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Wednesday 27 October 2004

Mercredi 27 octobre 2004

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 October 2004

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 27 octobre 2004

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

DON BEANLANDS

Mr John R. Baird (Nepean-Carleton): It is a great pleasure for me to rise and congratulate Dr Don Beanlands of Ottawa. The University of Ottawa Heart Institute recently named a new centre in honour of Dr Don Beanlands. On September 29, the heart institute officially opened the Donald S. Beanlands Ambulatory Care Centre, a modern centre that receives more than 20,000 patients each year and where Dr Beanlands spends much of his time.

Dr Beanlands has been with the heart institute since the beginning. The exemplary care for which the institute is known is due in no small part to his remarkable leadership. His commitment to his patients is always well above and beyond the call of duty. His role as a teacher and a mentor is indeed unmatched.

Dr Beanlands is someone who is loved and respected and admired by patients, by colleagues and by students. He is regarded as the soul of the heart institute, and his extraordinary legacy after 29 years will remain and be celebrated by the Donald S. Beanlands Ambulatory Care Centre.

I have had the pleasure of working with Dr Beanlands on a number of issues with respect to cardiac care in eastern Ontario, and I can think of no greater honour for him than to have this ambulatory care centre named in his honour. This is a man who is a great humanitarian, someone who could have earned great dollars south of the border, but someone who chose, with Dr Wilbert Keon, to help build one of the most world-class cardiac care facilities in North America, and we are very lucky to have him as a dedicated member of our community.

CHILD CARE

Ms Shelley Martel (Nickel Belt): Today marks the fourth annual Child Care Worker and Early Childhood Educator Appreciation Day. On behalf of the New Democratic Party I want to say thanks to all those incredible workers, primarily women, who provide tremendous early learning and care to Ontario's most precious resource, our children.

Early childhood educators and child care staff play a fundamental role in shaping the social, cognitive, phy-

sical and emotional development of some of our youngest citizens. They have critical responsibilities as primary caregivers for so many Ontario children. Early childhood educators and child care staff support Ontario families by providing safe, high-quality early learning and care so that parents can work and participate in our economy. These workers provide an essential public service, and our province can't work without them.

On the eve of the meeting of Federal-Provincial-Territorial Ministers responsible for Social Services, it would be most fitting to truly recognize the contributions made by early childhood educators and staff by finally funding a national child care program. Early learning and care are critical components of early childhood development. Other OECD countries have long recognized this fact and have invested in universal child care and early learning programs. It's a disgrace that Canada lags so far behind in establishing this essential public service.

Our thanks to Ontario early childhood educators and child care staff. They do a wonderful job and they deserve our thanks today.

Mrs Maria Van Bommel (Lambton-Kent-Middlesex): I too rise today on annual daycare day to congratulate all the child care workers in Ontario who do such a phenomenal job every day.

Affordable, high-quality child care gives our children the best possible start in life and allows them to arrive at school ready to learn.

The McGuinty government not only understands the importance of child care; we're doing something about it. For example, this is the first government that has a minister responsible for children. We've taken the various government functions that deal with children's issues and have consolidated them into one ministry that is focused solely on children.

In this year's budget, we indicated that the \$58 million provided by the federal government for child care would be directed toward regulated child care for children under the age of six. In July, the minister responsible for children and youth announced that the money would go to the creation of up to 4,000 new subsidized daycare spaces. This marks a drastic change from the attitude of the previous government, which ignored and neglected child care and child care workers. In fact, they didn't bother funding child care at all. Under the previous government, all child care funds came from either the federal government or the private sector.

I am proud to be part of a government that not only recognizes the importance of child care and child care workers but is willing to do something about it. Our

children need a positive start in life. The McGuinty government is working hard to ensure that they get it.

NORTHERN ONTARIO

Mr Norm Miller (Parry Sound-Muskoka): Last week, the Minister of Northern Development and Mines sent out a news release to northern media titled "Northern Ontario is Stronger One Year Later." This release dares to suggest that this government has made significant improvements in the north and that they have been especially evident in health care. At the same time, we learned that the Minister of Health was bullying and threatening northern hospitals, especially if they dared to ask for fair funding.

In response to this propaganda, the North Bay Nugget newspaper awarded Minister Bartolucci a brick, not a bouquet, and said that events this week on the health front suggest otherwise.

In the past year, the Minister of Northern Development and Mines has failed to deliver on his key election promises, such as the northern prosperity plan and the northern councils. The Liberal northern prosperity plan appears to be a collection of news releases and speeches, with no real benefits to northerners. One year after becoming a minister, the northern councils do not even have any members.

In addition, this past week the minister failed to defend northern interests and allowed the majority of northern communities to be excluded from the gas tax funding. On the Liberal Web site there are only two accomplishments listed for the north: a federal highway funding deal, and the actual naming of a minister from the north. As with the rest of this government, the Minister of Northern Development and Mines has focused on the small issues and has failed to act on the major issues that are so important to the north.

1340

ALTANA PHARMA INC

Mr Kevin Daniel Flynn (Oakville): It's a pleasure to rise today, especially in the presence of the grade 5 class from Falgarwood school in Oakville, and my constituency staff from Oakville as well.

Today there is a reception; the Ontario College of Family Physicians will be having a reception at 4 pm right here at Queen's Park.

I rise today to recognize the achievements of Altana Pharma Inc. I recently had the opportunity to attend the grand opening of their corporate headquarters in my riding of Oakville, and would like to congratulate the company on seven years of growth and innovation.

Since its Canadian inception in 1997, Altana has committed itself to improving the economic life of Ontario through its admirable corporate citizenship and exceptional employment practices. A recent issue of Maclean's magazine recognized this commitment by naming Altana as one of Canada's top 100 employers.

I welcome the opportunity to highlight one especially important example of Altana's continuing dedication to the province. Last year the company sponsored a forum with the Ontario College of Family Physicians to address concerns surrounding the growing shortage of family practitioners. As a result of these discussions and their recommendations, Altana has since established a \$125,000 scholarship to support medical students who are interested in pursuing their careers in a comprehensive family practice. They deserve to be applauded.

HIGHWAY 60

Mr John Yakabuski (Renfrew-Nipissing-Pembroke): I rise today to draw attention to an issue of vital importance to my riding of Renfrew-Nipissing-Pembroke, one the McGuinty government has failed to address, namely, the condition of Highway 60.

This stretch of King's Highway, which links Ottawa to Algonquin Park, Huntsville and points beyond, is in grave need of repair. It needs to be fixed and it needs to be fixed now. From Douglas to the Nipissing boundary, there's no portion of the highway that is in good condition. Some areas have reached the point that I believe the safety of the traveling public is very much at risk. There is no doubt in my mind that the condition of this highway is among the worst in the province; in fact, this may be Ontario's worst highway.

I invite Minister Takhar to join me for a tour of Highway 60 at his earliest convenience. He will be able to see for himself that this cannot wait for studies or politicizing any longer.

The government recently announced it will be giving a portion of the provincial gas tax to municipalities with a public transit system. In rural Ontario, our roads are our public transit system. We pay our share of taxes. We should receive better than we do from the Liberals.

If work does not begin on parts of this highway in 2005, there will be a point where the entire 100 kilometres of which I speak will be simply impassable. Minister, don't delay. Come and see. I'll drive you around myself.

OLYMPIC ATHLETES

Mr Peter Fonseca (Mississauga East): This summer Ontario's finest Olympic and Paralympic athletes participated in the 2004 Athens Summer Games. Today it gives me great pleasure to announce that a number of these athletes have been able to join us in the Speaker's gallery of the House this afternoon.

On behalf of my caucus colleagues and all Ontarians, I want to salute the hard work, dedication and sacrifices that these athletes, their coaches and guides made to compete at the 2004 Athens Olympic and Paralympic Summer Games. Being selected to compete at the world level is a tremendous accomplishment.

It's an honour to have you with us here today to celebrate your performances. You have made us all proud, and you have a right to be proud. Your devotion and your perseverance are attributes that Canadians all across this country can admire.

Thank you for representing our country on a world stage with such determination, courage and dignity. You are setting an excellent example for all of us by showing us how to live healthy, active lives and to always strive to be our personal best.

These athletes have gone up against the world's best athletes. For example, the performance of the Canadian athletes at the Paralympic Summer Games in Athens this summer surpassed all expectations: 72 medals—28 gold, 19 silver and 25 bronze. Our Canadian Olympic athletes also made us proud, earning three gold, six silver and three bronze medals.

You are role models for our young and old people alike.

I'd like to ask all our colleagues, as we've already done in this House this afternoon, to stand and applaud these great role models for our country, for our province and all our towns and cities they come from.

Applause.

The Speaker (Hon Alvin Curling): Thank you very much. Congratulations.

Mr Frank Klees (Oak Ridges): Point of order.

The Speaker: Can you wait until after members' statements?

The member for Prince Edward-Hastings.

SCHOOL BUS SAFETY

Mr Ernie Parsons (Prince Edward-Hastings): On February 22, 1999, nine-year-old Brandon Jelley died in Trenton because a school bus on which he had been a passenger and just gotten off of ran over him. This tragedy happened because, as a nine-year-old, he crossed right in front of the bus and the driver could not see him. His family suffered a loss that thankfully very few people in this chamber understand and hopefully will never understand. His parents have reacted by, first of all, gathering a petition with over 3,000 names of people who want to see crossing gates on every bus. In addition, they have personally funded six crossing arms and have obtained support and donations for an additional 10. So they have added 16 safety gates to our buses. But they want to see every child protected from that potential tragedy.

A crossing gate is over \$3,000—not very much when measured against a child's life. They are here with us today. I would like to introduce Eve and Randy Jelley and Eve's father, Richard Robertson, who are in the public gallery up there. They are taking what is a tragedy and fighting for the betterment of our children. The first recommendation out of the coroner's inquest was that all buses be equipped with front crossing gates.

I will be presenting this petition during petition time. I would ask that we welcome the Jelleys with us and

applaud what they are doing to make our province a safer place for our children.

DECORUM IN CHAMBER

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): The opposition was at it again last night. Almost every day, they're proving to have more interest in being mischievous and irresponsible than in debating important issues. There was the member for Hamilton East playing silly games, first challenging a ruling by the Chair and then proceeding to adjourn debate on Bill 25, the Government Advertising Act. Passage of Bill 25 will help restore public faith in our democratic institutions and make government more accountable, transparent and fiscally accountable.

Under the previous government, partisan political advertising cost Ontarians millions of dollars. It's perplexing: Why would the NDP, the proclaimed champions of working people, want to delay a move to more responsible, transparent and accountable government? Incredibly, the NDP then voted with the member for Lanark-Carleton to adjourn debate on the professional learning program. So much for their alleged support of Ontario teachers.

The NDP likes to claim they're fighting for justice, yet they won't even debate a bill that would scrap the Tories' irresponsible teacher testing. Perhaps the NDP needs to understand that there's a difference between "justice" and "just us."

I'm not surprised the member for Lanark-Carleton wasn't interested in debating. His government has never treated teachers with respect. Sadly, it seems that even in opposition, that sad tradition continues.

1350

OLYMPIC ATHLETES

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: I believe we have unanimous consent for each of the recognized parties in the Legislature to speak for up to two minutes in recognition of the wonderful athletes who are here with us today.

The Speaker (Hon Alvin Curling): The government House leader has requested unanimous consent for two minutes. We have unanimous consent.

Hon James J. Bradley (Minister of Tourism and Recreation): The representatives of all the political parties in this House who had an opportunity to do so visited with the athletes, both the Olympians and Paralympians who are here today, who represented Canada and, if we can be parochial, our province of Ontario so very well in Athens. We were delighted to pay tribute to them. As I say, there were members of the assembly who were able to make it there.

Today they're with us in the gallery. We recognize the tremendous sacrifice that these athletes make in their own personal lives. They have been very determined,

they have persevered more than perhaps any of us can contemplate in our own minds, and they have represented us exceedingly well.

When we see our Olympians on television, or some may have had a chance to see them in person, we recognize that they feel a pride in their country, but also they have a personal pride in their own achievements that are part of the Canadian team that is in Athens or any other area of the world where we happen to have the Olympics. We certainly recognize that many of the people who are in the gallery today will be with us, shall we say, in Beijing in just four years from now, representing Canada exceedingly well.

They set, as well, a good example for others. They're role models. I have asked them, as I know all members of the Legislature will be asking them in their own communities, to be those ambassadors, to speak to the younger people in our communities, to ask them to participate in representing our country. Also, they will have served as mentors to those individuals. They will be those people who have encouraged the young people in our communities to get out and try their very best, to do their very best and, some day, to represent us on an international stage, the ultimate being the Olympics.

I join with all members of the Legislature in paying tribute to all our Olympic athletes.

Mr Ted Arnott (Waterloo-Wellington): On behalf of the Progressive Conservative Party, I'm very pleased to offer my congratulations and best wishes to the Olympians who are present, and the Paralympians. I was very pleased to be present at the Lieutenant Governor's reception with the Minister of Tourism and Recreation, the Premier and, of course, the Lieutenant Governor. From our party, the member for Parry Sound-Muskoka was in attendance. We all offer the outstanding representatives who have done such a great job representing our country our congratulations and our appreciation.

Robert Marland, the son of the former member from Mississauga South, Margaret Marland, was an Olympian and won a gold medal for Canada in Barcelona. I know Robert, and I know the considerable and outstanding commitment he made to his training. All the athletes who represent us so well have done the same. Again, our congratulations and thank you very, very much.

Mr Michael Prue (Beaches-East York): It is indeed an honour for me to rise here in this Legislature today to salute our athletes.

I had the privilege of being at the Lieutenant Governor's suite at noon, as I know many members of the Legislature were, to meet first-hand the members who are in the gallery today. We are proud of their accomplishments, and I think all Canadians can say that we have a tear in our eye when we watch you at the Olympics and at the Paralympics. We have a tear in our eye when we see how hard you struggle to attain the ultimate goal. We have a tear in our eye when the Canadian flag goes up and the anthem is played. We are proud of you and proud of our country. I have to tell you as well, though, that we are proud even when that flag does not go up. It does not

always go up, but the spirit of the competition is that you try your best, and we recognize you for it.

All of us heaved a collective sigh and felt so awful when we watched one of our great athletes, Perdita Felicien, fall on the hurdles. We know the pain that she suffered, we know how long and how hard she worked to make it that far, and we know she will continue and struggle and go ahead in 2008 to take her rightful place on the podium.

It's not that we, as a community, should just be proud, though. As proud as we are, we must also make the commitment on behalf of this government, and stress to the Canadian government and to all Canadians that if we are truly to serve our athletes as well as they serve us, then we must get ready for the 2008 Olympic Games, we must be ready for the Commonwealth and Canada Games, and we must be prepared to put money available for training and for sports and to really make a difference.

If they are to be as proud of us as we are of them, then I think that this is a two-way street. We need to give them the tools, and we need all of us today to make the commitment that 2008 will be a better year for Canada than 2004 was.

The Speaker: I also want to express my view that I'm very proud of the athletes who represented us.

VISITORS

Mr Frank Klees (Oak Ridges): On a point of order, Mr Speaker: I'm very proud of future Olympians and leaders in the gallery from Pleasantville Public School in Richmond Hill, and their teachers, Mr Bryan Gerson and Ms Olga Hiltz. I want to welcome them to the chamber today.

The Speaker (Hon Alvin Curling): This wasn't a point of order, but we can always recognize future Olympians.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Marilyn Churley (Toronto-Danforth): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

The Clerk-at-the-Table (Ms Lisa Freedman): Ms Churley from the standing committee on regulations and private bills presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr7, An Act to revive Key Aircraft Services Inc.

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

INTRODUCTION OF BILLS

**ENVIRONMENTAL ENFORCEMENT
STATUTE LAW AMENDMENT ACT, 2004**
**LOI DE 2004 MODIFIANT DES LOIS
SUR L'ENVIRONNEMENT**
EN CE QUI CONCERNE L'EXÉCUTION

Mrs Dombrowsky moved first reading of the following bill:

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

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

Mrs Dombrowsky?

Hon Leona Dombrowsky (Minister of the Environment): I have a statement for ministerial statements.

**MUNICIPAL AMENDMENT ACT
(HOSPICES EXEMPTION), 2004**
**LOI DE 2004 MODIFIANT LA LOI
SUR LES MUNICIPALITÉS**
**(EXONÉRATION ACCORDÉE
AUX HOSPICES)**

Mr Flynn moved first reading of the following bill:

Bill 134, An Act to amend the Municipal Act, 2001 / Projet de loi 134, Loi visant à modifier la Loi de 2001 sur les municipalités.

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

Mr Flynn?

Mr Kevin Daniel Flynn (Oakville): This bill proposes to grant municipalities the capacity to exempt independently managed, not-for-profit hospices from the payment of property taxes at the discretion and the pleasure of the local municipality. It's not imposing that right; it's giving the municipality the right to do that. That's the entire intent of the bill.

1400

STATEMENTS BY THE MINISTRY AND RESPONSES

ENVIRONMENTAL PROTECTION

Hon Leona Dombrowsky (Minister of the Environment): Today I am introducing new legislation to help protect the health and quality of life enjoyed by residents of our great province. Our government took office with a

firm commitment to ensuring safe, clean, livable communities. I am proud of all that we have accomplished.

We are making excellent progress in developing safeguards to protect drinking water from source to tap.

We have introduced a new five-point action plan for cleaner air. It includes air emissions limits for several major industrial sectors that have never had limits before.

Aggressive targets have been set for diverting waste away from disposal.

We have introduced regulations to make Ontario's hazardous waste rules the toughest in North America. And we have created the environmental leaders program to reward and recognize the top environmental performers among Ontario companies.

We know that the vast majority of companies in this province are responsible corporate citizens. It is only fair to them that we target companies that fail to live up to their environmental responsibilities.

In the past, some have turned a blind eye to pollution, calling it a part of the cost of doing business in Ontario. Well, this is unacceptable. It is not fair to our responsible businesses and it is not fair to the people of Ontario.

This government will not tolerate companies and individuals who put our environment and the health of Ontarians at risk.

Today I am pleased to introduce legislation that would, if passed, ensure that polluters face immediate consequence for their actions. Our proposed legislation would impose environmental penalties of up to \$20,000 per day for individuals or \$100,000 per day on companies responsible for illegal spills.

I want to make it very clear to the honourable members: Environmental penalties are not the same as fines. Fines are handed down by the courts, while environmental penalties would be assessed by ministry officials within a few days after a spill, enabling faster action on unlawful spills.

This is a whole new approach to preventing industrial pollution. Our proposed legislation will encourage compliance to help ensure that spills do not happen. It is in a company's power to prevent spills and it is also in their best interests to do so.

I also want to point out that environmental penalties will not replace our existing enforcement. Where warranted, companies could still face prosecution in addition to penalties.

Under the proposed legislation, the fact that a polluter took all reasonable steps to comply with environmental requirements would not be a defence. If a polluter appeals an environmental penalty, this legislation proposes that the onus be on the polluter to show that the spill did not harm the environment.

Company officials would be held more liable under the proposed legislation. It would put the onus on corporate directors and officers to prove that they took all reasonable steps to comply with environmental requirements. If convicted, they could face jail time of up to five years.

Money collected from environmental penalties would be allocated to a special community fund created by the

legislation. Among other purposes, this fund would be used to compensate victims of unlawful spills and could assist those who clean up spills. The proposed legislation would enable the province and municipalities to recover costs incurred to clean up spills and repair the damage to the environment.

Make no mistake: This proposed legislation is tough. We are holding polluters accountable for spills.

I know that some members have expressed concern about companies being able to write off environmental penalties. Members should know that I wrote to the federal Minister of Finance about this in March, and I'm pleased that the last federal budget and our provincial budget agreed to make these changes. The changes are retroactive to the date of the federal budget, which is March 22, 2004. This was confirmed as recently as this morning with the federal Minister of Finance's office.

Our message is simple: You spill, you pay.

Ontario should be a place where environmental negligence is not tolerated and where good environmental performers are rewarded with incentives. This is the Ontario we envision.

The environmental leaders program we launched last month shows the value we place on strong environmental performance. Environmental leaders are companies that know that environmental responsibility will improve life in our communities and also our ability to prosper and compete on the world stage. Companies that minimize their risk and improve their business practices are more efficient, attract more investment and make better corporate citizens.

There are still some bad operators who believe that they can get ahead of the game by lagging behind on their environmental responsibilities. We will not allow this kind of attitude to continue. From now on, taking a step forward will be rewarded, standing still will be discouraged, and taking a step backwards will be penalized.

Our government is taking tough action on industrial pollution to build the kind of Ontario where our industries are world leaders in environmental responsibility and where our communities are clean, safe, healthy places to live.

The Speaker (Hon Alvin Curling): Responses?

Mr Toby Barrett (Haldimand-Norfolk-Brant): Minister, here we have yet another in a series of environmental announcements aimed at convincing Ontarians that this government is getting tough on the environment, despite some serious flaws in the manner that you, Minister, are choosing to carry out your environmental agenda.

It's also interesting that this would come forward now, a year after a subsidiary of a company for which Mr Greg Sorbara, finance minister, was director. This subsidiary was responsible for three spills in the St Clair River, spills that the ministry was not notified of for a number of days.

With this minister's announcement, the Liberals are once again focusing on areas that the Ontario PC government took great strides in addressing during the Harris and the Eves years.

Interjections.

Mr Barrett: I will remind the members opposite of the name of their bill. You have named this bill "tough environmental penalties." We named our bill "toughest environmental penalties," and many of you were here. I'm assuming you're not going to eliminate that legislation as you did the disabilities act.

In the year 2000, we introduced the Toughest Environmental Penalties Act. Our government's Toughest Environmental Penalties Act amended the penalty structure of not only the Environmental Protection Act but also the Ontario Water Resources Act and the Pesticides Act.

We increased the maximum fine for a first conviction of a major offence for a corporation, such as a subsidiary I made mention of earlier, from \$1 million a day to \$6 million a day; for subsequent convictions, from \$2 million a day to \$10 million a day. I'm assuming you're not throwing out these toughest penalties.

We increased the maximum fine for a first conviction of a major offence for an individual. Before, it was \$100,000, and we increased that to \$4 million a day. For subsequent convictions, we raised it from \$200,000 a day to \$6 million a day.

The minister mentioned in the statement that was circulated on this side of the House—

Interjections.

The Speaker: Order.

Mr Barrett: Speaker, can you hear me OK?

The Speaker: I can hardly hear you, but go ahead.

Mr Barrett: In the prepared statement, the minister made mention of five-year jail terms, again following our lead. We increased the maximum jail term for a person convicted of a major offence from two years to five years. When necessary, the ministry was also instructed to take enforcement action to ensure that the regulations protecting drinking water were followed. I know everyone in the House was aware of that initiative.

1410

I haven't heard anything from the minister with regard to the ability of companies to deduct environmental fines. There was some late-breaking news. Environmental fines as a business expense—I'm glad this was highlighted. Is this considered a loophole? Perhaps the third party will address this issue. It raises the concern, as we all know, that those businesses that do pollute may well continue to do so and write it off as just another cost of doing business.

How will this be enforced? Will there be a hiring of new inspectors and more inspectors? Where is the money coming from? Minister, we would like to know: How much will this cost and what does this add to the budget?

I will point out that this legislation represents yet another attempt by this government to take away policing powers—there's concern here; this may merit broader debate—putting more power into the hands of government.

I will note that in our government's Toughest Environmental Penalties Act, the fines were dependent on a conviction. Once again, with this legislation, I suspect the

Liberals are prejudging the legal process, a process that, if jeopardized, could topple.

Ms Marilyn Churley (Toronto-Danforth): I'm surprised that the minister came into this House today and brought forward this bill without, at the same time, bringing in a piece of legislation to get rid of the loophole in the corporations tax that allows industry and corporations to get back any money they pay in penalties and fines.

Mr Peter Kormos (Niagara Centre): It's a write-off.

Ms Churley: It's a write-off. They get it all back.

When the minister mentions that some members in the Legislature expressed concern about this before, she's talking about me, the member for Toronto-Danforth. I've raised this on many occasions and I've brought forward a private member's bill, which I've asked to be passed and they've refused to do so. What the minister says is, "Oh, I've written a letter to the federal Liberals in Ottawa and they're going to do something. We've confirmed that as early as this morning."

Why don't they just do it themselves? I was shocked when I went to hear the announcement up at their retreat a while ago that it wasn't part of that announcement, because, you see, they have jurisdiction to do this under their own laws. In fact, once the federal government moves, if they move—I understand that this is tabled, that they have to have public comments and debate it in the House or whatever—no matter how long it takes, at the end of the day, the Ontario government still has to pass an amendment to the provincial statute here. So they're going to have to move anyway. Why not make this into a good, positive announcement by making it very clear at the same time that they are closing this loophole here in Ontario so that these penalties mean something, so that it's not just the cost of doing business? Just do it.

At the end of my statement here, I will be asking for unanimous consent once again to pass my bill, which is called the Make Polluters Pay Act.

Beyond that, there are some other problems that the government and the minister are not addressing here. There are several that I've outlined before. We have to make sure that the government gets into offering incentives for companies to clean up their act. We have to have carrots and we have to have sticks. They're talking about sticks today, which, of course, until the loophole is fixed, aren't sticks; they mean nothing. At the same time, we just heard that Hamilton has now had the worst air quality day in the history of Ontario, I understand.

Interjections.

Ms Churley: Well, something's got to be done about that, and one of the things that has to be done is incentives. Carrots have to be offered to help those corporations—

The Speaker: Hold it a minute, please. Order. There's a lot of discussion in the chamber today and I am having difficulty hearing the member.

Ms Churley: The minister has to make sure that those carrots are offered at the same time, because we need to be focusing on prevention in the first place.

If we look at the latest report from the Environmental Commissioner, we see a lot of problems identified which we have not received any answers to yet. For instance, sewer use bylaws in Ontario: The commissioner talks about at least 12,000 industrial, commercial and institutional facilities hooked up to municipal sewer systems across Ontario—all kinds of toxins going into our water because this government—he says that up until 1995, governments paid attention to this problem, under the Tories they stopped and the Liberals still aren't, so nothing is being done to assist and make sure that municipalities are bringing in these sewer use bylaws so that those toxins aren't going into our water.

Another problem—and there are so many—is that we need the adoption of Canada-wide standards for dioxins, furans and mercury for hazardous waste incineration. These have not been adopted yet. Ontario's two PCB disposal facilities and privately operated on-site incinerators are still not subject to these updated standards. These are the kinds of things we need to have happen.

There is a company here in Ontario called Eco Logic that's been around for some time that uses a process of thermal reduction to eliminate some of those hazardous materials. They cannot sell their equipment here in Ontario because the standards have not been updated.

I would call on the House right now—and I'm asking for unanimous consent, Mr Speaker, that we pass my bill called the Make Polluters Pay Act, and that we pass it now. I'd ask for second and third readings and final passage today. Have the government put their money where their mouth is. I ask for unanimous consent.

Interjections.

The Speaker: Order. I have not put the motion forward yet.

The member from Toronto-Danforth is asking unanimous consent to pass her private member's bill. I heard a no.

VISITORS

Ms Laurie Scott (Haliburton-Victoria-Brock): On a point of personal privilege, Mr Speaker: I'd just like to welcome two guests in the members' gallery today from the University of Toronto: Keir Wilmot and Jean Thomas. I'd like to welcome you to the Legislature.

Interjections.

The Speaker (Hon Alvin Curling): Order. It's quite a privilege to have all members' visitors to our chamber. But we'd also like them all to know that this is not a point of privilege.

ORAL QUESTIONS

HEALTH PREMIUMS

Mr Robert W. Runciman (Leader of the Opposition): My question is for the Premier. Premier, as you know, a

recent arbitration decision concluded that your new health tax is a premium and, in that case, is requiring the employer to pay the bill.

The confusion over who pays this new tax breaks down into the familiar “he said/he said” argument and which one is true. The problem we have here is that the “he” in both cases is you. When it was important to try to fool the voters into thinking this wasn’t a tax increase, you referred to it as a premium. Then when it became obvious the use of the word “premium” might put the government on the hook for paying this tax on behalf of public sector workers, you declare that this is a tax.

Premier, is it your goal here to have ordinary voters think of the new tax as a premium and arbitrators and court judges to see it as a tax, and that way, you can claim you’ve won both sides of the argument? You’ve created a potentially costly mess, and I ask you to clear up the confusion today: Is this a tax, breaking your signature promise, or is it a premium?

Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I want to thank the Leader of the Opposition for the question. It gives me the opportunity to speak to Ontarians, I know some of whom are concerned about this particular issue.

The first thing I would let them know is that there has also been another arbitration, this one in connection with the Jazz airline case, which sided in that particular instance with the employer and said that individuals themselves are responsible for paying their taxes.

We introduced this as an amendment to the Income Tax Act. It has always been our intention that taxpayers would pay this and not employers. That remains our intention and that is what we want to see happen.

1420

Mr Runciman: The Premier and members of his government have been all over the map on this issue in terms of how they describe it. Yesterday your Acting Premier said you have always described the health tax as a tax. He was dead wrong, and we distributed quotes from your Minister of Finance indicating quite the opposite. You’ve always tried to have it both ways to cover up your broken promise.

Premier, in your rush to bring in this tax and try to confuse voters with your intentionally contradictory descriptions of it, did you ever, even once, consider the cost implications if arbitrators and courts concluded that this is a premium? Did you ever do that, even once?

Hon Mr McGuinty: Again, there are conflicting opinions on this matter when it comes to arbitrations. Some of them may be the subject of ongoing appeals.

The members opposite may not be interested in this, but I know employers in particular have a great deal of interest in it.

If, at some point in time, we need to do something to inject further clarity into this matter, then we will, but our intention has always been that this should be paid by taxpayers.

Mr Runciman: I think the Premier is trying to prove that old P.T. Barnum axiom wrong: He thinks all the people can be fooled all the time.

We know the Premier breaks his promises with impunity and blames someone else. Your ministers provide incorrect information to the House and you say they were misunderstood. You are asked direct questions on important issues and you refuse to answer and play your juvenile blame game. Premier, once again, a direct answer, please: Did you do your job? Did you ever consider the cost implications of arbitrators in courts concluding that this is a premium?

Hon Mr McGuinty: The member opposite may not like to receive this information, but it’s accurate. There are conflicting opinions right now when it comes to this particular provision, this amendment to the Income Tax Act. If this situation persists, then we will take the necessary steps to introduce whatever clarity is required. Our intention remains the same today as it was from the outset: This is something that should be paid by taxpayers.

The Speaker (Hon Alvin Curling): New question.

Mr Runciman: If there are conflicting opinions with respect to what this tax means, it’s because of the government. They have to take complete responsibility for that because those conflicting opinions have been coming from virtually every member of that front bench. We have an arbitrator’s ruling that shows an employer of public sector employees will now have to pay the health care premium on behalf of its employees. Premier, you know that once one union wins this right for its employees, it will become a pattern for future labour negotiations.

Today you are describing the health tax as a tax and you said every individual taxpayer must pay. You’ve reiterated that today.

Just a partial list of employees in the public sector: nurses, teachers, community college instructors, university professors, hospital employees. If the unions representing these employees win the right to have the employer pay your health tax on their behalf, this has the potential to cost the public sector organizations approximately \$500 million.

Premier, will you make a commitment today to amend your legislation to ensure the money will not be diverted from cash-strapped hospitals, classrooms and front-line patient care to pay for this premium?

Hon Mr McGuinty: The member refuses to take into account all the facts. He talks about one particular arbitration, but he denies the existence of another. I will bring that to his attention again: the Jazz airline case. In that case, the arbitrator sided with the employer and said that individuals themselves are responsible for paying their taxes. In this case, we have a conflicting opinion.

As I’ve said twice already, and I’ll repeat it again for the benefit of the member, if we need to do something to introduce further clarity into this to make it perfectly clear that this is something that is to be paid by the taxpayers, as we indicated at the very outset, then we are prepared to do that. I would think that employers throughout Ontario would want to pay heed to this very important message I’m conveying to them.

Mr Runciman: The Premier accuses me of not paying attention to another arbitration ruling. But the reality is that he didn't pay attention to this when they were designing this legislation—the implications. He has a responsibility. This reflects on his competence and the competence of the Liberal government of Ontario.

He has not responded to the direct question I placed earlier with respect to whether or not they gave any consideration to the implications of the courts or arbitrators concluding this was a premium. We know that many collective agreements across this province have those rights incorporated within them. We now know the Ontario Nurses' Association has filed grievances in order to have your Liberal health tax covered by their employers. We know their employers are hospitals, nursing homes, home care agencies. The taxpayers fund those employers. This is, as I said earlier, dangerous negligence by not considering the implications.

Premier, you have played fast and loose with the facts, and now taxpayers are facing the consequences. I would ask you today to answer John Tory's challenge and scrap this ill-thought-out, ill-conceived Liberal health tax.

Hon Mr McGuinty: There's been a reference to the mystery man. I'm sure he's somewhere.

Hon Greg Sorbara (Minister of Finance): He needs a home.

Hon Mr McGuinty: He's looking for a home. We welcome his presence here in the House whenever he decides he'd like to join us here, but I gather he's otherwise occupied at the present time.

It's always a lot of fun watching the Leader of the Opposition work himself into a lather over one particular issue or another. But here, again, are the facts: We have conflicting opinions rendered by arbitrators. I guess some of them, if not more of them, will be the subject of appeals. If we need to do something here as a government to introduce further clarity into this matter to give full expression to our intention that this be something that's paid by taxpayers, then we will do just that.

INFECTIOUS DISEASE CONTROL

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Today we learned that a bacteria outbreak at North York General Hospital has infected at least 10 newborn babies, and up to 400 recently born babies may have been infected as well. This is on top of the continuing crisis of C difficile bacterium, which has killed at least seven people in Ontario and over 700 people in Quebec in the last two years. Everyone recognizes this bacterium is there because there are problems with hospital cleaning, yet your government wants to force hospitals to cut their cleaning budgets, reduce the wages and cut the jobs of hospital cleaning staff.

Your government is receiving an additional \$825 million of federal money that is to be dedicated to health care this fiscal year. Will you stop forcing hospitals to cut the jobs and wages of their cleaning staff? Will you work

with them co-operatively so that we can better protect the patients in Ontario hospitals?

Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): The Minister of Health.

Hon George Smitherman (Minister of Health and Long-Term Care): I had the opportunity, in a question from the honourable member earlier in the week, to make an important point that I recommend to all members of the House again. It is simply that the honourable member's attempts to confuse what is a challenging issue around issues of labour, I think, is highly inappropriate, particularly given the reality that the challenges we face with respect to infectious disease in Ontario's institutions are challenges that are being faced in a very equal fashion, regardless of the nature of the provision of housekeeping services.

On this issue, it's important to note that the provincial infectious disease advisory committee, something that has come to life under our government as part of our renewal of public health in the province, is co-chaired for the first time by public health and hospital officials. Dr Zoutman, an established leader from Kingston, and the chief medical officer of health from northwestern Ontario are leading us in a process that ensures that Ontario will build on the strong standards that we have. We're tackling this issue with vigour, and I offer the assurance to Ontarians that we're tackling this with all the appropriate attention that they would want.

1430

Mr Hampton: The issue that the Minister of Health was attacking with vigour last week was suggesting that hospitals go after the wages, the working conditions, the benefits and the jobs of hospital cleaners. He suggested that hundreds of millions of dollars could be taken out of those workers and their work. And yet we have Mr Justice Campbell in the SARS report, the Ontario Nurses' Association report, SARS Unmasked and several other reports that have all concluded that hospital cleaning lies at the heart of protecting patients from these kinds of deadly bacterium. Studies in the United States and the United Kingdom repeat the same thing. Yet we've got a Minister of Health who goes across the province saying, "Cut the hospital cleaning budget. Cut those wages. Cut those benefits of the hospital cleaners." Minister, are you interested in protecting patients, or are you just out there for a money grab on the backs of the lowest-paid hospital workers?

Hon Mr Smitherman: Notwithstanding the honourable member's desire to confuse the issue, I think it is important to note that several of the most distinguished health care institutions that we have in our province include those that are receiving services from people that are not part of Sid Ryan's union. I think this is an important distinction to make. At the end of the day, it's very clear: We have standards and it's critically important that those standards be appropriate to offer the appropriate protections to the people of Ontario.

The member, in his question, offers up a series of reports. I think it's incredibly important to note that Dr

David Walker, who chaired an expert panel on this very matter on our behalf, is someone who has spoken out clearly in support of the initiatives that the government has undertaken to respond to the things that we needed to learn as a result of SARS. We recognize that there's more work to do and that's why every single day we seek to continuously improve the quality of the environment in order to control infectious disease. That is what we're undertaking in a dedicated way every day, and we will continue to do so.

Mr Hampton: People are dying from C difficile in hospitals because there's a problem with cleanliness. In North York General Hospital, newborn babies have contracted serious infections. Why? A problem with cleanliness. And you go around the province suggesting that the way to save money in hospitals is to go after the cleaning staff. Do you know what a cleaner in a hospital makes? They make \$17 an hour. They make \$35,000 a year. They're not overpaid. They do important work.

I want to remind you of something. The Conservative government cut funding for water inspection. The result: Walkerton, deaths and many people very seriously ill from water that was not fit to drink. The former government cut money for meat inspection. The result: tainted meat at the abattoir near Aylmer. Have you learned nothing from this? Why do you insist on going after the wages of hospital cleaning staff when report after report and your own experience says it's the wrong thing to do?

Hon Mr Smitherman: I'm one of those who is not prepared to stand in judgment in advance of the evidence. That is not something that the honourable member seeks to use. There's no evidence whatsoever that, as the honourable member has now said, the difficulties with respect to bacteria at North York General Hospital, where the employees are unionized, are because of cleaning. This is a conclusion point that he has drawn, and he has drawn that because it supports his political argument of the moment.

But the fact of the matter is, all across the province of Ontario, dedicated people are working on behalf of Ontarians to do the best that we can to improve on the standards that have already been established to improve our capacity to deal with infectious disease. We will continue to work with those people across the breadth of the health care system, dedicated to the task at hand, and we will not be sidetracked by the political arguments the honourable member seeks to advance.

HEALTH PREMIUMS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. Your Ontario health premium is creating quite a bit of controversy lately. This, of course, is in your budget. On page 3 of your budget you say, "We are proposing an Ontario health premium." Then you go to page 9 of the budget and you say, in short, "Every cent from this premium would be invested in health. Every cent from this premium would be used to provide ... results in health care." You mention the

words "health premium" 10 times in your budget document. You also compare your health premium with health premiums in British Columbia and Alberta. But recently you've tried to say it's a tax.

So my question to you, Premier, is this: Are you saying that the people of Ontario should not believe what your Minister of Finance said in the budget, that they should not believe what the McGuinty government said in its first budget?

Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I had the opportunity to address this issue just a few moments ago and I'm pleased to do so again. Our intention remains the same today as it was at the outset. That intention is that taxpayers will be paying this premium. We're going to allow arbitration to continue to happen. If there is some uncertainty connected with this matter and we have to act, then we will do so, to make it perfectly clear that this is something that is to be paid by taxpayers.

Mr Hampton: Premier, this is about your Minister of Finance's words. This is about your government's words in the budget. I want to remind you this is the decision of Speaker Carr, May 8, 2003, where he talks about the sacredness of the budget, the unique status of the budget, that it's the one thing that can become law as soon as it's spoken. I want to remind you of the words of your Minister of Finance, because he said in the media lock-up, "We had the option of looking at personal income tax increases, or going with the Ontario health premium. Our choice on the health premium was very clear. We chose it because it gives us an opportunity to identify a revenue stream separate and apart from personal income tax, that will be applied, every single cent of it, to health care."

Premier, I ask you again, are you now saying that a budget that has the capacity to become law as soon as it's spoken, the first McGuinty budget, should not be believed by the people of Ontario?

Hon Mr McGuinty: The Minister of Finance.

Hon Greg Sorbara (Minister of Finance): I understand why the leaderless Tories would go down this line, but I'm very surprised at my friend, the leader of the third party. He's been in this place too long to make those sorts of criticisms. On the day—

Mr Hampton: It's the Speaker who says that the budget is sacred.

Hon Mr Sorbara: Let me just tell you—

Interjections.

The Speaker (Hon Alvin Curling): Order.

Hon Mr Sorbara: He doesn't want an answer.

On the day that the budget was introduced, we also introduced Bill 83, part of which reads as follows, "A provision that amends the Income Tax Act to establish a new tax called the Ontario health premium in English and contribution-santé de l'Ontario in French."

Mr Hampton: It was Speaker Carr who said that the budget is sacred. You know Speaker Carr. He's the Liberal MP for Halton. He said the budget is sacred.

This is what the Brantford Expositor says: "McGuinty hoped to fool at least some of the people that he was not

raising taxes. It didn't work. He fooled no one." The Hamilton Spectator says that the Liberals' "weasel words have come back to bite them on their sit-down parts.... The government has grotesquely mishandled this issue."

1440

I say to the Premier, if this were any other organization, they would be reporting you to the Consumers' Association of Canada for false advertising.

I want to ask you about your words, because you went on radio across the province, and you said to the people of Ontario, "I'm Dalton McGuinty, and I want you to know that every penny of Ontario's new health care premium will go to health care." Are you now saying that the people of Ontario shouldn't believe your words?

Hon Mr Sorbara: I say to my friend, I'm Greg Sorbara, and I want the people of Ontario to know that every single penny of the Ontario health premium is going to go toward improving health care in this province.

Interjections.

The Speaker: Order. I find it much more effective if you address the Speaker rather than playing to the opposition. Thank you.

Hon Mr Sorbara: Mr Speaker, through you, might I also invite the leader of the third party to actually read the budget papers where it says, "Since the premium is proposed to be implemented through the Income Tax Act and administered under the existing tax collection agreement between Ontario and the federal government, income tax withholding and instalment rules ... apply" to the premium. Thank you very much. I invite him to read it.

LOBBYISTS

Mr Toby Barrett (Haldimand-Norfolk-Brant): To the Minister of Agriculture: You are holding a fundraiser for the Ontario Liberal fund at \$300 a ticket, and this we know is not a problem. The problem is that the person holding the fundraiser is Bruce Davis, and on the invitation, Bruce Davis is advertised as a lobbyist. Here we have a lobbyist advertising that he has access to you, and for a \$300 fee he will open the door. Minister Peters, do you condone the practice of lobbyists advertising their access to you for a fee? We want to know, is this how your McGuinty government does business?

Hon Steve Peters (Minister of Agriculture and Food): I would certainly encourage the member to be conscious of the stones he throws, and I would also encourage the member to be conscious of the fact that John Tory, who is not even a member of this Legislature, is out there fundraising on a full-time basis. How can a non-elected official be fundraising? I think quite—

Interjections.

The Speaker (Hon Alvin Curling): Order. I'm just trying to get a sense of the relevance of the question to the Minister of Agriculture and Food. I'll get a supplementary and maybe I will hear it from that.

Mr Barrett: I was trying to get a sense of the relevance to that answer as well. Minister, you also advertise

your so-called concern, your support for tobacco farmers in your riding and my riding.

Bruce Davis is a registered lobbyist for the Ontario Campaign for Action on Tobacco. It's an organization—I looked up the registration file for lobbyists—dedicated to anti-tobacco initiatives.

As Minister of Agriculture, it's your job to defend farmers; it's your job to defend tobacco farmers. We now know you've obviously chosen sides with the antis. This invitation makes it clear—

Interjections.

The Speaker: Order. I would ask you not to wave that around. It may be a prop. Will you put the question in 10 seconds?

Mr Barrett: You have obviously chosen sides. This invitation makes it clear—I won't show the invitation—that tobacco farmers can no longer count on your support. Minister, why do you now join the anti-tobacco group to put tobacco farmers out of business?

Hon Mr Peters: I'd like to know where the honourable member has been. We campaigned very clearly that we were going to have an aggressive anti-smoking strategy in this province. This province is committed to saving people's lives. We've also made it very clear, and the honourable member should very well know it, that as a result of the fiscal mess your government left behind for us, we can't move as quickly on some of the priorities we have put forward. But we are committed to ensuring that we are there to provide a transition program, to ensure that we help communities and growers move from producing tobacco.

I stand up and support that. I don't stand up and support people like Leslie Noble receiving \$341,000 from your government; Michael Gourley, \$4.6 million from your government; Jaime Watt, \$815,000 from your government. I don't agree with that at all.

ENVIRONMENTAL PROTECTION

Ms Marilyn Churley (Toronto-Danforth): I have a question for the Minister of the Environment. Minister, you should rename your "you spill, you pay" bill to "you spill, you pay nil." That's because it fails to shut a tax loophole that lets companies write off pollution fines on their tax returns. Companies can write off fines for polluting our air, water and land as a normal cost of doing business.

Minister, you know I've raised this issue before. When I did, you promised—and I have it in writing here—that you would shut this grossly unfair and unjust loophole. To make keeping that promise easier, because I know you need help sometimes, I introduced the Make Polluters Pay bill to shut the loophole. Will you pass my private member's bill today and keep your promise, or will this be yet again another broken promise?

Hon Leona Dombrowsky (Minister of the Environment): I'm very happy to talk about what this government is doing to close that loophole. We contacted the

federal Minister of Finance in March, and I'm delighted that it was included in the federal budget in March.

I would recommend that the honourable member might do a little bit of homework and read page 121 of our budget document, where our Minister of Finance has committed that Ontario will "parallel the following ... tax measures: The limits on the deductibility of fines and penalties, patronage dividends and unused charitable donations," for corporations. That's the commitment of this government. It was made during our budget.

We have confirmed with the federal Minister of Finance: We are going to work with them. Your bill is only addressing Ontario corporate taxes; our action is going to close the loophole, both provincially and federally.

Ms Churley: Minister, nobody believes your budget any more.

Let me say to you, your government had no problem amending the provincial income tax to bring in new taxes on average Ontarians, but you won't close a loophole for polluting corporations. Tell me, what is wrong with this picture?

1450

Minister, you have a responsibility to protect Ontario's environment now, and there is no guarantee—I have checked—that any federal legislation will pass before this fiscal year closes. And you will still have to amend Ontario's statutes. That's going to take a while. It's time for you to show leadership now.

As I've said, I've done your work for you. I've given you the ball, now why don't you just run with it? Will you pass my private member's bill today to make polluters pay, or are you going to break another promise?

Hon Mrs Dombrowsky: I would recommend that the honourable member do some homework and check her facts. I'm very happy—I'm proud, in fact—to stand in this House today. I want to just share with you some of the responses that our government has received to the initiative that we have proposed in this Legislature today. This is from Robert F. Kennedy Jr, president of Waterkeeper Alliance: "This announcement signals a renewed commitment to enforcing Canada's environmental laws and an end to the race to the bottom for lower standards in North America."

I have another quote from Pollution Probe. Ken Ogilvie has contacted us and said, "For too long, we have treated our environmental commons, our rivers, streams and lakes, as dumping grounds for pollution, failing to recognize that spills impose a dear cost on us all." That's the kind of endorsement that we've received from known environmentalists around the world.

The Speaker (Hon Alvin Curling): New question?

Ms Caroline Di Cocco (Sarnia-Lambton): My question is to the Minister of the Environment in regard to the legislation on environmental penalties. My community has been greatly affected by a series of industrial spills into the St Clair River. In fact, many of my constituents and those further down the St Clair River live with the constant concern of the next spill. I'm pleased to see that

it is now time for our government to take action to ensure that industries do not ignore their responsibilities in preventing industrial spills. So I want to ask the minister, what will this legislation do to protect my community?

Hon Mrs Dombrowsky: I'm very happy to respond to the member from Sarnia-Lambton, who has been a great advocate for her community and the protection of its environment. Very clearly, this legislation means that in Ontario, if you spill, you pay. It is that simple.

All of this has come about because of the very good work of the Industrial Pollution Action Team. This is a team that was established after an unacceptable number of spills had occurred in the St Clair River. This team was charged to provide this minister with recommendations on how, going forward, we can better protect our environment and establish a regimen that is going to be more preventive in nature.

That's exactly what the legislation that we've introduced here today will do. It will slap fines immediately on perpetrators of industrial spills and, more specifically, create a fund that communities affected by spills can access to help them remediate the cost of the spill.

Ms Di Cocco: Many of my constituents believe industrial spills can no longer be considered a cost of doing business in the province of Ontario. As a matter of fact, the cost of doing business in this new era in Ontario is about protecting the environment and doing what is necessary to prevent spills. We have many examples of industry in Sarnia-Lambton that have, on their own initiative, made the necessary investments and changes to prevent spills into the St Clair River, which is a foundation of sustainable development. But the problem of industrial spills does persist, not only in my community but right across the province.

I'd like to ask the minister: Who would be subject to these environmental penalties and how are we encouraging companies to raise their standards to ensure that they're responsible for preventing industrial spills?

Hon Mrs Dombrowsky: This legislation will apply to the MISA sector of industries, the municipal-industrial strategy for abatement sector. There are about 176 facilities in this sector in the province of Ontario, which includes petroleum refining, iron and steel mining, pulp and paper, inorganic chemical manufacturing and electrical power generators. They would be included in the MISA sector.

I'm very happy that the honourable member has asked about what incentives the government is offering. Contrary to what may have been reported earlier, we have a very good program that we've just established. I announced on September 29 the industrial leaders program. This is to incent those good corporate citizens who have consistently demonstrated a record of compliance and who go above and beyond good corporate business practices. We're going to reward them. We're going to enter into an agreement with them, and we're going to inspect them less because of their good environmental record.

PIT BULLS

Mr Joseph N. Tascona (Barrie-Simcoe-Brampton): My question is for the Attorney General. Minister, on this side of the House we are strong supporters of effective legislation that protects the health and safety of our citizens. Further, we sympathize with the many victims who have been attacked by various breeds of dogs due to irresponsible pet owners.

Unfortunately, in your rush to score cheap political points, you've introduced legislation that not only raises serious questions about how it will be implemented and enforced, but also ignores a fundamental problem. According to the Canadian hospitals injury reporting and prevention program, pit bulls are not even amongst the top four breeds of dog that are responsible for the majority of dog attacks in Canada. The Canadian Veterinary Medical Association rightly says that you'll have to ban all dogs to eliminate dog bites. Is this where you're taking us, Minister?

Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I do thank the member for the question. I just want to make it very clear, and this legislation makes it very clear, that we are addressing pit bulls. The ban will be applied to pit bulls and only to pit bulls. The legislation goes on to deal with responsible ownership of dangerous dogs, fines and jail time for serious incursions, but this ban only deals with pit bulls, period.

Mr Tascona: Minister, your legislation paints responsible dog owners with the same brush as those who are irresponsible. Furthermore, you haven't thought through how to implement and enforce this legislation. Most small towns, rural areas and even some cities have no formal animal control capabilities. In these municipalities, who are people supposed to call for help, who takes charge of the animal and, most importantly, who pays?

Hon Mr Bryant: Pit bull owners are going to need to be responsible for their pit bulls. Once this law passes and the transition period of three months after the law is proclaimed is enforced, there will be no additional pit bulls in the province of Ontario.

I've said before and I'll say again to the member that those who own pit bulls now will keep their pit bulls. I expect they will love them and they will muzzle them and they will leash them. And then Mother Nature will do her work and one day there will be no more pit bulls. We believe on this side of the House that that means we will have a safer Ontario, that we won't have horrible pit bull incidents.

This government is on the side of protecting Ontarians. I understand the Tories are on the side of pit bulls. Let the debate begin.

INSURANCE

Mr Peter Kormos (Niagara Centre): I have a question to the Minister of Finance. Minister, the secret

kickback commission scam that big insurance companies have been using to ensure that brokers write only the most lucrative and profitable policies has cost Canadians billions of dollars and has cost Ontarians hundreds of millions, perhaps billions, as well. We were told yesterday that the government has asked the Financial Services Commission to inquire into this matter.

Minister, don't you agree that this is so serious a breach of the obligation that most consumers expect exists between their broker and themselves, and the size of the rip-off is so large, that this warrants a transparent, independent, open and public inquiry? Why won't you refer this matter to a legislative committee?

1500

Hon Greg Sorbara (Minister of Finance): I'm delighted that my friend has asked me this question. In fact, the first thing I want to make clear is that there's no evidence in Ontario of the kinds of allegations that are being discussed in New York state. Notwithstanding that, we did ask the Financial Services Commission of Ontario to conduct a review.

In addition to that, I want to tell my friend that our government, through my colleague the member from Eglinton-Lawrence, has asked brokers and property and casualty insurers to voluntarily agree to a better system of disclosure. I'm happy to announce to my friend and to this Legislature that the insurers have agreed to just that kind of system of much better disclosure, so the problems that existed there never occur here.

Mr Kormos: You see, Minister, that is not good enough for premium payers across the province of Ontario, who have been hammered away at with higher and increasingly unaffordable and unavailable auto insurance coverage and, similarly, with home and property coverage. This scandal may well have cost Ontarians hundreds of millions, indeed billions, of dollars.

You insist it didn't take place in Ontario. I say that Ontarians across this province are not ready to trust that same insurance company that's been ripping them off over the course of decades and generations in their families. It's not good enough for the people of Ontario.

You see, it's the Financial Services Commission of Ontario that was supposed to regulate and detect these things in the first place. Can we really count on them to blow the whistle when it appears they could well have been asleep at the wheel? Why won't you just refer the matter to a legislative committee so it can examine this matter, determine how big the rip-off is, how many people have been ripped off and for how long by those same big insurance companies?

Hon Mr Sorbara: My friend from Niagara Centre couldn't recognize good news if it was brought to him by a page, apparently.

We have had direct discussions with brokers and insurers and they have voluntarily agreed to bring in a new system of disclosure for base commissions and any contingent commissions that may exist. I'll add, to my friend, that directly, right away, the Financial Services Commission of Ontario is going to be working with the

industry to urgently implement these proposals. That is very good news indeed for the average insurance purchaser in this province. I'm very proud that we were able to react so quickly, and I'm very proud of the work my friend from Eglinton-Lawrence has done to bring us thus far.

ENERGY CONSERVATION

Ms Judy Marsales (Hamilton West): My question today is to the Minister of Energy. Minister, your ministry has taken some very positive steps to encourage consumers to save energy. I attended at Hamilton Utilities Corp, where you announced a simplified electricity bill that will help consumers better manage their electricity costs.

Problems understanding a complicated bill have been raised in my riding of Hamilton West and, I'm sure in many of my colleagues' ridings as well. This new initiative is one more example of giving consumers the tools they need to better manage their costs. What are the key features of the new simplified bill, and how will it help consumers?

Hon Dwight Duncan (Minister of Energy, Government House Leader): We have taken action to simplify and standardize electricity bills for low-volume electricity consumers. This represents the majority of Ontario residential and small business electricity users.

The new bill comes in response to customers' stated confusion about the format of previous bills and is a product of testing and extensive work with all parts of the electricity sector. Work on this new bill format involved the Electricity Distributors Association, distributors representing the various billing systems, Ontario Energy Board retailers and, most of all, consumer and business groups.

The new bill format is easier to understand, has fewer line items, uses standardized wording, contains a glossary explaining the terms that are used, offers consumers information that can help them better manage their consumption costs, including conservation tips and historical consumption data, and is the same across the province. There's no cost to the consumer as a result of the change in the regulation.

The complicated bills introduced under the Tories made it difficult for consumers to keep track of their energy use. We are committed to helping consumers by giving them the tools they need to reduce their energy use.

Ms Jennifer F. Mossop (Stoney Creek): I'm asking the supplementary on this.

I want to talk about conservation because it's something that comes up in many events I go to. We've been sort of ridiculed about conservation tips, but in fact conservation is common sense. The previous government did basically nothing to encourage consumers to conserve. In fact, they even went so far as to say, "The private sector asked us to get out of large-scale government conservation programs. Those efforts may have

made the odd person feel good but they had absolutely no effect." Furthermore, the price cap that we were told was revenue-neutral ended up costing us close to \$1 billion and took away every incentive to conserve. Minister, perhaps members of the previous government should take a moment to notice that we have entered a new era of efficiency and conservation. I would like to know what else we're doing to encourage conservation.

Hon Mr Duncan: We have announced that local distribution companies may begin to invest approximately a quarter of a billion dollars in new conservation initiatives. I think members will start to see the results of this far-sighted McGuinty policy fairly shortly. We have established a conservation action team led by Donna Cansfield, my parliamentary assistant. She deserves enormous credit. We are the first government in the history of this province to put conservation on an equal footing with new supply. We're also providing a plan for installing smart meters in every home and small business by 2010, and have provided the Ontario Energy Board with the authority to establish time-based rates.

The record of the two previous governments: The record of the NDP was to cancel all conservation programs in Ontario. The Tories—Minister Wilson's famous quote was put on the record by my colleague who asked the question. I don't want to go through that painful example again. I want to say this: The way to achieve lower electricity prices is to decrease demand and increase supply. This government is moving to do that.

FABRY DISEASE

Mrs Elizabeth Witmer (Kitchener-Waterloo): My question is for the Minister of Health and Long-Term Care. Today I attended a forum to discuss a proposal to manage Fabry disease treatment. I understand you were invited but did not attend. As you know, this is a life-threatening disease, and there are now two enzyme replacement therapies available that will halt the progression of the disease. However, your government refuses to fund these drugs despite the fact that 40 countries, including the United States and Australia, do.

On April 19, when Donna and John Strauss were in this gallery, you gave them your strongest possible assurance for those suffering with the illness that their government is working aggressively with a view to respond to the call that is required. In fact, you went so far as to follow this up on July 3 with a personal, handwritten note to Donna Strauss saying, "I wish to assure you that I will make certain of coverage for Fabry."

What have you personally done to ensure that permanent funding for this life-saving treatment is available for all patients with Fabry disease?

Hon George Smitherman (Minister of Health and Long-Term Care): I'd like to thank the honourable member for the question. The issue of Fabry disease is one I've been following closely. I think it's important to note that a process that was established by that party while in government with other provinces, called the

Common Drug Review, is an incredibly important step in terms of this drug. I note the member said this drug can halt the progression of the disease, and of course this is the broadly held view that is there in that community, but heretofore the manufacturer has not made sufficient progress at Common Drug Review. They are in litigation, as I understand it, and I think going further would be inappropriate. But the member asked the question, "What have I done personally?" I'm monitoring this situation very closely, but the manufacturer has some responsibility to work through the Common Drug Review process. That work is ongoing, and I continue to keep myself apprised of this as developments occur.

Mrs Witmer: The minister knows full well that the Common Drug Review process is not and should not be reviewing this therapy. You are sidestepping the issue. I would just remind you that the Quebec minister intervened to provide ERT for a child with Hurler disease. You now have that same opportunity to make that decision and set the standard. You are chair of the federal-provincial health ministers conference. I ask you again: You made a commitment to Donna Strauss four months ago. What have you done other than monitor this?

Hon Mr Smitherman: The member notes my new role as a co-chair of the federal-provincial-territorial Ministers of Health. I met with the Ministers of Health two weeks ago in Vancouver, British Columbia, and raised this agenda in informal conversations with my colleague ministers. Only Alberta heretofore has gone forward with a decision to place this product on their formulary. It's a \$300,000-a-year treatment on a per person basis. That's why we do think it's appropriate that the manufacturer make some progress with the Common Drug Review, which is designed to ensure that the precious resources we have are dedicated to the task of providing drugs and benefits that are efficacious.

I say that the issue is one that we're continuing to work toward. But there are other players that have power in terms of how this goes, and it's important that they continue to play that role.

1510

HAZARDOUS WASTE

Ms Andrea Horwath (Hamilton East): My question is for the Minister of the Environment. I'm very concerned. Next week the city of Hamilton will excavate 70,000 tonnes of waste from a toxic landfill site called the Rennie Street landfill, a site that contains PCBs and other old pesticides and things of that nature. People live less than 200 metres from this toxic excavation zone.

Minister, concerns about environmental and health effects of this project have been repeatedly raised to you by local residents, and even Lake Ontario's waterkeepers. The Environmental Commissioner of Ontario's report, released last week, found that even though your ministry acknowledged that the city of Hamilton had major problems complying with ministerial regulations, you still decided that it was not in the public interest to investigate.

It's outrageous that the shovels hit the ground next week and there are still outstanding questions about this project. How could your ministry in this day and age, with monitoring excavation of highly toxic materials from this dump, say that it's not in the public interest? Where is the thorough assessment that's required? Where are the plans to protect Hamilton workers and citizens and the environment they live in from the very serious harm that will be caused by excavating this toxic site?

Hon Leona Dombrowsky (Minister of the Environment): Of course, any time that toxic material is handled in this province, the Ministry of the Environment has the responsibility to ensure that the processes that are in place to execute that consider all the issues that are raised by the community. The Ministry of the Environment will not turn away from that responsibility. I can assure you that, as this work is underway, our ministry has conditions that will ensure that the environment for the local community is protected.

Ms Horwath: In fact, the city of Hamilton itself admits that this project is going to put workers at risk. Their own contract documents say that no guarantees could be made regarding the potential for health effects associated with activities on this site. They don't want to be liable for serious toxic effects of excavation work at the Rennie landfill site.

Let me go back to the Environmental Commissioner's investigation. He concluded that the Ministry of the Environment is not prepared to vigorously enforce requirements that flow out of environmental assessment processes. Minister, are you prepared to vigorously enforce requirements at this time? Are you going to protect the citizens of my riding from a potential environmental and health disaster?

Hon Leona Dombrowsky: Again, the Ministry of the Environment takes the activities that are underway in communities across Ontario, that could potentially impact the health, safety and well-being of people in our communities, very seriously. Whenever these kinds of undertakings are underway, there are conditions that must be met, and are monitored by the Ministry of the Environment, to ensure that those folks on the site and people within the community are not put at undue risk. That's exactly what the Ministry of the Environment will follow through on in this particular case.

CHILDREN'S HEALTH SERVICES

Ms Monique M. Smith (Nipissing): My question is for the Minister of Children and Youth Services. This past July, my constituents and I were delighted to have you visit our community. You had the opportunity to visit a number of local agencies, including West Ferris day care centre and our Nipissing Early Years Centre, and you met with many front-line workers whose daily efforts make a real difference in the lives of children and youth in the North Bay area.

During your visit, you announced that North Bay will be receiving a portion of the \$24 million that our

government has allocated for children's treatment centres across the province in this year's budget. Minister, could you give the House details regarding the new funding for the children's treatment services in North Bay and area?

Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): I'd like to thank the honourable member for the question and for her tenacity in representing her constituents in North Bay, particularly children and their families. I'm pleased to say that our government has allocated \$7.4 million in capital funding to build a new facility to house a children's treatment centre in North Bay, a region that badly needs one. The new Northern Shores treatment centre will serve Muskoka, Parry Sound and Nipissing.

Ms Smith: Thank you, Minister. That's very good news indeed for my area.

Over the past 20 years or so, there have been promises about establishing this children's treatment centre, and many headlines, many pictures and many large cheques with Premiers of the day, but never money to build and operate it. I want to thank you for your efforts in making this project finally come to fruition.

Minister, I would like to clarify one issue in particular. There has been some question about the site for this new facility in our area. Has your ministry established where the Northern Shores children's treatment centre will be located in North Bay?

Hon Mrs Bountrogianni: I can confirm to the honourable member that the facility will be built on the site of the future North Bay Regional Health Centre. A letter will be sent very shortly to confirm this and the funding that we are providing. The health of Ontario's children is a key priority of this government and my ministry, and we believe that children's treatment centres provide valuable services to children, youth and their families. We are very proud to be providing \$24 million in capital funding over four years to expand and upgrade the CTCs, and we're working very hard to provide better services for children and youth across the province.

DRIVER LICENCES

Mr Tim Hudak (Erie-Lincoln): I have a question to ask the Minister of Transportation. Yesterday I asked you about your policy that allows applicants for drivers' licences to use their Costco card but not their health card.

Interjection: Just use a library card.

Mr Hudak: Library cards as well.

In response, you said, "This government is not creating any inconvenience for any student getting a driver's licence."

Minister, we took up your challenge. We called your London office, the home of the Minister of Labour. They said that the only other ID that 50% of young people have is a health card—a problem for 50%. Aurora, the home area of your Minister of Finance, characterized this as a frequent problem. In Hamilton, the minister of

children's issues' home area, four out of five young people have this problem.

Minister, you said this wasn't a problem. What are you going to do to fix this issue? Will you admit you've created a problem with the driver's licensing system?

Hon Harinder S. Takhar (Minister of Transportation): As I said yesterday, if there are any issues, he should bring them to my attention, which he hasn't. Maybe he did it now.

Let me tell you what the issue with the health card is. For every person who applies for their driver's licence, they have to have two pieces of identification. One is required to prove their date of birth and the other is required to prove their signature. What has happened with the health card is that the Ministry of Health has asked us to stop accepting health cards because of the problem of misuse of the health cards. But we are working very closely with the Minister of Health to resolve some of those issues and we will make sure that drivers' licences don't create hardships for any young people.

Mr Hudak: Minister, this has been your policy for six months. I appreciate your using me as the guardian to tell you when there are problems in the Ministry of Transportation. But if we're seeing four out of five young people who are having problems with this system—in St Catharines and Niagara, in my area, about 12 of these situations a day; in Etobicoke, sending folks away constantly because of this problem—who's asleep at the switch here, Minister? You're running the ministry.

This is an issue of competence of the McGuinty government, and the health bill that you reference was introduced on December 17, 2003, 10 months ago. Minister, you've had 10 months to anticipate this issue, to fix the problem. You've done nothing. What are you going to do to resolve the situation and help young people to get drivers' licences in Ontario?

Hon Mr Takhar: Yesterday, I didn't address the issue that the member talked about: being incompetent and all that. I think his own caucus is calling him incompetent, and he should be very concerned about that.

Let me tell you, the Minister of Health and I are working very closely and we're going to resolve this issue. I'm sure every student has other identification, definitely a library card, that they can produce as evidence of signature.

So I have not heard about it. Maybe he has heard about it. What I said to him was that if he presents to me the evidence, I would be more than pleased to address it.

1520

PETITIONS

HEALTH PREMIUMS

Mr Frank Klees (Oak Ridges): "To the Legislative Assembly of Ontario:

"Whereas, yesterday in the Legislature, Minister Duncan, the Deputy Premier, stated that the Minister of Finance, the Honourable Greg Sorbara, had always referred to the 'Ontario health premium as a tax,' even in the 2004 budget lock-up;

"Whereas it has come to light the opposite is true and on May 18, 2004, during the 2004 budget lock-up, the Minister of Finance, the Honourable Greg Sorbara, in fact" was "recorded as actually saying:

"We had the option of looking at personal income tax increases, or going with the Ontario health premium.

"Our choice on the health premium was very clear. We chose it because it gives us an opportunity to identify a revenue stream separate and apart from personal income tax, that will be applied, every single cent of it, to health care.'

"Therefore we, the undersigned, respectfully request that the Deputy Premier of the day, Minister Duncan, correct the record."

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

CHIROPRACTIC SERVICES

Mr Michael Prue (Beaches-East York): I have a petition which reads as follows:

"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."

It is signed by hundreds of individuals. I'm in accordance, and will sign my name thereto.

SCHOOL BUS SAFETY

Mr Ernie Parsons (Prince Edward-Hastings): I would like to present a petition requesting that crossing control arms be installed on all school buses. I would like to note that in my statement at the beginning, I indicated that crossing arms were \$3,000 per bus. They are, in fact,

\$500 per bus, which strengthens the case to have them installed. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas it has been shown that crossing control arms on school buses reduce or virtually eliminate instances of students being struck by their own bus; and

"Whereas 91% of all front bumper fatalities involve buses not equipped with crossing control arms; and

"Whereas the safety of the children of Ontario is our number one priority;

We, the undersigned, petition the Legislative Assembly of Ontario to require that all future school buses be equipped with crossing control arms and that all existing school buses be required to be immediately retrofitted with crossing control arms."

There are over 3,000 signatures. Being in full support of this, I am pleased to add my signature.

VOLUNTEER FIREFIGHTERS

Mr Ted Arnott (Waterloo-Wellington): I have another petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

Of course, this petition has my full support. It comes to me from my constituents in Woolwich township, in the Waterloo region part of my riding.

CHIROPRACTIC SERVICES

Ms Andrea Horwath (Hamilton East): I'm pleased to present this petition to the Legislative Assembly of Ontario.

"Whereas,

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

"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; and

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

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

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

I will affix my signature thereon because I agree with the people from Hamilton, Stoney Creek, Flamborough, Dundas, Ancaster, Burlington—people from all over my region who have signed.

Mr Bill Mauro (Thunder Bay-Atikokan): I present this petition on behalf of almost 2,000 residents of Thunder Bay-Atikokan, and it reads as follows:

"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; and

"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; and

"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."

LESLIE M. FROST CENTRE

Mr Norm Miller (Parry Sound-Muskoka): I have a petition to save the Leslie M. Frost Centre, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the Leslie M. Frost Centre is Ontario's leading natural resources education training and conference centre, aimed at fostering an understanding of natural resource management, with a focus on eco-

systems and how they can be sustained for future generations; 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 and 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.

PER DIEM FUNDED AGENCIES

Mr Michael Prue (Beaches-East York): I have a petition which reads as follows:

"Whereas 4,000 vulnerable children, youth and adults are provided with high-quality services in residential care and treatment homes in the province of Ontario, including those individuals who are medically fragile, developmentally handicapped, autistic, physically abused, neglected, conduct-disordered, young offenders, or emotionally disturbed; and

"Whereas over 4,000 child and youth workers are dedicated in their profession to work with vulnerable children, youth and adults in the provision of an accepting, safe, supportive therapeutic environment; and

"Whereas the McGuinty government's 2004 budget promised \$38 million to children's mental health services, or otherwise a 3% operational increase to those agencies who have not received an increase in several years; and

"Whereas the government has excluded the 93 agencies and more who serve this vulnerable population under a funding structure referred to as per diem funded agencies; and

"Whereas, by excluding those children of the province and the dedicated staff who serve them from the 3% increase promised in the 2004 budget, agencies will close down, thereby handicapping government with respect to the delivery of service and costing the government far more by placing these hard-to-serve clients in more costly facilities;

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

"That the Parliament of Ontario do the right thing, help and assist the lives of the many, many vulnerable people in Ontario, and include per diem agencies (Ontario Association of Residences Treating Youth) in the 2004-05 provincial budget. Keep your promise and commit to a 3% increase in staff and client funding. The Parliament of Ontario should recognize that the clients and staff are all citizens of Ontario and should not be penalized by virtue of where they reside or where they may be placed."

It is signed by nearly 1,400 individuals. I'm in agreement and would sign my name thereto.

1530

CHIROPRACTIC SERVICES

Mrs Maria Van Bommel (Lambton-Kent-Middlesex): I present this petition on behalf of the clients of Dr Ron Wagner in my riding of Lambton-Kent-Middlesex, and it's regarding support for chiropractic services in the 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.”

ONTARIO DRUG BENEFIT PROGRAM

Mr Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly of Ontario signed by, I'd say, over 1,000 people at least; maybe more.

“Whereas the Liberal government was elected after promising in their election platform that they were committed to improving the Ontario drug benefit program for seniors but are now considering delisting drugs and imposing user fees on seniors;

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

“To immediately ... commit to end plans for the delisting of drugs for coverage under the Ontario drug benefit program;

“To immediately commit to ending plans to implement higher user fees for vulnerable citizens and to improve the Ontario drug benefit plan so they can obtain necessary medications; and

“To instruct Premier Dalton McGuinty to demand more health care funding from Ottawa instead of demanding more funding from seniors.”

SCHOOL BUS SAFETY

The Deputy Speaker (Mr Bruce Crozier): The member for Thunder Bay-Atikokan—Thunder Bay-Superior North.

Mr Michael Gravelle (Thunder Bay-Superior North): The member for Thunder Bay-Atikokan is a fine gentleman who just read a petition earlier.

A petition on behalf of Melanie Perrier: 13,000 of these have been signed in relation to the very tragic loss of her daughter Allycea Ennis on a school bus.

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Ministry of Education requires district school boards to ensure that classes, ‘on average for each board, do not exceed ... 24.5 in elementary overall’; and

“Whereas the Ontario Ministry of Transportation states, ‘For safety and discipline purposes, a school bus is regarded as an extension of the classroom’; and

“Whereas a full-size school bus has 24 seats and can carry up to 72 children, far more than a teacher is allowed to supervise unassisted; and

“Whereas the Ontario Ministry of Transportation states, ‘Police can charge drivers with careless driving if they do not pay full attention to the driving task’; and

“Whereas school bus drivers, no matter how diligent, cannot adequately supervise up to 72 children and safely navigate a multi-tonne bus through busy traffic and changing road conditions;

“Therefore, all elementary school buses should have a trained adult supervisor on board in addition to the driver.”

There are other sections of the petition I will read later, but I'm in support of this petition.

OPTOMETRISTS

Mrs Julia Munro (York North): “To the Legislative Assembly of Ontario:

“Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists expired March 31, 2000; and

“Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

“Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

“Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists in that they no longer cover the costs of providing eye examination; and

“Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care that they need;

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

“That the Minister of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario.”

I affix my signature.

ORDERS OF THE DAY

FISCAL TRANSPARENCY AND ACCOUNTABILITY ACT, 2004

LOI DE 2004 SUR LA TRANSPARENCE ET LA RESPONSABILITÉ FINANCIÈRES

Mr Sorbara moved second reading of the following bill:

Bill 84, An Act to provide for fiscal transparency and accountability / Projet de loi 84, Loi prévoyant la transparence et la responsabilité financières.

Hon Greg Sorbara (Minister of Finance): I'm very pleased to be able to lead off the second reading debate on this bill. I should tell you at the outset that it is really at the heart of the way in which this government is proceeding to transform the management of the finances of this province. It has a very difficult title, Financial Transparency and Accountability Act, but the themes are not only important for government but they are themes that are affecting the way in which every entity, whether a business entity or a voluntary entity, is changing the way they do business.

Might I just note that I am going to be sharing the time allotted for the opening remarks with my parliamentary assistant, the member from Eglinton-Lawrence.

The first point I want to make is that it truly is landmark legislation. There are a couple of things we did in our first year in terms of bills we brought before the House that are going to change, forever and for better, the way in which governments manage their affairs in the province, and this is one of them.

I'm going to get into the details of the bill in a few moments, but I want to point to the five principles that underlie the way in which I, as Minister of Finance, am going about my business and discharging my responsibilities on behalf of the province of Ontario. These are the principles that underlie how we're making our budgets, how we're determining our priorities, how we're making the difficult choices that governments confront, and certainly that Ministers of Finance confront.

The first is that we are bound and determined to get our financial house in order. We inherited a mess. I don't have to devote any time in this speech to the mess we inherited; simply perhaps to note that it was just about a year ago that Erik Peters, the former Provincial Auditor, made his first report on the disastrous state of finances the previous administration was leaving. I only point that out because the Financial Transparency and Accountability Act is in a sense a response to that event and that history.

We're going to get our financial house in order and we took some very difficult steps during our first year in order to do that. Within days of this Legislature returning last November, we brought in a bill that raised significant new measures through changes to the corporate income tax system—not an easy thing to do.

Much more difficult, in the spring budget we announced a new tax called the Ontario health premium. That was even more difficult, because within the context of the election we said we thought we were going to be able to balance Ontario's books without this sort of additional revenue. We were wrong about that. We needed that revenue and we took the very difficult but necessary step of raising this additional money so that we could pay for the health care system we want to create down the road.

We took the steps on the revenue side, and since that time we've been working on the expenditure side. We are determined—I made a speech about this that was widely reported—about the program review we are now launching, which will look at virtually every single expenditure of government and has as its objective the modernization of government so that we can deliver public services, notably in health care and education, but right across the rainbow of public services, more efficiently, more effectively and in a way that is sustainable with the revenues we have. So the first principle is about getting our financial house in order.

1540

The second principle is about greater equity in our tax system. That's one of the reasons why, in the budget, we made a specific provision to help seniors on fixed income with their property taxes, because they represent a constituency in Ontario that was really feeling the pinch. Because of equity, and because equity is an important principle, we said we're going to take a few resources and allocate them to our seniors.

The third principle is that our tax system must remain competitive. In that sense, we're like a private business or a public company that manufactures a product and has to price that product so it's marketable around the community and around the world. Tax systems are sort of like that. People pay attention to the level of taxation in Ontario to make investment decisions as to whether they're going to invest in the province, and thereby create jobs and more economic prosperity. So the principle of a competitive tax system is right at the foundation of the work we do.

The fourth principle is that we need to modernize our system. This notion of modernization and new architecture is important in every aspect of government, and that certainly applies to the tax system and the tax collection system. We put an enormous burden on individuals and companies through our voluntary assessment system. What does that mean? It's simple. It means that we are responsible individually to assess the level of tax we owe our government. So we put a big burden of responsibility on individuals, and we want to make sure that system is as efficient, flexible and responsive to the lives of individual Ontarians and businesses in Ontario as it can possibly be. So the fourth principle is to have a modern system.

The fifth principle, and this gets down to this act, is about transparency in managing this government. I want to say without undue criticism that the previous adminis-

tration got into some very deep trouble when it forgot about the principles of transparency and accountability. The Magna budget was a perfect example of what happens when you forget about transparency and accountability.

If I could just take my friends back to that time, it was a fascinating period, particularly in terms of the pleas from journalists and people who understood the parliamentary system. I think the *Globe and Mail* had some 16 or 17 editorials, one every day, pleading with the then Premier of Ontario, the member from Dufferin-Peel-Wellington-Grey, to come to his senses and to present a budget in the Legislature.

Whether presented at Magna or in the Legislature, that budget had its problems with transparency. It had a whole bunch of plugs in it to effectively hide, cover, the deteriorating financing circumstances of this great province. The cover was removed when Erik Peters did his analysis and said, "It's broken. It's not just that there's no surplus. There's a looming deficit," he said, "of \$5.6 billion."

Now that the final financial statements are in for that period—the financial statements for 2003-04—we find that the actual number is \$5.5 billion. That's the burden that we inherit as we try to bring financial stability back to the province of Ontario.

So how does this act, the Fiscal Transparency and Accountability Act, help out? Well, in a number of ways. Let me tell you what I think is probably the most important. I think it's the most important because it relates directly to the information that individual voters and the province as a whole will have when they go to vote next time, which is going to be on October 4, 2007. Let me say, parenthetically, how proud I am that we have brought in fixed terms to this parliamentary democracy, this Legislature and this province.

What the Fiscal Transparency and Accountability Act requires is that a financial statement—a statement of the province's financial circumstances certified or reported on by the Provincial Auditor—be presented publicly to the people of Ontario. That is going to change dramatically the nature of political campaigning in Ontario, because with this act, every political party, every political commentator and every partisan—all of us are going to be working from the same numbers. No more hiding the deficit. No more plugging the problems. The Provincial Auditor will tell the people of Ontario what the financial circumstances of the province are, as we go into an election and a renewal of our democracy. So the starting point for political parties will be the report of the Provincial Auditor required under this bill, which we are asking this Parliament to pass as quickly as possible.

But that's not its only strong element. It also requires reporting regularly to the people of Ontario in an unbiased, uncoloured way. Now, if you're one who looks at the financial pages or even the news pages of daily newspapers, you know that financial reporting, quarterly reports by public companies, is becoming almost an essential element of doing business. It used to be that

companies reported their financial results once a year. Then it was once every six months. Now it's once every quarter. You will be interested to know that the newest theme in the business world is that the quarterly reports of businesses be certified by the auditors of the company that's doing the reporting. It hasn't been a requirement thus far, but that's where the world is going—honest, transparent reporting that represents a very high degree of accountability.

We have a different group of shareholders. There are 12.5 million shareholders in this great enterprise called the province of Ontario. We owe a duty to our shareholders, the 12.5 million people who rely on us for quality public services. We have a duty to them to report honestly, thoroughly and completely what the circumstances of their government are.

One of the things that we're going to be doing is to report to give the people of this province a much longer-term analysis of Ontario's financial circumstances. The Fiscal Transparency and Accountability Act will bring about long-term reports about what the issues are confronting the Ontario economy and the government's activities per se. The act will also bring about a requirement that we report, on a regular basis, major changes to our financial circumstances, much like a company that encounters an unexpected activity is required to report.

1550

Now, will it fix everything in the world? Of course not. But I want to wrap up my remarks by saying that this bill, quiet as it is and accountant-oriented as it is, may just have as significant an impact on the way in which we do business, the way in which we represent ourselves, the way in which we conduct our policies and our politics, as anything that we might do over the course of the four years of this Parliament.

It's interesting that the bill itself is rooted in something that went terribly wrong: the last three years of financial administration by the previous government. It went terribly wrong. But if there is a benefit emerging out of that period, one of the benefits is the Financial Transparency and Accountability Act, Bill 84, and I commend it to you, sir, and to the members of this Legislature for speedy passage.

Mr Mike Colle (Eglinton-Lawrence): I'm pleased to follow the Minister of Finance. Just before I start talking about this very important bill, I would like to say that we're talking about fiscal long-range planning and fiscal responsibility, and I think we should note what transpired yesterday in Ottawa. I think the Premier and the Minister of Finance did a very commendable job in terms of reminding the present Prime Minister and the other Premiers that Ontario is more than willing, and always has been—whether it's a Conservative government, an NDP government or a Liberal government—to be very generous to the rest of Canada. That's Ontario's history and legacy, and nobody can question that. But I think the Premier and the Minister of Finance made it quite clear that you can't continue to expect the hard-working people in this province, who put \$23 billion more into

Ottawa's coffers than we get back—essentially, there's just so much we can do. We have our own needs in Ontario.

That's why I was quite interested in some of headlines that talked about "the rich provinces." Sure, Ontario is a so-called rich province, but we have a lot of needs in this province. If you look at northern Ontario, at our First Nations people, at our cities, we have compelling needs that we also have to take care of. Hopefully, the federal government and our other Confederation partners will realize that Ontario will be better able to contribute to the fiscal health of this country by ensuring that it's strong, that we can create wealth, whether it be in the financial sector, in raw materials or in our agricultural sector. As I said, all of our hard-working people in Ontario deserve a bit of consideration. The fact is, we do pay a lot of taxes, we work hard, and we can generate a lot of help for all of the Canadian provinces.

I was glad to see that the Premier and the Minister of Finance were very firm in stating that basic premise, that you can't keep assuming there's an endless flow of money coming from Ontario without any kind of consequence. I was glad that that was noted by the Prime Minister and that we begin to recognize that here in Ontario we have great potential to generate even more wealth for more support for the rest of the country, but we can't do it unless we're able to invest in our infrastructure, whether it be our roads, our water infrastructure, our bridges, and in our ability to attract new investment, new technology innovation, new transformation in health care. As I tell my good friends all the time, who's the biggest employer in Hamilton right now? I think it's the Hamilton Health Sciences Centre.

Mr Richard Patten (Ottawa Centre): The Hamilton Ticats.

Mr Colle: Well, we won't talk about the Ticats right now. The Argos are waiting for them in the woods here.

That is the type of information we have to get to the rest of the country. Just down the street from this Legislature, one of the greatest generators of wealth is on University Avenue: all the teaching hospitals.

If you look at Hamilton, it's the perfect example, what's happening at one of the finest universities in Canada, McMaster, and the health sciences centre out of McMaster, one of the finest in the world. We in Ontario cannot be forgotten by the rest of Canada, assuming things will always be all right in Ontario. We need to reinvest in Hamilton. We need to reinvest in our health sciences research capacity.

You talk to Dr David Naylor. Dr David Naylor is maybe one of the best minds in the economies of health. He will tell you that in the long term, unless there's a recognition that there needs to be massive investment in the health sciences, we're not going to create the breakthroughs in research that we're capable of. I just put that in context to remind us that in Ontario we also have to invest in our basic infrastructure so we can help the rest of Canada. Again, I wanted to give special praise to the Premier and the Minister of Finance for making that point in Ottawa yesterday.

In terms of Bill 84: I always think of it as I'm riding the Eglinton bus, and I was telling my friend from East York and I keep reminding people of this. You know how they talk about middle America. Well, I think Eglinton Avenue is like middle Ontario, because as you go along Eglinton Avenue—you start from Mississauga and you go through Etobicoke, which is a bit tony at times. Then you go into the hard-working municipality of York, you skim across Toronto into North York, then you skim around Laird Avenue with East York and the great people in East York, then you go out to Scarborough and you reach the borders of Durham. But it's a reflection. So if I were going to be on the Eglinton bus and they asked me, "What's this Bill 84 about?", how would I explain it to the people on the Eglinton bus? These are the kinds of questions you get.

I was saying to myself, basically it is an attempt by government to say, "We're going to be very clear with you so that you won't be wondering who or which party or which government agency is supposedly straight with you in the state of the books of Ontario." In other words, what's the shape of our books: How much money do we owe; what's our deficit; what are our needs; our projected revenues? In other words, we have to try and explain to people that here's the state of the Ontario economy and here are the numbers, just like you're balancing your own budget at home when you're trying to find out how much money is coming in and how much money is going out.

As we all know, usually it's the case in all our home budgets that there's a heck of a lot more going out than there is coming in. I think that's been the challenge of Ontario for the previous governments and also our government: There are a lot of demands and needs in Ontario, so there are always going to be more demands on the services. As you know, the biggest driver we have is health care, then education, and we have so many important needs in urban infrastructure.

Therefore, in describing it to my passengers on the Eglinton bus, I would say that this is an attempt to really make the books understandable and clear. And it's not only going to be the government's word or the ministry's word; it's also going to be checked by the independent watchdog, and that's what the Provincial Auditor is.

We had a very capable watchdog here. I worked on public accounts with Erik Peters. He was a man, as much as you may have disagreed with him, whether you're in government or opposition, who was a civil servant with a great deal of integrity, and he really emphasized the fact that he was working for the people of Ontario as the watchdog over the public purse.

So the books are going to be verified by the public watchdog, the Provincial Auditor, and the Provincial Auditor will be able to tell the people of Ontario, six months before an election, the exact state of affairs as far as the province's finances are concerned.

That's in essence what this bill does. It's not just Ernie Eves or Janet Ecker saying there isn't a deficit, or now we've said we've found this \$5-billion or \$6-billion hole. It really takes that type of controversy out of it by having

a provincially appointed watchdog, who is appointed at the pleasure of the Legislature, not the government. That watchdog, the Provincial Auditor, will be able to have a clear, unequivocal statement verifying the accounting of the province of Ontario.

1600

That's what this bill does. It puts in that process so that coming into an election there won't be any questions about the finances, although I should say there will always be questions about the finances. We know that. At least, it's probably going to mitigate some of the wild speculation in terms of the accounting conclusions that we put forward to the public of Ontario before an election.

That's just what this Fiscal Transparency and Accountability Act, Bill 84, does. I hope I've explained it in a way—it's certainly understandable to me. I think it helps us to ensure that the people of Ontario know we're not just passing laws for the sake of passing laws.

We did have an act on the books called the Balanced Budget Act, which the previous government had—

Mr Howard Hampton (Kenora-Rainy River): Which you guys voted for.

Mr Colle: The NDP is saying that we voted for it. Well, I thought the intentions of that act were reasonable, that governments should try and balance their budgets. The only thing we saw wrong with that act was that in practice that there were ways of getting around that piece of legislation, that it wasn't subject to oversight by a watchdog like the Provincial Auditor.

The intention, I think, by the previous government—they were trying to get toward a balanced budget but it didn't have the scrutiny of an independent third party. Our attempt in this legislation is to give power to that third party to verify the government's attempt to disclose the accounting of Ontario's finances. That is the big difference here.

As we know, over the last two or three years there were all kinds of questions about whether the budgets were really balanced. I can remember—I think it was in 1997; I can't even remember the date now—when Highway 407 was sold. The government stood up after the sale of the highway and said, "Well, our books are balanced." But is that the type of methodology you want to use to balance your books? In other words, give an asset that was going to generate who knows how many untold hundreds of millions, if not billions, of dollars to the Ontario taxpayer that would have been a lot more of a positive flow of money into the Ontario coffers than the quick sale of the highway, and the numbers seemed quite big.

The finance minister at the time, Ernie Eves, said to the people of Ontario, "Well, we're getting," I think it was, "\$3 billion for it," and it sounded like a lot of money. But we know that highway is worth a lot more than \$3 billion, probably—the estimates are anywhere from at least \$5 billion and up.

It's not so much the cost of giving away an asset; it is the revenue generation potential of an asset, especially

when the asset has been given up to a private Spanish consortium for 99 years. I know that the then government called it a 99-year lease. Most people I talked to who are victims of the 407 call it a 99-year fleece.

We're saying that that type of haphazard accounting practice or selling off assets at the last minute to balance the books might be questioned by a Provincial Auditor. A Provincial Auditor would be free to comment on whether the sale of an asset really contributed to the overall fiscal health of the province. If it were Erik Peters, he would certainly comment on that. In fact, he did comment on the sale of assets and the scrutiny that was given and whether or not it was legitimate in terms of long-term financial gains for Ontario.

The Fiscal Transparency and Accountability Act, Bill 84, is going to try to give people a sense of confidence that is not, as I said, just one Minister of Finance and it's not just one party's word against another party, but it is in essence the word of the Provincial Auditor and his or her staff, who go through every line item to ensure that the books are as they're presented and that they are done according to accepted accounting practices and the Provincial Auditor's accounting practices. As you know, we've had all kinds of nuances about accepted accounting practices when we look at the Enron example etc. But that's why, rather than bring in an outside private auditor, we're saying, "Leave it up to a man or woman of unquestionable integrity" who has the respect, I think, of everybody in this House, and certainly the private sector and the public sector. You have the Provincial Auditor, who will verify the report that will be given.

As you know, this ties in with a fixed election date. The Provincial Auditor will know, because we've already decided we're going to have elections every four years. So six months before the fourth year, this will be tabled in the House and there will be a report by the Provincial Auditor to ensure that there are no questions, no ambiguity for the taxpayers of Ontario.

This is a very positive piece of legislation. It is about the transparent opening of accounts, it's about accountability, and it's something that I would hope the members opposite would support, because I think all of us on both sides of this House would agree with the people of Ontario—they don't want to go through what we went through the last, basically, two years: "Deficit? No deficit? How big was it? You should have known. You didn't know."

We are saying, listen, the facts are that there has been a deficit. Even the leader of the opposition, John Tory, has said that, yes, obviously there was a deficit, and there's no use denying it any more. So we're saying, OK, let's try and make it very clear, very transparent. Put the reports forward by the Provincial Auditor so we don't have a lack of—I was going to use the word "trust," but so that we have some level of comfort for the people of Ontario. The processes are complicated enough for ordinary people who are trying to pay bills, who are trying to make a living and take care of their sick kids, to try and follow what goes on in the accounting practices of this

province. That is really difficult for an ordinary citizen to do, and that's why I think by doing this, we're not saying, "Well, it's up to you to find out what the government is doing." As you know, for a budget of—what is it, almost \$70 billion now? It would take quite an incredible number of accounting firms to do it, and then they would disagree on what the real accounting results or conclusions were.

I would like to wrap up by saying that this is good, progressive legislation. It reinforces that impetus for disclosure, transparency, and better understanding for the taxpayers who, in the long run, have to pay the bill. This is good legislation that should be supported.

The Deputy Speaker (Mr Bruce Crozier): Questions and comments?

Mr John Yakabuski (Renfrew-Nipissing-Pembroke): It's my pleasure to speak to Bill 84, An Act to provide for fiscal transparency and accountability.

This is another one of this government's feeble attempts to cynically send a message to the people of Ontario that they actually care about what's going on. You see, it's a reaction to the fact that the Premier of today, then the opposition leader, Dalton McGuinty, got caught in his own game. He was so fixated on winning the election that he was prepared to say anything to anybody about anything. And now here he is with one of the first pieces of legislation he brings in, the budget, and he breaks all those promises. So now he wants to make sure that he's got something to fall back on and say, "Well, we're breaking these promises, but look at what we're promising to do."

1610

How much value should we be placing in a Liberal promise? Well, I think the people of Ontario have already rendered that verdict. You can place no value in a Liberal promise. Supposing this is passed as law, do you really believe it matters or means anything to the people over across the aisle? If they choose that they don't want to follow their own rules, they will simply break that and bring in new legislation, because this government is convinced that it has some divine right to rule in this province now. So they're not even answerable to the people.

This piece of legislation is just another one of these, "Look, we know they don't believe us. We've got to do something to try to restore some kind of faith in the people in our ability to do the job." As time goes on, I think you will see that the people in the province of Ontario have no faith in this government—indeed, no faith at all.

Mr Hampton: I listened rather carefully to the member's speech, and I just want to make a few historical comments, because I think they're appropriate.

I was a member of the Legislature when the Liberal government before this, at the end of May 1990, presented their budget and said that there would be at least a \$700-million surplus. Then I remember there was an election held on September 6. I was sworn into the cabinet, and we attended our first cabinet meeting about the middle of October. The Ministry of Finance officials

came in and said that the surplus budget that the Liberal government had announced in May and had campaigned on during August and September was, in fact, a \$3-billion deficit at that point in time, only four months later. The finance officials said, "In fact, as we project ahead to the end of the fiscal year, it looks like it's going to be a \$5-billion deficit."

I always find it interesting to get sanctimonious lectures from Liberals about honesty in budget-making. I only want to remark that this government, to a one, voted for the Balanced Budget Act and said that it was great legislation, that it was excellent legislation. I remember the Premier, Dalton McGuinty, during the most recent election campaign, signing the document put forward under the Balanced Budget Act. So I'm quite surprised now at this reversal in position by Liberals.

Ms Laurel C. Broten (Etobicoke-Lakeshore): I'm very pleased to stand and talk about what is a very significant piece of legislation, which is going to be implemented by our government. When my friends across the House talk about a need to restore faith, we do need to restore faith with the people of this province, because the faith in government was broken by the previous government, who deceived with respect to the state of books in this province.

Ontarians cannot accept that, in an election campaign, important decisions that they are making are being made on information that is inaccurate. I hope that we will see the opposition support this important legislation, and I trust, with their new leader, who has said and acknowledged that the state of the books in the province were bad, will support a new area of disclosure.

I'm not sure if everyone speaking today will have read the details of the legislation, so I want to highlight a couple of key provisions. One of those key provisions is that we will require Ontario's fiscal policy to maintain a prudent provincial debt to GDP. That's because we recognize the cost of servicing debt in this province, and that it's a real burden to taxpayers.

Section 4 will require the executive council to plan for a balanced budget. Our government acknowledges the importance of balanced budgets and the importance of not spending taxpayers' dollars paying off interest. As each of our families tries to pay off our debt, so should the province pay off our debt and live within our means. But we acknowledge that you do not balance a budget if the circumstances will require an irresponsible burden on the citizens of this province. We want to make sure that when decisions are made in the future by the people of this province as to what direction they want to take, they will have the straight goods.

This piece of legislation enshrines in law that we will be able to have a pre-election report about Ontario's finances so that on October 4, 2007, Ontarians can make decisions on information they can trust.

Mr John R. Baird (Nepean-Carleton): I am surprised that neither the speakers nor the interveners talked about our friend Gerry Phillips. You see, Gerry Phillips was the shadow chancellor, if you will, the shadow

Minister of Finance, for 13 years in this province. Gerry, a smart fellow, was a bit too effective in opposition. The Minister of Northern Development has that same problem.

Gerry Phillips warned the estimates committee. He said to the estimates committee—

Mr Gilles Bisson (Timmins-James Bay): In June.

Mr Baird: —in June that there was a potential \$5-billion gap. Now we know why Gerry Phillips didn't make it as finance minister.

I have no doubt in my mind that, had I been the Minister of Finance, I could have balanced the budget. In an extraordinary step, the opposition came forward and gave detailed examples to the government of how they could have balanced the budget. The first thing they shouldn't have done is go on an orgy of new spending. They went and spent three billion bucks in the last six months of the fiscal year. This fiscal challenge that the province was facing was like being told, "If you continue on the road you're travelling, in six months you're going to go over a cliff," and not doing anything about it.

Jim Flaherty had a challenge back in 2001. After September 11, the economic situation in the province was very difficult. He didn't say, "Well, it's the end of September; I'm going to declare defeat and throw in the towel." He rolled up his sleeves and went to work and, with a group of committed caucus members, was able to solve the problem—not like these folks across the aisle.

The Deputy Speaker: The member for Eglinton-Lawrence has two minutes to reply.

Mr Colle: I think the speakers in the opposition just proved my point. Basically, they're saying, "He said this; he said that." That's why we need this legislation, so that we have an independent, qualified third party like the Provincial Auditor to set things straight six months before; that he has a report evaluating the financial state of affairs in Ontario. Again, they proved the point, because we can go on forever.

It's funny that you mentioned the Honourable Gerry Phillips, who, everybody knows, is certainly one of the best members who has ever sat in this House. But I remember that when he referred to that, I didn't hear one member over there say, "You're right, Gerry." They all said, "You're wrong, Gerry Phillips. Janet's right; Ernie's right." That's what they said. They said, "Mr Phillips doesn't know what he's talking about." Now, after the fact, they're saying, "Oh, yes, Gerry Phillips was right." But you didn't hear one member of the NDP, you didn't hear one member of the Conservatives, say, "Oh, Gerry Phillips is right. There might be some problem there." No, they said, "Everything is rosy. Everything is balanced." They repeated it over and over again. No one questioned it at that time.

That's why we now have to set the record straight and put it out of the hands of the NDP, the Conservative Party or the Liberal Party and have the Provincial Auditor make an independent evaluation of the financial state of affairs of this province six months before, so we don't have all these stories that have been revised over

the last year of who said what when; that we have the word of the recognized, independent public watchdog, who will tell the people of Ontario six months before, "Here's what the numbers are. Here's what the facts are." That's what this act does, and I hope members of the opposition will support that.

The Deputy Speaker: Further debate?

Mr Baird: I certainly find Bill 84 very interesting. It's an interesting piece of legislation.

If I could, I would like to ask for unanimous consent to stand down our lead speech and begin a 20-minute rotation, if that would be agreed by the House.

The Deputy Speaker: I thought you had already started your lead speech.

You have asked for unanimous consent to stand down the remainder of your lead speech and start the 20-minute rotation. Is there unanimous consent? I heard a no.

Mr Baird: I move adjournment of the House.

The Deputy Speaker: Mr Baird has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1621 to 1651.

The Deputy Speaker: Mr Baird has moved adjournment of the House.

All those in favour will please stand.

All those opposed will please stand.

The Deputy Clerk (Ms Deborah Deller): The ayes are 12, the nays are 45.

The Deputy Speaker: I declare the motion lost.

Hon Mr Duncan: On a point of order, Mr Speaker: I seek unanimous consent to give second and third reading, without further debate, to Bill 70 in order to pass the negative-option billing protection.

Mr Baird: On a point of order, Mr Speaker—

The Deputy Speaker: I have to deal with this one first.

Mr Baird: Can I speak to it?

The Deputy Speaker: Yes.

Mr Baird: I just would like to indicate the full support of the official opposition to the government House leader's motion.

The Deputy Speaker: The government House leader has asked for unanimous consent to move second reading of Bill 70, An Act to amend various Acts administered by or affecting the Ministry of Consumer and Business Services. Do I have unanimous consent?

All those in favour, please say "aye."

All those opposed, please say "nay."

Thank you. The clerks' table and I were just having a little discussion. Unanimous consent was asked for and, just to explain it, it was not given. Therefore, I shouldn't have asked for a voice vote. Unanimous consent was not given. Thank you.

Further debate?

Mr Baird: I'd like to ask for unanimous consent to stand down the lead speech for the official opposition on Bill 84.

The Deputy Speaker: Mr Baird has asked for unanimous consent to stand down the lead speech for the official opposition. I do not have unanimous consent.

Further debate?

Mr Baird: I would like to ask for adjournment of the debate.

The Deputy Speaker: Mr Baird has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1655 to 1725.

The Deputy Speaker: Mr Baird has moved adjournment of the debate.

All those in favour, please stand.

All those opposed will please stand.

The Deputy Clerk: The ayes are 9; the nays are 40.

The Deputy Speaker: I declare the motion lost.

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: I seek unanimous consent to give second and third reading to Bill 70 without further debate.

The Deputy Speaker: Do I have unanimous consent? I heard a no.

Further debate.

Mr Baird: On a point of order, Mr Speaker: I ask for unanimous consent to adjourn the debate on Bill 84 and begin to debate Bill 70, because it is a very important piece of legislation that we would like to pass.

The Deputy Speaker: Do I have unanimous consent? I heard a no.

Mr Baird: Mr Speaker, they are stopping our plan to try to get rid of negative-option billing. We want to pass this bill. We asked that the government House leader—

The Deputy Speaker: Order. I haven't yet recognized you.

Now, further debate. The member for Nepean-Carleton.

Mr Baird: We want to debate Bill 70. We asked the government House leader if he would call Bill 70 so we can get rid of negative-option billing, and he said no. He's had a piece of legislation on the order paper since May, and the government House leader doesn't want to call Bill 70. I want to call Bill 70.

Hon Mr Duncan: On a point of order, Mr Speaker: I'd like you to rule on whether or not his motion was actually in order, because his own member yesterday voted to adjourn debate on Bill 70. It was Tim Hudak. Would that be—

The Deputy Speaker: All he did was ask for unanimous consent.

Now, order. The member for Nepean-Carleton.

Mr Baird: The press who are watching this should know the government House leader will not call Bill 70. He won't call it.

Hon Mr Duncan: On a point of order, Mr Speaker: I believe the order we're dealing with is not the order that the member is speaking about, which is contrary to the standing orders.

The Deputy Speaker: Well, quite frankly, I haven't had an opportunity for him to get into the debate to hear it, so I will hear the member for Nepean-Carleton if we could continue debate, please.

Mr Baird: Mr Speaker, I'd like to ask for unanimous consent to stand down our lead time of debate.

The Deputy Speaker: Is there unanimous consent? I heard a no.

Member for Nepean-Carleton.

1730

Mr Baird: We're debating Bill 84 today, and I don't know why the government would see Bill 84 as a priority but not Bill 70, because we want to pass Bill 70. We want to get rid of negative-option billing, but Dwight Duncan, the government House leader, is stopping this bill from being debated today.

Mr Robert W. Runciman (Leader of the Opposition): And Jim Watson.

Mr Baird: And Jim Watson. His own government is stopping negative-option billing from being debated in this House. They want to keep negative-option billing as the law in Ontario. We want the Liberal government of Dalton McGuinty to join our crusade to get rid of negative-option billing. Our member Tim Hudak, the member for Erie-Lincoln, when he was Minister of Consumer and Business Services, said please try to get this through, but they won't do it. They want to keep negative-option billing. We shouldn't be debating Bill 84.

Hon Mr Duncan: On a point of order, Mr Speaker: We'd like to debate the bill that was called so that we can't have the cover-ups that that government did when they were in power. Transparency's important.

The Deputy Speaker: That's not a point of order.

Hon Mr Duncan: We're supposed to be debating the order the government called.

The Deputy Speaker: Just take your seat. I will remind members that standing order 23 says that we should debate the subject that's at hand. I would like to hear the member from Nepean-Carleton, so continue, please.

Mr Baird: The Provincial Auditor, under this bill, section 11, will disclose the financial situation of the province. It won't disclose the financial situation of the cable companies and of others of negative-option billing. Dwight Duncan, the government House leader, will not let us pass Bill 70. I beg him.

Hon Jim Watson (Minister of Consumer and Business Services): On a point of order, Mr Speaker: I just want to bring to the member's attention that, from the Financial Post, January 13, 1995, John Tory was on the board of directors of—

The Deputy Speaker: No, it's not a point of order. Minister, will you please take your seat. Minister, can you hear me?

Hon Mr Watson: No.

The Deputy Speaker: Well, now you can. Please, thank you for taking your seat. We're just asking for a little co-operation here.

The member for Nepean-Carleton.

Mr Baird: I would like to ask for unanimous consent that, notwithstanding anything else on the order paper, at 6:45 when the House comes back, all other business be put aside and that we, the government, call Bill 70 as a bill. We in the official opposition will forgo all of our speaking time—no speakers—and allow a vote immediately on second and third reading.

The Deputy Speaker: Mr Baird has asked for unanimous consent—I'll try and paraphrase it a bit—that at 6:45 we debate Bill 70. Is that essentially it?

Hon Mr Duncan: On a point of order, Mr Speaker: I would be pleased to support that—members will know it could have been scheduled in any event—provided there's no ringing of the bells on adjournment of the House or adjournment of the motion. I seek that unanimous consent.

The Deputy Speaker: Even before I ask the question, I heard a no, but do we have unanimous consent? I heard a no.

Hon Mr Duncan: On a point of order, Mr Speaker—no, never mind.

The Deputy Speaker: Member for Nepean-Carleton.

Mr Baird: Thank you for the floor, Speaker. I am pleased to be debating Bill 84, and I noticed on the order paper, where Bill 84 is listed, it has our evening sitting. The government has put Bill 18, Bill 25, Bill 63, Bill 82, Bill 86, Bill 96. They'll put every bill on the order paper except for getting rid of negative-option billing.

I cannot believe why this government is filibustering my friend the member for Ottawa West-Nepean. I have been trying to get Bill 70 passed. I was out late last night with members of his political staff, working on legislative arrangements that would see his bill passed, and I haven't been successful. No success. So instead we're going to debate everything but Bill 70. I want to debate Bill 70. We want to debate Bill 70 in the opposition.

The Deputy Speaker: Mr Baird, you may want to debate Bill 70, but I'd like to hear some debate on Bill 84, please.

Mr Baird: Mr Speaker, I move that this bill not be read a second time, but be read a second time six months hence. Can I have a page?

The Deputy Speaker: Mr Baird has moved that this bill not now be read a second time but be read a second time six months hence. The member for Nepean-Carleton.

Mr Baird: I'd like to debate this bill in six months because that would give us a lot of time to debate Bill 70. And for the love of God, the member for Ottawa West-Nepean has been here for a year and he hasn't passed a bill. Let's help the member out and let's get this bill passed. I want to debate this in six months. I don't want to debate it right now because I want to pass Bill 70.

The official opposition—I'm joined here by a former Minister of Consumer and Business Services, a two-

timer—two two-timers. They have been Minister of Consumer and Business Services between them four times and they are here in the House to lend their support to Bill 70. But the Liberal government will not call their own bill.

I will tell you what I think it is. I think Dwight Duncan, the member for Windsor, is trying to put up a pre-emptive strike against Jim Watson's leadership campaign. Dalton is going downhill—

Mr Runciman: It's a power struggle.

Mr Baird: It's a power struggle. And this George Bush-like pre-emptive strike against a challenger is just unbelievable. We should be debating Bill 84 in six months and Bill 70 now.

I look at the order paper and they have every single bill that you can imagine, except for Bill 70. I say, if you're over there on Yonge Street at the Ministry of Consumer and Business Services—yes, you, Oliver, and you, Derek—help us pass Bill 70. I wonder if I could get the phone number for the government House leader's office. Maybe I could give it out and encourage people to phone. Maybe I could get that. Could you get me the phone number for the government House leader's office?

The Deputy Speaker: Member for Nepean-Carleton, I would appreciate it if you would direct your comments through the Chair.

Mr Baird: Then we could help the Minister of Consumer and Business Services pass this bill, because he needs our help. That's what Nepean politicians do: We help each other out. I'm happy to debate this motion I have to debate this bill in six months, but the negative-option billing should not continue.

We finally today showed the Liberal government for what they are. They can't manage the House and now they can't even call their own bill to pass it. They want this bill to pass. We're saying we won't debate it. Not a single member of the Conservative caucus in official opposition will stand up. We'll give you the bill. Just call it. New Democrats, look at them. He's the only guy here. He can only speak for so long. Let's call the bill and debate it. Let's vote on it. We will sit with the government and watch the New Democrats discuss it. But alas, Dwight Duncan, the Liberal House leader, doesn't want to call Bill 70. He's prepared to do everything to play games to stop—

Hon Mr Duncan: On a point of order, Speaker: The member should read the correspondence he received this morning. The government indicated to both the official opposition and the third party that tonight we are calling—

The Deputy Speaker: That is not a point of order.

Hon Mr Duncan: Mr Speaker, I believe it is—Bill 60, Bill 70, Bill 96 and Bill 73. Unfortunately, you didn't even know that.

The Deputy Speaker: With respect, we don't know whether or not we're calling those bills.

Mr Baird: I want to—

The Deputy Speaker: Member for Nepean-Carleton.

Mr Baird: —speak to my motion to delay this bill for six months. I have here the Orders and Notices paper, for those of you watching up on the third or fourth floor. It says right here on page 2, the orders of the day: Bill 18, Bill 25, Bill 63, Bill 82, Bill 86 and Bill 96. This government hasn't even scheduled Bill 70 to pass. We want to pass it. We don't even want to debate it. We've said, "Here, we've wrapped it up in a big present," but the government House leader doesn't want to debate Bill 70.

The official opposition is shocked and appalled. I want to thank the member for Lanark-Carleton and the member for Leeds-Grenville, the leader of the opposition, for showing up for this important debate. As former ministers, they know how important Bill 70 is, written by Tim Hudak, the member for Erie-Lincoln, as I'm told by the minister.

The Deputy Speaker: No, we're debating Bill 84.

1740

Mr Baird: I'm doing my motion, my reasoned amendment to debate this in six months. So that's what I am speaking to, my reasoned amendment, which you have read out.

They can call the government House leader's office. If consumers want to help us pass this bill, they can call the government House leader's office at 416-325-7754. And if you want to get rid of negative-option billing, call the government House leader's office and tell them you want to get rid of negative-option billing.

Our campaign to get Bill 70 passed will continue. It's so, so important, and that's what we should be debating, and debating this in six months. But alas, I don't think that there is the support for the Minister of Consumer and Business Services. We're prepared to offer our full support, as I've told him on many occasions. We should stand down. I'm sure the NDP would agree to stand down debate and debate Bill 70 tonight. I wish they would put it on the order paper, because they haven't put it on the order paper. I hope we've convinced the government House leader, with the powerful argument that we've made, to call Bill 70 tonight, because we want to get it passed.

We also want to talk about Bill 84. There was a long-standing parliamentary tradition that when you debate a bill, like Bill 84, it is a debate, it is not a speech. So you would have the minister whose name appears on the front of the bill here for the debate. But ministers are busy people. They have a lot of work. The minister here is my friend Monsieur Sorbara. That's the name that appears on the front of this bill. And there is a long-standing tradition that the minister attend the House for a bill. The minister can't be everywhere, but the minister also has a parliamentary assistant, who makes about 10 grand, to show up here in the House and to help the minister with his parliamentary business. It's a practice this government has abandoned. We're here debating Bill 84. We have neither the member whose name is on the front of the bill nor the parliamentary assistant here.

The Deputy Speaker: Member, I shouldn't have to remind you that you don't refer to absences of members, please.

Mr Baird: It's an offence to the traditions of this place. I can remember my whip admonishing me when I was parliamentary assistant to the Minister of Labour when I snuck out for five minutes to grab a coffee during the labour debate, because it is important to be there to listen to debates so you can report back to the minister and tell them what you heard and get up in the two-minute to respond to questions. We used to have legal counsel from the Ministry of the Attorney General to give us advice and thoughts. But alas, that's not going to happen. So we do hope the government will call Bill 70 tonight.

I look at the legislation. Look at section 11. This bill says that the government will run its books by the Provincial Auditor before an election is called. Well, what does section 11 of this act say? Let me read it to you: "If the minister does not release information required by this act"—right in their legislation it contemplates that if the minister doesn't release the information required by the act, he shall release a statement explaining why. Well, you can drive a Mack truck through this legislation.

The transparency and responsibility—this is neither transparent nor responsible, because section 11 will allow a Mack truck to be driven through this process. So it is another broken promise by Dalton McGuinty.

I look at other portions of the act: "The minister shall release the statement by laying it before the assembly...." And subsection 11(3): "In accordance with the standing orders of the assembly, the assembly may debate a motion to discuss the statement." "May"? Well, a motion can only be presented by the government House Leader. So if the government wants to hide behind their lack of compliance with the act, the government House leader doesn't even have to call a motion. What a scam this bill is.

I say to the Minister of Consumer and Business Services, consumer protection is required for legislators in this bill, because there is no requirement that they even debate a motion on this issue, and the government has to consent. And that's not right. It's not fair. So this Mack truck clause in the bill is going to continue.

The next section of the bill that I like is the Ontario Economic Forecast Council. Is this appointed by the standing committee on public accounts? I'd like to remind all the citizens of Ontario that the Chair of the public accounts committee, Norman W. Sterling, the member for Lanark-Carleton, is with us in the House today for the debate. He is the dean of the House and is the Chair of said committee. You would think this independent, arm's-length council, the Ontario Economic Forecast Council, would be appointed by address of the Legislature or by the public accounts committee. That would make sense. This is the senior member of the legislative branch who works with the Provincial Auditor.

But I read in this bill, subsection 12(3), "The council is composed of persons appointed by the minister...." It doesn't even have to go to cabinet. The minister, with the stroke of a pen, can appoint whomever he or she would like. It's "he" in the case of most Ministers of Finance

and “she” in the case of two Conservative Ministers of Finance; we haven’t had a non-Conservative female Minister of Finance. Bette Stephenson, of course, was the first female Treasurer of the province of Ontario, serving in the Miller government; and then, of course, Madam Ecker, serving as the former Minister of Finance.

So you will excuse those of us in the opposition for questioning legislation when it comes before this House, particularly legislation like Bill 84, where you can drive a Mack truck through it. It’s such a weak, flimsy piece of legislation—fewer than seven pages, and that’s in both official languages—and we see that it has a number of big flaws in it.

We could say, “Well, let’s take it to committee and discuss it.” They’re not going to accept any amendments in committee. They want to get 100% of every bill, and if they don’t get 100% the way they like it, they aren’t happy, and that’s unfortunate. In other Legislatures and Parliaments, you debate these issues and come up with a few compromises with respect to the content of a bill to help get it through, but that’s not the case here.

This government said they ran a positive campaign. This is the first time we’ve seen a government run a negative government. They seek to bully those in the public sector who dare speak up and disagree with them. What about a little transparency in the case of Cyndy DeGiusti? Cyndy DeGiusti is paid for out of funds collected by taxpayers in Ontario, out of the consolidated revenue fund, which Bill 84 seeks to make transparent. I’d like to see some transparency in the Cyndy DeGiusti issue. Why, after six years working at the Hospital for Sick Children, was this woman asked to quit when she showed up for work on Monday? Does anyone know why? No, we don’t know why. Well, we’re going to have an opportunity next week in committee to ask these questions.

The minister has been quite clear: No one from the Ministry of Health or from the Ontario government, nor he, called the Hospital for Sick Children to make an opinion known with respect to a large article, a very good article, written in the Toronto Star on the Saturday preceding Ms DeGiusti’s dismissal. This woman spoke up about the \$45 million in cuts being inflicted on that hospital by this government, by the Minister of Health. She spoke about the terrible consequences it will have for young children, for their families. The chair of the board was contacted by the Toronto Star after the report appeared. They asked, “Did she say anything wrong? She must have left for some egregious mistake she made in the paper.”

“No, no. She didn’t say anything that wasn’t factually correct.” And that, indeed, is unfortunate.

1750

We’re going to have a chance next week in committee to have some transparency and responsibility, as in Bill 84. We can simply call these folks before the committee and ask them. The committees of course have the power to subpoena witnesses and compel testimony, and we could get their thoughts, advice and suggestions. That’s

what transparency and responsibility are all about, and we look forward to that.

I hope there isn’t a clause in any separation or severance package that requires this woman to keep quiet, because that would be hush money. Maybe we might have to bring in some transparency and accountability. Maybe we had better bring in whistleblower legislation for people who have been victims of bullying by this government in the climate of fear and intimidation that reigns in the health care system in Ontario. That is unfortunate.

Bill 84 will also be debated at great length by our finance critic, Jim Flaherty, who is unfortunately, for other reasons, not able to be with us today. We look forward to raising other concerns in this bill. The Legislature is sitting. It’s about eight minutes to 6. We hope we have some transparency and accountability like that envisaged in Bill 84.

Maybe we could make an amendment to Bill 84 requiring the government to call Bill 70, the negative-option billing bill. Would the NDP support that, the amendment to the bill?

Mr Michael Prue (Beaches-East York): To this bill? Not to this bill.

Mr Baird: To Bill 84. We could amend Bill 84 and require Bill 70 to be called by the government House leader. Maybe I’ll bring a private member’s bill. We could call it on a Thursday morning sometime and debate Bill 70. It’s the first time I’ve ever seen a government filibuster itself. We’re trying to pass Bill 70. We have said that Conservatives will be so supportive that our only participation in the debate will be to applaud the passage of Bill 70. If any reporters would like to see copies of the e-mails I made directly with the minister in the late hours and early hours of the morning, talking about my support for Bill 70, long before the government tried this new bill, I would be very happy to show them.

We have a problem that it’s not in the order paper. We hope they call Bill 70 because that would do a lot for transparency and accountability, but they won’t. They have not included it in the orders of the day. I have every confidence in the table officers of this House. They take the issues that the government wants to put up.

This is the order paper, Speaker. This is the menu, the legislative menu, and Bill 70 is not on the menu. We will not stop our ringing of the bells until they call Bill 70, because we want to debate consumer protection for the people of Ontario.

Interjection.

Mr Baird: Our participation will be to vote in favour of the bill. We will stand, one by one, and support consumer protection, support Bill 70, a bill that was written by Tim Hudak, the member for Erie-Lincoln, to protect consumers. I would have thought that would have been a priority for this government. The minister introduced this back in June or back in the spring. I hope my reasoned amendment of putting off discussion of Bill 84 for six months will allow us to get on with consumer protection. Speaker, I want to give you notice today that I

will withdraw my motion of a reasoned amendment to delay the second reading of Bill 84 for six months if we can get on and debate Bill 70.

I want to debate consumer protection. Conservatives are excited to debate consumer protection. We'll see if the New Democrats have any comments on the bill. They always provide a lot of thoughtful debate in this place, and we look forward to that debate and to that discussion. We're tremendously excited.

Interjections.

Mr Baird: The two cacklers over there on the government side of the House know what they say is not true. They know what they say is not true.

Mr Norman W. Sterling (Lanark-Carleton): On a point of order, Mr Speaker: I'm having a very difficult time hearing the member for Nepean-Carleton because the Minister of Consumer and Business Services is not sitting in his seat. He continues to heckle about Bill 70, which we want to call.

The Deputy Speaker: That is a good point of order. Nor is the member from Renfrew-Nipissing-Pembroke sitting in his. I heard him. I'd ask everyone to take this into account so that we can continue with the debate and hear the member for Nepean-Carleton.

Mr Baird: I would, once again, like to ask for unanimous consent that at 6:45, the House consider Bill 70 and vote on second and third reading following the debate.

The Deputy Speaker: Mr Baird has asked for unanimous consent. Does the House give unanimous consent? I heard a no.

Mr Baird: They are frustrating the Conservative efforts to get consumer protection. This bill could be the law of the land before sundown, as opposed to the Bobbsey Twins of despair on the government side, who don't want consumer protection in the province of Ontario. But for those of you who are tuning in—it's just about 6 o'clock—keep watching, because at 6:45, we will be here fighting for consumers and fighting for Bill 70. We look forward to the government calling it.

I hope that the official opposition has embarrassed the government enough into calling Bill 70, because it's not on the order paper, and we would like to see that bill passed. A lot of important measures, particularly in the tourism sector, are in that bill. If they do, we can, certainly, then get on and debate other important issues of the day and other transparency and accountability issues.

That will be something that will be incredibly important to the people of the province of Ontario.

This transparency act is a broken promise by Dalton McGuinty. I dare say—I look at any of the Liberal members—if you go to people, anyone in Ontario on any street corner, and you say, "Does Dalton McGuinty keep his promise," I would bet you a dozen doughnuts that you'll find that 11 out of 12 people will say, "Nope, the man doesn't."

He is known as a promise-breaker. He is known as someone who doesn't keep faith with the commitments that he made to the province of Ontario. He promised a balanced budget. He promised to obey the Taxpayer Protection Act. He signed, on September 11, 2003, the Taxpayer Protection Act pledge, to great fanfare and media. He spent \$4 million advertising that signature, promising to have a referendum. Nothing has changed on the issue of a referendum. It was witnessed by the member for Etobicoke-Lakeshore. There was nothing that happened after the election which would negate a referendum.

If they're so proud of their new tax—it's not a premium now. That has been thrown out of the window. It's a tax, just like we said it was, even though the Minister of Finance said that he was very clear that they had rejected a tax, that it was, in fact, a premium. That has been proven to be not the case. You have the Minister of Finance saying one thing and the Premier contradicting him—the Premier putting the fear of God in the union movement with his attempts to get those dirty little fingers into collective agreements and opening up the collective agreements of workers right across the province of Ontario. We're going to have to put Dalton McGuinty in the same category as Bob Rae, as a Premier who has done that.

It being 6 o'clock, I look forward to the continued debate on Bill 84 in six months' time, and I look forward to debating Bill 70 tonight. I hope we've embarrassed the Liberals into calling—

The Deputy Speaker: Thank you, member for Nepean-Carleton; you've drawn my attention to the fact that it is 6 of the clock.

This House is adjourned until 6:45 of the clock.

The House adjourned at 1800.

Evening meeting reported in volume B.

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			Smith, Monique M. (L)
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			Klees, Frank (PC)

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Scarborough-Agincourt	Phillips, Hon / L'hon Gerry (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York South-Weston / York-Sud-Weston	Cordiano, Hon / L'hon Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough-Rouge River	Curling, Hon / L'hon Alvin (L) Speaker / Président	York West / York-Ouest	Sergio, Mario (L)
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	Bradley, Hon / L'hon James J. (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	Bryant, Hon / L'hon Michael (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

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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CONTENTS

Wednesday 27 October 2004

MEMBERS' STATEMENTS	
Don Beanlands	
Mr Baird	3781
Child care	
Ms Martel	3781
Mrs Van Bommel	3781
Northern Ontario	
Mr Miller	3782
Altana Pharma Inc	
Mr Flynn	3782
Highway 60	
Mr Yakabuski	3782
Olympic athletes	
Mr Fonseca	3782
School bus safety	
Mr Parsons	3783
Decorum in chamber	
Mr McMeekin.....	3783
REPORTS BY COMMITTEES	
Standing committee on regulations and private bills	
Ms Churley	3784
Report adopted.....	3784
FIRST READINGS	
Environmental Enforcement Statute	
Law Amendment Act, 2004,	
Bill 133, <i>Mrs Dombrowsky</i>	
Agreed to	3785
Municipal Amendment Act	
(Hospices Exemption), 2004,	
Bill 134, <i>Mr Flynn</i>	
Agreed to	3785
Mr Flynn	3785
STATEMENTS BY THE MINISTRY AND RESPONSES	
Environmental protection	
Mrs Dombrowsky	3785
Mr Barrett	3786
Ms Churley	3787
ORAL QUESTIONS	
Health premiums	
Mr Runciman	3787, 3788
Mr McGuinty	3788, 3790
Mr Hampton	3790
Mr Sorbara	3790
Infectious disease control	
Mr Hampton	3789
Mr Smitherman	3789
Lobbyists	
Mr Barrett.....	3791
Mr Peters	3791
Environmental protection	
Ms Churley.....	3791
Mrs Dombrowsky.....	3791, 3792
Ms Di Cocco	3792
Pit bulls	
Mr Tascona	3793
Mr Bryant	3793
Insurance	
Mr Kormos	3793
Mr Sorbara	3793
Energy conservation	
Ms Marsales	3794
Mr Duncan	3794
Ms Mossop	3794
Fabry disease	
Mrs Witmer	3794
Mr Smitherman	3794
Hazardous waste	
Ms Horwath.....	3795
Mrs Dombrowsky.....	3795
Children's health services	
Ms Smith	3795
Mrs Bountrogianni	3796
Driver licences	
Mr Hudak	3796
Mr Takhar	3796
PETITIONS	
Health premiums	
Mr Klees.....	3796
Chiropractic services	
Mr Prue	3797
Ms Horwath.....	3797
Mr Mauro	3798
Mrs Van Bommel	3799
School bus safety	
Mr Parsons	3797
Mr Gravelle	3799
Volunteer firefighters	
Mr Arnott	3797
Leslie M. Frost Centre	
Mr Miller.....	3798
Per diem funded agencies	
Mr Prue	3798
Ontario drug benefit program	
Mr Murdoch	3799
Optometrists	
Mrs Munro	3799
SECOND READINGS	
Fiscal Transparency and Accountability Act, 2004,	
Bill 84, <i>Mr Sorbara</i>	
Mr Sorbara	3800
Mr Colle.....	3801, 3805
Mr Yakabuski	3804
Mr Hampton	3804
Ms Broten	3804
Mr Baird	3804, 3806
Debate deemed adjourned.....	3810
OTHER BUSINESS	
Olympic athletes	
Mr Bradley	3783
Mr Arnott	3784
Mr Prue	3784
The Speaker	3784
Visitors	
Mr Klees	3784
Ms Scott	3787
TABLE DES MATIÈRES	
Mercredi 27 octobre 2004	
PREMIÈRE LECTURE	
Loi de 2004 modifiant des lois sur l'environnement en ce qui concerne l'exécution, projet de loi 133, <i>Mme Dombrowsky</i>	
Adoptée	3785
Loi de 2004 modifiant la Loi sur les municipalités (exonération accordée aux hospices),	
projet de loi 134, <i>M. Flynn</i>	
Adoptée	3785
DEUXIÈME LECTURE	
Loi de 2004 sur la transparence et la responsabilité financières, projet de loi 84, <i>M. Sorbara</i>	
Débat présumé ajourné	3810