



Legislative Assembly  
of Ontario

First Session, 38<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 14 December 2004**

**Mardi 14 décembre 2004**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

---

### **Hansard on the Internet**

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

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

### **Index inquiries**

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

### **Copies of Hansard**

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

### **Le Journal des débats sur Internet**

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

### **Renseignements sur l'index**

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

### **Exemplaires du Journal**

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

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY  
OF ONTARIO

Tuesday 14 December 2004

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mardi 14 décembre 2004

*The House met at 1330.  
Prayers.*

MEMBERS' STATEMENTS

YORK CENTRAL HOSPITAL

**Mr Frank Klees (Oak Ridges):** I rise today to remind the Minister of Health and the Minister of Finance of their promise during the past election campaign to prioritize health care should they form a government. They were given that trust. They have now had the responsibility of governing for more than a year, and the promise to prioritize health care rings hollow to my constituents in the community of Richmond Hill and York region, who rely on the York Central Hospital as the centre of health care for the region.

As the MPP representing much of the catchment area for the hospital, I had the privilege of confirming the Ministry of Health's commitment to fund the hospital's capital expansion program more than a year ago. I have reminded the Minister of Health on a number of occasions of that commitment, that the need continues to be more acute and that the nurses, the doctors, the patients and the community at large are becoming increasingly distressed that this government continues to stall this project.

Today I call on the minister again, and this time implore him to respond to the call of the community, as evidenced by the petition I tabled in the Legislature yesterday, which demands that the York Central Hospital project be funded without further delay. It cites the fact that the hospital has met 100% of the Ministry of Health's planning requirements, and that the hospital's emergency department was originally built for 25,000 visits and now sees over 63,000 units. I call on this minister and on this government to fund this project.

ENERGY CONSERVATION

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** Earlier this month our Legislative Assembly joined provincial Parliaments across the country in the annual illumination ceremony, Lights Across Canada. This ceremony is a wonderful tradition that marks the beginning of the holiday season here at Queen's Park.

This year, however, our ceremony was a little more impressive. If you've had a chance to look around at the

trees here at the Legislature or over in the government office complex, you may have noticed that this year our trees are decked in seasonal LED lights.

Light-emitting diodes, or LEDs, use a technology that's superior to standard incandescent strings. LEDs use a technology that is some 95% more energy-efficient and can last several years longer than traditional lights.

Chaired by Donna Cansfield, the MPP for Etobicoke Centre and parliamentary assistant to the Minister of Energy, our government's conservation action team, made up of parliamentary assistants from 12 ministries, has been working on the creation of a conservation culture in Ontario. This year, our government chose to practise what it preaches in taking the necessary steps to show leadership in energy conservation strategies. These lights will help to significantly reduce our seasonal consumption of energy here at Queen's Park. In leading by example, we'll continue to raise awareness about existing energy conservation programs and technologies. These LED lights are just one example of the many ways Ontarians can help to reduce their energy consumption.

As citizens of this province, we must all take responsibility to conserve energy and protect our environment. It is important for each of us to reflect on what we can do to reduce our energy consumption. By working together, we can make Ontario a leader in energy efficiency and conservation and, in so doing, make our province an even better place to live.

TOBACCO GROWERS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have an e-mail from a tobacco farmer, and I quote: "As a tobacco producer, I am now broke. After the crops are sold, I'll still be \$125,000 in debt."

Now the banks and the tobacco companies are following this government's lead in destroying farm families. You lose your farm, you lose your house—sometimes you lose your family. Young people are leaving the family farm; they're looking for jobs in town. Tobacco farm country is no longer the ideal place to live, to work and to raise a family.

Farmers in Elgin, Norfolk, Oxford, Brant and elsewhere are browbeaten. They're disillusioned; they're exhausted. These farmers have lost hope. They worked hard for a lifetime, and now their equity is gone, thanks to this government.

The question is, who's going to take care of them when their own ag minister won't? They can't collect un-

employment. I see there are at least half a dozen tobacco farmers in the gallery today.

This government is in bed with anti-tobacco extremists. This government has declared war on tobacco through smoke-free Ontario, but this very same government is addicted to its share of the \$8 billion in taxes from tobacco across the dominion of Canada. Where is the compensation for tobacco farmers in crisis?

Don't fudge it with talk of community transition dollars. These farmers don't need hand-holding; they need fair compensation. This government has been dragging its feet. Now they need much more than that unfulfilled promise of \$50 million. Time has run out.

#### DOMESTIC VIOLENCE

**Ms Marilyn Churley (Toronto-Danforth):** I'm rising today to comment again about the Liberals' domestic violence strategy announced yesterday.

The Premier and the minister responsible for women's issues both repeatedly said how this plan was to break the cycle of violence. While the plan does introduce more initiatives for better prevention and public awareness, and training, it falls far short of helping to break the cycle of violence for women already experiencing abuse.

The lack of housing options is among the two top reasons that make women remain with or return to their abusers. There is a scarcity of safe places to go. Women's emergency shelters are filled to capacity and were not given any sustained funding yesterday. The money for fundraising training is of little relief for an urgent need for more shelter beds and programs.

We just got a call in my office today about a pregnant woman about to give birth who is trying to leave an abusive situation. She has been turned away from numerous shelters in the GTA due to lack of space. Yesterday's announcement does nothing for her.

It's not only shelters that are suffering due to lack of funding. On page 27 of the 2003 Liberal campaign book, the McGuinty Liberals said there needs to be more second-stage housing and that they would reinstate funding for second-stage housing programs. But the Liberals did not deliver. They broke that promise, and now second-stage housing organizations across the province are at risk of closing very soon.

The Liberal government is also failing to build more affordable housing, despite having received \$300 million from the federal Liberals for construction. Women need this housing in order to break the cycle of violence.

1340

#### CHAMPIONNAT DE VOLLEYBALL VOLLEYBALL CHAMPIONSHIP

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** C'est avec plaisir que je viens applaudir l'équipe de volleyball, garçons seniors, de l'école secondaire l'Escale de Rockland. Pour la deuxième année consécutive, ils ont

remporté la médaille d'or au championnat provincial de volleyball de la catégorie A.

This annual championship is organized by OFSSA and took place this year on Manitoulin Island in the beautiful riding of my colleague Mike Brown, the member for Algoma-Manitoulin.

Je prends cette occasion pour applaudir le travail des entraîneurs, François St Denis et Jason Bédard, ainsi que les jeunes athlètes qui ont participé au championnat: Jason Boivin, Guy Charbonneau, Vincent Cossette, Jean-Christian Daigle, Éric Drouin, David Gaudreau, Yannik Gadouas, Alexandre Joly, mon petit-neveu Jasmin Laflèche, Stéphane Lemaire, Yanick Mulder, Matthew Nolan, Jonathan Samson et Corey Wilcox.

Bravo à l'équipe, et félicitations à la direction de l'école secondaire l'Escale de Rockland.

#### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr Cameron Jackson (Burlington):** I rise to call the attention of the House today to yet another broken Liberal promise, and that was to end the clawback of the national child benefit supplement for low-income families in Ontario. Just as he signed the taxpayer protection pledge and then turned his back on taxpayers and broke his word, Dalton McGuinty signed another election promise document, this one called the emergency measures for women and children. He signed it in September 2000, promising that when he became Premier he would end the clawback of the supplement. In typical Liberal fashion, the government wants the \$200 million to use on other programs rather than trust parents on social assistance to spend it on their own children. The McGuinty Liberals are still clawing back over \$1,000 per child in the national child benefit supplement payments from parents on welfare, despite their election promise.

On May 19 of this year, Minister Bountrogianni said she was content to break this promise since she was reviewing programs currently provided by these funds. As recently as yesterday, the Minister of Social Services said the clawback won't be eliminated until the government can find \$200 million for programs for children from low-income families. Who would have imagined that the miserly McGuinty government is the Scrooge that stole Christmas from children on social assistance in our province?

#### VINNIE DiROLLO

**Mr Kevin Daniel Flynn (Oakville):** I rise today to share a story of holiday spirit, generosity and random acts of kindness in my riding of Oakville.

Vinnie DiRollo is well known in the Bronte area as a warm-hearted and high-spirited proprietor of Vinnie's Café. Last year, Vinnie tragically lost her son Christian to brain illness; he was age nine. In memory of her son, Vinnie and a team of local business people have organized the Christian's Dream Foundation, which so far has

raised over \$120,000 for worthy causes, such as Rose Cherry's Home for Kids.

This holiday season, beyond its traditional fundraising efforts, the café is also focusing on promoting care and goodwill throughout the Oakville community. Every 20th cup of coffee served in Vinnie's Café is on the house, with one catch: The recipients of the free purchase are directed to perform an act of kindness for somebody else. The hope is to start a chain reaction of spontaneous goodwill in the Oakville community.

This has caught on definitely in the Bronte community, as businesses such as True Life Chiropractic have adopted similar policies. I'm proud to report that this initiative has snowballed in Oakville. Wouldn't it be great if we here in the assembly could help extend its reach into each of our own constituencies? I think the efforts of Vinnie DiRollo and all members of the Oakville community involved are to be highly commended at this, the holiday season.

#### MAGNETIC RESONANCE IMAGING

**Mr Phil McNeely (Ottawa-Orléans):** When our Liberal government came to power last year, the city of Ottawa was faced with some of the longest MRI wait times in the province. The Tories left behind a pretty big health care mess in Ottawa; in fact, Ottawa is so underserved that our MRI capacity per capita was half that of other cities in the province.

However, I am pleased to say that our Premier, our health minister and our government are working hard to address the inequities of the previous administration. Did you hear that, John? Their work is already producing tangible results for residents of the Ottawa area. Last Friday, Premier McGuinty was on hand to officially open a new MRI at the Orléans satellite clinic of l'hôpital Montfort. Another Liberal promise kept.

The Montfort MRI will serve residents from across eastern Ontario and will offer MRI patients the kind of quality bilingual care that has become the signature of l'hôpital Montfort. Staff at the Montfort clinic is already providing diagnostic services to 16 patients per day, and the case volume is steadily increasing toward capacity.

This is the second new MRI our government has opened in Ottawa this year, in the hopes of improving access to services and reducing wait times. I thank the Premier and the Minister of Health for recognizing how underserved the Ottawa area was.

With our plan to open up seven more new MRI sites across this province and to bring private MRIs back into the public system, I am convinced we are on the right track to building a healthier Ontario.

#### FISCAL ACCOUNTABILITY

**Mr Mike Colle (Eglinton-Lawrence):** I rise today to bring to the House's attention the fact that yesterday the Conservative and NDP caucuses voted against fiscal transparency. They voted against the Fiscal Transparency

and Accountability Act, legislation which forces the government to hand over the financial books to the Auditor General for review prior to an election. The legislation ensures that there will never, ever be a repeat of the Harris-Eves government's \$5.5-billion deficit deception.

The Conservatives voted against the Fiscal Transparency and Accountability Act in open defiance of their leader, who admitted on a Toronto radio show that his party was not honest with the voters about Ontario's books being cooked to the tune of \$5.5 billion. Even John Tory admitted the books were cooked. He said he would support such a bill that we passed yesterday. To quote the Conservative leader, he said, "I'll support it if he brings it in. I think that's a very good idea." I just wonder, has Tory flip-flopped on having the books made open for the people of Ontario, or is the caucus of the Conservatives in open revolt?

As for our NDP friends, it's no surprise that they have their heads in the sand. They took Ontario to the brink of bankruptcy, running up four straight deficits. We know the story of their legacy.

I guess the message here is, what are our opposition parties, the NDP and the Tories, saying? Are they saying they don't want the people of Ontario to have a view of the books, that they don't want the Provincial Auditor to look at our books? Do they want a repeat of the \$5.5-billion deficit debacle that they underwent under Eves and Harris?

#### INTRODUCTION OF BILLS

##### CITY OF OTTAWA AMENDMENT ACT, 2004

##### LOI DE 2004 MODIFIANT LA LOI SUR LA VILLE D'OTTAWA

Mr Gerretsen moved first reading of the following bill:

Bill 163, An Act to amend the City of Ottawa Act, 1999 / Projet de loi 163, Loi modifiant la Loi de 1999 sur la ville d'Ottawa.

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

Minister Gerretsen?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I'll wait until ministerial statements, Speaker.

#### MOTIONS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to move several motions respecting committees.

**The Speaker (Hon Alvin Curling):** Do we have consent? Agreed.

## COMMITTEE MEMBERSHIP

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that the following amendments be made to the membership of certain committees:

On the standing committee on general government, Ms Jeffrey replaces Mr Qaadri; on the standing committee on justice policy, Mr Qaadri replaces Mr Oraziatti; on the standing committee on the Legislative Assembly, Mr McMeekin replaces Ms Jeffrey, and Mr Peterson replaces Mr Craitor; on the standing committee on regulations and private bills, Mr Kular replaces Mr Leal, and Mr Craitor replaces Mr Peterson; on the standing committee on social policy Mr Racco replaces Mr McMeekin.

**The Speaker (Hon Alvin Curling):** The government House leader has moved amendments to the membership of certain committees. On the standing committee on general government Ms Jeffrey replaces—

**Interjection:** Dispense.

**The Speaker:** Dispensed.

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

1350

## COMMITTEE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that notwithstanding the order of the House dated June 17, 2004, all committees may meet on Wednesday, December 15, 2004, and Thursday, December 16, 2004, for the purpose of organization.

**The Speaker (Hon Alvin Curling):** The government House leader has moved that all committees may meet—

**Interjection:** Dispense.

**The Speaker:** Dispensed.

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

## COMMITTEE SCHEDULE

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that the following standing committees be authorized to meet during the winter adjournment for the purpose of considering government business in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the Assembly: the standing committee on finance and economic affairs, the standing committee on general government, the standing committee on the Legislative Assembly, the standing committee on social policy.

**The Speaker (Hon Alvin Curling):** The government House leader has moved the following—

**Interjection:** Dispense.

**The Speaker:** Dispensed. That's much easier for me.

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

## REFERRAL OF BILL 110

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that the order for second reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds, be discharged and the bill be referred to the standing committee on justice policy.

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

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I seek unanimous consent to move a motion with respect to the order of precedence for private members' bills.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Mr Bisson:** Santa Claus has come early, and the government has just given us an opportunity to do this.

I move that notwithstanding standing order 96(d), the following changes be made to the ballot list for private members' public business: that Mr Hampton assume ballot item number 47.

*Interjections.*

**The Speaker:** I'm going to request a minute so that the clerks' table can get the written and the spoken in sync.

**Mr Bisson:** Well, Mr Speaker, the original one came from the table. I'll try it again. Let's hope we've got it right this time: Notwithstanding standing order 96(d), Mr Bisson and Mr Hampton exchange places in order of precedence for private members' public business and that notice be waived for ballot item number 47.

*Interjections.*

**The Speaker:** Order. The government House leader may put a light on this matter.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: We're prepared to go back to this motion once the NDP gets its act together.

**Mr Bisson:** for the third time—third strike, I'm out: Notwithstanding standing order 96(d), I say again, Mr Kormos and Mr Hampton exchange places in order of precedence for private members' public business and notice be waived for ballot item 47, as I said the first time.

**Mr John R. Baird (Nepean-Carleton):** Mr Speaker, on a point of order—

**The Speaker:** Let me just move the motion before you debate it. Is it the pleasure of the House that the motion carry? One second. I think Mr Baird is right. He wants to debate the motion and he has the floor.

**Mr Baird:** I'd like to indicate on behalf of the official opposition that we're always happy to help our friends in the New Democratic Party and we will support this resolution in the holiday spirit that exists in this place. I'd like to move adjournment of the debate.

**The Speaker:** The member for Nepean-Carleton has moved the adjournment of the debate. Is it the pleasure of the House the motion carry? Carried.

**Hon Mr Duncan:** Mr Speaker, on a point of order: I seek unanimous consent to allow Mr Bisson to put the same motion again.

**The Speaker:** Do we have unanimous consent for Mr Bisson to put the motion again?

**Interjection:** Get up there.

**Mr Bisson:** I can barely stand. We'll try it again, for the fourth time. I had it right the first time and the third time. I'll try it for the fourth time now: Notwithstanding standing order 96(d), Mr Kormos and Mr Hampton exchange places in order of precedence for private members' public business and that the notice be waived for ballot item 47—for the fourth time.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** Mr Speaker, on a point of order: Just for the benefit of the people in the galleries today, I'd like to point out that, on occasion, this House does conduct itself much more efficiently than it has today.

**The Speaker:** The House has conducted itself efficiently. Thank you. That is not a point of order.

1400

## STATEMENTS BY THE MINISTRY AND RESPONSES

### WATER QUALITY

**Hon Leona Dombrowsky (Minister of the Environment):** Earlier today, I had the opportunity to meet the students of Whitney Junior Public School here in the city of Toronto. They are a very environmentally active school that has been certified as an eco-school, and I had the chance to discuss the importance of water protection with them. I told the students this morning that Ontario deserves the best-protected water in North America. I am proud to inform the members of the House that today we are two steps closer to that goal.

Our government is protecting the quality and the quantity of our drinking water for future generations. We are introducing tough new rules for issuing permits to take water from our lakes, rivers and aquifers. We are also releasing two major reports on surface and groundwater protection. Stronger water-taking rules will protect communities today, and clear, science-based source water protection will benefit our environment and our health for generations. Clean, safe water is essential. We cannot live without it. If our supply of water is threatened, our quality of life is at risk. We must have and we will have the highest standards, the toughest rules and the best science.

Today I am happy to announce tough new rules on removing water from Ontario's surface and groundwater sources. The old rules were 20 years old. An overhaul

was long overdue. The existing system has been criticized by the Environmental Commissioner, the Auditor General and Justice O'Connor. We listened to their criticisms and we are acting.

Under the old rules, we did not know how much water was being taken or how much water was available. It was like repeatedly taking money out of your bank account without knowing the balance. The system we are putting in place will give us the information needed to make informed decisions. The new regulation clarifies and strengthens the rules for granting permits to take water.

When a director at the Ministry of the Environment is considering whether to issue a permit, he or she will look at a number of things. They will consider how much water flow there is and what the water level is. They will look at how the groundwater and surface water in the area interact. They will look at how much water is available and the quality of that water.

When a person or a company applies for a permit, they will have to show that water conservation measures are in place or will be put in place. Permits to take water will only be issued if it is clear that the water is needed and will actually be used in the near future. A director will be able to require mitigation efforts if residents or a community is affected by a water-taking permit.

Finally, the new rules will take into account the existing level of water use in the watershed. Permits will no longer be issued for new or expanded takings from watersheds where there is already high usage. These new rules mean there will be enough water for current use and future growth.

Today our government also released two important reports developed by some of Ontario's foremost experts on water protection. Our two expert committees have been working hard for a year on ideas and recommendations for watershed-based source protection. These reports will help us end our patchwork approach to water protection and help us introduce a new law to protect entire watersheds under a single plan.

These comprehensive recommendations will form the basis of legislation to establish an innovative province-wide water resource protection system. Never before has this much technical expertise been devoted to identifying and preventing threats before they reach our drinking water. The reports recommend security zones around wellheads and water intakes to ensure contaminants cannot get into a water supply. The reports also identify a list of significant threats, such as chemical storage, landfills and abandoned wells, that will help local authorities assess and properly manage their risks.

We are moving from a reactive approach to water protection to a preventive approach. We owe that to the seven people who died and the thousands who became ill in Walkerton in the year 2000. We cannot afford to let our protection efforts lag. We will not be satisfied until our water protection is the best in North America and the envy of the world. Today we are taking actions to help ensure that Ontario's water supply needs are met today and for generations to come.

CITY OF OTTAWA  
LANGUAGE SERVICES  
SERVICES LINGUISTIQUES D'OTTAWA

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I'm very pleased today to have the privilege to introduce an amendment to the City of Ottawa Act, 1999.

Je suis très heureux aujourd'hui d'avoir le privilège de présenter une modification à la Loi de 1999 sur la ville d'Ottawa.

For years, democratically elected representatives of the city of Ottawa have been waiting for these changes to take place. The previous government rejected Ottawa's requests. The previous government ignored the wishes of the mayor and the council of the city of Ottawa.

This government is listening. We have listened to the people of the city of Ottawa, and we are introducing legislation that requires the city to adopt a policy respecting the use of the English and French languages in all or specified parts of the administration of the city and in the city's provision of all or specific municipal services.

Nous avons écouté les gens d'Ottawa et nous présentons une mesure législative en vertu de laquelle la ville sera tenue d'adopter une politique concernant l'utilisation de l'anglais et du français dans l'ensemble ou une partie précisée des activités administratives de la ville ainsi que dans les prestations des services municipaux ou une partie précisée de ces services.

This proposed legislative amendment is in keeping with the city's request. With the proposed legislation that I'm introducing, this government is demonstrating our belief in municipal autonomy over local issues.

The French Language Services Act, among other things, authorizes municipalities in designated areas of the province to pass bylaws to provide all or specified municipal services in English and French. In addition, the Municipal Act, 2001, permits municipalities to make bylaws, official plans and records of proceedings in French as well as in English and to conduct their proceedings in either French or English.

My ministry and the Office of Francophone Affairs have been working together to develop this proposed amendment. We believe our proposed legislation will recognize the bilingual character of our nation's capital.

Mon ministère et l'Office des affaires francophones ont travaillé ensemble à l'élaboration de la modification proposée. Nous estimons que cette mesure législative reconnaîtra le caractère bilingue de notre capitale nationale.

Our proposed legislation does not change the city of Ottawa's freedom to develop its own policy regarding the issue. It is this government's view—and it has always been this government's view—that it's the city of Ottawa's responsibility to develop a policy, including any consultation with affected groups as it feels necessary.

In conclusion, I want to reiterate that this government is pleased to respond to the city of Ottawa's request, and

we applaud Ottawa council's desire to maintain the English and French character that makes their city a very fitting and proper home for our nation's capital.

Je vous remercie, monsieur le Président.

WATER QUALITY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** The Minister of the Environment just released two reports but no bill. Minister, where is the legislation you promised in a speech to the Grand River Conservation Authority? You made a promise that we would see source water protection by the end of this year. Is this another broken promise?

I would like to remind the minister that it was our government that first acted on protecting Ontario's water resources. In 2003 we drafted amendments to the water taking and transfer regulation. Once again, our actions started this province down the road toward stronger protection. Our party recognizes the need to protect our resources. The difference is that we act on it and you and your Liberal colleagues continue to make decisions that are really not thought through. You make promises you don't keep.

Your press release states that "where there is already a high level of water use in a watershed," you will refuse new or expanded permits. Your proposed regulation focuses on high-use watersheds instead of focusing on a science-based approach. You've taken the political approach. You could actually be punishing those in high-use watersheds even if the water taking is sustainable, yet you could be allowing withdrawal on a low-use watershed that could not sustain it. Maybe you're giving your staff the ability to refuse a PTTW even though it's in the best location from a science-based sustainability perspective.

**1410**

Again, has staff opened the door for you to get involved to interfere, perhaps based on politics rather than on science? I will remind the minister that water bottlers, this target of yours, take about 0.2% of all the water taken in Ontario. Two thirds of the water is taken for dams, reservoirs, cooling water and hydroelectricity. I say again, where is the real commitment to source water protection? Where is the legislation?

In September, you gave a speech at the Grand River Conservation Authority. I was there that day. You promised you would have source water protection legislation by the end of this year. You've got maybe two or three days left in the Legislature. Perhaps this is a promise unfulfilled.

CITY OF OTTAWA  
LANGUAGE SERVICES

SERVICES LINGUISTIQUES D'OTTAWA

**M. John R. Baird (Nepean-Carleton):** L'opposition officielle, le Parti progressiste-conservateur, et notre chef

avons toujours appuyé les bons services, les services de qualité, disponibles en français dans les régions désignées. On a appuyé très fortement le projet de loi 8, qui a été adopté unanimement il y a 15 ans par cette Assemblée législative.

Quand les conservateurs étaient le gouvernement dans cette province, on a créé 12 conseils scolaires francophones, élus par les francophones, et pour la première fois dans l'histoire de la province, l'équité dans le financement de l'éducation. Pour la première fois dans l'histoire de la province, un jeune francophone du sud-ouest de l'Ontario, de Windsor, ou d'Ottawa ou du nord-est, de Penetanguishene, a reçu l'équité, le même montant d'argent pour son éducation. Ce sont des exemples réels qui peuvent aider les familles francophones à combattre l'assimilation dans la province de l'Ontario.

I did have a great opportunity to read this bill. This is how long it is: one page. The word "bilingual" isn't even in the bill.

This bill is like a Christmas dinner without any turkey. This bill is like a birthday party without a birthday cake. This bill is like an Easter Sunday morning with no Easter egg hunt. This bill is a hamburger with no beef. This bill is like hell without the devil. This bill is like Parliament without Kormos.

People may have disagreed with the position of the previous government, la position de ne pas avoir un statut bilingue. Après l'adoption de ce projet de loi, on n'aura toujours pas un statut bilingue dans la province de l'Ontario.

This is a weak bill that will do absolutely nothing for francophone families in Nepean-Carleton and throughout Ottawa. I'm surprised they would even waste their time bringing it forward.

**M. Gilles Bisson (Timmins-Baie James):** Tout ce que je peux dire, c'est que ça fait longtemps qu'on attend que le gouvernement fasse quelque chose pour la ville d'Ottawa. On sait ce qui est arrivé. Il y a eu un fusionnement. La ville d'Ottawa n'existe plus comme elle était avant que le gouvernement conservateur l'ait fusionnée. Quand le fusionnement est arrivé, on a perdu le statut officiel de la ville d'Ottawa, qui avait besoin d'être conféré par la province de l'Ontario.

Comme vous le savez, monsieur le Président, j'ai introduit un projet de loi ici à l'Assemblée au nom des néo-démocrates le printemps passé demandant directement de faire ceci. Là, on voit qu'il y a un projet de loi en place. Je veux dire qu'on est content qu'il y a quelque chose ici. On veut dire qu'on est « supportif », mais ce n'est pas trop clair, ce qui est dans la motion. Je veux dire au gouvernement que, certainement, je veux voir la décision, avec la ville d'Ottawa et autres, pour savoir si c'est réellement ce qu'ils veulent avoir, parce que ce qui est important, c'est de ne pas jouer des jeux avec cette question. La ville d'Ottawa est une réalité. Il y a des francophones en nombre. C'est une communauté qui est reconnue comme étant une ville où il y a beaucoup de francophones, qui avait déjà le statut, et on a besoin de

s'assurer que la ville d'Ottawa a conféré sur elle ce qu'il y avait dans le passé.

Quand je lis ce projet de loi, je ne dis pas que ça doit prendre 15 pages; tout ce qu'on dit, c'est qu'on donne l'opportunité à la ville d'Ottawa de créer une politique pour se déclarer officiellement bilingue elle-même. À la fin de la journée, j'imagine que c'est une manière inverse de donner à Ottawa le statut bilingue. Mais d'habitude ce qui arrive, pour être clair, c'est que la municipalité fait la demande elle-même et c'est la province qui dit, « Oui, on vous donne le statut. » Dans ce cas-ci, c'est un peu l'inverse : c'est la province qui dit, « On vous donne un projet de loi qui vous dit que, si vous avez une politique officiellement bilingue, vous êtes capable de vous déclarer vous-même. »

Je dis que politiquement, c'est intéressant, mais j'aurais aimé que le gouvernement libéral fût très clair avec la question : que l'on connaît la réalité de l'Ontario pour les francophones, qu'on reconnaît que c'est une municipalité qui est bilingue et que l'on confère ses droits sur cette municipalité.

#### WATER QUALITY

**Ms Marilyn Churley (Toronto-Danforth):** In response to the Minister of the Environment, the McGuinty Liberals have already made a farce of protecting water from mass water takings when they gave approval to the big pipe in King City. In a speech that the minister delivered this past July, she said the moratorium on water taking "is designed to prevent uses that would transport millions of litres of water out of local watersheds without giving consideration to the long-term environmental consequences. It is intended to stop the reckless giveaway of Ontario's water." But days later, they broke the spirit of their own moratorium on water taking and the promise to protect water at its source by granting approval for the big pipe.

The McGuinty Liberals are now on record as issuing a permit for one of the largest water takings ever. One phase alone is taking 66 billion litres of groundwater from the interconnected Oak Ridges moraine's aquifer system. So I am fully expecting, after the minister's announcement today, that she will revisit the big pipe decision, which, by the way, also undermines the greenbelt's stated purpose to protect hydrological systems in Ontario.

I want to make a point about source water plans, as the minister said, having primacy over other laws, including official plans. I'm curious to see if this is implemented, considering what the Liberals did in committee to my amendment which would have made that happen. When general government met for amendments to the Planning Act, I proposed an amendment that would require official plans and planning applications to comply with source water protection. But guess what? The majority of the Liberals on the committee turned that down.

Given their refusal to do it then, it is not encouraging to hear this announcement today that they are going to do

it now. But they will have several opportunities to see to it in the pending source water protection legislation and Greenbelt Act. I hope that after the minister's announcement today, she will revisit that amendment and see fit to include it; otherwise, the stated purpose today will not come about.

I wanted to make another point about aggregates being exempt. I'm troubled to see that they are exempted from these new rules. The proposed greenbelt plan and the proposed provincial policy statement actually strengthen the aggregate industry's clutch on greenbelt lands, and now we see that they have an exemption from water taking today on the grounds that they don't take that much water, a significant amount, out of the ground. Number one, they do. Number two, many of these aggregates are on greenbelt land. They're being exempted from that, and now they're being exempted from these water-taking rules. Given the serious impacts on water of aggregate extraction and the government's own stated intention to protect water sources and watersheds, exempting aggregates from these new rules is an about-face. Any water taking from the greenbelt, one of the supposed centrepieces of the source water protection strategy, cannot be considered incidental.

*Interjections.*

**Ms Churley:** They want me to stop now over there, Mr Speaker. I'm sure they would love to hear more. See, the minister wants me to go on.

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

1420

JOHN BROWN

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for up to five minutes on the passing of former MPP John L. Brown.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon James J. Bradley (Minister of Tourism and Recreation):** It is a time of reflection whenever a person who has served in this assembly, for a long period of time or short, happens to pass away. John Brown did serve in the assembly from 1967 to 1971 as the member for Beaches-Woodbine for the New Democratic Party. He was a man who distinguished himself, for the most part, for his interest in the field of health and particularly mental health and children's mental health. He was born in South Dakota, and he was one of 11 children.

When you're looking at some of the information that is provided, you will know that some people have their minds made up or their thoughts formulated by their youthful days. Mr Brown—it was certainly the fact that he grew up in some difficult circumstances in South Dakota. As I mentioned, there were 11 children in the family. "His associates say Brown's character was strongly shaped by watching his father's repeated failures at farming, his subsequent loss of land and the fierce

struggle that forced the family band into a driving unit for survival. Brown was a natural leader among them."

As a member of the Legislature, he was not one who particularly enjoyed this House. He was a person who, rather, fought many of his battles outside of the Legislative Assembly of Ontario. No doubt he was a person within his own caucus who spoke out on many issues and didn't always have the unanimous support of the caucus, but he fought on for that in which he believed. Stephen Lewis, formerly of the New Democratic Party, recognized a talent early on when he was dealing with some very difficult children. John Brown was prepared to take on the job of dealing with children who had some immense problems in terms of mental health and to work with those children.

In the Legislature, he was certainly very critical in the role of the opposition in the field of health care of the government of the day, from 1967 to 1971. He had a good deal of passion about mental health. I think all of us recognize that it's one of the areas in life, and indeed the life of a Legislature, where we have seen less emphasis than we would like to see. Mental health, in the total spectrum of health, has never enjoyed—in any circumstances I can remember—the kind of emphasis that it should. This would have been very frustrating to John Brown because of his great concern about those youngsters.

He was the executive director of Browndale International Ltd and Brown Camps, and it was an organization that dealt exclusively with troubled youth. They did not take on easy cases. Others may not have been prepared to do so; John Brown and his group were prepared to take on the most difficult. He had a revolutionary approach to children's mental health. It involved intense, 24-hour-care, compassionate treatment of children, and allowing children to express themselves. He was very hands-on in terms of the treatment provided. He took great strides both before and after his election to communicate the need for the Ministry of Health to invest in children's mental health facilities, and that cry is with us today, as it has been for a long time. Everyone is trying to respond to that. Stephen Lewis referred to him as "a dedicated rescuer of profoundly troubled children."

He was a member of the standing committee on health, the standing committee on welfare and reform, and the standing committee on social, family and correctional services. You recognize by the committees that he chose to be on—because that's usually what members do; they make that request—that he was very dedicated in that particular field.

To members of his family and his associates, we extend our deep sympathy on his passing recently.

**Mr John R. Baird (Nepean-Carleton):** It's my pleasure to rise on behalf of the official opposition to extend our sincerest sympathies to the family of John Brown, someone who served in this House for four years in the late 1960s and early 1970s. He was someone whom Ellie Teshler of the Toronto Star called "an out-

standing social worker.” Brown, according to professional colleagues, including some critics, is the man who did most to advance the cause of disturbed children in this province.

On behalf of the Leader of the Opposition, Bob Runciman, our leader, John Tory, and indeed the entire Conservative caucus, I would like to extend our sincerest sympathies to Mr Brown’s family.

**Mr Michael Prue (Beaches-East York):** It is indeed a privilege and an honour to speak about John Brown, who was, of course, the predecessor for many years of the old riding of Beaches-Woodbine, serving in this Legislature from 1967 to 1971.

When you start to look at the old newspaper clippings and some of the stories around the Legislature, when you talk to people who were here at that time, the words to describe John Brown are quite common: He was a brilliant man, he was uncompromising, he was passionate and he was very committed, especially to children and to those who he felt had been abused by the system.

He grew up poor. As has been said in the Legislature already, he was one of 11 children. His father was a failed farmer. His father lost his land, and John Brown and his family had to struggle from his early years in a life of poverty.

But he went on to become educated in a way that I think very few people can understand—a person born into such rural poverty. If you look at his biography, which you can find in the legislative library, he had a bachelor of social work, a master’s degree, ACSW, AGPA. He was educated at the University of Minnesota, the University of British Columbia school of social work, the University of Chicago school of social services. He was recognized in the United States, Canada and Britain for his academic background.

He really came on to the stage, though, in Ontario, in 1953, when he was hired to work at Warrendale. We all know of that groundbreaking institution. In fact, there are some good quotes, again from Ellie Teshler, who I think everybody in the Legislature, or at least the three of us who spoke, had an opportunity to refer to. She wrote:

“Doug Barr, director of Metro Children’s Aid Society, summed up the controversy of Brown’s treatment program:

““Some of the best care for children and some of the worst care has been provided by Browndale. They’ve taken in some of the toughest kids and hung in the longest with them, with quite significant results.””

The children he sought to serve were probably the most disturbed youth of the day, and he had amazing success. Quoting again from this same article:

“Brown arrived with his first wife Liz fresh from a social work degree at the University of British Columbia and early training in Windsor helping disturbed children using innovative methods of leading therapists.

“A former colleague says Brown arrived at a time when Ontario’s ministry of social welfare was paying ‘five cents a day per child.’” I think that’s a little bit of

hyperbole, but obviously not enough money was being spent in those days.

He went on to establish Browndale and Warrendale, and the article says:

“At Warrendale, Brown launched the beginning of group home therapy programs in Ontario—family-like treatment units, with five children and three child care workers living in houses on residential streets. Senior staff, like Brown himself, were ‘extended family’ to the youngsters.”

Today we take for granted that children are allowed to remain in the community and not put in institutions, and we accept as a matter of right that those children will be looked after in community settings. He was the first, he was the pioneer and he was very controversial.

In 1967, Mr Brown chose to run for this Legislature and represented the people of Beaches-Woodbine, as the riding was then known. He was a controversial figure here. He often spoke in disparaging tones to the government of the day. He was very angry and he was very unhappy, I would have to say, from what we understand of life in the Legislature. He chose not to run again in 1971 and went back to his first love; that is, looking after children.

**1430**

Of course—and no one has said this—he found himself in troubles in his later life. I suppose that can happen to each and every one of us. But he remains a figure that many Canadians respect and admire. Many people of Ontario remember how well he helped troubled youth, and we remember him for that.

We asked for a word from one of his colleagues at the time, Rev William Ferrier, and he quoted it best: “His friends remember him as a friendly, warm-hearted, compassionate human being they could count on for support during tough times. He’s the kind of guy you could lean on.”

New Democrats remember his life. We sympathize and send sympathy to his family and friends, and remember a true pioneer in Ontario.

J. EARL McEWEN

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I believe we have unanimous consent for each party to speak for up to five minutes on the passing of former MPP J. Earl McEwen.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for each party to speak? Agreed.

**Hon James J. Bradley (Minister of Tourism and Recreation):** I didn’t know his first name was Joseph, but it was Joseph Earl McEwen. We always knew him as J. Earl McEwen, who represented the riding from both the Liberal perspective and the Conservative perspective at different times and also as an independent. He’s one member who has sat in this Legislature representing two political parties and his riding as an independent.

He was certainly a colourful character. The member for Kingston and the Islands, the Honourable John

Gerretsen, would say that he was probably best known as the reeve of Kingston township, and that Kingston township became somewhat urbanized and had its greatest period of growth under J. Earl McEwen as reeve. He held many positions at the local level.

He was the eldest of six siblings, born in Sharbot Lake, Ontario. He was elected to the riding of Frontenac-Addington first in 1975, re-elected in 1977 and 1981 and ended his career in 1985. He was an owner-operator of a small chain of supermarkets and dairy stores, so he was a person who knew local business extremely well; a former reeve of Kingston township—and this is a long period of time—for some 16 years, as well as a past warden of Frontenac county.

I remember J. Earl very well. He was a “regular guy,” they would say within his riding. Business and politics consumed most of his life. He was a person who understood his riding well, because he enjoyed hunting and fishing and farming. In particular, we all remember his pride in the horse-breeding field. He used to show horses on many occasions and was very expert in the field. If you wanted to know anything about horses, you asked J. Earl McEwen.

His former campaign chair said that he left his mark in many ways, not only in Kingston township but also in the Kingston area and the province. “Politics has times of great highs and lows, and J. Earl’s seen them all. Fortunately, there have been more highs” for J. Earl McEwen.

There were some interesting things about him. J. Earl did not particularly like this House as a place. He enjoyed being a member of provincial Parliament, but he didn’t believe that an awful lot would be accomplished within the legislative precinct itself and therefore spent a lot of time in his own constituency working with people there. He preferred helping people in the riding to sitting at Queen’s Park.

He often said, “I only spent half the time I should have in Toronto, because there was no sense. You go up there and don’t accomplish anything. Out in the riding you get things done.” He maintained offices at the north and south ends of the riding as well as ... Toronto.”

We will also remember him for his vehicle. I know the members from eastern Ontario remember J. Earl and his Lincoln. It’s referred to as his “Lincoln” here. I was always under the impression it was a Cadillac, but it says “Lincoln” in the article.

It says, “During his heyday, Mr McEwen was a politician, landlord, grocery chain store owner and hobby farmer with champion quarter horses. He toured the riding in a two-door Lincoln, often wearing a wide-brimmed hat and chewing on a cigar. ‘People never took any offence to me driving the Lincoln because I was a regular guy with them,’ Mr McEwen said.”

To a number of his colleagues, as well, when they asked him, “J. Earl, your riding is one which has many challenges financially that the people in the riding have to meet. How are you greeted when you show up in this huge vehicle, and why do you drive this lovely new vehicle into the riding?” he said, in a joking way,

“They’ve got to know that somebody important is coming to town.” That was the humour that J. Earl had.

He was a very grassroots politician who worked the riding exceedingly well, who had a sense of humour that was very much appreciated in his own riding. He was a person who will be remembered in the Legislative Assembly because of his independent thoughts on many issues. He was not a person easy to rein in. We always talk in this Legislature in a jocular way about the trained seals, as they’re supposedly called, whether they’re on one side of the House or the other. Well, you could never describe J. Earl McEwen as a trained seal, because he could be just as ornery with a Conservative or a Liberal Premier as he could with anybody else if they disagreed with his riding.

We extend to J. Earl McEwen’s family and close friends our condolences upon his passing at a ripe old age, having accomplished a lot for the part of the province that he represented so ably.

**Mr Robert W. Runciman (Leader of the Opposition):** I appreciate the opportunity, on behalf of the Progressive Conservative caucus, to say a few words about the life of Earl McEwen.

It used to be the tradition that the party the deceased MPP represented would get to speak first about his or her passing. But in Earl’s case we’d have to flip a coin.

There are only, I believe, four or five members remaining in the House who served with Earl, and I’m one of them. Before arriving here in 1981, I’d certainly heard of Earl McEwen, and I’m sure the member for Kingston and the Islands will agree that Earl was a larger-than-life character in our part of the province.

Earl was, I think it’s fair to say, a down-to-earth, plain-speaking kind of guy who was probably underestimated for much of his political life. He was undoubtedly the only member representing a largely rural riding who could get away with driving around in a huge Lincoln or Cadillac. He had a different story, Jim, in the riding. He said it was because people knew he was a regular guy.

Earl’s involvement in provincial politics was, to say the least, colourful. He was something of a political chameleon. He started out by running for a Conservative nomination and, when he was unsuccessful, ran as an independent. My recollection is that he lost that election. He made it into the Legislature as a Liberal and served eight years in that caucus. Then, in a master stroke of bad political timing, he crossed the floor to join the Tories shortly before Bill Davis announced his retirement. Earl carried the Conservative colours into the 1995 election, and that ended his days as an MPP.

Despite his political life coming to a close on a down note, Earl McEwen had a great deal to be proud of. He was a very successful businessman and, as a municipal politician, he led Kingston township through its highest growth years. Earl McEwen was a good man who made a significant contribution to his community and his province.

On behalf of our caucus, I want to extend our deepest sympathy to his family members.

**Mr Gilles Bisson (Timmins-James Bay):** I rise today on behalf of New Democrats to talk about Mr McEwen and the long time he spent, not only in this Legislature but also as a local politician back home. Mr McEwen probably understood more than most the old saying that Tip O'Neill said just south of the border: "Politics is local."

Mr McEwen first got into politics—why?—because he owned a store on a street somewhere around Kingston in the county of Frontenac-Addington, didn't like what the local township was doing when it came to how they maintained that particular street, went to see his local politician, the alderman there, didn't like the answer and said, "Well, I'll run." Run he did, and elected he was.

1440

He served, first of all, for the township of Kingston, where he was very involved in municipal planning and in making sure he worked hard on behalf of the local constituents to put that area of the province, Kingston and the surrounding area, on the map.

He quickly rose to the position of deputy reeve and eventually became the reeve of the township of Kingston. He was very involved in many of the things that many people in Kingston now take for granted. We often forget that all these things we use every day in our communities come from somewhere.

Mr McEwen was very involved in developing the parks in that city. He was very well known for being a friend of the people who were trying to preserve green spaces in and around the Kingston area. He was also very well known as a person who really cared about how cities do their planning when it comes to dealing with issues of construction and development in their communities.

It didn't end there. Mr McEwen that there was a higher calling, and like many people, decided to get involved in provincial politics. As Mr Runciman said, he first ran as a Conservative, probably as a bit of a right-of-centre person you can identify as a politician. He didn't make it the first time out. He tried as an independent and didn't. But one thing we can say about Mr McEwen is that he was a persistent individual, and the third time out he ran as a Liberal and got elected. He served back in the mid-1970s with some of the names in this Legislature that will go down in history. A number of people who served in this Legislature at the time were people we still know today, even though this was some 30 years ago. Mr McEwen served with distinction.

Mr McEwen was a bit of a different politician. Some of us in this House excel in the Legislature, and some of us, if lucky, excel in cabinet and in government. Other people excel in their ridings, and that was Mr McEwen's calling. His calling was to work with his constituents. He was a person who understood his constituents, knew where they were coming from and could identify with them. It didn't matter if you were working class or ruling class, rich or poor, a man or a woman, he was your representative and he did that well for the many years he served in this Legislature.

Eventually, we have to say, he was a person who stuck to his point. In early 1984 or 1985 he was in disagree-

ment with the then government, decided he couldn't take it any more and crossed the floor. I have to say that's not an easy thing to do. Many of us in this Legislature wouldn't contemplate doing that, because we know there is fallout. But he felt strongly and he was a person of his convictions. He disagreed with particular decisions made at that time by that government and said, "I will cross the floor as a show of protest because I am not in agreement."

We may laugh a little bit about that, but that takes a certain amount of courage, although politically, if you look back at comments he made on his retirement—and I have the quote here but I have to find it; of course I can never find quotes when I'm looking for them. Mr McEwen said it was one of the worst things he did, because he recognized at the end that the relationships he made within the Liberal caucus were very important to him and some of those were severed by his crossing the floor. He gave the advice: "If anybody thinks of ever doing that again, my advice to you is not to do it." I think it takes a great man to understand, once he's made a decision, if he was wrong, and to move forward and accept that. It says something about the person. He was certainly a person of conviction and character.

I also want to say that Mr McEwen, when it comes to what he did in retirement, didn't just end there. When he finally left politics in 1985, he was still very involved in his community. In fact, he served as deputy fire chief for the community in a volunteer fire department of some 70 or 80 members at that time, and served it well. He was very well liked by the people in his community who served with him at the fire department and in the parks organizations and others that he served with.

Mr McEwen died in the month of November at the age of 94. He was predeceased by his wife and his son Robert and is survived by three granddaughters and seven great-grandchildren. On behalf of New Democrats, on behalf of members of this assembly and especially on behalf of those he served in his riding, we say to Mr McEwen and his family: Job well done. It was a pleasure having you with us while you were here.

**The Speaker:** Thank you. I'm sure the family, friends and Ontarians appreciate the kind words said about those former members who served us so well.

## ORAL QUESTIONS

### HYDRO GENERATION

**Mr Robert W. Runciman (Leader of the Opposition):** I have a question to the Premier. This session has been marked by more broken promises, no answers from you in the House on key questions and serious questions being raised about the competency of your government.

Premier, we have asked several questions on this topic throughout this session. We've never received an answer. In fact, we asked you about this issue 14 days ago, so surely you have an answer by now. You're on the record

on several occasions very clearly saying that you will keep your promise to close all coal plants by the end of your term. You said as early as September 2002: "I am committed to doing it come hell or high water." Your energy minister announces he'll keep some plants open, just in case. Can you explain this obvious broken promise?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me just say how pleased I am with the absolutely outstanding work that is being done by our Minister of Energy on behalf of Ontarians. He's had a tremendous amount of ground to make up for, given the state of affairs as we found them.

Let me just say that unlike my colleagues opposite, who have no interest in cleaning up the air which is causing some terrible states of health, particularly in young people and seniors, we are fully intent on cleaning up the kinds of generation that we have in the province of Ontario. Specifically, we are determined to eliminate coal-fired generation in Ontario.

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

**Mr Runciman:** Vacillate, waffle, blame the opposition, anything but answer the question: That's the consistent pattern. Premier, you personally promised to close the coal plants by 2007. You didn't qualify it. There was no asterisk: "Maybe we'll keep some open, just in case we need them." You said, "They will be closed: no ands, ifs or buts." That's what you said. Premier, do you consider now that you misled the people of Ontario?

**The Speaker:** The member has used some unparliamentary language. I must ask you to withdraw that.

**Mr Runciman:** Speaker, I asked for the Premier's view; I didn't accuse him of anything.

*Interjections.*

**The Speaker:** Order. I must ask the member to withdraw the unparliamentary word.

**Mr Runciman:** In good conscience, I can't, Speaker.

*Interjections.*

**The Speaker:** Order.

Just for the parliamentary decorum that we like to maintain, I will have to name you if you refuse to withdraw those comments.

*Mr Runciman was escorted from the chamber.*

*Interjections.*

**The Speaker:** Could I have some order, please? Final supplementary?

I'll have a new question.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: There had been a question asked and a supplementary asked. There is an opportunity for a second supplementary. Of course, there's no requirement that it be the same member who asks the supplementary, and in fact my hard-working colleague from Parry Sound-Muskoka has a supplementary ready to go.

**The Speaker:** I appreciate your comment, but I have ruled on it, and I'm going to take a new question.

1450

## HOSPITAL FUNDING

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier. I want to talk about your failed policy on hospital financing. This morning, your Minister of Health re-announced \$26 million in funding. But too often, your government doesn't follow through on the commitments it makes. Too often, you break your promises.

Last summer, with great fanfare you and your minister announced \$470 million of new funding for Ontario hospitals. Can you tell me, of that \$470 million, how much of that money has flowed to Ontario hospitals so that they can pay nurses and other health care workers and do a good job for patients?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** While I can confirm for the honourable member that we have not completed all of the reviews of balanced budget plans and interim accountability agreements; I can answer the question directly by saying that more than \$300 million of that money has already flowed.

**Mr Baird:** The reality is that all around the province of Ontario, hospitals are having to borrow money commercially at high interest rates to pay for the fact that you are hoarding that money at your ministry.

Your wait-list guru, Dr Alan Hudson, is quoted in the Ottawa Citizen in an article entitled "'No Promises' on Faster Care for Ontarians: Wait Times for Key Treatments Unlikely to Improve Before Election." He is quoted as saying directly, "I can't promise we'll get the waiting times down" by 2006.

People are starting to question you and your government's competence on this. I have a direct question for you, Minister: What is an acceptable amount of time for you to see a frail and elderly senior wait for a hip or knee replacement? What is your acceptable time frame for a senior to wait?

**Hon Mr Smitherman:** Obviously, by the example that we presented in today's announcement, the acceptable time is a lot less than it was under that party while in government. Further, to be on the end of a lecture from the honourable member who was part of a party that, while in government, forced Ontario hospitals to take into their budgets \$721 million in unpaid operating bills from earlier years—we don't need a lecture on that point either.

On the issue of timeliness, it was the honourable member's colleague, who sits in the front row, who had to be bailed out by the Premier of the day, running all over Toronto handing out cheques because of the criticism that money was flowing too slowly.

We make no apology for the fact that Ontario hospitals are working hard on the development of balanced budget plans, which we've reviewed and which have had

peer review involvement. We're flowing funds as those are approved. Any hospital in Ontario that has any difficulty with cash flow knows that there's an established relationship with the ministry where we back them up. That is as it has been, and that is as it will be.

**Mr Baird:** I say to the minister, his own wait-time guru has acknowledged that neither he nor his government can get waiting times down by 2006. The minister can't stand in his place and say what he believes is an acceptable waiting time for a frail and elderly senior to wait for a hip or knee replacement, and that's an absolute disgrace.

A few weeks ago, you spoke about Sunnybrook and Women's College hospital being a centre for excellence in hip and knee replacements. You said this on CBC radio just a few short weeks ago. As part of your announcement this morning for hip and knee replacements, Sunnybrook and Women's College is not getting one red cent of new funding. Can you tell us why you are not supporting Sunnybrook and Women's College?

**Hon Mr Smitherman:** With respect to the first part of the honourable member's question, today we made an announcement that funds, in the balance of this fiscal year, 1,680 additional hips and knees. That's about access for people who need it.

Secondly, it is due to the sheer absence of any progress whatsoever on the part of your party while in government to build a wait-times registry capacity that it is difficult to measure. But as we are investing in new volumes, we're also investing tremendous energy, under the leadership of the established Canadian expert Dr Peter Glynn, to build the wait-times registry that's necessary.

On the third point, not all hospitals in Ontario sought additional volumes after we asked them. Some of them indicated that they did not have the capacity in the balance of this fiscal year to deliver additional surgeries. What we say to all of them today is that as we move forward with additional volumes in 2005-06, all hospitals have the chance to participate.

## TAXATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. What is the gas tax money that goes to municipalities supposed to be used for? Will you tell us what action you'll take if municipalities use that gas tax money inappropriately?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** We're very pleased to be the first government in the history of this province to form a genuine partnership with our municipalities and to invest two cents of the gas tax, when fully phased in, to be invested, as the member opposite knows full well, in public transit. Fully phased in, that will result in an additional \$312 million made available to Ontario municipalities so that they can invest in public transit. That is good for our air quality, it is good for our personal convenience and it is good for our economy. That's why we did it.

**Mr Hampton:** The Premier needs to provide that information to his Minister of Labour, Mr Bentley. This is an article from the London Free Press, where Mr Bentley says that he is embarrassed that the McGuinty government child care plan doesn't provide the city of London with enough money to access the federal child care funding that would allow for the creation of new child care spaces. Your Minister of Labour, Mr Bentley, has suggested that the city of London use the gas tax money for child care, not for public transit. Premier, will you tell us, is the gas tax money for child care or public transit? Your Minister of Labour needs to know.

**Hon Mr McGuinty:** I have every confidence in my Minister of Labour's understanding of the intention behind this policy. Unfortunately, I cannot say the same thing for my colleague opposite.

The money is intended, obviously, for public transit, and it will relax some of the pressures on our municipalities when it comes to other areas for which they must assume responsibility. It will mean that there is less pressure on the city of London, for example, to invest in public transit, because our government is now making funds available to that end, and it means that money that might otherwise have gone there is available for child care. That is exactly what it means. We are proud to say we're working with our municipal partners.

**Mr Hampton:** Speaker, I want you to clearly understand what the Premier is suggesting. You take the money for the gas tax and you put that in the envelope, and then you take the money that was going to be spent on public transit and you move it over here. When the police see that, they call it money laundering. That is what they call it.

Premier, why don't you just do the right thing? You promised \$300 million of new provincial funding for child care. Instead of promising, "We are going to give you gas tax money for public transit, but then when you get that public transit money, you can take public transit money and move it over to child care," instead of trying to fool people, why don't you stop letting people down, stop dashing their hopes and keep your promise? Where is the \$300 million of new provincial money for child care?

**Hon Mr McGuinty:** I've got to hand it to the NDP: Who else could turn a story about a provincial government giving \$312 million to Ontario municipalities, an action that is without precedent, and turn it into a bad-news story? Only the NDP. Who else could take a provincial government that is funding 4,000 new subsidized day care spaces in partnership with our municipalities and somehow turn that into a bad-news story? Only the NDP.

It is my hope that at some time, as we close in on December 25, my good friend opposite will be become enthused with the spirit and start to feel good about living in Ontario and start to feel good about some of the things that our government is doing in partnership with the municipalities.

## AEROSPACE INDUSTRY

**Mr Howard Hampton (Kenora-Rainy River):** To the Premier—the Premier asked the question: Your Minister of Labour did it, and the city councillor in London says it is reprehensible; it's a manipulation of a program.

But I now want to ask you about Bombardier. Very soon, Bombardier will decide where to do the final assembly of their new C series commercial jet. New Democrats believe that bringing 2,500 assembly jobs, 2,500 other jobs and \$250 billion of new economic activity to Ontario is important. Do you know what? The city of Toronto agrees, because they have voted and come up with a plan to bring Bombardier to Downsview. The question is, what is the McGuinty government's plan? No one knows. Premier, time is running out. What is your government's plan to bring the final assembly of the new C series jet to Downsview and Ontario?

1500

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** It's always somewhat intimidating to be receiving economic advice from the NDP. Let me say that we have been in touch with both the federal government and representatives of Bombardier, as well as the city of Toronto. We are working to put together a very competitive response to the offer that is being made available to us.

This follows hard on the heels of the successes we've enjoyed in the auto sector. I can recall a time when the leader of the NDP said that we should not be putting together a strategic auto investment fund. We have secured a \$1-billion investment so far on the part of Ford, which will secure over 1,000 jobs and create thousands more in the spinoff sectors. So we have a good foundation of success on which to build when it comes to these matters, and we look forward to doing more.

**Mr Hampton:** I didn't hear a plan, and as so often with this Premier, he's wrong on the auto investment, but I think people know how often you're wrong, Premier. The answer you just gave is the same answer your government gave three weeks ago when Ms Horwath, our member for Hamilton East, asked the question. You replied, "Oh, we're talking to Bombardier." A week ago, when I asked the question, your response again was, "Oh, we're talking to Bombardier." Everybody else is doing more than talking. Toronto has a plan. It's clear that the government of Quebec has a plan. They're not asking for a subsidy. They're not asking for a tax grant. They're asking for an investment. What is your government's plan? Merely talking to someone isn't a plan, Premier.

**Hon Mr McGuinty:** Painful as it may be, I'm going to remind the leader of the NDP about their economic record. When they were in government, 2,000 people joined the ranks of the unemployed every single month. I'm pleased and proud to report that in our very first year, this economy, under this government, has created 116,000 new jobs. To put that in some perspective, that is almost three times as many jobs as were created by the

Tories in their first year. We believe we have a good foundation on which to build when it comes to creating more jobs and to working with the private sector, where it makes sense to do so, and we will continue to do so.

**Mr Hampton:** This is about jobs at de Havilland and Bombardier. I can say that I'm quite proud to have been part of a government that repositioned de Havilland so jobs were sustained there. We did more than talk; we had a plan. The question is, is your plan an equity investment? Is your plan a loan guarantee? Is your plan export credits? What is your plan? It's 2,500 assembly jobs, 2,500 supplier jobs, \$250 billion of new economic activity: It looks as if you and the Liberals in Ottawa are prepared to simply concede all this to Montreal. What is your plan, Premier? Talk won't do it.

**Hon Mr McGuinty:** Mr Speaker, to the Minister of Economic Development and Trade.

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** Clearly the leader of the third party is nothing but pessimistic these days. He has no confidence in Ontario, and furthermore no confidence in our workers. Time and again, I've been standing up in this House and reminding the leader of the third party that our workers are some of the best in the world. That's why people come to Ontario to invest. They've done so in the auto sector. Ford showed Ontario a huge vote of confidence by investing right here in their Oakville plant.

I have every confidence, and I think the people of this province have every confidence, in our workers. That is why, when we put forward our bid to have the Bombardier C series come to Ontario—de Havilland—we will be successful. I assure the member of that.

ONTARIO FILM AND  
TELEVISION INDUSTRY

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. My question relates to an industry that, in fact, has been successful in Ontario. We know that tax credits can make a difference. The tax credit that was introduced in the May 1996 budget by Mr Eves as Minister of Finance has resulted in a thriving film industry in the province of Ontario—at least, thriving until the last couple of years.

Premier, these words should be familiar to you: "We will boost the Ontario film and television tax credit from 20% to 33%. We will introduce a new feature film component of the Ontario film and television tax credit, and increase this credit from 20% to 40% of eligible expenditures." Those are the commitments you made on page 13 of your platform about 18 months ago.

You've now been the government for 14 months. There's a crisis in the industry in Ontario. When will you fulfill these two commitments?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I'm glad to see that my friend from Whitby-Ajax is a Johnny-come-lately to the film industry in this province. We

have a very strong industry in this province. It has been the subject of a number of pressures, including the new value of the Canadian dollar. I want to tell him—

*Interjection.*

**Hon Mr Sorbara:** —and my dear friend from Toronto-Danforth, who is such a strong advocate, and I admire her for that—I recently had a very productive meeting with representatives of the industry. They put a very strong case in front of me and in front of our officials. We agreed that we would take some time, each side, to review a variety of options and that I would respond to the industry with the urgency that the matter requires.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. The member from Toronto-Danforth, please.

**Mr Flaherty:** Minister, this is a crisis. You said you'd have a meeting; you had a meeting. You put out a press release; your press release said you were listening. The time for listening is up; the time for action is now.

You read in the paper today: If things are so great in the industry in Ontario, Minister, why is Saskatchewan becoming the new Hollywood North? Why is the city of Toronto, in their film office, saying that there's a 22% decline in the value of major production spending in the city of Toronto?

It's Christmastime. The Premier says he wants people to be happy at Christmas. There are thousands and thousands of people working—usually small businesses—in the film industry in the province of Ontario, mainly in the greater Toronto area. What do you have to say to them about your promises at Christmastime? What do they say to their families this Christmas, Minister, when you say that you're listening, and you had a meeting? When's the action going to happen?

**Hon Mr Sorbara:** I think one of the things that they're saying in the film industry is that they are very glad, 14 months ago, that our party won the last election, because we are the only party that referenced that industry and its importance not just to the city of Toronto but to the entire province.

**Ms Marilyn Churley (Toronto-Danforth):** You're breaking your promise.

**Hon Mr Sorbara:** We made a commitment in the campaign and, I'll tell my friend from Toronto-Danforth, we are fully cognizant of that. I want to tell you and the members opposite and, much more important than that, the industry itself, that we are determined to see that industry continue to grow and thrive, and we will take the steps necessary to make that happen.

#### CORRECTIONAL FACILITIES

**Mr Peter Kormos (Niagara Centre):** A question to the Minister of Correctional Services: Dickson Motsewesho has been convicted of sexual assault and credit card fraud. He's currently doing time in the Don Jail, and while he's doing his time at the Don Jail, he's running a criminal scam from his jail cell, ripping off

women looking for work and bilking companies for thousands of dollars. You're supposed to be protecting society from people like Motsewesho; instead, you're paying their room and board while he's carrying on his criminal enterprise. Minister, why are you letting criminals break the law even after they're locked up?

1510

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I'm sure the member will appreciate that this is a situation I'm not exactly pleased with. We are conducting an investigation. We've called in the police. Ministry officials are looking into it. The deputy minister is conducting an investigation.

But you should know that, notwithstanding that these people are in prison, they have the right to use the telephone and we have to be able to monitor what they do—but only if we suspect that something has happened. Now that we know this has happened, we are carrying out what we have to do, and that is, conduct an investigation. We've called in the police, and we'll make sure it is corrected.

**Mr Kormos:** Minister, you've now been precisely that, the minister, for a year-plus. These are your jail cells, and when it comes to crooks running crime rings from your jail cells, you shrug like Alfred E. Newman and say, "What? Me worry?" You pass the buck on to corrections officials. You say somehow you haven't got the legislation. I suggest you read the amendments from 2002 and the regulations that were passed pursuant to them.

You see, in your jails, Ontario's citizens are paying the overhead costs for this con's criminal empire. Our jail cells under your watch are being used as call centres for crooks. What are you doing to ensure that other criminals aren't running similar criminal call centres and scams from their jail cells, standing at that pay phone for hours at a time, making long-distance and collect calls? What are you doing to ensure that that isn't happening in other jail cells, to other victims, right here and now, under your watch?

**Hon Mr Kwinter:** We have a process and equipment in place to monitor the calls of prisoners if there is suspicion or evidence that they are doing illegal acts. Having said that, we do not monitor their calls, because they have the right to privacy. We make sure that that is done. We make sure that there are limitations on their calls. And when we find out that something is happening, we bring it to the attention of the officials and the police. That's what we're doing now, and we will make sure that is dealt with.

#### GO TRANSIT

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is to the Minister of Transportation. On November 29 of this year, you made an announcement regarding an investment that your ministry would be making for a new Kennedy GO Transit station in my riding of Scarborough Southwest. As of now, there's no

convenient way for area residents to transfer from the GO Transit system to the TTC, which makes public transit difficult to use.

As a former city councillor, I found this difficult, over many years, since 1990, as the former Tory government and the former NDP government really did nothing to deal with this issue. I believe that in the past 15 months, we've done more than the previous governments did in the past 15 years.

Minister, my question is fairly straightforward: What benefits will this new Kennedy GO station provide to the Scarborough community, and when can they expect the new station to finally open?

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I want to thank my colleague from Scarborough for asking this question. We are making a \$2.9-million investment in this GO station in Scarborough, and it will open in mid-2005. This new GO station will connect directly to the TTC, along the Bloor-Danforth and the Scarborough rapid transit lines. That will make it easier for people to transfer between the TTC and GO Transit. As we continue to make these investments, our main objective is to make sure that the ridership on public transit grows.

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

**Mrs Linda Jeffrey (Brampton Centre):** Brampton is one of the fastest-growing cities in Canada, whose population has swelled from 268,000 in 1996 to more than 380,000 people today. Every year, an increasing number of residents choose to travel by GO to get to work and school every day. The Brampton community has come to rely on GO Transit, which helps reduce gridlock on our roads and is safer for our environment. For many residents, GO Transit is the key to their livelihood.

But despite the fact that both the downtown and Bramalea GO Transit stations have undergone recent expansions to their parking lots, the need for more parking spaces is clearly evident. Some 3.3 million commuters use the Georgetown line annually, and they expect reliable, convenient transportation. If we don't make it easy for people to use public transit, they're going to return to their cars. Minister, can you tell the commuters of Brampton when they can expect a new GO station?

**Hon Mr Takhar:** I want to thank the member for asking this question. I know that both the member from Brampton Centre and the member from Brampton West-Mississauga have been working hard to make sure this new GO station opens in Brampton. This will be the third new GO station in Brampton, and it will open in January 2005. This GO station will have about 670 parking spaces, a drop-off area and a bus bay for both GO and local transit buses. Again, we want to make sure that public transit ridership grows and that the city of Brampton is well served.

#### HYDRO GENERATION

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier. I want to come back to another one of

your broken promises. You made a solemn commitment and gave your word to Ontario voters that you would close down all five of our coal-fired generating stations by 2007. You said, and I quote, "I am committed to doing it"—in your words—"come hell or high water." Now your energy minister is flip-flopping and back-tracking and waffling on your promise. Your new plan to keep our five coal-fired generating stations open is posing several questions. Premier, how much will your new plan to keep these five coal-fired electricity plants open cost Ontario taxpayers? How much maintenance, how much fuel, how much staff will be required under this scheme where Ontario taxpayers are going to be stuck paying for your broken promise? Can you tell us that?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** To the Minister of Energy, Speaker.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** This government remains committed to replacing coal-fired generation and will identify the cleanest, most affordable potential sources in Ontario as a replacement for that coal. If the opposition spent as much time trying to participate in finding solutions to this as they do in advocating more of the same for the polluters, voting against increased fines for polluters, voting against cleaning up our air—this government remains committed. To that end, we announced an 80% increase in the wind capacity in Canada just last month to improve the quality of our air. We believe we've set aggressive targets for—

*Interjection.*

**The Speaker (Hon Alvin Curling):** First, I'm going to ask the Minister of Energy to direct his answer to the Speaker, and I'm going to ask the member for Nepean-Carleton to watch his words, because he has used some very unparliamentary language too.

**Hon Mr Duncan:** We remain committed, and I'll remind the member opposite that it was his government's policies that failed this province on the energy file. We have spent the first year cleaning up the messes that member and his predecessors as energy minister committed. We believe in cleaner air. We're working toward that goal.

**The Speaker:** The member for Parry Sound-Muskoka, supplementary.

**Mr Norm Miller (Parry Sound-Muskoka):** Premier, I'm forced to ask this question on behalf of the people of Thunder Bay-Atikokan because of the failure of the local MPPs to speak up for their constituents. You promised to close the coal-fired electricity generating stations by 2007. In the northwest, the Thunder Bay and Atikokan plants produce some 525 megawatts of power, about half of the area's current usage. Closing these plants will result in higher energy costs and massive job loss.

Premier, there aren't sufficient transmission lines into the northwest to bring in the replacement power. It could take you up to 10 years to build a new line to connect to Manitoba. Can you explain to the people of Thunder

Bay-Atikokan how you plan to replace the 525 megawatts of power by 2007?

**Hon Mr Duncan:** The members from Thunder Bay had me up to Atikokan within a month of assuming office. Let's get some facts on the table. Not only can we replace the coal at Atikokan, but there's a good chance we can replace it with clean gas. If you want to do something for tourism in northern Ontario, you want to slow down the advancement of smog days to places like Algonquin Park and Sault Ste Marie.

Atikokan and Thunder Bay can be replaced and the jobs can be maintained. I should tell the member opposite that a line can be run from Manitoba. That's one option we're looking at. There are a lot of options we're looking at that will produce cleaner air, that will produce a better quality of life. We'll make sure that, unlike the member opposite, who wants to decrease tourism in northern Ontario, we maintain the pristine beauty of the air and lakes in that area of the province to ensure they stay for future generations.

1520

**The Speaker:** New question.

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of Energy. Portlands Energy Centre, an OPG-affiliated gas plant project, was supposed to have been cogeneration. It promoted itself to the community to be a plant that would both generate electricity and use the steam as a source of heat for downtown buildings. But at a recent public meeting, PEC announced that it was abandoning cogen as well as the solar panels on the roof. Their reason? It would hurt the bottom line.

Minister, don't you think it's time that electricity generators have to consider conservation and efficiency as part of the bottom line, and will you walk the walk on efficiency and require that PEC, if it's built, be a cogeneration plant?

**Hon Mr Duncan:** Our government remains committed to ensuring that Ontario has an adequate supply of clean, renewable energy.

First of all, the project has not started; it hasn't been approved under an RFP. Secondly we've had representations made to us on behalf of the city of Toronto and others about that. We look at them carefully. There are media reports that suggest that Portlands may bid into the RFP; we don't know. That closes tomorrow.

The long and the short of it is, this government has taken a number of steps to promote conservation. We have just passed a bill, which you voted against, creating the conservation bureau and a chief conservation officer in Ontario.

We've signed, under the Energy Efficiency Act, nine new appliances into law after becoming the government. We remain committed to cleaner, more affordable electricity for all the people of this province, and we remain committed to the principles enunciated in Bill 100 around conservation.

**Ms Churley:** Minister, I asked you about Portlands and the fact that the solar panels aren't going to be built

and they're not going to make it cogen any more. Sustainable energy experts like the Pembina Institute, Ralph Torrie and all of those have laid out how natural gas-fired plants [*inaudible*] to be cogen so that they are as efficient as possible. If you resort to using fuels, you need to get the maximum use out of them.

Speaking of Bill 100—and yes, despite the NDP's efforts to have it amended so Ontario's energy security is not jeopardized by the pursuit of profit, because that's what's happening here—in it, you awarded yourself broad powers in determining what types of proposals the Ontario Power Authority is to put forward.

You can require, under this bill, cogeneration to be in the mix. You can require energy projects to reach conservation goals. Will you do that if this plant is built?

**Hon Mr Duncan:** This question is a little bit rich, coming from a party that doesn't want us to close Lakeview and clean up the coal plants. They've told us to back down on that agenda. This is a little bit rich, coming from a party that, when it was the government of this province, cancelled every conservation project that the old Ontario Hydro had undertaken. It did that in 1993. This from a party that raised energy prices 43% before they slapped an ineffective price cap on them.

I'll remind the member opposite yet again, this was the party that cancelled the Conawapa deal. Had it gone through at the time, we would now have 1,500 megawatts of clean, renewable electricity available to our sector today.

The Portlands project: Mayor Miller has expressed concerns about the lack of cogeneration. It's the belief of this government that cogeneration and solar should be part of all projects going forward.

## HOSPITAL FUNDING

**Mr David Oraziotti (Sault Ste Marie):** My question is for the Minister of Health. Health care, as we all know, is a top issue for Ontarians and a priority for our government. Residents in my riding of Sault Ste Marie told me during the election, and continue to tell me, about their family members being diagnosed with cancer and having to wait weeks and months for lifesaving treatment, or how their frail parents are struggling to walk because they're waiting for a hip or knee replacement. Minister, these types of comments are not—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I'm just trying to get the discussion between the member from Eglinton-Lawrence and the member from Toronto-Danforth to—

**Ms Marilyn Churley (Toronto-Danforth):** It's his fault.

*Interjections.*

**The Speaker:** Order. If the member from Sault Ste Marie would like to ask his own party a question, at least they can be quiet.

**Mr Oraziotti:** Minister, these types of comments are not only being expressed in my riding but also by the

people of Ontario. Today you announced that our government will reduce wait times, a move that is desperately needed in this province. My constituents, like all Ontarians, want to know how many people will benefit from today's announcement on reduced wait times?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Earlier today, at the Queensway site of the Trillium Health Centre in the great riding of Etobicoke-Lakeshore, I had the opportunity to announce our government's plan for the balance of this fiscal year, 2004-05, which is 5,380 additional procedures, including 2,000 additional cataract surgeries, 1,703 additional cancer surgeries and 1,680 additional hip and knee surgeries. In fact—

*Interjections.*

**The Speaker:** The member from Simcoe-Grey.

*Interjections.*

**The Speaker:** Order. The next time we have any interruption, I'm going to move to the next question.

Member from Simcoe-Grey, would you come to order, please.

**Hon Mr Smitherman:** Included among the impressive list of hospitals that will be asked to play a greater role is the Sault Area Hospital, with 24 additional hips and knees and 25 additional cataract surgeries.

Here's what Hilary Short, the president of the Ontario Hospital Association, had to say today: "This new funding will allow Ontario hospitals to perform 5,380 more procedures between now and March, and will"—

**The Speaker:** Supplementary.

**Mr Orziatti:** I'm glad our government is taking the necessary steps to ensure that those who are waiting for surgery and treatment will be getting the help they need when they need it. We must ensure that as many Ontarians as possible are served by today's announcement. Minister, what is being done to ensure that today's funding will go directly to those people who are on Ontario's waiting lists?

**Hon Mr Smitherman:** Each hospital and surgeons within hospitals play an important role in holding on to these lists. The fact of the matter is that, in our efforts to build a wait time registry, we seek to consolidate that information. We have worked with Ontario hospitals to essentially ask for requests for proposals to determine who has additional capacity for volumes and to give us a stronger sense of the needs in those local communities. We've sought to distribute resources in a fashion which closely resembled the greatest needs in the province of Ontario.

I want to repeat a comment that I had a chance to make earlier. While 45 hospitals are asked to play this role through the balance of this fiscal year, as we move forward to 2005-06 and look for additional volumes for our wait times, we look forward to an even greater participation from a broader range of hospitals in the province. I can assure honourable members that a dollar sent to a hospital to address a particular wait-time challenge through the accountability measures we've

enacted will most assuredly be spent in that very direct area.

## HIGHWAY 11

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Premier. I recently received a letter and a newspaper clipping marking the anniversary of the tragic death of a family in an accident on Highway 11 south of North Bay, and I quote from that letter:

"A year has passed since this young family was obliterated on Highway 11. At the time, I wrote to Premier Dalton McGuinty, regarding the urgency of completing the 41 miles of four-laning. He, of course, referred my letter to the Minister of Transportation, who wrote some sort of bafflegab back re the plan for refurbishing all Ontario's highways according to a 'timetable.'"

Premier, can you give me a date by which the remaining 41 kilometres of four-laning will be completed between North Bay and Huntsville?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Transportation.

**Hon Harinder S. Takhar (Minister of Transportation):** I'm very pleased to answer this question. Our government really recognizes the importance of Highway 11. We have already budgeted about \$30 million for this highway, and we have already opened 10 kilometres of the new four-lane highway between Trout Creek and South River. We are continuing to four-lane six kilometres between Katrine and Emsdale and expect it to be open next fall.

**Mr Frank Klees (Oak Ridges):** That was my note.

**Hon Mr Takhar:** You didn't write any notes. There were no notes left when you left.

1530

**The Speaker:** Supplementary.

**Mr Miller:** Premier, this is an important safety issue, and the people of Nipissing and Parry Sound-Muskoka want a straight answer. Bob and Deanne Hillis of North Bay were forced to call on a member of the opposition to demand action from your government because their member for Nipissing is, to quote from their letter, "merely a spouter of the party line." Their letter continues: "I am asking you if you would once again rise in the Legislature and attempt to get some kind of assurance from these wafflers. With the Christmas season forthcoming, thousands will be travelling that dangerous stretch of highway, our own children included in that number."

I didn't hear an answer as to when the plan would be completed. What is your concrete plan and final completion date for the four-laning of Highway 11 from North Bay to Huntsville?

*Interjections.*

**The Speaker:** Minister of Health, would you come to order, please.

**Hon Mr Takhar:** As I stated, we have already budgeted \$30 million for this project. The environmental studies are complete and we are moving ahead with this

project. I can understand that those people are getting impatient because they didn't get any action from the previous government in eight and a half years, except maybe writing notes, which they took away with them.

#### OHIP OFFICE

**Mr Rosario Marchese (Trinity-Spadina):** Minister, more than 800,000 people live in the downtown core but have no OHIP office to go to. Taking more than one day off work to stand in long lineups at OHIP offices located in distant parts of the city hurts workers most particularly, but it hurts the economy as well. When will you provide an OHIP office for downtown Toronto?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I want to thank the honourable member for this question, as one who represents the downtown. Many of us have had constituents challenged by the circumstances that occurred after the OHIP office in Toronto General was shut down during SARS. We had worked hard to negotiate a new lease. That, at the end of the day, was rejected, but I can confirm for the honourable member that we have secured new space at 777 Bay Street and an OHIP office will be reopening in downtown Toronto within a few months.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I think you heard the minister. Supplementary.

**Mr Marchese:** I do want to say thank you to the minister. It has taken a while. We've both talked about this for a while. We were hoping that the new office would be up and running by January. What you're saying is that it won't be by January but in a couple of months—maybe February, maybe March—it might be open. Is that what you're saying? Not January but maybe February, maybe March?

**Hon Mr Smitherman:** I agree with the honourable member that this has taken longer than anyone would have preferred. Access to these important offices is quite crucial. They're working on the buildup. My expectation is that this office would be open before the end of the fiscal year, which of course is March 2005, but as soon as it can possibly be done.

#### CONSERVATION

**Ms Monique M. Smith (Nipissing):** My question is for the Minister of Natural Resources. Last Friday you and the Minister of Finance announced enhancements to the managed forest tax incentive program and the conservation land tax incentive program. Protecting our environment is a key priority for the McGuinty government, and an integral part of ensuring a healthy and sustainable environment is the concept of conservation.

MFTIP currently includes more than 10,000 properties totalling over 1.75 million acres in our province. Participants range from Essex county landowners looking after fragmented natural landscapes to owners of shore land in Muskoka to large forest companies in northern Ontario

contributing to our very important northern economy. Minister, can you tell us how the enhancements to the managed forest tax incentive program and the conservation land tax incentive program promote conservation in Ontario?

**Hon David Ramsay (Minister of Natural Resources):** I'd like to acknowledge the hard work of the member for Nipissing and to say she's the best member that Nipissing has ever sent since her father represented that proud riding.

These two tax incentive programs for conservation lands and also for managed forests are very important tools, because they're tax incentives for the owners of those lands to basically manage them in sustainable ways. What we've done is to move beyond doing this for private owners, but for the conservation land tax also to allow conservation authorities and non-government organizations that own these conservation lands to benefit from this, so that they can encourage them to create more wealth so they can preserve more of that land for the preservation of green space in Ontario.

**The Speaker (Hon Alvin Curling):** Supplementary, member from Guelph-Wellington.

**Mrs Liz Sandals (Guelph-Wellington):** Incidentally, the member from Nipissing would like it noted that Mike Harris was not her father and that Dick Smith was her father.

Minister, as you know, green space is at a premium in many areas of southern Ontario. The government's greenbelt plan will protect green space and contain urban sprawl in the Golden Horseshoe area of southern Ontario. However, my riding lies mainly outside the greenbelt. The Grand River Conservation Authority has identified the maintenance and replanting of forest lands as an important environmental issue in our area. Will the enhancements to the managed tax incentive program and the conservation land tax incentive program do anything to promote the greening of southern Ontario outside the greenbelt?

**Hon Mr Ramsay:** This is a great question, because exactly what these two programs do is aid the government and private landowners in regreening southern Ontario. That's a commitment I've made as Minister of Natural Resources. We've got to be doing that in progressing through the next year and making sure we regreen southern Ontario. These two tools, which we're going to make better with greater incentives, are going to allow our landowners to better preserve and conserve their land. We do that in partnership, because we know that together we have to preserve our land in the greenbelt and beyond for all of this province.

#### HYDRO GENERATION

**Mr John O'Toole (Durham):** My question is to the Minister of Energy. I believe he is available. In the meantime, I'm absolutely sure he's listening. I'll put the question, or do you want me to stand the question down?

**Interjection:** Here he comes.

**Mr O'Toole:** Minister, I've been listening to your responses on the issue of generation and supply capacity over the last few days. I was shocked today by some of the new and twisting information you're putting on the record. Really, the information with which you responded to the question from the member from Parry Sound-Muskoka today—I understand you announced there would be a new pipeline in northwestern Ontario for natural gas.

Minister, you would know that natural gas pipelines are regulated federally by the National Energy Board. Certainly you've been in contact with them, because you know the plants in Thunder Bay and Atikokan aren't serviced by a natural gas pipeline. Could you clarify for the House today what you meant by saying that you are going to keep the Atikokan and Thunder Bay plants open by providing a supply of natural gas? Is this just another flip-flop and another broken promise or more confusion in the energy generation sector? Answer one of the questions, please.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** If the member took any time in northern Ontario, which obviously he hasn't, as have the members from Thunder Bay, he'd know that a natural gas pipeline is in very close proximity to Atikokan. He doesn't know that. The members from Thunder Bay know that, and I know it.

What I said, to be very clear, is that there are a number of options available with respect to all the coal plants. One of them is the conversion to natural gas. The member obviously hasn't been to Atikokan, nor has the member who raised the question originally. The site at Atikokan is actually built for double the capacity it has right now. There's enough land. It's been laid out properly. It's been zoned. I congratulate the members from Thunder Bay for making sure the government, the Premier and the minister are aware of that. We remain committed to closing and replacing coal-fired generation with cleaner, better sources, so that we can clean up our airshed.

I would ask the member—I would urge him—to go up north and have a look at those natural gas pipelines and all the options that are available, instead of defending the big polluters.

1540

**Mr O'Toole:** The story gets more convoluted every day. I think he's made it clear for everyone today: They have no plan on the issue of electricity generation. The issue for northwestern Ontario is that it's clear now from what he said that they have every intention of keeping the Atikokan and Thunder Bay plants open. Whatever the source of fuel is not the debate. They're talking about it; they're going to do it.

The issue here, Minister, is that this is just another Liberal broken promise. During the election, you said you were going to close the coal plants—you promised—by 2007. Now what you're saying is you've looked at Atikokan, there's more capacity there and you're going to bring that on-line, and you're going to keep Thunder

Bay open. Just be honest with the people of Ontario: Tell us what your plan is to replace the lost generation from the other coal plants that you intend to close.

**Hon Mr Duncan:** The only thing convoluted and muddled is that member's question. There are a number of options available to convert and get rid of the coal at Atikokan and at Thunder Bay.

**Hon James J. Bradley (Minister of Tourism and Recreation):** They want to protect the polluters.

**Hon Mr Duncan:** We don't want to protect the polluters any more. The member for St Catharines is absolutely right. We want to set an example as a government. It's our corporation that owns that coal-fired generation, and we've made a commitment to replace it with cleaner, more efficient power by 2007. Our undertakings are aggressive—we acknowledge that—but this government believes that we can clean up the air. We can set an example for the Americans.

The other thing the Tories forget to tell people is that in our first year of office, dependence on coal has gone from 25% to 17%.

Finally, the member opposite raises the question about price. Is the member aware that the price of coal has more than doubled in the last year and a half? Is the member aware of the cost to our health care system of childhood asthma? I doubt it. He ought to get his facts straight.

#### BUS TRANSPORTATION

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Minister of Transportation. You may know that in northwestern Ontario the distance between communities is very great. You may also know that a lot of people in northwestern Ontario, when they have to see a medical specialist, are in fact referred to specialists in the city of Winnipeg. Otherwise, they would have to fly all the way to Toronto.

Many people have to take the bus. Currently, Greyhound lines, whether they be Greyhound or Grey Goose, allow people from communities like Dryden, Kenora, Fort Frances and Rainy River to take the bus into Winnipeg in the morning, see a medical specialist and then return from Winnipeg in the evening, so that they're able to go in one day and come back in the evening—no hotel bills, nothing like that.

Greyhound has announced that they're going to cut those bus schedules; they're going to do away with them. Minister, are you prepared to do anything to stop Greyhound Lines from simply cutting these bus schedules and putting literally thousands of people in a very difficult situation in terms of accessing medical specialists, getting to a hospital, having surgery and doing many things that are taken for granted in southern Ontario?

**Hon Harinder S. Takhar (Minister of Transportation):** I appreciate the question that the member has asked. It is important for us to make sure that all our communities stay connected and that people have modes of transportation available to them to meet the needs that

they have in the northern communities. So I will work with GO Transit to make sure we develop some sort of plan and address some of those issues that you are raising. Although Greyhound is not under our control and it's a privately owned corporation, I will take that issue up with the GO Transit people and see what we can do about it.

**Mr Hampton:** I appreciate your offer of GO Transit, but GO Transit doesn't operate anywhere in northern Ontario, certainly not in northwestern Ontario. The crux of the problem is this: For many of these people, many of these communities, there is no alternative transportation, so there's no rail, no aircraft or flying; it's strictly bus.

I can tell you what the government of Manitoba is prepared to do. They have required Greyhound to conduct public hearings in all of the potentially affected communities in Manitoba before they will allow Greyhound to make any such move to cut bus routes. Will you do the same thing in northwestern Ontario? Will you require Greyhound Lines to submit to public hearings in communities like Dryden, Kenora, Fort Frances and Rainy River before you allow them to cut any bus routes and inconvenience literally thousands of people?

**Hon Mr Takhar:** What I'm prepared to do is this: I'm going to work with my colleague the Minister of Northern Development and Mines and make sure that we can come up with some sort of alternative to address the needs of northern Ontarians. I'm sure that we can develop some sort of a plan with the ONTC to address some of the issues that the member has raised.

## PETITIONS

### HIGHWAY 400 RAMP

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition to the Legislative Assembly of Ontario and I shall read it.

"I, the undersigned, petition the Legislative Assembly of Ontario the following:

"In order to ensure the future economic stability of the town of Pointe au Baril, the undersigned petition the Legislative Assembly and the Ministry of Transportation to install two access ramps into Pointe au Baril from the proposed Highway 400, one ramp on the north side and the other on the south. This would provide easy access to our town and allow travellers to continue on their way without inconvenience."

I'll affix my signature to this petition, which has about 160 names on it.

### CHIROPRACTIC SERVICES

**Mr Rosario Marchese (Trinity-Spadina):** Speaker, I have thousands of names on these petitions. I wanted you to know that. It reads:

"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"—thousands of people—"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."

Because I support it, I'm signing this petition.

### HOSPITAL FUNDING

**Mr Michael A. Brown (Algoma-Manitoulin):** I am presenting these petitions on behalf of the Minister of Natural Resources.

"The Minister of Health and Long-Term Care and the provincial Liberal government have approached all Ontario hospitals, advising them that they will no longer provide deficit financing and will therefore have to reduce operating deficits or have funding reduced;

"These cuts will affect 14 full-time and 19 part-time jobs and will impact approximately 5,400 patients. This funding reduction will have similar impacts in all area hospitals, including Kirkland Lake and Englehart;

"Therefore, as citizens concerned about these issues, we petition the Liberal government and Premier Dalton McGuinty to reinstate funding levels to local hospitals to avoid the detrimental impacts that will be inevitably caused by these reductions."

### PIT BULLS

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present another 4,300 signatures, to bring the total to almost 12,000 signatures from the Golden Horseshoe American Pit Bull Terrier Club. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas aggressive dogs are found among any breed or crossbreed; and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead

implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds.”

In support, I put my signature too.

1550

#### AUTISM TREATMENT

**Ms Shelley Martel (Nickel Belt):** I have a petition signed by over 4,062 people from London. The petition was collected by Cynthia Boufford, whose son has autism. It reads as follows:

“To the Legislative Assembly,

“I support the resolution to ensure all people with autism receive appropriate services for their disability through the health care system.

“Autism is a medical condition and, as such, these citizens of Ontario should not be deprived of medically necessary treatment based on their age or the severity of their autism.

“Waiting lists for intensive behavioural intervention providing less than the optimum number of hours of treatment, penalizing families for advocating and discharging children just because they turn six are human rights violations and are, quite frankly, just morally wrong.

“Funding autism treatment through the health care system would ensure that service providers follow clearly established medical ethics and regulations.

“Discharges from the intensive behavioural program are occurring daily as children turn six years old. These children may regress, and then the money invested in their therapy programs will have been wasted.

“Act now, because this is an emergency for these families and their children.

“Premier McGuinty, please take immediate action to ensure not one more child or adult with autism is deprived of medically necessary treatment which will enable them to reach their full potential.

“As a citizen of Ontario, I will not allow this injustice to continue.”

As I said earlier, I have over 4,062 petitions. That’s in addition to the over 7,000 that I introduced on behalf of this family earlier this spring.

#### IMMIGRANTS’ SKILLS

**Mr Shafiq Qadri (Etobicoke North):** I have a petition here addressed to the Legislative Assembly of Ontario, regarding access to trades and professions in Ontario.

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

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

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

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

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

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

I’m pleased to support this and send it to you, Speaker, by page Evan.

#### HEALTH CARE

**Mr John O’Toole (Durham):** I have a petition from my riding of Durham. It’s from Dr Dianne Lott, a chiropractor.

“To the Legislative Assembly of Ontario:

“Whereas the Liberal government has announced in their budget that they are delisting health services such as routine eye exams, chiropractic and physiotherapy; and

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

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

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

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

I’m pleased to submit and sign that on behalf of my constituents and present it to Jane, the page from Oshawa.

#### CHIROPRACTIC SERVICES

**Ms Andrea Horwath (Hamilton East):** It’s my pleasure 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;

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

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

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

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

I have signed my signature, I agree with this petition and I'm very pleased to present it.

#### HOSPITAL FUNDING

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):**

I have a petition to the Legislative Assembly of Ontario.

“Whereas the funding formula used by the Ministry of Health provided only a 1% increase for Four Counties Health Services in Newbury; and

“Whereas Four Counties Health Services has a projected deficit of \$1.7 million; and

“Whereas the plan to balance the budget of Four Counties Health Services by 2006 recommends the closing of all beds at the hospital; and...

“Whereas the continuing viability and operation is of critical importance to the quality of life of all citizens in the hospital's catchment area;

“Therefore we, the undersigned, request a review of the budget/funding and consultation with the hospital board/administration/community to reflect the needs of our rural hospital and community.”

I will give this petition to Kay.

#### CHIROPRACTIC SERVICES

**Mr John O'Toole (Durham):** I have literally thousands of these petitions. I intend to read them all before we go home for Christmas. I'm presenting this on behalf of the Discovery Bay Chiropractic Clinic in Ajax, 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;

“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”—physiotherapy and optometry—“in the best interests of the public, patients, the health care system, government and the province.”

I'm pleased to sign this on behalf of my many constituents.

**Ms Shelley Martel (Nickel Belt):** I have another petition, also signed by thousands of people. It reads as follows:

“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

“Whereas 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

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

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

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

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

#### ANAPHYLACTIC SHOCK

**Mr Dave Levac (Brant):** I appreciate the opportunity to present this petition.

“To the Legislative Assembly of Ontario:

“Whereas there is no established province-wide standard to deal with anaphylaxis in Ontario schools; and

“Whereas there is no specific comment regarding anaphylaxis in the Education Act; and

“Whereas anaphylaxis is a serious concern that can result in life-or-death situations; and

“Whereas all students in Ontario have the right to be safe and feel safe in their school community; and

“Whereas all parents of anaphylactic students need to know that safety standards exist in all schools in Ontario;

“Therefore be it resolved that we, the undersigned, demand that the McGuinty government support the passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan.”

I sign my name to this petition and present it to Emma.

**The Speaker (Hon Alvin Curling):** It being 4 o'clock, I have to call orders of the day.

1600

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Mr Speaker, on a point of order: I believe we have unanimous consent, and I'd like to move unanimous consent for government order G96 to be called automatically following consideration of government order G82, and that the time remaining to 6 pm for debate on the motion for third reading of Bill 96 be split equally between the recognized parties, and that at the time of the end of the debate, the Speaker put every question necessary to dispose of the third reading stage of Bill 96.

**The Speaker (Hon Alvin Curling):** Is it agreed? Agreed.

### PROFESSIONAL LEARNING PROGRAM CANCELLATION ACT, 2004

### LOI DE 2004 ANNULANT LE PROGRAMME DE PERFECTIONNEMENT PROFESSIONNEL

Mr Kennedy moved third reading of the following bill:  
Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program / Projet de loi 82, Loi modifiant la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario en vue d'annuler le programme de perfectionnement professionnel.

**The Speaker (Hon Alvin Curling):** Mr Kennedy?

**Hon Gerard Kennedy (Minister of Education):** It gives me great pleasure to rise in my place and speak to the final phase of this particular bill, which is a tidy-up bill after the last government. It is something that we do, not with relish, but simply with a certainty that this was a failed approach and needs to be excised from the kinds of things the provincial government does now and in the future.

It was, for example, called by a certain title. The title was "professional learning program." It was not professional, it did not support learning, and it was barely a program at all in the sense of what the people of Ontario and those concerned with the use of dollars would like to see in terms of effectiveness for teachers. What we are doing instead is comparing and contrasting for you today the kinds of approaches that a responsible provincial government should take with respect to one of its most important workforces.

We are not the direct employer of teachers in this province; they are engaged by school boards. But we have, as the funders of education and as a body responsible for setting policy for education, tremendous influ-

ence over whether or not students are learning in a successful environment. It would seem self-evident to most of us in this House that if you want to have education work at a very high level, you've got to have a plan to motivate, support and encourage your teachers and your other education workers. You would think that would be something we could all take for granted, but the evidence of the last eight years and the legislation that we're putting forward to be repealed today prove the opposite. It was not professional because the government of the day did not show respect for the professionals whom it was intended to help; in fact, quite the opposite. It did not do what the royal commission suggested in terms of support for teacher development. It decided to cut its own path.

This measure that we're finally repealing today, or proposing to repeal, really had its roots in a back-of-an-envelope or back-of-a-serviette campaign promise that the Harris government made in 1999 to test teachers. They played on the idea, which I think probably still resonates, that most of us have been tested by teachers, and why not test them back? What the government of the day didn't say is that they had no idea what they were talking about when it came to actually evaluating teachers. They had a cabinet document that became public that said there is no such thing as a teacher test; there's no pen or pencil test that can be done to assess or evaluate or otherwise inform whether or not teachers are adequate. But that didn't stop the Harris-Eves government, of which there are proud members still in this House. They're proud to defend the idea that they would waste \$30 million in pursuit of this political promise they had made.

What is the alternative? What else can you do besides this derogation of a profession, this putting down of people who actually are meant to work every day with over two million of our kids in this province? Is there an alternative?

We propose that there is, and that is rooted in respect. For example, while the past government couldn't get even a small percentage of teachers to take part in its so-called mandatory program—in fact, teachers in this province, law-abiding citizens, people who have invested in their careers, who invest every day in students, felt strongly that they couldn't, in good conscience, do this even under threat, and this is what the government of the Harris-Eves era resorted to. They had to threaten their workforce. I think we all know that, even in the 18th century, when workers and others had less options, that never did work very well. Most modern enterprises have a much better outlook on how to motivate people, how to get the job done. But that kind of learning didn't get through to the last government. What they tried to do instead was threaten people. No one took part, frankly; a \$30-million program, sitting there. This government spent six million in taxpayer dollars on a program that virtually no one participated in.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Wasted.

**Hon Mr Kennedy:** Incredibly so.

*Interjection.*

**Hon Mr Kennedy:** There's some muttering from the critic opposite who says they were told not to; this idea—not an idea—this ideology resident and reposed in some of the lingering members of the Harris-Eves era. They still linger in this House, and so do their ideas. That's why we're glad to be bringing this forward today, because it's time to excise this. It's time to relieve them of the burden of this somehow still-resident ideology, this funny Tory-Soviet politburo, that they can sit and push buttons, that all they have to do is threaten people or tell them what to do and that will make things better.

We have a different approach when it comes to improving conditions for students. For example, this summer, 7,800 teachers took part voluntarily in training for literacy and numeracy. So this year, after three years of no progress in our schools, we actually saw increased performance by students—a tremendous effort on the part of families, students, teachers and education assistants, working alongside these students.

Clearly, that's the approach that holds promise for Ontario to regain its education advantage. Before the last eight years and the misguided approaches of the previous government, this was a jurisdiction that could hold its head up high when it came to international tests and so on. We are still respectable, but we no longer lead the pack in this country. We have other provinces that have leapfrogged us, because of measures such as that which we hope to repeal with the legislation we have in front of the House today. When a government is going to take measures that ultimately affect two million students, it has to take its job seriously.

This was not a serious effort on the part of the previous government. They said "professional," but they didn't show that respect for professionals. They actually overrode the Ontario College of Teachers, even though they had manifest influence on that through their own appointees, often appointing people who have professed views against public education and against teachers. They still overrode the consensus of that body, interfered with it in a way they promised they wouldn't and imposed the system themselves. That's what's in question today: this imposition of a system from a government driven by ideology, unable to be practical, unable to take responsibility for results, never having set any goals for the education system—not a single one—in terms of performance, and, not surprisingly, not yielding any respect.

Learning didn't take place because people stayed away from this program in droves. It was expensive, it was set up to control every single facet and it denied the fact that teachers were taking courses on their own. What they did was avoid some of these particular courses because they didn't want that implication. They didn't want the idea that they were succumbing to a notion that they were not professionals, that they were not prepared to discharge their trust. They were prepared to do that, and they showed that by taking courses wherever they

could, but this had a suppressing effect on the training and development of our teaching workforce. Educators in this province were not able to access the same number of courses, simply because it had this taint. We believe strongly and we take entirely the responsibility for creating a climate where more teachers will be more qualified.

I'll give you another example. Under the previous government's administration, in the face of this and other measures it had put forward, one in three new teachers quit the profession in the first five years—a tremendous loss in terms of energy, idealism and real purpose. And students were subject to some of this churning taking place in the system. One in three new teachers is, I think, a human resource failure of the first magnitude. This isn't something that the people opposite were concerned with whatsoever when in government. No measures were taken.

Already we see that there has been a change. The latest report from the College of Teachers is that there are now higher retention rates being reported on behalf of new teachers. We have more work to do there, but certainly we see that this is part and parcel of a failed approach and something that cannot continue if we're going to do what has to be done.

What's the alternative? There is a very good alternative: an induction program that works with new teachers. We have a short preparation period in this province. They're very qualified, they have four years of university, but their actual teacher training is limited to one year. So we think a further induction year of training on the job, of working with experienced teachers, will help, and we will gain the goal that we have.

**1610**

So I would say to you that we have an alternate path that holds out much more promise for the students of this province. They will have what I think, in their heart of hearts, every member in this House knows is needed when it comes to their children. You're going to entrust your children to a system that has energetic, enthusiastic, motivated people in front of the class. It's high time that the people in this Legislature took responsibility for making a contribution to that environment.

The repeal of PLP opens the doors to a range of other things that can be done for teacher development. We recommend people to our Web site. There are many other things we have put forward there as proposals. The PLP is, we hope, now part of a sad chapter in the history of education in Ontario.

**The Acting Speaker (Mr Ted Arnott):** Further debate?

**Mr Frank Klees (Oak Ridges):** I'm pleased to participate in this debate. At the outset, I want to say how disappointed I am at the insult that the Minister of Education has just levelled against students across this province and against his teachers. He stood in his place, just a few moments ago, and he dared to make the statement that nothing has happened in education in this province in the last three years; that, over the last number

of years, somehow in this province, students and teachers have failed.

Speaker, I'm pleased to stand in my place today and share with you a release that I have just put out and clearly the Minister of Education either has not recognized or fails to see or chooses to hide. That is the important information regarding the fact that our grade 8s have moved into the top 10 in math and science internationally; that, as a result of the international tests involving some 50 countries, for the first time ever, our grade 4s and our grade 8s are in the top 10.

This Minister of Education—shame on him—stands in his place and says that education in Ontario has gone nowhere. He cannot take credit for this, because these tests were done in 2003, based on teaching and based on curriculum that our government brought to this province. We established standards and encouraged teachers to become the best that they can be. That is the evidence. This Minister of Education should be ashamed of himself for not trumpeting those results and encouraging and praising the students of this province and the teachers of this province for that.

I want to turn my attention now to the fact that this minister has once again failed not only teachers and parents but students by introducing a bill into this Legislature that reads, "An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program." What Minister of Education can take pride, as we just heard him say—that he would come into this Legislature and take pride in eliminating and cancelling a professional learning program for teachers?

I want to read into the record some comments from parents, who surely are one of the most important stakeholders of education in this province. A constituent in Richmond Hill wrote to me recently on this teacher testing issue. She has two children in the public education system, and here's what she said:

"There is a remarkable difference in what is published and what our experience has been. I am appalled at the poor training and commitment that teachers have towards effectively teaching and communicating with parents. Parents are no longer welcome in the education of their children."

She goes on to say, "I think it should be mandated that these teachers and principals be evaluated on a yearly basis. There needs to be more accountability of the profession. This is not atypical for professions to have this quality assurance. I urge you to bring this topic to the forefront and stop the Liberal government pandering to the teachers' union."

Unfortunately, I can't stop this Liberal government. This Liberal government was elected with a majority. They now, on this legislation, have put a time limitation on the amount of time that we can actually debate this. In this place, where we should have the opportunity not only to express our views as members of the Legislature but also to communicate and allow members of the government to hear from the public, this government has now limited the amount of time we can debate this, and

this will become law and they will eliminate this professional learning program. I say to you, it is to the detriment of every teacher, it is to the detriment of every student in this province, it is to the detriment of every parent who cares about the quality of education the students receive, contrary to the minister's comment that somehow our government previously brought in a teacher testing program, a professional learning program, with a view to punishing teachers. How far from the truth can this minister be? He accuses us of wanting to polarize people in our community. Rather than recognizing the importance of professional learning for every teacher and ensuring that teachers in this province are given the resources to become the best they can possibly be, this minister resorts to pandering to those teachers' unions, who we all know sent directives to their membership not to participate in this program. For them, this became a power struggle. How unfortunate that is.

What we said as a government, and what this government should be saying, is no. Teachers' unions will not determine the direction of education in this province. It will be parents, at the end of the day, who have the responsibility for the future of their children. That was the objective of our government: that we partner with parents, that we partner with teachers and that we do what is right for every student in this province.

I want to read into the record a comment from someone who has been involved in the education system for a number of years: Heidi Kreiner-Ley from Richmond Hill. She knew this debate was going to take place this afternoon, and she writes to me:

"Regarding the loss of teacher testing and accountability:

"As a parent and a school council chair since their inception and involved in our schools for over 15 years ... and after meeting with the Premier and the Minister of Education over the years and school board officials on this topic, it is very clear to parents that they wish to have some form of accountability in place that assures that those teaching our children are kept current and updated with the curriculum.

"Teaching testing, while not perfect, provided that security to parents."

She goes on to say, "Being a real estate professional, I am mandated to take courses and obtain a total of 24 approved RECO credits in order to maintain my real estate licence and be able to continue with my profession. I take my job seriously and never complained, as I know I am working with people's life savings and our world is constantly changing. I take pride in being on top of my profession."

Ms Kreiner-Ley goes on to say, "Our children and their education is priceless for the future of this country and our quality of life and theirs. It is not unreasonable to ask our professionals, our teachers, to provide us with proof that they are staying current for the best interests of our children. For those that regularly attend upgrading courses or seminars, let us know through your College of Teachers. For those who do not upgrade regularly, let

there be a system that mandates that they do, that we know we are putting the future of our country (our children) into the hands of professionals who are the very best in their field and are current in their profession.”

That was the objective of the professional learning program, not to punish teachers, not to somehow create a polarization, as the Minister of Education suggests. It was for the purpose of ensuring that our young people, when they graduate from our schools in this province, are able to compete at an international level for the best jobs that are available. How do we do that? We do that by ensuring that the teachers who are teaching them in the classroom are the best qualified in the world. That's what this is all about. The fact that it was mandatory was simply to ensure everyone took advantage of that upgrading.

1620

I admit that over the years the majority of teachers have taken that responsibility seriously, and they've done so on a voluntary basis, but the record from the Ontario College of Teachers council also shows that some 35% of teachers have never upgraded. That is the percentage of teachers we wanted to ensure were included in the professional learning program. Don't those children who are in the classrooms with those teachers who choose not to upgrade deserve the same level of education, of quality of education, that the children who are in the classes of teachers who choose to voluntarily upgrade get? I believe, and we as a government believe, they do. This government obviously doesn't.

I want to leave some room for some of my colleagues to comment as well. However, before I do that, I want to make one comment with regard to an announcement the Minister of Education made today at a press conference, at a photo op. He chose not to make a statement in the House. How disappointed I was at that, because I was looking forward to responding to that announcement, to that ministerial statement. It had to do with this minister's response to a serious issue in our province, and that is bullying. There are far too many times in schools throughout this province when young people, in elementary schools as well as high schools, are afraid for their lives. They're intimidated to go to school, to leave school and to be in school. That is wrong.

We introduced a piece of legislation called the Safe Schools Act. You will recall it. You may also recall that the current Minister of Education, the current Premier and all the Liberal members of that caucus voted against that legislation. What did the Safe Schools Act do? The Safe Schools Act provided a framework within which every school in this province was mandated to develop an anti-bullying policy to ensure the school was safe. It mandated that there were safe school councils within every school. What was the first responsibility of that council? It was to do a safety audit of that school.

In addition to that, the professional learning program that this legislation we're debating this afternoon will eliminate contained curriculum material that allowed teachers to become familiar with, and provided the

resources for them to deal with, bullying behaviour so that they could, in an effective way, help children in our schools who are being intimidated and who have nowhere else to go. The intention was that the place to go was not a bullying hot line, which is what was announced by this government today, but that the most direct line for help would be to the principals and to every teacher in that school. That was the issue.

I want to close my remarks today by saying that this Minister of Education has failed the students of this province through his announcement today, which simply adds an additional layer of bureaucracy and cost, and artificially holds out hope that the issue of bullying is being addressed. He has failed the students and teachers of this province through this legislation we're debating by taking away a professional learning program that was intended to make our teachers the best they could possibly be.

I couldn't be more disappointed today because of the actions of this minister and of this government. I call on members of this Legislature and any Liberal backbencher who would choose to put students and teachers first to vote against this legislation. That would be my call to my fellow colleagues in this Legislature.

**Ms Kathleen O. Wynne (Don Valley West):** I am very happy to rise to speak to Bill 82. I've spoken about this issue in the Legislature before. I think it's critical to our plan for undoing a lot of the damage that's been done to public education in this province over the last eight or nine years. The reason it's critical is that it speaks to the most important relationship in a school and in a school system, and that's the relationship between the student and the teacher.

I just want to start my remarks by quoting from a valedictory address. I know those of you who attend commencement ceremonies are often touched by the addresses given by students graduating. This speech was given at Marc Garneau Collegiate Institute in my riding of Don Valley West a couple of weeks ago by Aishwarya Ramakrishnan. She delivered this valedictory address and, as with many students at the end of their high school careers, she talked about her teachers. She said:

“I don't need to tell you how great high school was. If you were anything like me, you probably think of your friends a million times a day. You look like a lunatic when you randomly smile thinking of great times that have passed. You mentally thank your teachers countless times as your professor speaks gobbledegook that you managed to understand.” She talked about “the dedicated, caring teachers and staff who are cherished and respected more than they know.”

I think Aishwarya captures what all of us know, which is that the environment our children, our students, learn in has everything to do with the teachers. It has everything to do with that willingness of teachers to go the extra mile for students, which they do, to prepare students for moving on. It's that relationship between the teachers and the students that is critical.

Coming back to Bill 82, what we're trying to do here is put in place a relationship between the teaching pro-

fession and the provincial government that is constructive and productive. Over the last number of years, that relationship has been poisoned. So if we think that the relationship between the students and the teachers is at the heart of the education system, then we, as the provincial government, have to facilitate that context, we have to facilitate that environment. In order to do that in a responsible way, we're going to have to undo some of the damage that's been done.

So let's look at why we would be removing the professional learning program that was put in place by the previous government. The first reason that we'd remove it is that it hasn't worked. Teachers have not subscribed to this program. They have not signed up for these courses because they know that they have been doing professional development for years. Ninety percent of teachers in this province have always done professional development. They didn't need to be told in an insulting and patronizing way by the provincial government that they must take these courses in this particular order at this particular time. They had organized their own professional development. They had done it within the schools, within the boards and outside of the boards. Teachers have always done professional development in this province.

The PLP was a solution to a problem that didn't exist. The previous government was trying to undermine that relationship with teachers, undermine the public's confidence in teachers, by suggesting that they didn't take professional development, that they didn't take courses in order to upgrade, in order to keep themselves current, and that just wasn't the case.

#### 1630

What we need to do is to work with teachers to put in place a real professional development program that speaks to their needs, that speaks to the issues where they see gaps. So what the minister has said is that he's going to work with teachers to put in place new mentoring programs, especially for new teachers, the possibility of an induction year, and increased professional development days.

It's highly ironic that the members from the Progressive Conservative Party talk about the value of professional development, when it was their government that cut professional development days, that made it more difficult for teachers to access professional development courses. Any industry provides opportunities for their workers, for their management, to take part in professional development. What the previous government did was cut those opportunities for teachers, and then they said, "Oh, yes, but you have to go out and take these 14 courses." So they were talking out of both sides of their mouth.

What we're trying to do is put a rational program in place. We have already enhanced summer programs. Last summer, 7,500 teachers enrolled in literacy and numeracy programs to get them ready for this fall. We're looking at, and the minister has announced, the possibility of enhanced money for teacher development. So

we're putting our money where our mouth is. We are working with teachers to put real professional development in place that they can buy into because they know it meets their needs. At the same time, what we're doing is building back the respect for teachers that, for unknown reasons, was lost over the last eight years.

It's inconceivable to me that a government could think that to poison the water, to poison the relationship between government and teachers, and therefore poison the relationships among teachers and between teachers and students in schools, would be a good way to go about improving public education. It's the wrong way to go about improving public education. If you want to make changes in the public education system, you'd better have the teachers onside. What happened in the last regime, the previous government's regime, was that teachers were absolutely not onside. They did not believe in the changes that were being made. They believed that they were being undermined. So what we're having to do as a government is to rebuild the trust with teachers and re-establish that commitment to public education which should be a given in this province. It should be a given that we believe in public education. It is a given for our government, and the removal of this punitive and flawed, not real, professional development program is one step in building that respect.

I am very pleased that we're moving ahead with this. Bill 82 is a cornerstone of our commitment to teachers and to public education. It's interesting that opposition members—and I noted peripherally yesterday when I was speaking the obstruction that has been put in our way in terms of moving this legislation through. On second reading debate, there were 10 hours and 20 minutes of debate, but in fact the opposition members rang bells for three hours of that. So the opposition members who somehow think that we shouldn't move as quickly to get this legislation passed spent a lot of time not debating the bill, but ringing bells in this House, which doesn't make a whole lot of sense in terms of their willingness to debate the bill.

I think the reality is that everyone in this House knows that the plan put in place by the previous government, this professional development plan which really wasn't a plan to support teachers, was flawed. Even the members of the previous government, I think, know that it wasn't working. So if they were actually acting in a rational manner, they would be supporting this bill. I fully expect that members of the NDP will be supporting us, although it was a bit discouraging that some of their members voted against Bill 82 on second reading. I fully expect that, on third reading, we will have support of most of the opposition members, because this is a plan that needs to be revamped. We need to put in place real professional development programs that teachers can buy into and that speak to that fundamental relationship between student and teacher and support the teacher in making that relationship work the very best that it can. That's why I'm happy to support this legislation, and I hope it moves forward expeditiously.

**Mr John O'Toole (Durham):** It's a pleasure to rise today and add some comments with respect to Bill 82. I would like to start by saying, and other members of my family might say, that I have the greatest respect for teachers as my wife and daughter are both teachers. Having been a trustee I know that for the most part, like in any profession, including MPPs, that there are good MPPs and there are not-so-good ones. The electorate usually has a time of figuring that out, and it's usually called an election. Quite often governments, or individual members, for that matter, crash and burn. In case this profession is not beyond that, as any profession, then that's the role of the college. The Ontario College of Teachers is supposed to be the disciplinary body.

I have repeated this numerous times, and in the very limited time I have today I'm not going to repeat it, but I think it's important for members here who are new to this to look back to the Royal Commission on Learning and to the fine work that was done by that commission, and the minister at the time, by the way, David Cooke, who went about setting up the college. The college, of course, of any profession, is by nature of a definition, Mr Marchese, self-regulating, be they doctors, dentists, nurses, nurse practitioners, engineers or pharmacists. I include in that professional group, respectfully, teachers, and as such the profession itself has an oversight body, a governing body, that isn't all workers' rights issues.

There are disciplinary issues in all professions. In fact, the Speaker today actually named our leader, Bob Runciman, for not following or complying with the rules. So let's not be uncomfortable or confrontational, or insensitive to the issue that one out of every 75,000 teachers might need to have some remediation. Is that possible, do you think? That is the substance of this discussion, and I don't want it to sound harsh. Mr Speaker, I know your wife, Lisa, is a teacher. I know our former minister and our deputy leader, Mrs Witmer, were teachers.

There are many fine professions. I want to make the point, and I'm spending an inordinate amount of time making it, that this is not about criticizing the profession of teaching. In fact, I said it yesterday in a very hastily arranged time allocation motion to shut this debate down, but the Liberal government wanted to hear nothing of it. They've made their decision to cancel teacher testing, and I understand that. They've sold out or made an agreement or have some kind of agreement with the OSSTF and the various federations.

I thought, to put a bit of something new into the discussion in the last two minutes I have, that I'll read a few things here that I think warrant consideration. I know this is a foregone conclusion. They're going to force the vote on this; they're not going to adopt a single amendment or listen to a single person. They've made the deal; they've signed the agreement with the teaching profession—the unions, primarily—and they're going to change the college function back to a sort of union function. The war will not be so overt, but it'll still be an aggressive situation.

If you use any reference at all, read Ian Urquhart's article from yesterday's Toronto Star. It's worth reading for all the members. This is worth reading here; I'm reading directly from Hansard of yesterday and I will cite the person who said it in a couple of minutes: "The challenge is, how do you engage teachers in the process in a meaningful way that makes a difference in their own professional lives?" It goes on to say, "That wasn't part of this bill. In fact, all it simply said was, 'Go out and get 14 credits, seven in the core areas and seven in elective areas, over a five-year period and then you'll be certified.'" That was said by Donna Cansfield, who was a school trustee in a very respectful working relationship with the board. The fact is, she said it wasn't too onerous. I know people who took the courses. The courses weren't like a normal university credit. Some of them were an hour. Some of them were a weekend course. They weren't like some onerous deal here. There was a lot of choice.

To look at a specialist, whether it's in special education, reading or sports—there's one here. You could see certificates in rock climbing, for that matter. It was an elective. That didn't indicate how it impacted, changed or evolved into better teaching practices. That's what you need to do with the learning profession. She goes on to say, "Just as businesses do, they sit down together with the employees and look at—

1640

**The Acting Speaker:** Your time is up. Thank you very much to the member for Durham. I appreciate your contribution to the debate.

**Mr Rosario Marchese (Trinity-Spadina):** I want to say right at the outset that I welcome those eager Ontarians to this political forum. There are many people who watch this channel. It's now 20 to 5. I'm happy to participate and happy to know there are a lot of people watching. They enjoy this parliamentary channel. God bless them, they do.

I want to say at the outset that I support this bill. I said this on second reading debate and I'm saying it now.

**Hon Mr Caplan:** How did you vote?

**Mr Marchese:** How did we vote? I'm about to clarify how we voted.

To the people of Ontario watching this program, here's what happening. It could be wilful on the part of the Liberal Party in general, or it could be by accident, but I don't believe it is. I think they are deliberately distorting what's happening here. Let me explain why, David.

On October 28, we had second reading debate in this place. We debated the bill. I stated my support. New Democrats supported the bill. What went on on October 28 is the following: At the end of the debate, a parliamentary assistant for the Minister of Education or the Minister of Education, either one, has to stand up and refer the bill to a committee in order to have third reading discussion with the general public.

Now, because the minister wasn't here that day and the parliamentary assistant was not here that day, there

was nobody to refer the bill to committee. If the minister or the parliamentary assistant are not present for whatever reason, God bless them, then eight government members have to stand up and refer the bill to committee. The government members did not do that. The Minister of Education was absent. The parliamentary assistant was absent. Then they allege that we stalled, that we were filibustering, that we didn't support the bill or God knows what they said when they're out there, either sending out letters—

*Interjections.*

**Mr Marchese:** Hold on a minute.

**Hon Mr Caplan:** I was here.

**Mr Marchese:** There are a number of friends here across the way who are sort of nodding in disbelief, as if it weren't true.

My friend from Ancaster-Dundas-Flamborough-Aldershot, is it possible that you are not believing what I'm saying? Is it? OK. That is why I urge you or others who may have been present that day or the House leader, David Caplan, who is indicating to me that he was here—I remember it very well. I remember very well that he was here.

*Interjection.*

**Mr Marchese:** Which part didn't he believe?

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** The second part.

**Mr Marchese:** It doesn't matter which part, first or second, you don't believe. How it turned out is exactly how it went.

David, I like you. The Minister of—

**The Acting Speaker:** Take your seat, please. I would ask the member to refer to the member for Don Valley East by his riding name or by his cabinet responsibility, not by his first name or his surname.

**Mr Marchese:** The Minister of Public Infrastructure Renewal. That's a long one. David Caplan, the minister of infrastructure—

**The Acting Speaker:** Did you not hear me the first time? In the future, please refer to him by his riding name or his cabinet responsibility.

**Mr Marchese:** And so my friend—through you, Speaker—the minister of infrastructure and the rest of it, was here that day, and rather than assuming responsibility for—how shall I put it?—the way it went, to be polite, he's saying that he didn't commit any error, that his government did not commit any error. All I'm saying to you is, assume responsibility for what you did and what you ought to have done that you did not do, as a result of which this bill is before us in committee of the whole.

Now, for those of you watching, because the minister was not here—

**Mr McMeekin:** Are you against this bill?

**Mr Marchese:** Ah, my buddy from Ancaster-Dundas-Flamborough-Aldershot, it's important for the citizens of Ontario to know that it is not due to the opposition parties—it isn't due to what we might have done or said—that this bill is here in committee of the whole. It

was due to the minister not being present to be able to refer it to committee, and it was due to the fact that the minister of infrastructure, who was here, did not indicate to eight of his members to stand and get it out to committee.

Then they communicated with all sorts of federations, both public and Catholic, and said to them, "The NDP," and presumably the Tories, "are stalling. They're filibustering. They didn't want this to go to committee." How is it that the government simply can't stand up and honestly say, "We just didn't do this right"? That's what troubles me. I am troubled by that, because I would much prefer that you be honest with them and say, "Look, this is the way it went," rather than saying, "The NDP didn't want to send this to committee."

**Hon Mr Caplan:** You blocked it.

**Mr Marchese:** You're killing me, Minister. You're killing me, I'm telling you. You've got a tremendous testicular kind of strength to be able to stand there or sit there and say, "You guys blocked it." We didn't block it. You didn't send it to the right place, because you didn't know what you had to do.

For the record—and it took me so long to be able to put this on the record. Imagine, eight minutes to straighten the record out, and this government does this on a regular basis. They stand up and make allegations about a political party; in this case, the NDP. They say, "The NDP didn't do this when they were in government," and it doesn't matter whether it's real or not. They just stand up and make allegations, and it's up to the NDP to disprove it. Why would we spend so much time having to do that, but brilliantly? All they have to do, wilfully, is stand up and say whatever they like.

That's what disturbs me about the way the Liberals are behaving. I'd much prefer that you stand up and defend yourselves, defend your record, rather than distort the realities of the other political parties, even our own from 1990 to 1995, and pretend—

*Interjection.*

**Mr Marchese:** The bill. My good buddy from Ancaster-Dundas-Flamborough-Aldershot—

**Mr McMeekin:** Where do you stand on the bill?

**Mr Marchese:** I'm going to tell you. I've got so much time. Sit back and relax like the people of Ontario. They're watching this program and they are relaxed. Sit back and relax.

Two things, quickly. We as New Democrats disagreed with what the Conservative government did in government because we felt, and you know, that what you were doing wasn't very nice.

1650

**Mr McMeekin:** But do you support the bill?

**Mr Marchese:** I already said so. I already said we support the bill. I don't understand. Where were you? Where were you when we said we support this bill a mere nine minutes ago? It's exhausting having to deal with that.

Two things: When the government introduced this bill that is now being repealed, it had two components. One

was a program that would include an initial certification test and require all new applicants for teaching certificates to take a standardized qualifying test. That was one part. The other part was a teacher recertification program, ie, you had to take 14 courses—seven obligatory and seven optional—which they call teacher testing, as well.

This government has eliminated one component of the bill but has been silent on the other, except that on Saturday the minister, in a Toronto Star article—just a tiny, little article; I couldn't believe it—spoke to what I wanted to speak to today, which I'm going to do, because the other component is worse in terms of what should be eliminated, and that is the teachers' test for those who have gone to the faculty, basically passed much of their teacher testing that they've gone through in terms of the practicum, and then they have to write this test that 99% of them pass. They've got to pay \$200, and 99% of them pass it.

These people are highly qualified, member from Ancaster-Dundas-Flamborough-Aldershot, and that's why 99% of them pass the test. After having gone through a rigorous program at the faculties in Ontario, where they do the practicum on a regular basis and get tested by their teacher, who has to supervise their work, why would we, at the end, require them to pay 200 bucks to pass a test they are going to pass anyway? They are more qualified than anyone else. Why would you do that, and why would the Liberals not speak to that?

That's what troubled me. That's why I wanted to speak to third reading debate of this bill, because the minister, in his discussion paper—you know there are lots of discussion papers they put out; it never ends—on page 3 says the following: "Having an entry test to teaching is consistent with our approach of treating teachers as responsible professionals and is helpful to ensure student familiarity with Ontario curriculum and provincial educational objectives."

You're nodding as if you know what I'm talking about, member from Ancaster, but the minister doesn't like teacher tests. I think the teacher test the Tories devised was all political and had nothing to do with pedagogy.

Then you have a minister claiming he knows what he is talking about, but he says, "Having an entry test to teaching is consistent with our approach of treating teachers as responsible professionals and is helpful to ensure student familiarity with Ontario curriculum and professional educational objectives."

Given what he appears to know or pretends to know, why would he make such a claim, and why would my friend from Brant, whom I will name by his title, who is a former principal, not help the Minister of Education to understand that, and say to the minister, "We've got to deal with this. We've got to change it"?

So I was troubled, and I wanted it to go to third reading for one afternoon so I could get advice and opinion from the various teachers and/or federations who wanted to speak to this teacher test. I indicated to two federations, OSSTF and OECA, the Catholic teacher

federation, that all I wanted to do was have one afternoon, member from Brant, former principal, to tell the minister that I think he has dealt with one component of this bill but he is keeping the teacher test.

And why? I wanted to say to teachers, "Do you support the minister with this?" because the minister—I know you weren't listening too well, member from Brant, because you were talking to the clerk and that's OK, I understand that, but I don't know whether you have an opinion on that or not, and all the time has been taken up, so you won't be able to comment, but it puzzles me. And the other teachers who are here, I'm puzzled by your lack of comment on this matter. Do you support the teacher test for qualifying teachers who are about to enter the profession? Do you think it is a good—

**Mr McMeekin:** Not the test; a test.

**Mr Marchese:** That "a test" is the test.

I believe, and hope, that the minister will deal with this. This little clipping from the Saturday Toronto Star says, "The province is scrapping a controversial qualifying test for new teachers, two years after it was introduced.... 'It was not much of a quality check,'" he said.

So you have a discussion paper saying that having an entry test to teaching is consistent with our approach of treating teachers as responsible professionals and then a little article in the Saturday paper saying we're going to scrap that test.

**Mr McMeekin:** That's my point. It's going to be a new test.

**Mr Marchese:** Exactly, member from Ancaster. It will be a Liberal test. It won't be a Conservative test; it will be a Liberal test. What's the difference between a Tory test and a Liberal test except the labels "Liberal" and "Tory"?

So what is it, Minister, that you're saying? What do you want? What do you stand for? Where is your clarity? I have not yet seen a minister who can baffle through his entire political career—and he does it so well. At the end of it, everyone is standing there in consternation, wondering, "Did he say that or didn't he say that? Does he support this or does he support that? We don't know what he stands for. We just don't know." That's the problem with Liberal politics and Liberal policies. You're never going to know at the end of it what they stand for.

So is this test gone or isn't it? Well, maybe. He says the Liberal government plans to replace the test by next September with an induction year. Oh? What does that mean? In his discussion paper, it says that potentially the test could be moved to after the end of the first practice or induction year. This paper is not very clear, as you can see. What does it mean, "at the end of the first practice"? "At the end of the practice" is in the induction year?

My sense is that he could be talking about teacher practice, when the teachers are doing their practicum. You have in the first session one or two practicum experiences, and then in the second term you have two more and so on. So what is he saying? At the end of the first practice versus the second versus the third? What is the first practice?

Do you understand the abstruse nature of the way it is written and the way he speaks? We never really know. That is all I wanted to be able to put on the record, for committee, so as to hear from teachers about what they had to say and to hear from the minister about what he had to say and to hear from Liberals about what they want to say about this. If they were clear, this bill would include two components of the previous Conservative bill; that is, the recertification—which the 14 courses are all about, and the initial certification test that teachers now have to take. Why did it not in this particular bill repeal both of those practices? Because—

**Mr McMeekin:** Did you ask him?

**Mr Marchese:** Did I ask him? It's not my job to ask him what he's doing; my job is to criticize him for not including both components rather than the one component. The reason he kept the teacher test is that he wants to be seen by the parents as somehow maintaining the standards, you see. He doesn't want to be seen to have a less or worse standard than the Conservative Party, because all the Conservatives ever talked about was standards and this teacher test was going to arrive at these standards. Some 99% of those qualifying teachers pass this test, and that's going to show us and prove that somehow the standards have gone up? When 99% of these qualifying teachers pass this test, this has set the bar higher than ever before? It has not, did not, will not. It was all about politics and what the minister is still doing is about politics.

*Interjections.*

1700

**Mr Marchese:** I know Liberals hate to hear it. You would want to make sure that the opposition party could simply acquiesce ever so quietly and simply say, "Oh, the Liberals are so, so good." Nihil secundus. That's a good Latin expression meaning second to none. They think they are so good.

But for the record, again, we support this part of the bill.

*Applause.*

**Mr Marchese:** No, don't clap for me. We're waiting to see what the minister has to say about this new Liberal test. We're waiting to see what professional development he is going to be working on with the federations, boards of education and the Ontario College of Teachers. We await eagerly. It's 14 months into the mandate. We're breaking soon. I don't know what the minister is going to come up with.

Speaker, thank you for all your assistance today.

**The Acting Speaker:** That concludes the time that the House has allocated for this third reading debate of Bill 82.

Pursuant to the order of the House dated December 13, 2004, I am now required to put the question.

Mr Kennedy has moved third reading of Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

I have received a notice from the chief government whip to defer this vote until tomorrow at deferred votes.

## LIQUOR LICENCE

### AMENDMENT ACT, 2004

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

Mr Watson moved third reading of the following bill:

Bill 96, An Act to amend the Liquor Licence Act /  
Projet de loi 96, Loi modifiant la Loi sur les permis  
d'alcool.

**The Acting Speaker (Mr Ted Arnott):** I recognize Mr Watson to initiate this debate.

**Hon Jim Watson (Minister of Consumer and Business Services):** It's my pleasure today to speak to you in favour of Bill 96, the Liquor Licence Amendment Act, 2004. For those members of the House who aren't familiar with Bill 96 and for those people who are watching us on television today, this is also known as the BYOW piece of legislation, to allow people to bring their own wine. But it's also legislation that is about balancing consumer choice in liquor service with stronger enforcement measures and to increase public safety.

I'm delighted to share my time with my parliamentary assistant, Mr McMeekin.

La loi sur les permis d'alcool décrit les règles concernant la vente et le service des boissons alcoolisées dans la province de l'Ontario. Au cours des années, la loi est devenue de plus en plus désuète. Elle n'est plus conforme au marché qui subit des changements constants.

By modernizing the Liquor Licence Act, we're taking the first step in bringing Ontario's liquor laws into the 21st century. If Bill 96 is passed, the government will proceed with regulatory changes to introduce bring-your-own-wine to Ontario. This service would allow patrons to bring bottled wine into licensed restaurants and consume it there. And although not part of this bill, the government also hopes to bring another consumer choice to Ontario, the option of take-home-the-rest. This initiative would allow patrons to remove an unfinished bottle of wine from licensed establishments as long as the licensee had properly resealed the bottle.

This option would mean a certain coming of age for Ontario. If customers were able to bring their own wine and take home what they don't drink, they might be more inclined to dine out in the first place, increasing restaurant revenue. Moreover, from a public and social responsibility point of view, they wouldn't feel compelled to finish the whole bottle on-site, encouraging responsible drinking. Bring-your-own-wine and take-home-the-rest are based on the same principle, that being choice.

BYOW has been a success in jurisdictions around the world: New York, Australia, New Zealand, Alberta,

France, Italy, and for almost 20 years in the province of Quebec.

But don't just take my word for it. The response from restaurants across the province has been extremely positive. Stephen Beckta, the owner of Beckta Dining and Wine in Ottawa, noted, "I'm all for allowing customers the option to bring their own wine into our restaurant for a corkage fee. The practice allows people to dine out more often and with greater flexibility. Having worked as a sommelier and restaurant manager in New York, I know first-hand that this can be beneficial to both guests and restaurant alike. That is why I am a firm supporter of this initiative."

Paul and David Valentini, owners and operators of Mammina's Ristorante in Toronto, just down the road from us at Queen's Park, support the new legislation—

**Mr Jeff Leal (Peterborough):** It's a good restaurant too.

**Hon Mr Watson:** Absolutely—as does Mr Anish Mehra, general manager of the East India Company restaurant in Ottawa; Michael Pickard, chef at InFusion Bistro, also in my hometown of Ottawa; Johan Maes, owner of Petit Dejeuner here in Toronto; and Mark Samuel, owner of the Rectory Café on Toronto Island, who appeared before the standing committee.

The list of restaurateurs excited by this legislation reflects the diversity of support that exists for bringing Ontario's liquor licence laws into the 21st century. These restaurants recognize that staying innovative is the best way to stay ahead.

Participation in either option would be entirely voluntary on the part of licensed restaurants. The government would not force any restaurant, any business, to offer these options. One restaurateur in Windsor, for instance, told me she wants to offer BYOW just on Mondays, because Monday is traditionally a slow day in the restaurant industry and this was an opportunity for her to bring more customers in on that slow day.

**Mr Leal:** Flexibility.

**Hon Mr Watson:** Absolutely.

Another restaurant wants to strike a marketing agreement with local wineries in the Niagara region so that those wineries would end up putting a list of restaurants that offer BYOW in their establishments. So the person would go to one of the great wineries of the Niagara region, buy a bottle of wine there and bring it to one of the restaurants that is supportive of this piece of legislation. Both of these scenarios are permissible under the bill.

If passed, this bill will maintain current responsibility requirements if these options come into effect. Careful safeguards would be put in place for these initiatives to ensure safe communities.

The legislation addresses the issue of responsibility. Licensees would still be responsible for making certain that liquor is not supplied to an intoxicated person or to someone under the age of 19, whether that person purchased wine from the licensee or brought wine with them to the restaurant. Each bottle would have to be

opened by the licensee or by a server, who would keep track of how much was being consumed, just as is the case currently. Only unopened, commercially made wine would qualify.

The point to stress is that licensed restaurants would remain responsible for keeping people from consuming too much. They would remain accountable to responsible service, as they are now. As we all know, modernization of our liquor laws is more than about choice. It's also about balancing the choice with stronger enforcement. I know my parliamentary assistant is going to be talking about some of the issues we heard at committee with respect to police associations and so on, but the fact is that since the Liquor Licence Act has not had significant amendments in 14 years, enforcement tools in this sector have also fallen behind.

Consider gaming, for instance, which is overseen by the Alcohol and Gaming Commission of Ontario. Under the Gaming Control Act, the registrar of alcohol and gaming has the power to immediately suspend the registration when it is in the public interest to do so. This component of the legislation has won wholehearted endorsement from community leaders such as Jeff Leiper of the Hintonburg Community Association, who told me in a written submission that they have a "particular interest in seeing the provisions related to stricter enforcement in place as they relate to immediate licence suspensions."

Comparable powers are needed on the alcohol side of the commission's mandate to keep our communities safe. That is why we are proposing an amendment to allow the registrar to immediately suspend a liquor licence, if necessary in the public interest; that is, where there is a threat and a danger to public safety.

Toronto city councillor Kyle Rae stated at the committee, "I'm looking forward to your allowing for the immediate suspension of a licence to ensure public safety in the hands of the AGCO. That is a very important piece of your new legislation."

**1710**

Currently, under the act, two board members can order an interim suspension of a liquor licence if necessary in the public interest. If an interim suspension is ordered, a full hearing by the board must take place within 15 days. The problem with this process is that the procedure has a built-in delay because two board members must be reached before anything can be done. In the meantime, dangerous or disruptive situations may continue. This government shares all of our concerns about violence. The amendment we propose would enable the registrar of the Alcohol and Gaming Commission of Ontario to immediately suspend a liquor licence if necessary in the public interest, as in situations where public safety is threatened.

Ceci permettrait à la commission de réagir de façon plus rapide et efficace aux problèmes de sécurité publique.

To ensure fairness, an immediate suspension by the registrar would be followed within 15 days by a full hearing to review the suspension. This reform would be a

step toward equipping the Alcohol and Gaming Commission of Ontario with the modern tools it needs to enforce the liquor laws effectively and protect the public.

Mais le travail n'est pas terminé en ce qui concerne les situations troublantes et dangereuses dans des locaux pourvus d'un permis.

The police currently have the power to clear premises where the act or regulations have been contravened or public safety is at risk. However, ironically, the law does not make it an offence for people to fail to leave the premises or for them to return after being asked to leave. This loophole can undermine police efforts to vacate premises where disruptive and dangerous behaviour is taking place. We intend to fix this by making it an offence to fail to leave a premise if ordered to do so by a police officer or to return the same day. If people don't obey, charges could be laid. The Toronto Police Service asked for this change in 1997, and we intend to deliver.

Finally, the issue of underage drinking is one of primary importance to this government. The act contains a number of offences pertaining to liquor and underage persons. For instance, it prohibits the sale or supply of liquor to anyone under 19, knowingly permitting a person under 19 to have or consume liquor on licensed premises, and knowingly permitting a person under 19 to use a brew-on-premise facility to make beer or wine. This act provides for maximum and minimum fines for these violations. In 1997, the maximum fines were increased but the minimum fine of \$500 for a licensee and \$100 for a non-licensee remained the same. The courts have tended to levy fines at the lower end of the range, so this change has had little impact. We propose to double the minimum fines for these offences to \$1,000 for a licensee and \$200 for a non-licensee. The aim, quite simply, is deterrence. We want to make it expensive to commit these violations.

When I had the honour and privilege of serving as the president and CEO of the Canadian Tourism Commission, I saw first-hand some of the challenges and opportunities facing the tourism industry in this province and this country. The challenges have compounded in recent months with the SARS outbreak last year, heightened security concerns at our borders, and now the rising Canadian dollar. It is our responsibility to do all that we can to enhance opportunity for Ontario's businesses, and I remain convinced that increased choice for consumers is a tried and true source for growth, especially in terms of tourism.

Tom Hogan of Hogan Restaurant Consulting sums up our approach nicely: "As a restaurant owner and operator, I feel Bill 96 will give the public more reason to dine out, and therefore drive more sales into our industry."

Rod Seiling, a former Maple Leaf great and current president of the Greater Toronto Hotel Association, noted that his organization supports the bill because "the principle behind the legislation is to offer the customer more choice. We are an industry that is built on public service."

The former Minister of Consumer and Business Services, who is in the House now, the honourable member from Lincoln, I believe—

**Mr Tim Hudak (Erie-Lincoln):** Erie-Lincoln.

**Hon Mr Watson:** —Erie-Lincoln—specifically singled out tourism benefits when he supported the legislation, stating, "Let's look at the best practices. I think it's good for consumers, good for tourism," and I agree with him.

Our government is committed to further stages of Liquor Licence Act reform, in consultation with stakeholders and the public. This first stage is the foundation upon which we want to build. I urge all member of the House to join in our efforts to bring the liquor laws of Ontario into the 21st century.

**The Acting Speaker:** Further debate?

**Mr Gerry Martiniuk (Cambridge):** I wish that in fact this bill did bring the act into the 21st century. I think one of the promises made by the Premier was that there would be an overhaul of this bill.

As a matter of fact, a number of people have been working now for almost a couple of years toward a total overhaul of many of our antiquated liquor licence and liquor control functions under this bill. But this bill is strictly piecemeal. It deals with one isolated topic and really doesn't give us the overall bill that everybody has been working toward. Hopefully, the minister will remedy this in the near future by dealing with the problems with the act.

This is An Act to amend the Liquor Licence Act. It basically deals with bringing your own wine, plus some added features which I will go into.

Initially, when you look at it, bringing your own wine to a restaurant seems somewhat comforting, but when you take a good look at it, there are a number of problems. First of all, what kind of wine are we bringing to the restaurant? I think a lot of people will be disappointed when they determine that the government, in its wisdom, is restricting the bringing of wine to those purchased, really, through the Liquor Licence Act. In other words, you couldn't bring your own homebrew to the restaurant of your choice. Secondly, I think a lot of people will be disappointed when they hear that in other jurisdictions, only a small percentage of the dining establishments have taken advantage of the right of bringing your own wine.

You see, it is going to be a little more red tape. You don't just decide that you will provide the service of bringing your own wine; you're going to have to get a special permit. As I said, I think it's Australia where only 6% have taken advantage of it. It's going to lead to a lot of confusion. People are going to arrive—I can see it—with their own wine and be refused service because that restaurant does not offer it. This is a voluntary program. No restaurant can be forced to take part in this program, and therefore there is bound to be a great deal of confusion.

There is one provision which I find intriguing. It's an excellent idea that the ministry has called TTRH, which

is “take the rest home.” The only problem is, it is a good idea, but it is really unfortunate that the minister has restricted that program to the 6% that have the special licence. In other words, for some reason, if you go to a restaurant with a special licence, you can take your wine home. But the other 80% or 90% of the dining public who choose to go to a restaurant that does not provide that service, if they order a bottle of wine or decide to order a second one, all of a sudden they have a half a bottle of wine, they're finished dining and on their way home. What do they do? For some reason, the minister and this government, in their wisdom, says the safety aspect of take-the-rest-home that we apply to 6%, 7% or 15%, doesn't apply to the rest of you. We don't seem to be as concerned with your safety as we are with the small percentage that have taken the special licence. It's really a peculiar way of looking at safety on our highways. I think that has to be corrected, because if it's a good idea for bring-your-own-wine, surely it's a good idea for all dining establishments across this province.

As I said, this is a voluntary program and, as dining establishments make a great deal of their profit and tips for the servers from the service of wine, if you do bring your own wine, one would expect them to charge corkage, which is, I think, the formal term for the charge for opening and serving the bottle of wine. The corkage charge is not in any way being governed. Again, it's voluntary. The restaurateur could charge no corkage. I can see that possibility, and that would fit right in with the concerns of MADD.

1720

MADD has appeared in front of the committee and said this: “It is well known that lower prices of liquor will cause consumption to increase. That is, in fact, the premise. The lower the prices, the more people will consume. And the more they consume, the greater the dangers on our public thoroughfares.” There is no regulation of corkage on any of the dining establishments who choose to take part. They may charge, as I say, on a very quiet night, nil, or they may charge, on a busy night, a great deal. Either way, it is going to lead to confusion.

By the way, I feel for the servers in our hospitality industry in this province. I believe that this simple bill, though seemingly a good idea, has not in fact been well thought out by this government and is going to cause a great deal of hardship on the servers throughout Ontario. Many of the servers work for minimum wage. They rely upon tips, and those tips are being put in jeopardy, of course, because all of a sudden the combination of the food and liquor bills will be less because of the bringing in of the wine. It's unfortunate, but again I would suggest that the ramifications of the bill have not been thoroughly canvassed. I think this bill was proposed in haste without valid and wide consultation, and it is going to lead to hardship and possibly catastrophe, according to the MADD group.

Some of the restaurateurs appeared in front of the committee and talked about insurance. I just want to deal with that in a moment. There was some representation

that the insurance companies have not taken a position as of this time as to whether or not this would affect their insurance. But I am always concerned with the fact that a person bringing their own property into a dining establishment might quite naturally have some form of ownership of that bottle and would take aversely being instructed as to when to drink the wine or no. You see, all of a sudden you are putting on the proprietors and the servers of that business the onus of telling a person, “You cannot use the property that you have brought into this restaurant.” I understand those are the rules, and that is fair under the act. However—

**Mr Ted Chudleigh (Halton):** It's an added onus.

**Mr Martiniuk:** It is an added onus—thank you—on the servers and the proprietor and could very well impact severely and negatively on their insurance premiums. Heaven knows, everyone today is concerned with their insurance, as it grows out of control for many people.

The act introduces a novel concept which really doesn't appear in much of the law in Ontario. The law at present provides that two board members under the Liquor Licence Act can suspend a licence, and there has to be a further hearing within 15 days by a full board to either remove that suspension or reaffirm it. Unfortunately—and it sounds like it's happening rather quickly; 15 days—there is no provision in this act or the former act that requires the board to make a decision during the 15 days. They merely must have a hearing, and we had evidence in front of the committee that indicated it was not unusual for a reserved decision to be taken by the board and, therefore, justice is delayed for weeks, if not months.

In the hospitality industry, that is not merely an inconvenience that could be the end of that particular business, but the real concern is the fact that we are now taking the right to suspend away from the two board members—individuals who have been appointed, who have been trained, who are versed in hearing evidence and making a judicial decision under the natural law, and substituting that with the registrar, who is now going to make the decision and who is also prosecuting.

I get this picture in my mind. I think they did a movie about it—I think it was the Marx Brothers, as a matter of fact—where he is pleading the case in front of the judge and is also being the judge. He has to run back and forth to play both roles, and you cannot play both roles. You are either a prosecutor or a judge. We are asking the registrar to be both, and that is an impossibility and will come to no good.

In conclusion, on those points, which I feel are valid points brought before the committee, I will be voting against this bill.

**Ms Marilyn Churley (Toronto-Danforth):** I'm going to take some of our time, and Mr Marchese from Trinity-Spadina will be speaking to this as well.

I had the opportunity to sit through most of the committee hearings. The NDP asked for and got committee hearings, and I think that was really important, to have an opportunity for people to come in and express their

views. There's no doubt about it, and the minister mentioned some of those who came forward, most people who came forward supported the legislation. However, there were those who came with concerns, and the two that stick in my mind most—I feel their voices need to be heard here today—are MADD and HERE, the hotel and restaurant workers.

First of all, before I speak to their concerns, let me say that I lived in Montreal for a while, and anybody who has lived in Montreal—my daughter was born in Montreal. It's a great city, not as great as Toronto, of course, but a great city. I loved it there. My French was a lot better when I lived in Montreal, but it was just part of the norm there. Let me put that on the table now—so to speak, on the table.

Bringing your own wine to restaurants has been around in parts of Canada, including Montreal, for a long time, and I participated in that exercise on a fairly regular basis. It just seemed so normal. I still remember the restaurant and the little red and white checkered tablecloth. We would just bring our wine and drink it.

One of the things I recall is that we didn't have enough money to bring really expensive wine, but when we brought a little more expensive wine than normal, we wanted to make darned sure all that wine was drunk. One of the issues for me, and I think this is one of the good things about the legislation, is that right now you get a bottle of wine in a restaurant and you spend a fair amount of money on the bottle of wine and you really don't want to finish it because you feel you have had enough to drink. The temptation, if you paid a good dollar for that, is to finish it up. Now, I myself have never done that and then driven, but I know people who have. You want to finish that wine because you paid the money for it.

That's one of the positive things, in my view, about having the opportunity. I understand, and there was a clarification in the committee, that establishments that choose to do this, because it is voluntary, can also re-cork the bottle of wine as well, which I think actually, from my own experience, is a good thing.

**1730**

I've got to admit that I don't find this a big deal. I've done it for so many years myself in other jurisdictions. But it is a big deal to some people. MADD, of course, in a press release, talked about being very disappointed in the minister's broken promise, and I'm sure the minister is aware of that. We all take MADD's concerns very seriously, whether or not we always agree with them. I usually do. Their goal is a laudable goal—thank God they're there—and that is to stop drinking and driving. We all support that, and I think it's really good that they're out there looking at and scrutinizing every piece of legislation that comes before us, every little regulation they see that may in fact increase drinking and driving. It's absolutely critical.

They have expressed some concerns about this, and one of their major concerns is what they consider to be cherry-picking by the minister, that this is done in a piecemeal way and they weren't consulted. They have

some very big concerns about this. I like one of the quotes they put in this press release:

“MADD Canada's policy positions on the country's liquor laws stem from one of the organization's statements of belief: Drinking is a private matter—but drinking and driving is a public concern. Mr Murie observes, ‘Unfortunately, as alcohol products are made more readily and easily available, experience suggests the incidents of impaired driving will increase. A BYOB law is an initiative that increases the risks for everyone who travels on the road. MADD Canada believes and fears it will lead to increases in impaired driving incidents.’”

Now, I've got to tell you, with the right regulations in place, as I said earlier, I believe that in fact it could possibly cut down on drinking and driving. But they suggested some real problems with this, in terms of the connection between cheaper alcohol and more consumption and those kinds of things.

I think we have to listen very carefully when MADD comes forward and makes recommendations and expresses concerns about more drinking and driving. Many of the people from their organization have lost loved ones to drunk drivers. If anybody has known anyone who has gone through that kind of devastation, they can well understand why; some people think they're picky from time to time, but it's their job to be so. So I think we have to listen very carefully to what they have to say.

But for me the two biggest issues here overall—because overall I don't think it's a big deal, one way or the other—are that it can help the hospitality issue, and making sure that the regs are in place so it cannot in any way lead to more drinking and driving. In fact, I'd like to see it improve. I would therefore call on all of the taxi companies and all of the bars and restaurants out there to bring in even stronger programs, especially as we enter into this Christmas and Hanukkah and holiday season, to have stronger programs for taxis, to reduce the fares and to link up with the restaurants and bars to make sure we don't have any drinking and driving during the holiday season.

The other concern I have is with HERE, and that is the concern that the workers have expressed directly. There is no question about it: They're going to lose money. As you know, most waiters only make minimum wage and they rely on tips. They made suggestions that they get all of or a portion of the corkage fee, and that should be right in the regulations, right in the bill. There's no question that they're going to get reduced tips. We all agree with that; we know that. I would have liked to have seen an amendment that would have included that. The government didn't do that, but I'm still hoping very much that the government will see fit to sit down with HERE and work with them to make sure those waiters, after SARS—and we all know that restaurants and the hospitality industry were hurt. So this is good in some ways, in one small piece, to bring in more customers.

We do not want another situation where the workers who make the lowest wages and who were very hurt—that hospitality industry was very hurt—as a result of

SARS—and we haven't totally recovered from that. Some people think we have; we haven't. I do not want to see those people, those workers, hurt any more. I want to make sure that, if this bill passes, the government does everything in its power—and it has the power—to make sure that those corkage fees are reasonable for the consumer, but at the same time, the workers, the waiters, get the benefit of that corkage fee, so they don't end up on the receiving end of lower salaries. They cannot afford it; they're having a hard time supporting their families anyway. I would like to hear the minister make an absolute commitment to those workers.

**Mr Rosario Marchese (Trinity-Spadina):** He can't hear you. He's not listening.

**Ms Churley:** Well, I'm hoping he's listening. He's not listening at the moment, but it's critical. Minister, I need you to listen to me here because I'm expressing my two concerns: drunk driving and all of the issues I've raised around that, but in particular—as well as that, not in particular but as well as—the waiters, the workers; that's my other big concern here.

**Mr Marchese:** I'm going to make the same point.

**Ms Churley:** I think Mr Marchese would like me to save him some time now. We need to make sure that those workers—unless I'm reassured of that, I'm not sure if I'm going to vote for it, because that's critical to me. I'm very close, after SARS in particular, to the hotel and restaurant industry, the workers, and I want to make sure, I want to make darned sure, that it is written in stone that they get a good percentage of that corkage fee. So with that, I will sit down and hope the minister will listen to this suggestion and make sure—

**Mr Marchese:** Take it into consideration.

**Ms Churley:** No, more than take it into consideration: actually do it.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Minister Watson has done an excellent job, I think, of explaining how Bill 96 will build the framework for future changes and benefits to our community. He has mentioned that our government wants to strike a balance between consumer choice in liquor service and stronger enforcement measures to increase public safety. The legislation before us, if enacted, would be the first significant change in 14 years. The real positive changes we're proposing will make our community safer, more vibrant and more prosperous.

The specific features of the bring-your-own-wine initiative would support responsible conduct. Each bottle would have to be opened by the licensee or by a server who would then have to keep track of how much was being consumed. Only unopened, commercially-made wine would qualify—no spiked or fortified wines with high alcohol levels, as the member from the other side suggested. Licensed restaurants would still have to comply with all liquor laws, even when patrons bring their own wine, and the licensee would continue, as is the case today, to be responsible to ensure that overconsumption or consumption by minors does not occur.

Although it's not part of this bill, the government also hopes to bring another consumer choice to Ontario, namely the option to take home the rest. With the take-home-the-rest option, existing controls on transporting open liquor and the ban on consuming it in public areas would remain in force. Taking your wine home could mean less consumption, not more, as people would not feel as compelled to finish the bottle at the table. In fact, we're encouraged that MADD felt positive about the take-home-the-rest option.

Let me quote directly from the committee hearings when my esteemed colleague from London North Centre asked, "I wonder if you could comment on the take-home-the-rest component of the legislation. Do you have an opinion on that aspect?" Mr Murie responded, "Yes, we've always been supportive of that. We've been clear on that right from day one. Rather than people finishing off alcohol they don't need, it makes sense to bring the rest home, if you seal it and it's properly controlled. We've never had an issue with that part of it."

Dr Norman Giesbrecht, senior scientist at the Centre for Addiction and Mental Health, applauded our legislation, noting, "The proposal under consideration signals awareness of some of the risks, and the framers of it should be congratulated for the checks and balances included in the draft legislation."

#### 1740

Whenever alcohol is involved, our goal is always to balance freedom with responsibility. I'm the parent of three teenaged daughters, two of whom drive, and the third is learning. I wouldn't want it any other way, I can tell you.

Shelley Timms, chair of the Ontario Community Council on Impaired Driving, also applauded this balance, stating, "With respect to Bill 96, particularly those portions dealing with the bring-your-own-wine aspect, we're pleased to see that it's limited to existing licences and to particular restaurants ... take-home-the-rest will encourage people to stop drinking if they know they can take home the rest of the bottle." Clearly, responsible liquor service remains a top priority of this government.

To further address responsible liquor service, we are balancing these new choices for consumers and licensed restaurants with much stronger enforcement measures. For example, we want to allow the registrar of alcohol and gaming to be able to immediately suspend a liquor licence, if necessary, when in the public interest, as in situations where there's a clear threat to public safety.

The Ontario police association was adamant about this. I don't know what planet some members are on, but the simple truth of the matter is that when a licence is suspended like that, instead of the obligatory 15-day wait, it will be expedited to a five-day process.

Second, we will make it an offence to fail to leave licensed premises when required by a police officer or to return the same day after being asked to leave.

Third, we intend to double the minimum fines for offences related to underage persons drinking, to show in

the clearest possible way that we mean business when it comes to underage drinking.

Robert Shaw, detective inspector and chair of the Ontario Association of Chiefs of Police, spoke in support of the tougher control methods we're proposing. He said, "The association of chiefs of police supports the provisions within Bill 96 to empower the registrar to issue interim suspensions." He then went on to talk about doubling the minimum fines, as well as other measures to enhance public safety.

We want to give businesses new opportunities to serve their customers and contribute to our modern lifestyle and enhancement of our quality of life. We also want to protect communities from the social harm that can occur when liquor is misused. The legislation outlined in Bill 96 advances these crucial goals, but it's only the first step. Our government is committed to a comprehensive review of the Liquor Control Act.

I'm pleased to speak to this bill and would urge all members of this assembly to support it to bring our liquor laws into the 21st century.

**The Acting Speaker:** Further debate. The member for Erie-Lincoln.

*Interjection.*

**Mr Hudak:** The NDP trying to shut me down again.

**Mr Marchese:** Go ahead; I want to hear you. Don't let up.

**Mr Hudak:** I haven't even started yet. I appreciate the enthusiasm.

*Interjections.*

**Mr Hudak:** It's chaos in here, Speaker. It must be getting near Christmas and talking about alcohol.

I'm pleased to rise to address Bill 96. You know, this is the first time in weeks that I have not been addressing a time allocation motion but an actual third reading of a bill. So it is a pleasure to rise to speak to Bill 96.

You heard our critic. The member for Cambridge I think put forward a very well-thought-out and comprehensive critique of this bill: some elements that the member liked but a number of elements that he expressed significant concerns about. It's obvious he's done his research in a comprehensive manner.

I supported this bill on second reading and, with the opportunity, will support it again tonight. Members on this side of the House, under our leader, John Tory, are viewing the legislation upon its merits, and some are voting for it. I think the majority of my colleagues will vote against it, considering the concerns that groups like MADD and the law enforcement side have. I believe that this legislation should pass.

I was proud to be part of a government—and serving as one-time Minister of Consumer and Business Services—that brought forward a number of changes to the Liquor Licence Act and the control system in Ontario.

I think our acts in many ways are Victorian and need to be modernized. In fact, under Minister Norm Sterling, the previous Minister of Consumer and Business Services, we brought forward a number of initiatives to do just that: for example, expanding the hospitality on to

golf courses and a 2-am close. Growing up in a border town, sadly, the occurrence was about 1 am or so when the bars closed in Fort Erie. We'd all hop in our cars and zoom over across the Peace Bridge to Niagara Falls, New York, to take advantage of the 3-am or 4-am close; I admit, in my youth, probably not the safest thing to have done on a regular basis. I was pleased to be part of a government under Mike Harris that made a 2-am close. I think it was a very reasonable, responsible move. You're not seeing that degree of crossing and danger on the roads.

At the same time, while we made those liberalizations to the act, we brought in strong enforcement provisions, including some of the toughest laws against drinking and driving and responsible ownership of hospitality establishments in Canada. So I'm proud of that record on the enforcement side. I'm proud of our record on the liberalization and modernization of the act.

As well, I'm pleased with the initiatives we made to support the Ontario wine industry: Direct delivery to restaurants and bars has been a boon to the Ontario wine industry, and with it comes a reduction in taxes, which they would pay if the wine had gone through the LCBO; enabling people to pay with credit cards in the hospitality sector, as opposed to always having cash; a number of these enhancements, hand-in-hand with expanding the shelf space for Ontario VQA wines and Ontario wines in general by over one kilometre of additional shelf space; and seeing the largest increase in sales of Ontario VQA wines under our government.

I encourage this government to stay on that track. I think it's absolutely vital that they do so because of the spin-offs in hospitality, tourism and agriculture from promoting our Ontario wine industry. I hope this act and any other changes the government brings forward will be done with that theme in mind: To continue to promote domestic growers and domestic wine. Particularly small brewers can often have a big impact in small towns, Mr Speaker, as you know.

There are, of course, some concerns. It's always interesting to see how this bill came about. I think timing is a lot in politics. If I recall, it was about the time the Minister of Finance was having significant problems—the controversy surrounding the Royal Group—when all of a sudden this bill came forward. There's nothing people like to talk about more than alcohol and animals. It will almost always dominate the news when legislation is brought forward that addresses either of those spheres. As they say, it was a good channel changer, and I think they have a couple more of those in hand. Perhaps beer or wine in the movie theatres might be another one they're saving up for the next time the finance minister gets into trouble. Anyway, I encourage the minister to move down this path. Maybe there are some other ideas left over at CBS that he could dust off and bring into this House.

**Mr Marchese:** It's good to have another opportunity to speak in the Legislature today, again on a different bill, Bill 96. I want to say to you, in the scheme of things,

if I were to rate the importance of this bill from one to 10, where would I put it on the basis of what people really care about or need or want out there?

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** It's a nine and a half, right after—

**Mr Marchese:** Can you believe that? My Liberal friend—where are you from?

**Mr Arthurs:** Pickering-Ajax-Uxbridge.

**Mr Marchese:** He puts the importance of this bill at nine or nine and a half. I would say, in the scheme of things, it wouldn't even merit a three. It's not because I'm opposed to it, but is it really that important to anyone out there? I mean, really? Speaker, are you with me? Of course you are.

How did they dream this up? Was it the minister who said, "I've really got a great idea. We need to put this out, because it's really going to make us popular. People are going to love it"? Or did every other Liberal backbencher say, "Yeah, this is really good. People love it out there. This is going to be great"?

1750

**Mr Richard Patten (Ottawa Centre):** It is good.

**Mr Marchese:** What's good about this bill?

*Interjections.*

**Mr Marchese:** The minister says that this is about consumer choice. What kind of choice is this about?

Here's the problem—OK, me and you are going to work on this. The big restaurants, the chic ones, are not going to opt into this, right? They're going to say, "We're not interested." Why? Because rich boys, the guys and gals who've got the bucks, are not going to go to some cheesy restaurant or a second-rate restaurant; they're going to go to the fancy places and pay their 100 or 200 bucks, because people with money don't want to go and bring their own wines; people with money want to spend the 200 bucks on that bottle of wine—100, 200, 300 bucks. So those restaurants are going to opt out. There's no choice there, and the rich are well taken care of.

*Interjection.*

**Mr Marchese:** Bear with me. Work with me.

So what do you have left? You have the other restaurants. What are the other restaurants going to do with the issue of alcohol?

By the way, I've got a predilection for wine; I do. I am predisposed to enjoying Italian wines in particular, and Chilean wines as well, because I've got to divide allegiance in that regard. Part of it has to do with my wife and part of it has to do with the fact that when I go to Chile, they've got great wines, I've got to tell you.

**Mr Patten:** What about Ontario wines?

**Mr Marchese:** And Italian wines, lovely wines, but you've got to spend in the high range, \$20, \$22; the cheaper ones are not that great, in my humble view. I'm being a bit discriminatory, but Italian and Chilean wines are my favourites. I don't drink white wine. I have to tell you that. I don't drink white wine. I just don't like it.

Second, I like a wine that isn't too full-bodied and not too oaky. I can't stand too-oaky wines. I like them some-

what fulsome but not too fulsome and not too light but with some body, just like an espresso. I love espresso that isn't too bitter or too watery. It has to embody a combination of flavours, right in the middle, just the way Liberals would love.

I have expressed my predilection for wine: red. Having said that—

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I thought you were rosé.

**Mr Marchese:** Rosé, no.

The whole issue of going to the less expensive restaurants: They're not unhappy with this. Why? Because they'll be able to charge a corkage fee and it's pretty well going to amount to whatever rate, more or less, they would have charged if they had to go to the LCBO, buy it themselves and uncork it for you. All of that would pretty well, more or less, amount to the same thing. If a bottle of Chilean or Italian wine costs 10 bucks—including Canadian wines—or \$11 or \$12, you're going to be charged, more or less, 22, 23, 24 bucks. The restaurants are going to charge the extra \$10, \$11 or \$12 to uncork that bottle, which is great for restaurants, because now they don't have to go pick up the wine, deliver it, wait in line. It's a saving of a whole lot of time, so the corkage fee is OK by most restaurants.

The government comes here and says, "This is really great. We're going to give consumers a choice." A choice of what? To bring your own wine and then you get whacked with a \$10 or \$11 corkage fee, depending on the place and/or the wine? What kind of choice does the consumer have? Is the consumer going to save any money, which is, I think, the principle of bringing your own wine to a restaurant?

**Mr McMeekin:** No.

**Mr Marchese:** Oh, it's not? Member for Aldershot, the issue is not saving money? What is the issue?

**Mr McMeekin:** Choice.

**Mr Marchese:** Choice. The issue isn't saving money, because that's what I thought it was about. If the bill is about me taking my own wine and saving 20, 30 or 40 bucks, I say, God bless; this is about me. But if you're telling me, "You can bring your own wine and it's about choice," even though you get whacked with a corkage fee and it amounts to the same thing, what's the choice? What's this about choice? If I get charged—

*Interjection.*

**Mr Marchese:** Member for Aldershot, listen to me. Work with me on this, because I think we can reach a conclusion, you and I together.

A Chilean wine, 12 bucks, or a Canadian wine, 12 bucks, right? You can choose whatever bottle of Canadian wine you want, let's say, in the range of 10, 12, 13 bucks. Right? You can choose that. You go to the restaurant, and the restaurant owner says, "Here's the corkage fee"—another 10, 11 or 12 bucks. You're happy, because you say, "Ah, I chose the wine," but you get whacked with a corkage fee. What's the difference? Why bring your own wine instead of going to the restaurant and saying, "Give me that bottle of wine"?

Do you understand what I'm saying? Do you Liberals understand what I'm saying? What is it that you have gained by giving me the choice if I can go to the restaurant and I'm going to pay the same price? I've gained very little out of the experience.

Doctor, do you understand what I'm saying? He understands. Mercifully, a couple of people understand what I'm saying. The others have to deny and deny and deny and stick to the message that it is about choice, that somehow this revolutionary bill is going to finally give consumers a choice to bring whatever wine they want. But they are going to get whacked with a corkage fee that amounts to the same thing. So in the scheme of things, what does this bill do, really? And how important is this bill to Ontarians out there, in the scheme of things and what people worry about? Mercifully, the Liberals are giving you this revolutionary, radical bill that is going to give you a choice to bring whatever wine you want, and when you get there, you're going to get whacked with a corkage fee and it all amounts to the same thing.

Isn't this government illustrious, enlightened and so liberated that they give you so much for so little? Can you believe it? That's Bill 96. I guess they're going to vote on this very soon. Boy, how—

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I would like to put on the record that despite the lobbying attempts of Oliver Martin of Minister Watson's office, I remain unconvinced and will be voting against this bill.

**The Acting Speaker:** I don't believe that was a point of order.

We have now concluded the time the House has allocated for third reading debate of Bill 96, and I am now required to put the question.

Mr Watson has moved third reading of Bill 96, An Act to amend the Liquor Licence Act. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

I have received from the chief government whip notification requesting deferral of this vote until tomorrow at deferred votes.

It being very close to 6 of the clock, this House stands adjourned until tomorrow at 1:30 pm.

*The House adjourned at 1758.*

## TABLE DES MATIÈRES

**Mardi 14 décembre 2004**

### DÉCLARATIONS DES DÉPUTÉS

#### Championnat de volleyball

M. Lalonde ..... 4918

### PREMIÈRE LECTURE

#### Loi de 2004 modifiant la Loi sur la ville d'Ottawa, projet de loi 163, *M. Gerretsen*

Adoptée..... 4919

### DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

#### Services linguistiques d'Ottawa

M. Gerretsen..... 4922

M. Baird ..... 4922

M. Bisson ..... 4923

### TROISIÈME LECTURE

#### Loi de 2004 annulant le programme de perfectionnement professionnel, projet de loi 82, *M. Kennedy*

Vote différé..... 4948

#### Loi de 2004 modifiant la Loi sur les permis d'alcool, projet de loi 96, *M. Watson*

M. Watson ..... 4948

Vote différé..... 4956

# CONTENTS

Tuesday 14 December 2004

## MEMBERS' STATEMENTS

<b>York Central Hospital</b>	
Mr Klees .....	4917
<b>Energy conservation</b>	
Mr Arthurs .....	4917
<b>Tobacco growers</b>	
Mr Barrett .....	4917
<b>Domestic violence</b>	
Ms Churley .....	4918
<b>Volleyball championship</b>	
Mr Lalonde .....	4918
<b>National child benefit supplement</b>	
Mr Jackson .....	4918
<b>Vinnie DiRollo</b>	
Mr Flynn .....	4918
<b>Magnetic resonance imaging</b>	
Mr McNeely .....	4919
<b>Fiscal accountability</b>	
Mr Colle .....	4919

## FIRST READINGS

<b>City of Ottawa Amendment Act, 2004, Bill 163, Mr Gerretsen</b>	
Agreed to .....	4919

## MOTIONS

<b>Committee membership</b>	
Mr Duncan .....	4920
Agreed to .....	4920
<b>Committee sittings</b>	
Mr Duncan .....	4920
Agreed to .....	4920
<b>Committee schedule</b>	
Mr Duncan .....	4920
Agreed to .....	4920
<b>Referral of Bill 110</b>	
Mr Duncan .....	4920
Agreed to .....	4920
<b>Private members' public business</b>	
Mr Bisson .....	4920
Mr Baird .....	4920
Agreed to .....	4921

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Water quality</b>	
Mrs Dombrowsky .....	4921
Mr Barrett .....	4922
Ms Churley .....	4923
<b>City of Ottawa language services</b>	
Mr Gerretsen .....	4922
Mr Baird .....	4922
Mr Bisson .....	4923

## ORAL QUESTIONS

<b>Hydro generation</b>	
Mr Runciman .....	4927
Mr McGuinty .....	4928
Mr Baird .....	4932
Mr Duncan .....	4932, 4933, 4936
Mr Miller .....	4932
Ms Churley .....	4933
Mr O'Toole .....	4935
<b>Hospital funding</b>	
Mr Baird .....	4928
Mr Smitherman .....	4928, 4934
Mr Oraziotti .....	4933
<b>Taxation</b>	
Mr Hampton .....	4929
Mr McGuinty .....	4929
<b>Aerospace industry</b>	
Mr Hampton .....	4930
Mr McGuinty .....	4930
Mr Cordiano .....	4930
<b>Ontario film and television industry</b>	
Mr Flaherty .....	4930
Mr Sorbara .....	4930
<b>Correctional facilities</b>	
Mr Kormos .....	4931
Mr Kwinter .....	4931
<b>GO Transit</b>	
Mr Berardinetti .....	4931
Mr Takhar .....	4932
Mrs Jeffrey .....	4932
<b>Highway 11</b>	
Mr Miller .....	4934
Mr Takhar .....	4934
<b>OHIP office</b>	
Mr Marchese .....	4935
Mr Smitherman .....	4935
<b>Conservation</b>	
Ms Smith .....	4935
Mr Ramsay .....	4935
Mrs Sandals .....	4935
<b>Bus transportation</b>	
Mr Hampton .....	4936
Mr Takhar .....	4936

## PETITIONS

<b>Highway 400 ramp</b>	
Mr Miller .....	4937
<b>Chiropractic services</b>	
Mr Marchese .....	4937
Ms Horwath .....	4938
Mr O'Toole .....	4939
Ms Martel .....	4939

## Hospital funding

Mr Brown .....	4937
Mrs Van Bommel .....	4939

## Pit bulls

Mr Hudak .....	4937
----------------	------

## Autism treatment

Ms Martel .....	4938
-----------------	------

## Immigrants' skills

Mr Qaadri .....	4938
-----------------	------

## Health care

Mr O'Toole .....	4938
------------------	------

## Anaphylactic shock

Mr Levac .....	4939
----------------	------

## THIRD READINGS

### Professional Learning Program

#### Cancellation Act, 2004,

Bill 82, Mr Kennedy

Mr Kennedy .....	4940
Mr Klees .....	4941
Ms Wynne .....	4943
Mr O'Toole .....	4945
Mr Marchese .....	4945
Vote deferred .....	4948

### Liquor Licence Amendment Act, 2004, Bill 96, Mr. Watson

Mr Watson .....	4948
Mr Martiniuk .....	4950
Ms Churley .....	4951
Mr McMeekin .....	4953
Mr Hudak .....	4954
Mr Marchese .....	4954
Vote deferred .....	4956

## OTHER BUSINESS

### John Brown

Mr Bradley .....	4924
Mr Baird .....	4924
Mr Prue .....	4925

### J. Earl McEwen

Mr Bradley .....	4925
Mr Runciman .....	4926
Mr Bisson .....	4927

### Order of Business

Mr Caplan .....	4940
-----------------	------

Continued overleaf