new construction in the province: Windsor Regional Hospital in 2004-05, \$8.1 million; St. Joseph's Hospital in Hamilton, \$3.3 million; Joseph Brant hospital in Burlington, \$1.8 million; Leamington hospital—in the member's home community, as I understand it—\$700,000; and Norfolk General, \$200,000.

I think this is further evidence of our commitment to work with Ontario's hospitals, to make sure they're continuing to be able to provide the incredibly important work in the province.

## PETITIONS

### CHILDREN'S HEALTH SERVICES

**Mr Garfield Dunlop (Simcoe North):** “To the Legislative Assembly of Ontario:

“Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

“Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

“Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children's treatment centres in their area; and

“Whereas there is no children's treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

“Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children's treatment centre services in their own area; and

“Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children’s rehabilitation services system in December 2001; and

“Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

“Whereas the proposal was reviewed and approved by the appropriate ministries in 2003 and in August the Ministry of Health advised the Simcoe county and York region ... health council that the funding had been committed and would be available shortly;

“We, the undersigned, petition the Legislature of Ontario to release the funding for the children’s treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region.”

I’m pleased to sign my name to that.

#### HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

“Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

“Whereas this privatization of health care services will force Ontarians to pay out-of-pocket for essential health care;

“Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government’s new regressive health tax;

“Whereas the Liberals promised during the election that they would not cut or privatize health care services in Ontario;

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

“We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care.”

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

1530

#### PHYSICAL EDUCATION

**Mr Jeff Leal (Peterborough):** “To the Legislative Assembly of Ontario:

“Whereas North Americans (USA and Canada) have become continuously heavier, and overweight persons now make up over 65% of the population; and

“Whereas obesity among children has now been termed an epidemic; and

“Whereas diseases such as diabetes type 2, circulatory disease, knee replacements and some cancers are known to be associated with obesity; and

“Whereas such chronic diseases could be prevented by an active lifestyle and training,

“We, the undersigned citizens of Ontario, request that physical education be reinstated in our schools as a mandatory subject, with an emphasis on training toward lifelong productive skills.”

I affix my name to this petition.

#### CHILDREN’S HEALTH SERVICES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislature of Ontario which reads as follows:

“Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

“Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

“Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children’s treatment centres in their area; and

“Whereas there is no children’s treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

“Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children’s treatment centre services in their own area; and

“Whereas the Ministry of Health and Long-Term Care provided funding to the Simcoe York District Health Council for implementation planning for an integrated children’s rehabilitation services system in December 2001; and

“Whereas the implementation plan was submitted to the Minister of Health and Long-Term Care in December 2002; and

“Whereas the proposal was reviewed and approved by the appropriate ministries in 2003 and in August the Ministry of Health advised the Simcoe county and York region district health council that the funding had been committed and would be available shortly;

“We, the undersigned, petition the Legislature of Ontario to release the funding for the children’s treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region.”

I affix my signature and support it.

#### HEALTH CARE SERVICES

**Mr Peter Kormos (Niagara Centre):** I have a petition.

“To the Legislative Assembly of Ontario:

“Whereas the McGuinty Liberal government is cutting provincial funding for essential health care services like optometry, physiotherapy and chiropractic care;

“Whereas this privatization of health care services will force Ontarians to pay out-of-pocket for essential health care;

“Whereas Ontarians already pay for health care through their taxes and will be forced to pay even more through the government’s new regressive health tax;

“Whereas the Liberals promised during the election that they would not cut or privatize health care services in Ontario;

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

“We demand the McGuinty Liberal government keep its promises and guarantee adequate provincial funding for critical health services like eye, physiotherapy and chiropractic care.”

I have affixed my signature as well, and I’m sending this to the clerks’ table with page Anmol.

#### CHIROPRACTIC SERVICES

**Mr Shafiq Qadri (Etobicoke North):** I have a petition addressed to the Legislative Assembly of Ontario.

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

“Whereas the 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.”

I will deliver this to you, Speaker, through page Norah.

#### LESLIE M. FROST CENTRE

**Mr Norm Miller (Parry Sound-Muskoka):** I have several more petitions to save the Leslie M. Frost Centre, and I shall read one.

“To the Legislative Assembly of Ontario:

“Whereas the Leslie M. Frost Centre has been Ontario’s leading natural resources education, training and conference centre aimed at fostering an understanding of natural resource management, with a focus on ecosystems and how they can be sustained for future generations; and

“Whereas the McGuinty government refused to consult with municipalities and other user groups before taking this drastic action and continues to operate in a clandestine manner; and

“Whereas this move will hurt the people and economies of Muskoka and Haliburton, especially those in the local tourism industry; and

“Whereas the Frost centre is a valuable resource for elementary, secondary, post-secondary institutions, as well as a variety of other groups;

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

“That the McGuinty government reverse the decision to close the Leslie M. Frost Centre...”

I support this petition and affix my signature to it.

#### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario from a number of people in Toronto, Mississauga, Thornhill, Brampton and Etobicoke. It reads as follows:

“Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada’s sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

“Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

“Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

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

“That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga.”

I thank them for their petition, and I agree wholeheartedly will with it. I will have Alyscha carry it.

#### CHILDREN’S HEALTH SERVICES

**Mrs Julia Munro (York North):** To the Legislature of Ontario:

“Whereas there are approximately 23,000 children and youth in Simcoe county and York region who have special needs; and

“Whereas approximately 6,000 of these children have multiple special needs that require a range of core rehabilitation services; and

“Whereas children with multiple special needs (and their families) throughout the province access ongoing rehabilitation services that are critical for their development at children’s treatment centres in their area; and

“Whereas there is no children’s treatment centre in Simcoe county or York region. For families that can travel, the closest services are in Toronto; and

“Whereas Simcoe county and York region is the only area left in the entire province that does not have access to children’s treatment centres services in their own area....

“We, the undersigned, petition the Legislature of Ontario to release the funding for the children’s treatment centre in Simcoe county and York region so that core rehabilitation services can be delivered to the children and youth in Simcoe county and York region.”

I agree with this petition and affix my signature.

#### OPTOMETRISTS

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Ontario Legislature.

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

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

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

“Whereas the bill introduced by New Democrat Peter Kormos ... will ensure that patients receive prompt, timely, one-stop care where appropriate;

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

I have affixed my signature as well.

#### CHIROPRACTIC SERVICES

**Mr Jeff Leal (Peterborough):** I have a petition today from the Chisholm chiropractic clinic, which is located at 200 Rubidge Street in Peterborough, Ontario. It says:

“To: 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” of Ontario.

I give it to my friend, page Justin.

1540

#### HEALTH CARE

**Mr Gerry Martiniuk (Cambridge):** This petition is signed by thousands of good citizens of Cambridge.

“To the Legislative Assembly of Ontario:

“Whereas the Ontario McGuinty Liberal government has plans to delist chiropractic, physiotherapy and optometrist services from OHIP coverage; and

“Whereas 1.2 million people use chiropractic services each year in Ontario and many more, including numerous seniors, use physiotherapy and optometrist services; and

“Whereas these services are an important part of our health care and if privatized will not be available to those who cannot afford them;

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

“That the McGuinty Liberal government not delist chiropractic, physiotherapy and optometrist services from OHIP coverage.”

I sign the same in support of it.

#### IMMIGRANTS’ SKILLS

**Mr Bob Delaney (Mississauga West):** I have a petition here from a group of employees of Skylink Travel. It’s to the Ontario Legislative Assembly and it reads:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occu-

pations for which they have been trained in their country of origin; and

“Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

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

“That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario’s professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry, or re-entry, of skilled workers and professionals trained outside Canada into the Canadian workforce.”

This is a petition with which I wholeheartedly agree. I’ve signed it, and I’m going to have Norah carry it down.

## ORDERS OF THE DAY

### LIQUOR LICENCE AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR LES PERMIS D’ALCOOL

Resuming the debate adjourned on October 13, 2004, on the motion for second reading of Bill 96, An Act to amend the Liquor Licence Act / Projet de loi 96, Loi modifiant la Loi sur les permis d’alcool.

**The Deputy Speaker (Mr Bruce Crozier):** The Member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker. You’ll recall that I began my comments on this second reading debate a few days ago, and I have but seven or seven and a half minutes left before I have to wrap up.

Like everybody else here, I was down in Welland and Thorold and Pelham and St Catharines—not that everybody else was down in Welland and Thorold and Pelham and St Catharines, although they should have been, but they were in their respective ridings as well. I talked, just like everybody else here, to a whole lot of folks, a whole lot of Ontarians. I tell you, not one, not a single one of those people, expressed to me a fervour for being able to bring their own wine to a restaurant.

I had people tell me about their fear of ever-escalating hydro rates here in Ontario, about electricity prices that are skyrocketing because this government embarks on that foolish, painful and dangerous—145,000 jobs are at risk because of your electricity policy; 145,000 jobs here in Ontario because of your playing games and your

partnership with the private, for-profit electricity generation sector. I had people tell me about that.

I had people tell me about their fear of the privatization of health care here in Ontario. They were witnesses to the privatization of chiropractic treatment and optometry and physiotherapy. They know that’s but the first shoe to hit the floor.

Folks talked to me about tuition fees, frozen for two years at the highest rate they’ve ever been. Thank you very much for freezing them when they’re sky-high and unaffordable for the vast majority of young Ontarians and their families.

I had people talk to me about this Liberal government’s shameful attack on persons with disabilities by virtue of but a 3% increase in the assistance provided to ODSP beneficiaries.

I had folks talk to me and express concern about the fact that the minimum wage was the victim of more spare-changing by the Liberals here at Queen’s Park. Do you understand what I’m saying? When people elected Liberals, they voted for change and ended up getting spare-changed. They ended up getting but spare change.

I had folks talk to me about auto insurance premiums that continue to climb, notwithstanding this government’s promise in the first instance to reduce them by 10% and then a subsequent reduction of 10%, when the reality is that the vast majority of drivers out there are continuing to get ripped off, robbed, mugged by their auto insurance companies, by the private, for-profit auto insurance sector here in Ontario that’s been crying poverty for decades but has been laughing all the way to the bank with the hard-earned money of automobile owners and drivers, premium payers.

The only people who have committed more theft and stolen more money from more people, surely—I suppose Conrad Black would rank as a half-decent competitor to the auto insurance industry. If Barbara Amiel is in any way guilty by virtue of being the receiver of those stolen goods, she may fall into that same category. But there ain’t a big enough jail cell in this province to contain the insurance industries that have committed crimes against innocent accident victims and against drivers and premium payers here in Ontario.

So here we are. This government sees as somehow a priority the proposition, bring your own wine. Why not bring your own crème brûlée? Why not bring your own carrot sticks? After all, the appetizer and the dessert are what add up when you’re calculating a tab at the end of a meal. New Democrats are insistent that this bill go to broad-based public committee hearings.

First, MADD—Mothers Against Drunk Driving—indicate that they were not consulted, notwithstanding the impression that the minister has attempted to give, huh, Mr Dunlop? Mothers Against Drunk Driving have a history of credible and responsible input to legislative and policy endeavours by any number of governments of every political stripe, and I quite frankly consider Mothers Against Drunk Driving pretty much an authority on the issue of booze and access to booze and drinking

and driving. I'm interested in what Mothers Against Drunk Driving have to say about this legislation, because I know they're concerned about it.

The government paraded a couple of individuals purporting to speak for huge parts, huge numbers from the hospitality industry. I'm afraid they speak for much smaller portions than they would have us believe they do. I have no doubt that this government—in fact, they have—identified one restaurateur who's an advocate of bring your own wine, but I say to you that the vast majority of restaurateurs want nothing to do with this proposition. More importantly, don't just talk to the corporate owners or non-corporate owners. Talk to the wait staff.

I was at lunch recently, here in the city of Toronto, in a very good restaurant, not an inexpensive one by any stretch of the imagination. The waiter, whom I've known for some time, has been in the business for 30 years. He's just an impressive professional. He is a professional as a wait service person. I asked him his opinion about this bill. He thinks it stinks. He wants nothing to do with it. I encouraged him. If New Democrats were successful—I trust, along with the Conservative opposition here—in getting this bill before committee, I asked him, pleaded with him, to make sure that his voice and other voices like his were articulated loudly and clearly at those committee hearings with this government once again running roughshod over some of the hardest-working and lowest-income people in our communities: waiters and waitresses.

**1550**

In high-class, high-priced restaurants, people have for decades and will continue to bring their own wine—I know it's not advertised on the front door—and nobody has voiced any problem or complaint about it. Is it legal? I suppose not, but it's been happening. The reality is that the government is marketing this to try to make a meal, it says, more affordable. I say that this proposal will do nothing for the restaurant business, which depends largely on its non-food sales to make a profit. It will do nothing for wait staff, who depend upon tips to make their wages anything more than totally insignificant. The government should not be particularly proud of this bill, nor of the speed with which it wants to have this legislation passed.

Committee hearings: That's the bottom line, nothing less than that.

**The Deputy Speaker:** Questions and comments.

**Mr David Oraziotti (Sault Ste Marie):** I'm pleased today to make a few comments with respect to Bill 96. This is a bill that Minister Watson has shown tremendous leadership on. It is a very straightforward piece of legislation that should cause us very little difficulty in passing.

Mr Kormos commented with respect to meeting with MADD and consultations with other groups. Minister Watson has quite an extensive list of individuals he consulted with. In fact, Minister Watson met with the national director and CEO in Queen's Park here on

March 23, and he carried out a number of other consultations. Minister Watson was in my riding of Sault Ste Marie and met with the chamber of commerce, and numerous individuals expressed their concern. But as we proceeded to indicate what specific aspects of this legislation would apply and how they would work, the restaurant association seemed to have a greater appreciation for the impact of this.

Let's be very clear that jurisdictions such as New Brunswick, Alberta, British Columbia and Quebec participate in bring your own wine and take home the rest. This is a very responsible piece of legislation, in my opinion. It allows individuals to take home wine they are unable to consume or do not wish to consume, relieving some of the pressure for them to finish the wine they have at their table and drive home.

I think it's a progressive piece of legislation. It's a responsible piece of legislation. In fact, we have comments from an opposition member here, Mr Hudak, the member for Erie-Lincoln, who said, "I'm in favour of bring-your-own. Let's look at the best practices. I think it's good for consumers, good for tourism. It was always my feeling as consumer minister that we have to allow tourism operators to be innovative in order to compete with other locations."

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to add some comments to do with the member for Niagara Centre, who spoke so passionately about Bill 96.

One of the questions he raised was really about priorities: Is this the top priority of the government, this bring your own wine legislation? He was talking about all the people he's been running into and if they've been raising this on the street. I would have to agree with him that I have not run into a single person who has raised this issue as I've gone around Parry Sound-Muskoka. I would suggest this is really a diversion from more important business that the government should be getting on with.

I can tell you some of the things I have been hearing about, though. I'm hearing a lot about the Leslie M. Frost Centre and how valuable it is to the people of Haliburton, to the people of Parry Sound-Muskoka, to the people of all different parties—those interested in the environment, those interested in education. There was going to be a conference there this fall, where 1,600 young school children were going to attend to learn about the importance of the environment and learn about water. Unfortunately, that conference, which was supposed to happen on September 30, was cancelled because they weren't able to find another location. That's what has happened because you closed the Leslie M. Frost Centre.

I'm hearing about Muskoka being taken out of the north. I've got a desk full of petitions on that issue, and on the fact that chiropractic, optometry and physiotherapy services have been cancelled. I'm hearing about the cost of people's insurance—auto insurance, motorcycle insurance. I'm hearing about hospital funding, for sure. South Muskoka Memorial Hospital has received a

1% funding increase for this year; Huntsville, 1%. Those are going to cause some really serious concerns in my riding.

Those are the things I'm hearing about in the riding. I certainly have not heard from any individual I've run into about this particular bill.

**Mr Kevin Daniel Flynn (Oakville):** It's my pleasure to join the debate and add a few remarks. I come from a community that is quite dependent on the tourism business. If you take a look at areas in Oakville, you'll find downtown Oakville with some of the finest restaurants in Ontario. I live in the other end of town, in Bronte. That's an emerging area that's starting to attract tourism from all over the province and New York state as well.

When I talked to restaurant operators and people in the hotel industry—and I understand some of the problems they've faced in the past—what they tell me they want is the flexibility to deal with problems, to deal with initiatives in their own way. They want the freedom of choice. They want to be able to exercise that freedom in a way that suits their establishment, in ways that may not suit others.

It seems to me, when you look at the patrons in Ontario, the consumers of Ontario and the restaurant operators, that somehow we've been able to deal with this issue in other jurisdictions in Canada. Take a look at New Brunswick and Alberta and Quebec: They seem to have implemented this type of legislation. Take a look at other countries. Take a look at Australia, the United States—several US states, actually. It's also available in British Columbia and Alberta.

It seems to me that it's the sort of thing whose time has come in Ontario. It's the sort of thing that I trust the hospitality industry and the consumers in Ontario have the maturity to deal with. It's a sign, to me, of a civilized society. It seems to me that people in Ontario should be able to avail themselves of the same rights, when it comes to their choice of restaurants and how beverages are served in those restaurants, as anybody else in Canada. To say, "We can't handle this," simply demeans the people of Ontario. I don't think this government's prepared to do that.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise to make a few comments to the member from Niagara Centre as well. I think he was very accurate in many of his comments. I have had no one come forward in my riding who supports this piece of legislation. I know the minister came forward with a couple of names of some restaurants—probably his buddies up in Ottawa—and he got some positive response from that. But I've had nothing but negative response from the restaurateurs and fine dining rooms in my riding of Simcoe North, and I have to take their word for that. Individuals aren't coming forward and telling me how wonderful this is. The restaurant people—the people who are employing the people, the people who are paying the taxes, who are buying these fine wines—have some strong concerns.

One of the concerns I haven't heard the minister talk about: The owner of one of the restaurants in our com-

munity has come forward—talking about liability and what kind of liability people have working in the restaurants when they serve wine that is brought by someone who's bringing their own wine from a store. I think what's important here are things like that.

Like the member from Muskoka, the people in my riding are talking about a number of things. One thing is the cutbacks to health care; there's no question about that. They're talking about the closing of the Huronia Regional Centre by the Minister of Community and Social Services. They're talking about the Frost centre, again, in Muskoka. They're talking about site 41 and why the environmental commissioner has one opinion on the approval process and the minister and her staff have another opinion on this.

I think there are a lot more important things that could be debated here other than this bill. I think this is something that, when there is nothing else to debate, you could bring forward and have a good time to debate it. But as far as I'm concerned, if we are going to proceed with this bill, which is unfortunate, we're going to have to have some very dedicated time and good conversation in committee on this as well.

**The Deputy Speaker:** The member for Niagara Centre has two minutes to reply.

**Mr Kormos:** I'll tell you one group that this bill doesn't help at all, and that's Ontario's grape growers and wineries. You see, as it is now—and Mr Hudak from Erie-Lincoln can speak well, and will, I'm sure, on the relevance of this bill to our grape growers and wineries down in Niagara region—these wineries have become very aggressive in forging partnerships, relationships, with restaurants to showcase their wine, when access is not necessarily available to them in the best shelvage at the LCBO, which is a separate issue and a separate argument. They've become very good at getting out there, making arrangements and creating relationships with restaurants and restaurateurs to showcase Ontario wine. I say that's a good thing. I say it's especially good for those smaller boutique-type wineries. It's good for the grape growers down where I come from, and where Mr Hudak, Mr Bradley and Mr Craitor come from.

**1600**

The government hasn't indicated any concern about the fact that this bill will allow people to bring brew-your-own wine to that restaurant. It will allow people to bring wine from any source, whether legally or not so legally brought into the province or the country. I say it's yet another constituency that you'd better listen to very carefully during the course of committee hearings. I'm eager to hear from some of those tremendously hard-working ones, and they are, especially those family-run, boutique-type wineries down in Niagara region. I know there's the Pelee Island area as well. I don't want to pretend that the Niagara region has the only wine area in this province, but I'd be naive to call it anything but the best. But that's another very clear group of people we'd better listen to very carefully and understand all the ramifications. This is not the easy go that it appears to be

at first blush, and to treat it as such is naive, foolhardy and negligent.

**The Deputy Speaker:** Further debate?

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I'll be sharing my time with the member from Bramalea-Gore-Malton-Springdale.

Il m'a fait plaisir de participer à ce projet de loi, Loi modifiant la Loi sur les permis d'alcool dans nos restaurants—restaurants titulaires d'une licence émise par la Régie des alcools de l'Ontario.

Cette loi permettra aux propriétaires de restaurants l'endossement du ministère permettant au consommateur d'aller prendre un repas et apporter sa propre bouteille de vin.

J'entendais tout à l'heure les commentaires du membre de Niagara-Centre. At the beginning, the member said that he was against this project, but at the end, in his two minutes, he said, "We have grape growers; we have wineries. If there is an area in Ontario where it would be the most beneficial for the winery people and for the grape growers, it would be the Niagara area."

I'm saying that because the majority of tourists coming to Ontario go to Niagara Falls. When they find out that they are able to purchase a bottle of wine, go to a restaurant and bring their own wine, you'll see an increase in restaurant business in the Niagara area.

J'ai eu l'expérience moi-même lors des journées des rencontres familiales. Lorsqu'il arrive le temps de Pâques, par exemple, je me rends sur le côté du Québec, à Hull, pour prendre un repas avec la famille. Nous sommes 45, 50 personnes. Pourquoi allons-nous au Québec? C'est parce que nous pouvons apporter notre bouteille de vin. La fête des Mères, c'est la même chose.

Les restaurants à Hull sont remplis à craquer de personnes qui attendent en ligne avec leur bouteille de vin en main. Puis, tout le temps les restaurants dans la région d'Ottawa, côté ontarien, sont presque vides aux temps des fêtes. Pourquoi? C'est parce que nous n'avons pas en place une loi comme celle que nous sommes en train de passer.

Si je regarde dans les autres juridictions, nous savons que c'est maintenant permis au Québec, en Alberta, au Nouveau-Brunswick et en Colombie-Britannique. À la ville de New York même c'est permis de se rendre au restaurant avec sa bouteille de vin.

In Ontario we are recognized for our camping grounds. Visitors to a camping ground in Ontario are what I really call tourists. They come in, they become like a family in that big camping ground, and at times they go and buy a bottle of wine. They would like to go out to a restaurant, gather up a group of people, of families, from the camping ground and have a bottle of wine. At the present time, they cannot do it. I look at Kittawa in Limoges—impossible. I look at the Niagara Falls area for the campers—impossible, all over Ontario.

This will bring additional business to restaurant owners in Ontario. I hope every one of us will support this bill, because we know the hard times we went through with SARS two years ago. Tourism in Ottawa is

down by 1.8 million visitors. We are right at the Quebec border. We know how much the fact that we cannot keep our restaurants busy affects business. The day we get royal assent for this bill, you will see restaurants applying to municipalities to get building permits to expand their restaurant facilities. There is no way that the people could turn back on this bill. It's a must.

In the province of Quebec at the present time, in the Ottawa Le Droit, it was very clear: Now we are looking at bring your own beer; not only wine, but bring your own beer. So it shows that it benefits all the restaurant owners and brings additional tourism.

Thank you, Mr Speaker. I'm going to leave my friend to take over.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I'm honoured and pleased to join my friend the honourable member from Glengarry-Prescott-Russell in the debate on Bill 96, the Liquor Licence Amendment Act, 2004. If passed, this act will give the people of Ontario a choice, a freedom, a liberty to bring their own wine when they visit a restaurant of their choice.

This act is yet another instance where our government, the McQuinty government, is striking a balance between what is fair and what is right, and doing so in the best interests of all Ontarians.

This act will provide the proper tools for those who enforce our Liquor Licence Act and those who seek new and interesting ways to promote economic opportunity for business. Most importantly, it will also ensure that the proper safeguards will be put in place to curb the spread of underage drinking and drunk driving.

Before I get into the analysis of the bring your own wine and take home the rest portions of this act, I first want to speak to the change that has taken place in this province because of this government's approach to legislation. Over the past year, our government has introduced a number of important pieces of legislation that have set the stage for transformation in this province. In that time, a little more than 12 months, we have introduced and passed a number of progressive bills, and this bill is one of the very progressive bills.

One such progressive bill is Bill 56, the Employment Standards Amendment Act. That bill provides job security and protection for family members who must take a medical leave of absence to look after a terminally ill family member. When crafting that bill, the Minister of Labour took a balanced and thoughtful approach, taking both the concerns of employees and employers into consideration. The result was a bill that marks a vast improvement in our province's dedication to respecting the professionalism and expertise that workers contribute to the workplace while respecting the needs of the employer.

The second bill that I passionately desire to plug is our government's recent introduction of Bill 118, the Accessibility for Ontarians with Disabilities Act. If passed, a timeline will be established and a mechanism of enforcement enacted, which will finally make this province accessible to all Ontarians. The Minister of Citizen and Immigration, Dr Marie Bountrogiani, allowed me the

privilege to be a part of the consultation process while I was her parliamentary assistant.

**1610**

What strikes me about this present Bill 96 and these pieces of legislation is the renewed desire of our government to listen to the concerns of those affected under proposed legislation and to craft bills that truly reflect the interests of all Ontarians. Bill 96 is yet another example of our government's approach to provide the citizens of Ontario with the ability to enjoy dining opportunities similar to those enjoyed by the residents of New Brunswick, Quebec and British Columbia. I used to have a medical practice in New Brunswick for eight years and I know how much the residents of New Brunswick enjoy this kind of act.

This will also simultaneously show that the bring your own wine portion of this legislation applies only to the restaurant owners who wish to be a part of the voluntary program. What also make this legislation so progressive is the re-corking component, which actually provides an incentive not to drink all the wine that a restaurant patron brings with them.

I support this bill. I think this bill is yet another example of the McGuinty government's commitment to a balanced approach to legislating change in this great province of ours.

**The Deputy Speaker:** Questions and comments?

**Mr Dunlop:** I'm pleased to rise again this afternoon to speak on this bill. Although it's bring-your-own-wine, I guess we're back to what I call an almost short-sighted type of legislation. With so many issues in our province—economic issues, health care issues, education issues and a lot of local riding issues—here we are debating whether we should bring our own wine to a restaurant.

It's difficult to see why the minister is in such a rush to get this piece of legislation through. Maybe it's a Christmas thing. Maybe they want to have it so they can have some kind of special government advertising process around Christmas and they can try to pat themselves on the back for this piece of legislation.

But you know, I just can't believe that there was no consultation with Mothers Against Drunk Driving. That is the part—I can understand why they wouldn't want to consult with the NDP caucus or the Conservative caucus, and I can understand why they probably didn't want to talk to the police associations or the Ontario Association of Chiefs of Police, because neither one of them have an official position on this at this point. But I can tell you, Mothers Against Drunk Driving is one of the most credible organizations, not only in Canada but in North America as we promote anti-drinking and driving, and they are opposed to this legislation. We haven't seen any support whatsoever, not even any consultation. So that's disappointing from our point of view.

It's disappointing, I think, for many members of the Liberal caucus, as we go forward with this piece of legislation, that one of the key stakeholders in the fight against drinking and driving has not been consulted on

legislation that definitely may have effects on their organization.

**Mr Kormos:** I'm just disappointed—not surprised, because nothing surprises me here anymore, or ever will—at the manner in which government backbenchers are treating this as if it was such a modest proposal and it should be a done deal, when, in fact, there are a whole lot of considerations. I just find it remarkable that the government wouldn't, through its minister or through the Premier or through the House leader, resolve the concern around lack of public hearings on this matter and say that there will be broad-based, province-wide public hearings around this issue.

Surely we want to hear from restaurateurs, we want to hear from Mothers Against Drunk Driving, we want to hear from the police, we want to hear from the LCBO. I want to hear from the small wineries—and big wineries, for that matter—here in the province of Ontario. I want to hear from waiters and waitresses who work hard, making, yes, our dining-out experiences pleasant things. I want to hear from the hotel industry.

The argument is being made that somehow we've got to fight back against what was a horrible year last year in the hospitality service industry. I come from down in the Niagara region, down close by Niagara Falls; we know that as well as anybody. But you're not talking, once you're up in the Toronto area, about creating a competitive edge. Surely nobody goes to Montreal because on Prince Arthur Street you can go to the dépanneur and buy a bottle of cheap plonk to have with your pasta while you sit outside, serenaded by buskers. Give me a break. You go to Montreal for Notre Dame, down in Old Montreal. You go there to climb to the top of St Joe's and the basilica. You go there for any number of reasons, not because you can buy not-so-good wine, cheap wine at the dépanneur, the corner store, to reduce your dining-out cost. It's a fallacy if we base this legislation on that premise.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** There's an old folk song with the line that people just hear what they want to hear and disregard the rest. Talking about bringing in your own wine—I think that it fits here in the Assembly. People bringing in their own wine are whining that the restaurants want nothing to do with it. That's not true. In fact, the program will indeed be voluntary. They're whining that there'll be open bottles in cars, when those who are whining about that know the legislation specifically precludes that. They're whining that it will mean major changes in liability, when that's not the case at all. The liability not only will be maintained but in fact strengthened. They're whining that you won't be able to bring in locally made wine, that we would have no control over what people are drinking, when the legislation says quite clearly that only commercially available wines will be subject to this.

I guess the most disturbing whine of all is that this legislation somehow reduces our commitment to public safety. Nothing could be further from the truth. In fact, this legislation will require enhanced training for people

who serve liquor. It will require that bottles being taken home—and the whole reason for being able to take them home is actually to encourage responsible liquor consumption.

**Mr Kormos:** The bill says nothing about that.

**Mr McMeekin:** It does, indeed. We talk about re-sealing bottles. We're talking about strengthening enforcement tools.

As for consultation, some are whining that we haven't had enough consultation. Not only have we consulted widely—including, by the way, the police association and MADD—but the government has an ongoing commitment to extensive additional consultation and provincial hearings with respect to regulations affecting this bill.

**Mr Miller:** I'm pleased to add some comments to the talk from the member from Glengarry-Prescott-Russell and from Bramalea-Gore-Malton-Springdale.

As I previously said, I think the introduction of Bill 96 is really just a diversion from the real problems this government should be addressing. In terms of Bill 96, which is the bring your own wine bill, I really don't have a problem with it. I think there are some positives to it. I think that for some rural and remote and northern areas, it allows a little more flexibility. I really think, in the total scheme of things, it'll be probably a very tiny percentage of restaurants and businesses that will actually use this option. I would hazard to guess it'd be less than 5%, probably 1% or 2%, of restaurants that would actually use this option.

**1620**

I think there are some positives, like allowing people to take a part bottle of wine home. I think that makes sense, because of our natural desire to want to consume something once we've paid for it. Allowing somebody to take a part bottle home, with the right conditions, is not a bad thing.

I also agree with the member from Niagara Centre that this should be going to committee. There should be consultations and input from organizations like MADD Canada. The last thing we want to do is add to drinking and driving situations.

As I've said, this is really just a diversion because the government doesn't want to talk about some of the important things that we should be talking about. As the northern critic, I know that in the northwest the two top issues, in terms of a poll that was just done, are wanting tax reductions to create jobs and making sure they have affordable, reliable power.

This bill, of course, is not talking about any of those things. I think it should go to committee. I think there should be further input from the restaurant associations, MADD Canada and other concerned stakeholders.

**The Deputy Speaker:** The member for Bramalea-Gore-Malton-Springdale has two minutes to reply.

**Mr Kular:** First of all, I want to thank the members from Glengarry-Prescott-Russell, Simcoe North, Niagara Centre, Ancaster-Dundas-Flamborough-Aldershot and Parry Sound-Muskoka for giving their input.

Minister Watson had a very wide consultation with a lot of stakeholders before he brought this bill in; to name a few of them, the Ontario Association of Chiefs of Police, Ottawa and Toronto police services, AMO, the Greater Toronto Hotel Association, Tourism Niagara, the city of Ottawa, the city of Toronto, the city of Windsor, the city of Kingston and numerous restaurants.

Let me say what Rod Seiling, president of the Greater Toronto Hotel Association, says about this bill. He says, "These changes are progressive and will enable the industry to better serve its diverse customer base." That's what he says.

I agree with Rod Seiling that this is a progressive piece of legislation. Mr Watson has done widespread consultations.

In fact, what this bill does is give the liberty, respect and freedom for Ontarians to bring their own wine when they go to the restaurant of their choice. They also can have the wine of their choice.

**The Deputy Speaker:** Further debate?

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to rise as part of the Bill 96 debate and join the discussion.

A couple of notes as we begin this evening's debate: I think it's always important to cite for the record that the members of the government side are not taking up their full time allotted for debate.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** What?

**Mr Hudak:** Shockingly true. We've seen a pattern emerging already. We're only a couple of weeks into this legislative sitting, which began late. We've already seen the government members very much limiting their remarks.

You don't have to do it, I say to my friend from Ancaster-Dundas-Flamborough-Aldershot. You've been here long enough. You get your briefing notes, and you read them into the record. You can actually say more. If you get to briefing note page 2 and it says that your colleague will read pages 3 and 4 that the minister's office gave you, you can say more. You're not going to get in trouble.

**Mr McMeekin:** Tim, we could go forever, but we don't need to.

**Mr Hudak:** Send the notes over. I'd be glad to look at the notes.

I have to tell you that I saw one member speak for, I think, six minutes and the other member speak for seven minutes when they could have 20 minutes each on this debate. If this is a priority bill from my colleagues across the floor, I say that it's passing strange. Surely the whip—who, I know, is usually here—isn't cracking down on you saying that you're limited to six or seven minutes, because you can push back and say, "Do you know what? I know about the people back in Ottawa-Orléans," or, "I know about the folks back in Peterborough. This is what they've said about Bill 96. They're all behind it. That's why we need it on the floor. I'm going to take my full 20 minutes to talk about what I'm hearing back in Peterborough, by way of example."

I just wanted to note that the members on this Bill 96, among others, are exhibiting a disturbing trend of limiting their remarks significantly, to about one third of the time that they're allotted. I tell you, I've been here; I've been there. I've been in that back row corner. You don't have to read only the notes. You can take the full 20 minutes.

Fear no repercussions. The member for Brant is all bark and no bite. Take your full 20 minutes and know the folks in Minister Watson's office are very accommodating. They're strongly supportive of this bill in his office. They wanted to have time, so take the 20 minutes. Talk about how important it is back in the riding. Don't feel pressured to keep your remarks short—just friendly advice from the good-natured member from Erie-Lincoln.

The second aspect: I think it's always important to talk about how these bills were born here in the Legislature. Unless I'm mistaken, my recollection is that when the minister first began talking about bring your own wine—and take the rest home, perhaps—do you remember what the big issue was in the media? The big issue in the media was the scandal enveloping the Minister of Finance surrounding Royal Group. The Legislature wasn't sitting. We didn't have an opportunity to address those issues in question period, so they used one of the oldest tricks in the book.

*Interjection.*

**Mr Hudak:** The trick worked, because you talked about alcohol, and bang, all the media attention was about bringing your own wine to restaurants. There's no doubt: You can talk about alcohol or dogs, I guess, alcohol or anything to do with animals, and the media attention gets diverted. You were successful. The media interest at the time in the Sorbara affair, the scandal enveloping the finance minister as he prepared for the 2004-05 budget, evaporated.

**Mr McMeekin:** Why don't you mention he was cleared by the Integrity Commissioner?

**Mr Hudak:** Well, I don't know if we've heard the last of this issue; I really don't. We don't know where the investigations will arrive at the end of the day. The member has made up his mind. I'm going to maintain my independence on this issue to see what we actually find out with respect to Royal Group. We'll look forward to what the RCMP or the police forces bring forward.

And no doubt about it, I bet you when that comes forward, if it's bad news for the government, they're going to talk about alcohol or they're going to talk about animals to try to divert attention. I don't think it's going to work next time. Alcohol in movie theatres: I'm saying here that will be the next one he will throw out as a trump card to divert attention from bad-news stories for the government.

I think it's important that we always try to recollect how these bills came into being in the Legislature. It worked. Everybody on TV and radio, for days afterwards, talked about bringing your own bottle of wine, and it turned the page on the scandal surrounding the

finance minister. We will see if the next card you want to play will similarly be successful or not. That remains to be determined.

The third point: I think it's got to be pretty tough to be in the hospitality sector today in general, with 9/11, with the close on the border, with tourism, particularly with international travellers withdrawing from using Canada as one of their preferred destinations. I think those things are all related. Thankfully, we're seeing some improvement, but not at the pace that I, coming from Niagara, would enjoy seeing. We have a way to go.

The general environment for the hospitality industry has not been strong—in fact, far from it—these last number of years.

**Mr McMeekin:** It's been a struggle, hasn't it?

**Mr Hudak:** It has become more of a struggle, when you look at the overall attacks—maybe that's too harsh a tone—of the McGuinty government on the hospitality sector. I could list a few of these initiatives.

*Interjection.*

**Mr Hudak:** Since my colleague opposite shows so much interest in this, I will proceed down this path to talk about the impacts in the context of Bill 96 that the McGuinty government is having on the hospitality sector. To put it mildly, as an understatement, I would not say that the relationship of the hotel, motel and restaurant operators with the McGuinty government is a strong one today.

1630

I can't blame them, because I think the Liberals—Dalton McGuinty got his hand caught in the cookie jar with this whole fat tax issue, this attempt by Dalton McGuinty to tax all meals under \$4. They went through a series of verbal gymnastics trying to describe what that tax was all about. Initially, it began as simply closing a loophole that existed. The member from the Cornwall area—

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** Stormont-Dundas-Charlottenburgh.

**Mr Hudak:** I apologize; Stormont-Dundas-Charlottenburgh—remembers the discussion on the fat tax debate. Initially, it was simply to close a loophole. The hospitality sector responded quite strongly to that, and then they switched to the health side, that it was an attack on fat and we had to do something about fat in the food. By golly, the food courts in all the malls across the province were the sum of all malevolence attacking working families in the province. So we're going to go after these \$4 meals, clamp down on them and save our families from the evils of fat in the food of the hospitality sector.

They did a great job, the Ontario chapters and the Canadian chapters, in pushing back and saying, "That ain't so." They said it ain't so and it ain't. They said that in fact a lot of these \$4 meals were soup and salad. The tide began to turn, that this was nothing but a blatant tax grab by the Dalton McGuinty government, hitting primarily seniors and working families in the province who did not initially pay any tax on meals under \$4 and

then were going to be hit by this whopping tax on meals under \$4. Hospital and school cafeterias were cited as a couple of examples.

We saw a concerted campaign by the hospitality industry, supported by members of our caucus, I'm proud to say, and members of the NDP caucus. It went from the loophole to the health campaign. Eventually, we pulled it out of them that they were not going to do it, but I have no doubt Dalton McGuinty and Greg Sorbara's fingerprints were all over the proverbial cookie jar when it came to the fat tax and, thankfully, their climb down from that tax.

But their plan to lay it to the hospitality sector, to really give them the old what-for continued. I'm afraid there may be some resident anger, some vindictiveness from members of the Liberal cabinet who feel that the hospitality sector—the first ones that had the strength to stand up to a relatively new government. I think they have actually turned to other initiatives that are having a significant punishing impact on our foodservice industry, our pubs in Ontario, which already have a difficult economic environment that has certainly been very unfavourable the last number of years.

They didn't get hit with the fat tax, but they got whacked with Dalton McGuinty's new taxes: his corporate taxes, business taxes, as well as a new health premium. Mom-and-pop operators, if they're both working, could be looking at over \$1,000 in increased taxes impacting on their business. So not only dealing with the difficult economic climate, but on top of that, a significant increase directly in the bottom-line costs through Dalton McGuinty's famous and most infamous of broken promises—the tax hikes.

I seem to recall Dalton McGuinty looking into the TV cameras saying that he would not increase taxes on working families in Ontario. Maybe my screen was too small. Maybe I needed a big screen. Evidently he had his fingers crossed when he said that, and increased taxes substantially.

Probably on the top five list of infamous Dalton McGuinty broken promises is the hydro increase, smacking into not only working families and seniors but right into the hospitality sector's bottom line in addition. So a tough economic climate, higher taxes—again, it's a broken promise—and contrary to an election promise by Dalton McGuinty, hydro increases. We had brought in a cap particularly to assist small businesses. The hospitality sector benefited from that cap to hold the line on hydro costs.

Probably number two, maybe number three, of the top five infamous Dalton McGuinty broken promises: increased hydro rates. Labour costs, as well, have gone up, so hydro, labour costs and higher business taxes.

Then, for the first time in 10 years or so, I believe, an increase in beer taxes in the province; alcohol taxes up significantly. So in the hospitality sector, licensed establishments have been hit by a broken promise on higher taxes and a broken promise on higher hydro rates, higher labour costs and a broken promise on higher taxes for

alcohol. If they had campaigned on that, I think that's one thing, but they campaigned on the opposite. The hospitality sector, as a result, has been hit four times over. It dodged one important bullet on the so-called Dalton McGuinty soup-and-salad tax, because people fought back and killed that one before it was able to rise from the ground—but four bullets.

**Mr McMeekin:** It was never part of our plan.

**Mr Hudak:** The member says, "It was never part of our plan." Come on. None of this was part of your plan. Your plan was not to increase taxes on working families or these particular small businesses. The hydro increase was certainly not part of their plan. I think the problem with the Liberal government is that as soon as Dalton McGuinty got the keys to the limousine, he tossed his plan out the window. As a result, you end up with a government that is going to places that you didn't expect or didn't want them to go. There are a number of examples like that. Certainly the hospitality industry would say, "We did not expect Dalton McGuinty to increase our taxes. We did not expect him to increase the tax on one of our products, on alcohol. We did not expect him to increase our hydro costs." All of these things put together have made a difficult climate even tougher.

So I would ask the members if maybe they could reply. What did the hospitality industry ever do to you guys? I often, almost always, have a good time at a pub, a bar, a restaurant in the great riding of Erie-Lincoln or if I'm here in the Legislature. I think they give outstanding service. They treat me well. I try to be a good customer in return. What did the hospitality industry ever do to you that you brought down Dalton McGuinty's economic hammer on the hydro sector?

That's the context of the bill: how she was born, under what circumstances, trying to distract attention from the Sorbara scandal. Also, my colleagues on this side of the floor, and hopefully across the floor, will address significant negative impacts on the hospitality sector as a result of Dalton McGuinty's broken promises. In many ways, they're paying the price. We will have to see how the members respond in terms of what did the hospitality—maybe it was that they fought back against the fat tax. They had to get them as a result. I hope we will be edified as to what the hospitality industry did to deserve this kind of attack from the Liberal government.

With respect to the particulars of this bill, I agree, I think it's important for us to continue to modernize our liquor licensing laws. In many senses, we're caught back in Victorian times. I think, if you travel across the world, areas that want to be a mecca for tourists—like Toronto, like the Niagara Peninsula, like Ottawa—do need new tools to help attract those tourists and to push back a bit against some of these dangerous policy changes, these broken promises the Liberals have implemented that hurt the hospitality sector.

In fact, we had a significant number of changes to the Liquor Licence Act that I was proud to be part of as Minister of Consumer and Business Services. One example: We had some stadium laws that were so far out

of date. If you had a professional team, you could serve beer or alcohol in tiered seating, but there was a winery in Niagara-on-the-Lake, in my colleague from Niagara Falls' riding, that had an amphitheatre that played classical music or maybe showed some Shaw or old movies. They were not allowed to take their wine from the tent to their seats. In fact, they had to get up in the middle of the performance, run up the stairs, run behind the fence into the tent, drink their wine and quickly get back to their seat, so as to not miss one of their favourite songs or numbers. If they actually had torn down the vineyard and created a professional team in a stadium—the Niagara Grape Stompers, for example—they would be allowed to take the beer or the wine to their seats. But because of, for example, this restrictive and older law that needed to be revisited, now they can work and serve as a tourism attraction—a much better situation.

Beer on the golf courses is another one; in 1996 changing the close to 2 am from 1 am. Particularly those from border areas saw a lot of people fleeing the province to go across the border for the 3 am close in New York state, and I'm sure it was similar in other states or across the border into Quebec. I think these changes were important to make.

I certainly do believe that while this—bring your own bottle and, I hope, take the rest home—will be grasped by a niche market at the end of the day, probably the vast majority of those in the industry will not take advantage of this and will be opposed to it, but I do think it's an important option as we modernize our Liquor Licence Act.

**1640**

Take the rest home: I think people may be tempted, if there is an expensive bottle of wine on their table—maybe they're out for a date and they don't want to finish the bottle—to say, "It's a significant investment; it's a lot of money, that bottle of wine," and they would finish it off. I think it will actually cut down on risky drinking and driving if those customers are allowed to seal the bottle, and take it home in a safe and secure environment. That means to say that you need to continue to consult with MADD and with police forces to make sure that these changes are done in a sensible manner.

I think there is more to be done in terms of cracking down on hospitality establishments that are besmirching the image of the hospitality sector, that may be controlled by crime or by biker gangs or have a history of passing licences around, covering these types of establishments from the scrutiny of the law. I think it's important to continue down that path.

Minister Watson, whom I've had the pleasure of knowing for many years, dusted off some proposals that were there in the ministry, which, in some cases, like those I've mentioned—

**Mr McMeekin:** You were going to say something nice now, weren't you?

**Mr Hudak:** I'm pleased to see it. The fact that he has brought these forward to the Legislature—my colleagues make a good point. Is it a grand list of priorities, like

health care and education and taxation, at the top of the line?

**Mr McMeekin:** But you're glad to see it, aren't you?

**Mr Hudak:** Perhaps not. But if the minister is interested in dusting off some old proposals, the one I suggest that he does dust off, in addition to this, is VQA stores, to help promote Ontario wine.

We made tremendous progress in the Ontario grape and wine industry under the previous Mike Harris and Ernie Eves governments. Direct delivery, for example, allowing wineries to sell directly to hospitality establishments; the lower tax rate that's a big boon for the industry; working with the LCBO to add on 1.1 kilometres of additional shelf space for Ontario VQA, for 100% grown product, 100% VQA wines—the equivalent of seven normal LCBO stores. Great progress. I want to encourage the government to continue the biggest marketing initiative in the history of the LCBO for Ontario wines, conducted with phenomenal success. I forget the exact per cent, but it was a significant double-digit increase in sales as a result.

You hear from the grape growers and the wine industry that they're hearing on the radio about the Australian promotion, "Buy the Australian wine." They say, "What about Ontario VQA product?" The spinoffs for agriculture, hospitality and tourism are enormous. So I encourage my colleagues to keep pushing the minister, one of which should be the VQA legislation, which was in a bill that the Liberals had voted for previous to the dissolution of the government. Call it forward. Dust that one off as well and put it before the Legislature, because we want to see it—

**Mr Kormos:** One hundred per cent Ontario product.

**Mr Hudak:** One hundred per cent Ontario product—VQA only, to allow new outlets for sales. I want to encourage you in that direction. Speak with the minister. He brought part of this forward, as part of the plan, VQA stores.

**The Deputy Speaker:** Questions and comments?

**Mr Kormos:** Right off the bat, I want to endorse the 100% Ontario grape content in Ontario wine. The silly argument that somehow we don't have the capacity in Ontario to grow that grape is nuts; it's stupid. We can generate capacity. If we don't have that capacity, we create a level of scarcity and maybe grape growers will get paid what their grape is really worth, which is a heck of a lot more than they're being paid for that grape now. So I endorse 100% Ontario grape, Ontario juice in Ontario wine. That's number one.

Number two, I am still hard pressed—and I look forward to having the minister in committee to ask this minister which one of his backbenchers was knocking on his door saying, "Mr Watson, I've got to be able to bring wine to the restaurant the next time I go out to have dinner." I want to know which restaurant called him and said, "Minister, we've got to be able to let people bring their own wine, because, before you know it, they'll be bringing their own crème brûlée," because, Lord knows, desserts add a whole lot to the restaurant tab, don't they?

Look, it's not just your main course; it's those appetizers, those drinks and those desserts.

I want to know where it was. What constituency in Ontario rattled the cage of this minister to the point where he sat down with his personal computer one night and drafted this bill? It's not a very long bill, so I have no hesitation in telling you the minister himself drafted it.

The other problem I've got is taking home your half-empty bottle. I'm not going to dispute that we've got to find ways of discouraging people from drinking it up just to drink it up, so they get drunk, especially if they're going to drive themselves home, but I'm dearly interested in listening to this minister explain to us how wait staff in a restaurant are going to be forced to comply with provincial regulation when it comes time to sealing that half-empty bottle so patrons can take it home.

**The Deputy Speaker:** The member for Stoney Creek.  
*Applause.*

**Ms Jennifer F. Mossop (Stoney Creek):** Thank you very much, Mr Speaker. I brought my fan club with me.

**Mr McMeekin:** You'd know all about good wine.

**Ms Mossop:** Yes, we know about good wine down in Niagara. We're finishing off the Niagara complement here. This is the third in a row. We're coming closer and closer here.

Wine is a huge issue down in the Niagara region, and all the members from that area speaking today know that. I'm still trying to figure out why this is such a really huge issue. I like to go out to restaurants, and a lot of the restaurants I go to have excellent food, but they don't happen to have necessarily the space or the conditions or the desire to spend a lot of money on putting in a big wine cellar with a wide selection of wines. One aspect of a very good dinner is a good bottle of wine to go with it. So for the owners of these smaller restaurants or mom-and-pop operations that provide an excellent home-cooked dinner, this means you can bring your own bottle of wine, a very good bottle of wine that will match the very good food you're having, and the owner of the restaurant doesn't have to worry about keeping a large wine cellar with all the necessary and appropriate conditions that calls for, and also the expense. They have to buy all that wine up front. That's quite a huge expense for some people. So this is a solution. I can go to my favourite restaurant, I can have excellent food and I can bring a good bottle of wine along with me, and it's not an inconvenience or an extra expense or a problem for the owner. They can concentrate on their great food and I can choose a bottle of wine that is going to suit this wonderful dinner.

I don't think it's a great deal. It happens all over the world. It's not something that's mandatory here either. We're not jamming this down anybody's throat. It's an opportunity for people to have a little bit more flexibility, a little bit more choice, on both the owners' side and the consumers' side.

**Mr John O'Toole (Durham):** I just want to comment on the comments made by the member from Erie-

Lincoln, the former minister who had some hand in drafting much of what is debated in Bill 96.

For the record, I want to put something that's relevant to my constituents and indeed to my own personal circumstances. Some of you might know that I have a daughter who's married and lives in Australia; she married the fellow. We've been down a couple of times, and in Australia this is the norm. You would know that they live near the Hunter Valley area, a great wine-growing area where there is a variety of wines. It's an exhaustive inventory of wines so it's quite natural that people want to bring their own favourite selections. It goes over unencumbered. What they do have is a method of ensuring that there is uniformity in rewarding or remunerating, in the tips.

As far as removing a partially completed bottle from the establishment, along with MADD and other issues of community safety, I think the minister needs to listen and ensure the enforcement of the law regarding drinking wine outside of your own establishment.

In my riding of Durham there are two areas where they grow grapes and other fruit wines: Archibald Orchards—Fred and Sandy Archibald; I've mentioned them many times—as well as Ocala Winery, which is Irwin and Alissa Smith. I would love to see their wines served in local restaurants. They would love it, I'm sure. So it helps business; it helps small business.

I would also like to mention that locally we have some establishments that are extremely worth visiting. One is a local restaurant known as Silks. I know the chef, Frank, very well. Silks has a limited inventory, but also Fazio's in Oshawa has a tremendous inventory of wine. This offers consumers choice and flexibility, and I support much of what the member from Erie-Lincoln said.

1650

**The Deputy Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I thank my colleagues for their positive comments with respect to my debate on this bill. I do encourage the minister and the colleagues who supported it in the House to move forward with allowing VQA wine stores to exist in the province of Ontario, a way to showcase our award-winning Ontario wines, particularly in tourism areas, to Ontario consumers and, very importantly, those visiting from abroad. I think that can do a lot for our sales, with spinoffs in agriculture, tourism and the hospitality sector.

I want to encourage members to continue down the path of the previous ministers, like Ministers Tsubouchi, Runciman and Sterling—I had the opportunity to work in CBS as well—great strides to help support our Ontario wine industry, particularly the VQA-type wines and the impacts on the grape sector.

I see here in my notes that we had some significant success, particularly in 2002-03, where sales of VQA wines were up 11.5%. I mentioned the additional 1.1 kilometres in shelf space. I talked about the marketing program, the plan for a dedicated VQA area in all of the LCBO's Vintages sections to drive those sales, I think by 170%.

Dalton McGuinty then moved the LCBO, a key partner in this, to another ministry entirely. I'm not sure about the capacity, the functioning, between CBS, economic development, and trade and tourism. Maybe it was done for the right purposes. Some would suppose it was done to give the minister some bonus in his industry, because I know the relationship between the minister and the Premier has not always been the best.

I wanted assurance from our colleagues across the floor that our start would be just that—a start—and greater strides will be made for our VQA wines across the province of Ontario.

**The Deputy Speaker:** Further debate?

**Ms Shelley Martel (Nickel Belt):** It is a pleasure for me to participate in this debate this afternoon. Since my colleague from Timmins-James Bay is not here, it has now fallen to me to speak here this afternoon.

**Mr Yakabuski:** That's the other bill: BYOC, bring your own car.

**Mr Kormos:** Bring your own notes.

**Ms Martel:** Bring your own notes is what I'm actually thinking about. I do have a note, though, from the chamber of commerce, but I'm not going to get to that yet. I also want to tell you that not only do I have the pleasure of speaking on this bill here this afternoon, but guess what? I'm going to do my leadoff tonight, a full 60 minutes on An Act respecting the Provincial Auditor. So, Speaker, get ready. It's going to be a long day.

**Mr Kormos:** What time are you going to be on?

**Ms Martel:** I don't even know when I'm going to be on, but I know you're going to find out for me from the Clerk during the course of this debate, and I'll let people know that.

Here's Mr Bisson. He should know that I'm, oh, so happy to be taking his spot for the next 20 minutes to do this for him, but he's going to take my hour leadoff on the bill with respect to the Provincial Auditor.

Let me start by saying this: This is a government priority? Bill 96 is a government priority? We are here, spending precious legislative time, dealing with this bill, in light of all the other important priorities that are facing Ontarians? Speaker, does this make any sense to you?

Here are people who are so very concerned about the fact that on November 1 this Liberal government is cutting off their access to chiropractors, cutting off their access to eye exams and cutting off their access to physiotherapists. These are important health care services—for many they are essential health care services—that this government has delisted through its budget process.

I would remind you that this was done by this Liberal government after Mr McGuinty promised, before the election and during the election, that he would not cut health care services. Now people find themselves having to deal with services that have essentially been privatized, because the government is not covering any portion of the costs now. These people are going to have to pay out of their pocket for services right now that are partially or fully covered through the OHIP schedule of benefits.

It's interesting. I don't have the letter with me, but I will paraphrase: Not only did Mr McGuinty say he wasn't going to cut access to essential health care services like these ones, but he also was very critical of the health care premium or tax, depending on what day of the week it is and what arbitrator is dealing with this matter. He wasn't also going to put in a new health care premium, because people would have to pay for health care services three times if the Liberal government did that: They would pay through general taxes, they would pay through a new health tax or premium and they would pay one more time for health care services out of their own pocket.

He was critical of the Conservatives, because that was an idea that was floated during the Conservative leadership race in 2002 by Ernie Eves and Chris Stockwell. Well, here we are—because the House is also seized of the matter of the health care premium, which I have spoken to—and what Mr McGuinty promised he would not do is exactly what the Liberal government is doing. It is true that people are going to pay not once, not twice, but three times for health care, just like he predicted, and they are going to pay a whole lot.

At the end of this week—actually, starting November 1—people are going to pay for chiropractic services, eye exams and physiotherapy services. If you don't think that's going to cause a barrier to any number of people who are on low incomes, to any number of seniors who have fixed incomes, you need to think again, because of course it will. These folks don't have that kind of money to get access to these kinds of essential services. That's a priority. I don't see the bill that's dealing with that particular issue, and that's happening at the end of this week. Not only is it a priority, but it's really timely in terms of what the government is doing and when these negative changes are going to come to pass.

Look at hydro. As a result of this government breaking its promise on the rate cap and not continuing it in place till 2006, like they promised before the election and during the election, there are people in my riding who are, of course, paying more now for their hydro. In fact, they're going to pay a whole lot more if their jobs are lost as a result of this government's Bill 100, which very much is going to sock it to the major industrial users of electricity in this province, like Falconbridge and others who came to the hearings on this particular bill and made it very clear that, if passed, we should expect a 30% to 52% increase in hydro rates, which would cost the economy or the province of Ontario about 140,000 jobs, primarily concentrated in the manufacturing sector in steel, forestry and mining.

I've got to tell you that many communities in northern Ontario are single-industry towns and depend on those very industries for their employment. If that sawmill goes down, that pulp and paper mill goes down, that mine development doesn't occur, the smelter goes down, the mine goes down, the steel mill goes down, well, there isn't much left in the community after all that happens.

I spoke to that bill as well, but let me raise it again. That should be a priority for members in this House.

There should be Liberal members, during the debate on Bill 100, who are on their feet and saying, "I'm worried about Ontario's economy." I worry when some of the major consumers of power—not friends of the NDP, I remind you—come to the committee on Bill 100 and say that we can expect an increase of 53% in hydro and a loss of 140,000 jobs. I'm waiting to hear some of those Liberal members get up and speak to that matter and say, "Perhaps we shouldn't be moving forward with a bill that's going to have that kind of negative impact on our communities."

That's a priority, and I don't know why we're not speaking to that. I don't know why the government brings this bill about bringing your own wine, your own spirits, when there are so many pressing issues that really are going to affect people's wallets with respect to the cuts to essential health care services, or their jobs. But this appears to be the government priority of the day. I think it has more to do with trying to deflect people's attention away from all of the broken promises and all of the other cuts than anything else.

**1700**

There was no consultation with respect to this bill with a very important group like MADD. I have lots of time and lots of respect for all of those people involved in this organization, some of whom are involved in the organization because they have suffered very dramatic, very tragic accidents in their own families as a result of drunk drivers on the road who have seriously maimed their family members or, indeed, even killed their family members.

MADD has a very important perspective about this bill. If they had been consulted by this government before the government brought in the legislation, I'll bet MADD would have said to the government, "This is absolutely the wrong direction to go in. We are not supportive of this legislation." But it's clear that the government, for some reason, didn't have time, or maybe didn't want to talk to this important group that has contributed greatly to programs to deal with drunk driving, that has supported major public education programs aimed at young people in particular, for example, to talk to them very seriously about not drinking and driving. I would have thought the government would want the perspective from MADD before they came forward with this bill. But the government didn't find the time to consult with them, and that is why we need full public hearings on this bill, so their voice might actually be heard, because it hasn't been heard to date with respect to this bill or what has happened since the bill was introduced by the minister.

From my perspective, restaurants—and I could stand to be corrected, but I don't think so—make a good chunk of their money through their wine and spirits sales. There might be a markup of 3% or 4% on food, but the really big markup, the one that is going to make it or break it for many restaurateurs and the staff they employ, centres on spirits, the sale of them and the markup on them. I know that the association, through Mr Seiling, has come forward and said that people are in favour of this. I have

to tell you that in my part of the world, there are a lot of restaurant owners who are not very terribly excited about this bill at all because they are very worried about what it's going to mean to their bottom line, what it's going to mean to their ability to be viable, what it's going to mean, for example, to their ability to continue to hire and keep their staff. They know that if there is a major change—a major drop-off is the better way to describe it—in sales of spirits and wines in their restaurants, that is going to have a significant impact on their ability to operate, on their ability to hang on to their staff.

That's probably why the Greater Sudbury Chamber of Commerce wrote to Minister Watson on August 9. They were good enough to send a copy to myself, as one of the local members, and a copy to Rick Bartolucci, who's the MPP for Sudbury.

"Re: Liquor Licence Amendment Act, 2004.

"Dear Sir:

"The Greater Sudbury Chamber of Commerce represents over 800 businesses in the greater Sudbury area. Recently, we were approached by a group of chamber members concerned about the proposed changes to the Liquor Licence Act which would allow patrons to bring their own wine to a restaurant"—probably some of the same owners who are members of the chamber, who have made comments to me about this bill as well.

Here's what they said:

"These restaurant owners are concerned with this legislation and do not support it for the following reasons:

"The liability of restaurant and bar owners and related insurance costs are already onerous. Patrons bringing in and consuming their own wines raises questions of liability that the government and insurance companies have not fully answered. A full explanation of how this change to legislation will impact the exposure of restaurant owners and the potential increase in insurance costs is required for these businesses to have an understanding of how they will be affected by this initiative."

I suspect that the government doesn't even have an idea of what the exposure will be for restaurant owners. I suspect that the government hasn't even had a discussion with the insurance industry about what the potential increase might be for some of these restaurant owners who are concerned about liability. If the government had such a cost-benefit analysis, it would be great if the government would indicate that during the course of this debate, and better yet, actually release it. One would hope that in advance of bringing forward this legislation, they would have raised those questions and done the work that needed to be done to ensure that insurance companies weren't going to gouge restaurant owners more than they're already gouging them, drivers and homeowners in Ontario, and that the government would have a full idea of what the liability was going to be and what that would mean in financial terms for restaurant owners. If the government has such a study—and they should have done some work before bringing this forward—then I'd ask them to table it now. And if the gov-

ernment doesn't have it, they'd better get it done before this bill goes to full public hearings, so those very legitimate questions can be answered.

Second concern: "It is the opinion of these restaurant owners that the 'bring your own wine' plan will not result in increased meal sales in their establishments but rather a decrease in wine sales. The resultant loss of profits could only end in reduced employment." That's the point I raised earlier, in terms of some of the concerns that owners were raising with me. I said it before and I'll it again: The money to be made is not really on food; it's on the sale of spirits at these restaurants. I wonder if the government has done any impact analysis as a result to determine what the financial loss in fact is going to be when patrons are allowed to bring their own spirits in and restaurant owners as a result aren't able to count on that in terms of income. I wonder if the government has done any work on the potential impact in terms of waiters, waitresses, kitchen staff, bar staff and everybody else who might be affected as a result of this bill. The government should have done that homework, and if the government has, it would be a really good idea if they could table it now.

This is the chamber of commerce that wrote this letter, not me. The Greater Sudbury Chamber of Commerce is raising concerns from their own members about what the impact on businesses and their own employees will be.

Here's the third problem: "Inventory management for a restaurant's wine cellar would become extremely difficult when the owner would not know whether patrons would be buying wine or supplying their own." That's an important point. How are you supposed to stock up if you don't know what people are going to bring with them or what they're going to decide to continue to buy when they're on your premises? It's probably hard enough for restaurant owners to be making important decisions—again, related to funding about what they're stocking, how much volume and what kind—if they're dealing with even more uncertainty about what's going to happen when people can bring their own spirits into their establishments.

Fourth problem: "Restaurant owners already have strict compliance and reporting requirements. This initiative would likely result in even more paperwork, equipment and reporting, none of which would serve to increase a restaurant's profitability"—not to mention the concern around increased insurance rates, which is probably a very significant and legitimate concern that restaurant owners have. These folks are doing enough trying to deal with the paperwork that's coming forward. What is the anticipated increase with respect to paperwork that the government envisions with this new initiative? If the government has information on that, maybe they should share it too.

Finally: "The government has not provided sufficient reasons for changing the legislation to include the 'bring your own wine' idea. Restaurant owners want to know why the change is being made and who is behind the promotion of this idea." That's very true. I've got to tell

you there's been no one calling our office, banging down the door at my constituency office, to say, "Tell the government to bring forward legislation on bring your own wine to the restaurant"—not a person. In fact, the only information I've received has been from the chamber of commerce, not usually terribly supportive of the NDP, saying this is a really bad idea. What are you going forward with this for?

**1710**

I have not had a single constituent, either before this legislation was introduced or since, who has called my office and said, "My goodness, this is a priority for me. Bring it on. This is so important for me and my family. Bring it on." Not one. In fact, the only letter is from the chamber of commerce, representing over 800 businesses in the community, which says that a group of chamber members is concerned about the changes and wants to know why you're doing this and who is behind the promotion of this idea.

I'd like to know who is behind the promotion of this idea too. As I said earlier, in the grand scheme of things affecting Ontario families at this point in time, I can hardly see this as a priority. In fact, for many of those people who work in the restaurant industry right now, especially many of the waiters and waitresses and bar staff and others who will do much better on a 15% tip on a bottle of wine than they will on a \$5 corkage fee, they are probably pretty concerned about who is behind this, who is peddling this idea for the ministry right now and why this seems to be so important to the government when there are so many other things that should be important, like increasing the minimum wage for some of those very workers to a liveable minimum wage, one that might actually allow some of these people to pay their rent. It is really hard to imagine that the few coins, the few pennies that this government increased the minimum wage by do anything to make up for the eight years of the freeze on the minimum wage imposed by the Tories. You and I know, Speaker, that the cost of electricity and the cost of the phone and the rent that you have to pay for your apartment and the cost of food have increased by far, far more than the government is currently giving back in terms of the few cents by which they have raised the minimum wage.

In conclusion, if the minister wants a priority to deal with in his office, he should deal with birth certificates. Do you know what, Speaker? In my office right now, our volume of caseload with respect to birth certificates is the same as the volume of case work with respect to the Family Responsibility Office. That's a disaster. It is an absolute disaster. I have to tell you, there has been no significant, important, positive change in dealing with birth certificates in the whole year that this minister has been minister of this particular ministry. So if he really wants to deal with a priority in his ministry, something that would make a difference for Ontarians, he should get to the matter of dealing with the birth certificate situation, because that will have a far more positive impact on families and people in the province.

**The Deputy Speaker:** Questions and comments?

**Mrs Liz Sandals (Guelph-Wellington):** I'm pleased to rise to respond to the comments from the member for Nickel Belt and to speak in support of Bill 96.

This is really a very simple bill. What it proposes to do, if passed, is allow consumers who are going to the restaurant to bring their own bottle of wine. It also allows them, if they don't drink that whole bottle of wine, to take it home again, so there is no need to rush through that bottle of wine and make sure you finish it all off. Now, we're not suggesting that you're going to walk out on to the road with an uncorked bottle of wine and get into your car. In fact, the law would require the restaurateur to properly recork the bottle and seal it up again, so this would be quite safe.

This is a very simple bill, and it is voluntary. Nobody is saying to a restaurant, "You must do this." Nobody is saying to a consumer, "You must do this." It is voluntary on the part of both the restaurateur to allow it and the consumer to choose to participate or not. It's voluntary. It's simple.

Contrary to what the opposition keeps telling you, Minister Watson, the minister responsible, has met with MADD, Mothers Against Drunk Driving. He met with them way back in March. Now, perhaps they've forgotten, but he did meet with MADD back in March. In fact, this whole idea for legislation arose out of a Liquor Licence Act advisory group that was advising the former Conservative minister and that actually included a Conservative member who was doing the advising—and MADD, I might note.

Minister, the one thing I do agree with the member for Nickel Belt about is that this is not the most important thing we should discuss. We would be delighted to pass this bill and get on with discussing something else.

**Mr Jerry J. Ouellette (Oshawa):** I was listening very attentively to the member from Nickel Belt regarding Bill 96 and some of the other concerns.

There were a lot of issues, in regarding this bill, such as open bottles and what happens in the new vehicles that are out there, transporting an open or a partially open bottle in a vehicle such as one of the new SUVs and so on. How is it going to be affected, and the responsibility of the restaurants?

I met with restaurants about this bill, and they had some strong concerns about that. Mr O'Toole mentioned Fazio's, which is a restaurant in my riding. They are very proud of their wine expertise. He has over 13,000 bottles of wine in his wine cellar. How is he going to be affected? When you take into consideration the things that have impacted the restaurant industry, whether it's SARS or, locally, we heard a lot of concerns regarding smoking. Whichever side of that issue you're on, it still removed individuals from that.

Quite effectively, there may be a time frame when the restaurants recoup, but there's going to be another hit that they're taking—at least that they believe they're taking—when this takes place, and they're concerned about that impact. Quite frankly, when you have 13,000 bottles of

wine in your cellar, how are you going to be able to retail that when people are bringing their own?

Also, what's the impact regarding policing and watching these sorts of things and how it's going to be regulated? How much time? We constantly hear about the fact that we don't have enough police to take care of the situations that are out there currently. Not only that, what about other jurisdictions? Should we not have looked at what's taken place there, as opposed to this?

Locally, I can remember that some officers whom I skate with on a regular basis when I get a chance were talking about a couple of individuals who were having a picnic down at Lakeview Park in Oshawa and had a bottle of wine at the picnic. They came up and were shaking the hands of police officers.

The young officer says, "Well, we've got to charge them now." Another says, "No, you don't understand. They must be from Quebec. Come on." So they went over and talked to them and, sure enough, they were from Quebec. Are there not other ways that we could look at, without directly or indirectly possibly impacting the restaurateurs and their concern, and still move forward in helping the wine industry?

**Mr Kormos:** It is always a pleasure—always—to hear the member from Nickel Belt speak, quite frankly, to any bill that might come before this House. There is not a member of this chamber who is better prepared and more capable on her feet—or his feet—indeed, harder-working than the member from Nickel Belt. You saw how she came in and basically took over duty from her colleague who was unable to be here in time and presented not just a thorough analysis of the bill but an entertaining and enlightening narration of circumstances that should compel us to examine this bill carefully.

I do take quarrel with the people who insist that the bill addresses the ability to take a half-empty bottle home with you. You see, my friends, if you read the bill, there is no mention of that whatsoever. There's nothing in the bill that provides for taking it home. Take a look at the bill. It's not long. I mean, put your crayons down for just a second. It's a page and a half. The bill is very short. There is nothing in the bill that speaks to taking a half-empty bottle of wine or any other beverage home.

So let's start from the same starting point at least in terms of what the bill is that we're debating. Indeed, this bill cries out for public hearings. Liberal backbenchers reading the scripts, referring to their Coles notes, referring to the cheat sheets, insist that the bill is but the most modest of proposals. Well, if it is, then they should have no hesitation in supporting the opposition demands that it go to broad-based, province-wide public hearings. I say that there are people out there—waiters and waitresses, restaurateurs, big-city and small-town, among others—who deserve to be heard.

**Mr Phil McNeely (Ottawa-Orléans):** You know, living in Ottawa—an hour and a half from the east end of Ottawa anyway and an hour and a half to Montreal—this has been something that we've been able to do if we go to Montreal for many years. It's a civilized thing to be

able to bring your own bottle of wine to a restaurant. There was broad consultation by the minister on this. There was broad acceptance. Only a few restaurants will pick this up, but the ones that do will have a different experience for people. If people want to take an expensive bottle of wine to the restaurant and enjoy the good food at the restaurant, this is going to make the whole restaurant industry better.

I think, as well, that vintners must want to see more expensive wines bought. So if you're going to the restaurant now, because they have the storage costs, because they have the overhead costs, the wine may cost you two and a half times as much. With the corking fee, we're going to have the good wines at a much better price.

1720

I believe that this will improve things for the vintners, improve things for the restaurants and certainly improve the experience for the restaurant-goers—those who wish to choose it. It is not going to be mandatory.

It will be an excellent way of improving the tourism industry, which so many people depend on. It's been around in Montreal for years.

I remember, as a student studying in England, I had the chance to go to Venice. There were four of us who went to a restaurant. I'm not sure what the law was then in Venice, but we were able to send one person out when we ran out of wine to buy wine at the corner store and bring it into the restaurant. It is not quite that experience—maybe that's what students would do—but this is going to be great for the wine producers, for the restaurant industry and for the patrons.

**The Deputy Speaker:** The member for Nickel Belt has two minutes to reply.

**Ms Martel:** Let's go back to this letter from the Greater Sudbury Chamber of Commerce. Here is the key line: "Restaurant owners want to know why the change is being made and who is behind the promotion of this idea." That is a question the government should raise, because what has happened in our community is that restaurant owners have gone to the chamber and said, "We're really concerned. We don't support this is legislation." So who does?

They don't support it because they're worried about liability and they are worried that this is going to increase insurance costs. I bet for any number of these people, the insurance that they are already trying to deal with is already too onerous and already too high, never mind their insurance for automobiles and their home insurance. These questions about liability, these questions about added insurance costs, haven't been answered. What's going to be their exposure? More importantly, what are going to be their costs?

Secondly, they are really concerned this is going to do nothing to increase the profitability of their restaurants. On the contrary, it's going to do a lot to decrease their profitability and put their staff at risk, because their making money is really dependent on the sale of wine and spirits, and if those sales are poor, that affects the

bottom line. Of course, that's going to affect the staff and the ability of staff to even have hours to work.

Thirdly, they're really worried as well about the reporting requirements the ministry is now going to impose, when they already have to deal with a great deal of paperwork, and the fact that it is going to be difficult for them just to try to deal with their inventory. They already do a lot of work trying to sort out what brands, volumes and how much to stock. When they have no clear idea of what people are going to bring in, how much more difficult is that going to be?

The fact of the matter is, restaurant owners in my community think this idea is dumb, are not supportive and want to know who is behind peddling this initiative.

**The Deputy Speaker:** Further debate?

**Mr Jeff Leal (Peterborough):** It's a pleasure for me to make some comments on Bill 96, the Liquor Licence Amendment Act. I'll be sharing my time with my good friend the member from Markham.

I just want to let the good folks of my riding of Peterborough know that about two weeks ago we had a meeting in Peterborough and Minister Watson was there. It was the monthly breakfast meeting for the downtown Peterborough BIA, and I would like to get on the record that my good friend Walter Johnstone, who is the general manager of the business improvement area for downtown Peterborough, was there, as was my good friend Mo Cox, who is the chairman of the downtown BIA.

Just to let you know, Morris Cox, or Mo as he's known in Peterborough, owns Brant Office Supply in downtown Peterborough. Most communities in Ontario now face a lot of competition from the big box stores. Here's a guy who invested to upgrade his store in downtown Peterborough by, I don't know, three quarters of a million dollars, and in fact he's been able to challenge Business Depot and Staples in Peterborough. I commend Mo Cox for his innovative strategies in order to secure market share.

But at this breakfast meeting, we had, as I said, Walter Johnstone. Walter is also the chair of the local children's aid society in Peterborough, and when he's not doing his great work with the downtown BIA, he's spending his time with the local children's aid society. If Walter happens to be watching this evening, I just want to commend him for his good work in his volunteer capacity as chairman of the children's aid society.

Also, a director of the downtown Peterborough BIA is a gentleman by the name of Dean Pappas. Dean, along with his family, operates Pappas billiard hall, which has been in business in Peterborough for some 100 years. They're one of the great Greek families in Peterborough. We know that the Greek heritage is just terrific for the citizens of Peterborough. Dean and his family organize the annual Greek night once a year in Peterborough. I've had the pleasure, first as a member of council and secondly, as an MPP, to attend the Greek festival in Peterborough.

There was some question about where this bill came from. I want to hearken back to the 1985 provincial

election. Part of the David Peterson platform of that campaign was “beer at your local corner stores.”

**Mr Hudak:** Did he break that promise?

**Mr Leal:** No, he didn't. I want to say to my friend from Erie-Lincoln that he would recall that was a minority Parliament. Premier Peterson brought the legislation forward. It was deemed a question of non-confidence, actually, and the bill got defeated in the minority Parliament of 1985-87.

**Mr McMeekin:** Democracy at work.

**Mr Leal:** Democracy at work. Thanks.

Out of that initiative, there was the whole question about accessibility of beverage alcohol in the province of Ontario. My friend from Erie-Lincoln was a member of the Harris-Eves government, of course. One of the ways they got around beer in the local corner store was they brought in agency stores across the province of Ontario. In fact, Mr Speaker, you probably have agency stores in your riding. In effect, they really serve as beer at your local corner store, because a local merchant operates them. I know that there's one in Keene, Ontario. I believe there's one in Norwood too. The Minister of Agriculture was with me in Norwood just recently. The good citizens of those areas can come and buy beer and beverage alcohol at those local stores. In fact, it's a real boon to tourism and the economy. There's a long history in Ontario of relaxing the liquor laws to make it more accessible in a controlled environment.

I do want to get on the record of the safety issue. During my 18 years on Peterborough city council, I actually—

**Mr Yakabuski:** That's where you made all those good friends.

**Mr Leal:** Member from Renfrew-Nipissing-Pembroke, that's right; I made a lot of good friends during my 18 years on council.

By the way, I must say that the mayor of Peterborough—I'll get this on the record—Sylvia Sutherland, was just delighted last Friday when we announced the gas tax for Peterborough Transit. In fact, the city of Peterborough gets some three quarters of a million dollars of new money for transit in Peterborough. As I said to the press in Peterborough, “Promise made, commitment kept,” among a whole range of commitments made and commitments kept.

What I hear from the good folks in my riding is, “Jeff, every day we hear from you another measure of your platform that, ‘Promise made, commitment kept,’” and we're right on schedule.

*Interjections.*

**Mr Leal:** I hear some comments opposite. I have to say again that the response from the province after the devastating flood we had on July 15 continues. The Premier was there the day after the flood; the ministers came in.

**Mr McMeekin:** How quick did they get the money?

**Mr Leal:** Right away, my friend from Ancaster-Dundas-Flamborough-Aldershot. When we had a similar flood in 2002, I was on council. We had to wait nine

months before we got a nickel from the province of Ontario.

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**Mr McMeekin:** Shame.

**Mr Leal:** Shameful.

Let me get back to this bill. When I was on council, I was council's representative for an organization in Peterborough called PAID, Peterborough Against Impaired Driving. That group was sponsored by a lady I know very well, Lily Rosebush. Lily had the very tragic experience of her son being killed by a drunk driver many years ago. She thought, as part of the legacy of her son, that she would become involved in the city of Peterborough to start an education program to make Peterborough safe from drunk drivers being on our streets. Lily did an enormous job to found that committee. I had the opportunity to work with Lily for many years in my capacity as council's representative on that group.

That leads me to the part of this bill that I think is so important: strengthened enforcement and increased public safety. On one hand, I believe, if you're going to make the liquor laws of the province of Ontario more progressive, on the other hand we've got to make sure that there's an increased element of enforcement and public safety.

I just want to read a couple of things into the record as part of this bill. Number one: allow the registrar of the Alcohol and Gaming Commission to suspend immediately a liquor licence if it's necessary in the public interest. This would allow the Alcohol and Gaming Commission of Ontario to move quickly in situations where public safety is in danger.

**Mr McMeekin:** I support that.

**Mr Leal:** I think everybody supports that. Everybody should support that.

This change would allow for faster and more effective response to public safety issues as they arise in relation to the licensed establishment and make the Liquor Licence Act consistent with the Gaming Control Act, which authorizes the registrar to issue immediate suspensions. An immediate suspension of a liquor licence by the registrar in this proposal would be followed within 15 days by a full hearing by the board of the Alcohol and Gaming Commission to adjudicate the allegations and to consider the continuation of the suspension upon the completion of the hearing process.

Second, the amendments propose to create an offence for failing to leave a premise when required by a police officer or for returning the same day, unless permitted by a police officer. This change would assist police officers in dealing with disruptive situations that require the clearing of a licensed establishment.

Third, the amendments propose to double the minimum fines for offences involving liquor and underage persons. The increased fines will provide a more effective deterrent for the sale and service of alcoholic beverages to minors.

That's a key part of this legislation. All of us, on all sides of the House here, are concerned with minors

getting into drinking establishments and being there. What I like about this bill, as part of it, is the strengthening of both enforcement and increased public safety, really cracking down on licensees who violate the terms of their licence and cracking down on minors. I think these are very good things that all of us, on all sides of the House, should support.

I had the opportunity to be in the Niagara area some years ago. I had the opportunity to tour Pillitteri Estates Winery, operated by the former very distinguished member of the House of Commons, Gary Pillitteri from Niagara Falls. It was an opportunity for me to get first-hand knowledge of the wine industry in Ontario. Anything we can do through the VQA process to give increased markets for many of our local wine manufacturers, indeed, is a very good thing to do. We would encourage that all members of the House should be supporting that.

Also, this past Friday, I had the opportunity to be in the riding of my friend from Durham, Mr O'Toole. It was an opportunity for me to be there and to talk about the Ocala wine operation that's in his riding. I did get the opportunity, even though I'm not a wine drinker myself, to take a couple of bottles of that vintage to bring home to Peterborough as a way of supporting that local industry that's so close to Peterborough.

**Mr McMeekin:** Well, somebody had to do it.

**Mr Leal:** That's right. I thank my friend.

The safety aspect of this legislation is so important. I think there may be some who perhaps are overlooking that part of the legislation. I want to go back to when Minister Watson met with the BIA in Peterborough. There were a number of hotel and restaurant owners there that morning and they were asking Minister Watson some of the questions that have been posed by the members of the opposition here today. Minister Watson certainly reassured them as to how this legislation will operate, how restaurant owners or bar owners will be able to purchase a \$15 machine that will allow people to re-cap a portion of their favourite wine that they brought into the restaurant and take it home with them, locked in the trunk of their cars.

I think, by and large, there are a lot of positive aspects to this legislation. We're entering a dialogue and we hope, as it moves forward, we'll hear comments from all sides. At the end of the day, we want a piece of legislation that is going to work.

Now, I'll allow my friend from Markham.

**Mr Tony C. Wong (Markham):** It certainly is a great pleasure to participate in the debate on Bill 96. I will begin by reminding members of the opposition parties that this bill is only the first step in a strategy to modernize Ontario's outdated liquor laws. Our government is doing the responsible thing in proposing these changes to bring our liquor laws into the 21st century.

I said that these laws were outdated because, as many of us know, the Liquor Licence Act was enacted in 1944. There have been a number of changes over the years, but the very last significant changes were made in 1990,

some 14 years ago. I want to say that these changes are made to the act to enhance the economic opportunities available to the hospitality sector, as well as to strengthen requirements for the responsible sale and service of liquor.

With respect to the economic development aspect, my colleague the member from Glengarry-Prescott-Russell has shared with us the success story of Quebec. If I have time, I'll talk about that a bit more. But I also want to say that this is important because the proposed amendments are the first phase of a broad initiative to review the Liquor Licence Act: to improve consumer choice, to reduce administrative burdens for small businesses and to increase public safety.

In the very near future, our government will be consulting with the public and various stakeholders on reforms to further strengthen enforcement tools, improve consumer choice and reduce administrative burdens on businesses. Phase 2 will take a broader look at modernizing the Liquor Licence Act in support of stronger public safety and simpler rules for licensees.

I want to talk about consumer choice at this time. Our government is proposing to amend the Liquor Licence Act and regulations. Yes, the member from Niagara Centre was correct: that is not in the bill itself. These changes are going to be implemented through regulations. That is to permit patrons to bring commercially made and unopened wine into a licensed restaurant.

As has been pointed out, this is absolutely voluntary. There is no mandatory requirement to force any establishment to do anything. In fact, they have to apply for an endorsement from the ministry to obtain permission to do that.

We also know that bring your own wine is already available in Quebec, Alberta and New Brunswick, as well as in Australia and several US states, including New York.

I want to talk a bit about what this means to my own riding of Markham. The town of Markham, which is part of my riding, is extremely famous, in my view, for its restaurants. If members from the opposition party don't believe me, check with your colleague the member from Oak Ridges. He has come into many of the Markham restaurants, including one that is world-renowned on Main Street in Unionville. Of course I'm referring to Il Postino. I'm referring to Blacksmith's Bistro, Jakes and many others. There are also quite a number of very distinguished Chinese restaurants, and I refer to the Dynasty and La Rosa, close to Woodbine. As I said, the member from Oak Ridges has attended a number of events with me, and I think he will echo my comments.

**1740**

Almost all of these restaurants are licensed, and I've never received any complaint while discussing Bill 96. I think some of them do not intend to apply for that endorsement—and that's fine; this is totally voluntary, as we've said—and some actually feel it would be beneficial to them.

That's where the Quebec experience comes in, because some restaurants will be able to increase their

business by allowing patrons to bring into the restaurant, the establishment, the customers' pick. The member from Stoney Creek emphasized how important it is for patrons to be able to bring into restaurants their own pick, because some of these restaurants either do not have the resources or the desire to stock these special brands. I can certainly echo that, because I have been to China and I know that a number of Chinese wines have been imported into this province. I have been to a number of the restaurants in Markham—and I'm sure this experience will be similar in restaurants throughout the province—and not too many of the Chinese imports have been stocked by them, and maybe rightly so. It would be extremely difficult for them to be able to enjoy their own wine with a meal they choose to have, at whichever establishment.

Of course we support Ontario wines, but this is a free country. We support Ontario wines as much as we support freedom of choice. We understand that we're not going to be compelling or imposing on our residents, "Hey, you have to have wine from Niagara Falls, and you must enjoy Ontario wine." We encourage them, but we also allow them and encourage them to take their own pick and bring it with them to the establishment of their choice. This is precisely the point.

We talk about diversity. My riding of Markham is one of the most diverse ridings in this province, and we should be able to practise what we preach. We must be able to do what we have always believed in, and that is that diversity does not only belong to this House; diversity belongs to restaurants, it belongs to recreation centres; it belongs everywhere in our province. That is why I fully support Bill 96, and I encourage all members to do that.

**The Deputy Speaker:** Questions and comments?

**Mr Hudak:** I'm pleased to re-enter the debate upon my colleague's comments. The member from Peterborough was close, at thirteen and a half minutes or so. He could have talked a bit more about his visits to Niagara and other wineries to kill the time. The problem was—and I enjoyed your speech—you limited Markham's comments to only about five and a half minutes. I think we all know the rules of the House: Each member of the government side would be allowed a minimum of 20 minutes. I hope they do that as the debate progresses this evening and take their maximum time, because they certainly are not doing so.

I made my comments about some of the details of Bill 96 and, if the minister has the duster out and is dusting off some policies, the importance of dusting off the VQA Wine Stores Act, the Ontario wine store legislation. I think that would be a great benefit for our local industries.

But I'll put out the challenge, too, in the debate. Tell me what the government has done to support the hospitality industry, because, as I mentioned, there has been a whole lot that has been done that is impacting quite negatively on the hospitality industry. I know the minister's staff pushed against this. It's not their idea. It's

coming down from the Premier's office, no doubt, and the Minister of Finance's office. But you have to admit that the significant tax increases on businesses, on individuals, the increase in hydro rates, the increase in labour costs, the increase in the price of beer, and finally the gladly aborted attempt to bring in the so-called McGuinty soup-and-salad tax, among other initiatives, have had a punishing impact on the hospitality industry.

I ask members opposite to tell me what the next stage of the plan is, aside from some liquor licensing reform—some major changes on the financial side, the hydro side perhaps, that are going to help that industry, because you've put them downhill significantly.

**Mr Gilles Bisson (Timmins-James Bay):** I listened intently, but part of my problem with this bill is that on the surface of it, most people sitting out there would say, "What does it mean?" Not a big deal. Somebody gets to bring their bottle of wine into a restaurant, and I guess some people, on balance, might think it's a good thing.

What I've found that's interesting in the debate, at least in my home constituency—it may not be the same for other members—is that I raise it at some of the coffee shops as I drop around to different parts of the riding. I say to people, "What do you think of bring your own wine?" Interesting. In Fauquier last weekend, in Opatatika the weekend before, the same comment was raised both times, and it was, "Why is the government doing this? Who's asking for it? What is this going to do for me? Who cares?" That's the response I'm getting from people. So I guess the first point is, why are you doing this? I know there is more important legislation we could be debating, but we're doing this bring your own wine.

The other thing is that it raises a number of interesting points. Number one, currently, as it is right now, if you order a bottle of wine in a restaurant and they're licensed, the waiter controls the wine. If the waiter says, "That table is a bit intoxicated; I'm not bringing them another bottle of wine," it's pretty easy to control.

You, as a patron, walk into that same restaurant and you have three bottles of wine. You say to the waiter, "Open our bottles of wine," so they open the bottles of wine. They figure maybe the whole table is drinking, but it turns out there are only a couple of wine drinkers. Now all of a sudden that poor waiter has a table that's intoxicated. How do they deal with that? One of the controls we currently have is that it's the waiter who controls the wine being brought to the table. In this particular scenario, he won't do that.

But here's the kicker. What happens if somebody from that table leaves intoxicated and gets involved in a motor vehicle accident? What's going to happen to the owner? At the end of the day, they are going to say the owner is responsible for the person leaving their establishment intoxicated.

I hear what the government is trying to do here, but this thing is fraught with problems. I really believe this bill has to go to committee to try to deal with some of those issues, not to say what it means to the Ontario wine

industry, which I'll speak to when I get an opportunity in debate to talk about that particular part of the bill.

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm pleased to stand in support of Bill 96. I find it interesting that the third party has one member who considers this frivolous, another who considers that we don't know why we're doing it, and a third who is demanding that we have public hearings. I know there is logic in there somewhere, but it defeats me.

I know the reason the former minister of consumerism from Erie-Lincoln is so supportive is because, as minister of consumerism, he actually supported the recommendations that this bill falls out of, and those are the recommendations from the Liquor Licence Act advisory board. I know Mr Miller also was a part of that particular advisory board, along with a number of other individuals. When you think about it, there isn't a great deal of reason to continue to debate something that so many people actually support. That was done back in 2002, I think. It went from, if I recall, September to November, in the discussions that I had read.

The other thing I find fascinating is that it seems that other parts of the world can cope with this type of legislation, but not in Ontario, which is really quite fascinating for me. As you've heard, there are not only a number of places in Europe, but I can tell you that even in South Africa, in fact, you can take your own wine to dinner. It hasn't induced a lot of difficulties in that country as pertaining to the use of wine. It certainly hasn't in a number of the other countries that I have been fortunate enough to visit. It seems to me that even in our own country, in Quebec, you can manage to take your own wine, but for some unknown reason—is it something that we just simply believe Ontarians are not capable of handling? Of course, I happen to think that Ontarians are quite capable of handling things that are not all that unique and different and are very much part of what they want their culture to be in our, as we know, absolutely wonderful, multicultural city.

**Mr O'Toole:** I enjoyed the comments from the members from Peterborough and Markham. They do raise some good points. But I think the member from Erie-Lincoln, who was strategic in most of this bill coming forward when he was the Minister of Consumer and Business Services, needs to be on the record.

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I think I've heard members talking here informally that one of the first steps might be to implement a pilot project, which might be helpful. I'm going to turn this into sort of an amendment on the floor on VQAO, the vintners' quality assurance, which is Ontario wine of the highest quality. It might be a good plan that you can bring your own Ontario wine. Then we're helping jobs in Ontario while we're promoting Ontario wines. Many fine restaurants today only serve the very snobbish European and other countries' wines. This is not partisan. This is meant as a most sincere thing.

That being said, I know of which I speak here at the moment. I want to put a couple of personal things on the

record, as I usually do. The largest selling wine by the LCBO is Wolf Blass, an Australian wine. It's the largest selling wine in our LCBOs. I want to ask this question: Why, when we're on the one hand encouraging the Minister of Economic Development to promote Ontario wines and export—I know that when Bob Runciman was the minister he did a lot to make sure that got on the record. But for the record, so I'm not in any way diminishing or in a conflict of interest here, my daughter Rochelle is the key account representative for a company called Maxxium. Their main product is Wolf Blass. This very night, as we speak, it's her 26th birthday. I want to wish her a happy birthday. She's at a reception hosted by Wolf Blass. So there you go.

**The Deputy Speaker:** Happy birthday and thank you.

The member for Peterborough has two minutes to reply.

**Mr Leal:** I want to thank the members from Markham, Erie-Lincoln, Timmins-James Bay, Etobicoke Centre and my good friend from Durham. I would also like to wish his daughter a happy birthday. I know the member for Durham has a lot of family members in Peterborough and they would join me in wishing the member from Durham's daughter a very happy birthday.

In my two-minute wrap-up, I just want to mention a couple of things. There was a very interesting quote from Tim Hudak, the member from Erie-Lincoln, MPP for the area, in the Niagara Falls Review of March 9, 2004: "I am in favour of bring your own. Let's look at best practices. I think it's good for customers, good for tourism. It was always my feeling as a consumer minister that we have to allow tourism operators to be innovative in order to compete with other locations." Isn't that an amazing amount of insight?

There are several other jurisdictions that have embarked along a similar path. I'm looking at New Brunswick, Quebec and Alberta. My goodness gracious—Alberta; that great progressive in Alberta, Ralph Klein. Can you imagine that great progressive thinker Ralph Klein bringing this kind of legislation to the people of Alberta? I would think that my friends opposite, who I take it have great respect and admiration for Premier Klein, would fall in lockstep and support this legislation.

I'm also told that several states in the United States have brought forward—I'd have to have research check, but maybe that famous governor from Texas, now President George Bush, brought in this kind of legislation. I know how these people opposite love George Bush.

**The Deputy Speaker:** Further debate?

**Mr Yakabuski:** It's a tough act to follow, that member from Peterborough.

We're talking about Bill 96, bring your own wine. I've got to tell you that I don't have a great deal of difficulty with this bill. What I have a great deal of difficulty with is the approach of the party and the ministry bringing this bill forward to the Legislature at this time. For goodness' sake, there must be a higher priority at this time in Ontario than bringing your own wine to a licensed restaurant. There is nothing driving this from the consumer or the business perspective.

So what is this about? This is all about deflection of the deception. Deflection of the deception is what it's all about. You see, the government is under a great deal of pressure because they have been bringing in legislation that raises hydro rates, that brings in a health care tax—broken promise after broken promise. You know, someone said to me the other day that it is now official Liberal Party policy: “We have never seen a promise we couldn't break.”

Getting back to Bill 96, what seems to be the rush to get this done while there are so many other priorities? I'm going to talk a bit about higher provincial priorities, but I would also like to talk in the time allotted to me, if I might, about some significant priorities in Renfrew-Nipissing-Pembroke that should come before bringing your bottle of wine to the restaurant to consume.

I don't have a great deal of problem with bringing that wine, but I'll tell you one thing I do really have some concerns about, and that is, why wouldn't the minister or the ministry sit down and talk to a group like Mothers Against Drunk Driving? Why would they not sit down and discuss this kind of thing? Many of these people have a history of losing children to drunk drivers. Why would they not sit down and break that ice and discuss this bill with those people?

I honestly don't believe that this bill poses a danger. I don't believe that this bill poses any kind of danger at all. I believe that there is nothing wrong with going into a restaurant and consuming a partial bottle of wine. Responsible people have it recapped under guidelines, dealt with under regulation, and they transport it safely home. I agree that that is far better than someone buying a \$40 bottle of wine and making sure they drink it all before they leave the restaurant. I think there's nothing wrong with that at all. My question is, why now? What's the hurry?

I want to talk about some priorities. What about the health care tax, which still has people in this province just riled? They are so upset about it. And where is the health care tax being spent? Today we hear that the

Minister of Tourism has an initiative, and we wonder if some of that health care tax money isn't being spent on that.

We do know one thing now. There is a saying in government, “Has the money flowed?” When will the money flow? We do know now that any time some of the money that was raised through the health care tax flows to a respective ministry, it will be flowing through sewer pipe. That we know, because that's what this government is going to be funding with that health care tax: sewer pipe. The money that flows now will be flowing through sewer pipe. That's the kinds of priorities this government has.

I want to talk a little bit about an issue in my riding: Highway 60. I've met with the minister and officials, and I'm going to tell you, that is a priority; not the wine, but Highway 60.

*Interjections.*

**Mr Yakabuski:** I am right on topic, Mr Speaker, I assure you.

Highway 60 is in dreadful condition. I doubt there are many people who have driven that highway more often than I have in the last year. It is in deplorable shape. It must be addressed, and it must be addressed soon, because the entire 75, 80 miles of that highway are going to crumble at the same time if some attention is not paid it, and soon. This is a priority. Highway 60 is a priority for people in my riding; it's a priority for me.

I've got an editorial here—it's not a prop, Mr Speaker—out of one of the great papers in my riding, the Eganville Leader, that just a couple of years ago celebrated their 100th anniversary. There is their editorial this week: Highway 60.

I'll have some time to speak more to this as the debate goes on, but I understand that the time has run out.

**The Deputy Speaker:** It being 6 of the clock, this House is adjourned, to be resumed at 6:45 of the clock this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Simcoe-Grey	Wilson, Jim (PC)		
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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