



Legislative Assembly
of Ontario

First Session, 38th Parliament

Assemblée législative
de l'Ontario

Première session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 2 December 2004

Jeudi 2 décembre 2004

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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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

Thursday 2 December 2004

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 2 décembre 2004

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS'
PUBLIC BUSINESS

SENIOR CITIZENS

Mr Mario Sergio (York West): I move that, in the opinion of this House, a seniors' bill of rights should be enacted which embodies the principle that Ontario's older citizens are respected members of the community, providing invaluable resources to the community through their contribution to the social, cultural, historic and spiritual enrichment of the community as well as providing an abundance of experienced leadership;

And further, that the province of Ontario should develop a Seniors' Bill of Rights to reinforce a sense of independence, dignity and choice for our seniors.

The Deputy Speaker (Mr Bruce Crozier): Mr Sergio has moved private member's notice of motion number 31. Pursuant to standing order 96, Mr Sergio, you have up to 10 minutes.

Mr Sergio: I'm delighted to initiate the debate in this hour dedicated to the members of this House, which we know as our private members' time. I am delighted to debate the resolution which I have introduced this morning in the House. This resolution, if approved, in my humble opinion, will have a profound impact on the lives of Ontario seniors, a sizable group whose numbers are estimated at some 1.54 million, representing about 12.6% of the province's total population.

Statistics tell us that by the year 2028, Ontario's seniors population will more than double to 3.2 million. Already, as of this year, some 73,000 reside in some 600 nursing homes, and some 35,000 more reside in some 650 retirement homes. Let us not forget that we have thousands more of our Ontario citizens afflicted with Alzheimer's, and people with dementia. I am sure that every member of this House and this government thinks about this very large sector of our population.

Further, I move that, in the opinion of this House, the government of Ontario should develop a seniors strategy, which will go far in providing a sense of independence, dignity and choice in our seniors' daily lives.

In a modern culture increasingly defined by its frenetic pace and self-obsessed nature, it is not surprising that we often neglect to take into account the invaluable contri-

bution seniors have made to society as a whole. Primarily through their immense wealth of experience, sage-like maturity and their role as patrons of culture and our historic tradition, our elderly serve as society's steadfast anchor, a vital source of enlightenment and expertise. This recognition is long overdue, and it's about time we begin acknowledging our seniors.

This aforementioned resolution aims to improve seniors' quality of life. First and foremost, intolerant acts in the form of flagrant ageism, stereotyping and acts of discrimination will no longer be condoned. Simply put, seniors warrant our respect.

Second, appropriate provincial authorities are encouraged to step up their efforts in promoting healthier lifestyles for seniors and continue to include seniors' groups in the planning and execution of government-sponsored awareness campaigns. Seniors have a vested interest in the planning of their daily lives, particularly with respect to arranging healthier lifestyles, their own personal wellness, and continued opportunity for intellectual and spiritual growth.

Third, as the honourable Minister of Health has mentioned on numerous occasions in the past, the McGuinty government will continue to provide for a long-term-care system that is effective, trusted and accessible across the province.

Finally, what I believe to be one of the resolution's most significant components is this government's commitment to offering seniors support against various forms of abuse—be it financial, physical or emotional—ensuring that neglect and exploitation within both the local community and health care settings is brought to public light and dealt with appropriately. Truly, we should ensure that seniors' rights are fully protected and promoted.

While I may be repeating myself—because I think seniors are very worthwhile—I think rights are important for our seniors: that they have the right to have their right to work protected and the right to securing acceptable retirement; that they have the right to access a protective social service for the vulnerable and the right to a dignified system for end-of-life care for those in need; and that seniors have the right to remain in their communities and in their homes through supportive, community-based long-term-care facilities.

Members of this assembly, this resolution is an important step in ensuring that seniors are given the well-deserved opportunity to enjoy their golden years free of worry and fear. They have provided an immense service to society, and now we have a chance to pay them back in kind. This is what I envisage to accomplish with this

resolution. Is it hard to do what we know is right for seniors in Ontario?

The seniors' challenge must be embraced, carried on with vitality, vigour, persuasive strength and convincing conviction. If our young are priceless, then our seniors are golden. Often, we laud our seniors, we praise our seniors, we take pride in our seniors. Often, we say that our seniors have given us their best. If we mean that, and I know every member of this House does, then it is our responsibility to give them back our very best. Members of this House, I call on you today to get started. I am asking for your kind support of this resolution today.

1010

The Deputy Speaker: Further debate?

Mr Cameron Jackson (Burlington): First of all, let me congratulate the member for York West, a member I have known in this House for many, many years, and recognize his abiding interest in the welfare of seniors in this province.

I'm pleased to respond to this resolution, having held the responsibility of creating the Ontario Seniors' Secretariat. Being the first long-term-care minister in Canada, I've had occasion to devote a lot of my political career to the interests of seniors.

I want to begin by saying that I share with all members of the House our admiration and respect for Ontario's 1.6 million seniors, but the proof in the pudding of any political promise is the delivery of those services, and what we have to date in the province of Ontario is a certain contradiction in the manner in which seniors are being treated by the current government.

One would always look for a certain degree of consistency. So there are two issues I want to raise in the short time that I have this morning. One is the context of a bill of rights for seniors, which is a noble gesture and one worthy of support. But as I recall, as the draftsman of Ontario's Victims' Bill of Rights, which contains specific rights that were enjoyed by victims, it was voted against three times in this House by Liberal members, consistently. Their argument was that you can't have a bill of rights that only talks about platitudes and good intentions; it has to have some real teeth.

The draft that the honourable member opposite has shared with me does not in any way, shape or form represent anything that comes close to the model that was finally developed by our government as a Victims' Bill of Rights. In fact, it is one of the standard platitudinous type of arrangements. Although we can support that as a resolution, I think it would be wrong to mislead the public to suggest that a seniors' bill of rights, without teeth, without absolute rights that can be found in law—it wouldn't really be worth the paper it's written on, which were the words that the Liberals used when referring to the Victims' Bill of Rights.

So it's worthy of support, but let's not make this into something that it really isn't, because what is required is a whole series of legislative protections. If we look at the current track record of the government, one of the platitudinous statements that's included in the draft is that

neglect and exploitation within the local community and in health care settings would be an issue that the government would protect them from. Well, how is it that the government is protecting seniors from neglect and exploitation in health care settings when it delists optometry services and it delists physiotherapy services and it delists chiropractic services? Isn't that a contradiction? Doesn't that fly in the face of the principles of a bill of rights? Ontario's seniors are now, for the first time in their entire lifetime, paying a health tax and a premium tax for OHIP, which they never did in the past; people over the age of 65 were exempt. Actually, for the first time in Canadian history, we've got senior citizens in nursing home beds who are paying this tax. How is that protecting seniors on their limited income?

Now, there are a whole series of issues, which I feel require much more fulsome debate, and it's unfortunate that in the course of an hour we're not able to do that. But I do want to say to the member opposite—he is an honourable member, he has presented something which, in my opinion, is worthy of support, but I want to remind him to look at his own Hansard, at comments that and he others made about bills of rights that didn't have any real legislative rights contained within them. If that isn't, then this is just a simple resolution that demonstrates for all in this House our respect and admiration for a generation that sacrificed extensively to create the greatest province in our country, and for those seniors we will be eternally grateful. I just feel that a bill of rights for seniors should have teeth in it, should have real rights in it, and failure to do that is just a very wonderful, warm statement of intent by all of us.

Mr Toby Barrett (Haldimand-Norfolk-Brant): I certainly join the member from Burlington in supporting in principle the concept of a seniors' bill of rights. It's certainly a great way to raise awareness, and if anyone has raised awareness of seniors' issues, it's Cam Jackson.

Just last Friday, a fellow named Harry Gundry down in my riding turned 108. I'm positive he's the oldest senior in my riding and probably one of the oldest in Ontario. Harry is in good health and good spirits. I know his son Doug pretty well. Doug was interviewed in the Simcoe Reformer. He was asked, "How would it come to pass that your dad is 108 years old?" His son Doug said, "We have an 18-year-old dog, so there must be something in the water," but he alluded that it may have been genes as well. His father, Harry, did his own banking up until last year. He stopped driving at age 93, and the only time he was ill, according to his son, was when he fell off his horse. He no longer rides his horse because his horse died, but if we can all follow the steps of someone like Harry Gundry—Harry is from Vittoria. Vittoria is a very small community. There is a lady in Vittoria, Clara Bingleman, who is 105 years old. I think of other people in my riding. My driver during one of the elections was Sadie McQueen. She passed away just short of 100 years old. Many of us locally would also remember fondly Daisy Arthur.

I know Pat Spencer is in the Legislature today with her colleagues. They are here to observe our deliberations on

the Dental Hygiene Act. I think Pat would know a number of these people. We know dental hygienists are an important component of looking after seniors in our communities, people who have built the Ontario that we live in today. They built our roads; they built our schools. They went through the Depression. They fought in the Second World War and Korea. The challenge for our government, for us as a society, is to build a province where seniors can live with respect, compassion and independence. I truly hope that this motion today will help us to continue down that road.

Ms Laurie Scott (Haliburton-Victoria-Brock): I am pleased to rise today to speak to the motion of the member from York West, who has introduced this. I want to just put on the record, and I've said it many times before, that the riding of Haliburton-Victoria-Brock has the second-highest population of seniors in the province, so issues affecting our seniors are very important to me. They have a very active seniors' group there. Judy Muzzi is the president of the Ontario seniors' group. She keeps us informed of all the seniors' issues, and there are many.

Like many of these motions, this is one that, as my colleague from Burlington said, is long on fine rhetoric but does not speak to how or when it may be implemented. However, it is a first step, and, as the Chinese proverb says, a journey of a thousand miles begins with a single step.

We could use all the time speaking to this motion detailing how this government has not done enough for our province's seniors during its first year. But in the spirit of the season, I'm sure we're going to focus on some positive messaging, what we can do to persuade the members opposite that our seniors are to a large degree responsible for the freedoms and the high standard of living that we enjoy in Ontario. We certainly owe them a debt of gratitude for all they have done. A seniors' bill of rights would help reinforce a sense of independence, dignity and choice for our seniors.

1020

I know that the member from Burlington, who has spoken, worked for many years to bring seniors' issues to the attention of this place, and continues to do so quite well in all his efforts. They certainly made people's lives better in many different ways. The PC government made a lot of contributions to the seniors in our province and recognized that our current prosperity is through their hard work and sacrifices.

The long-term-care services were very non-existent. I remember when my dad was elderly and needed extra care, it was such a struggle to get a long-term-care facility that could fit his needs. I know that in the years that have followed since 1997, we've had a lot more long-term-care beds in the province—20,000—but certainly in the riding of Haliburton-Victoria-Brock there are a lot of long-term-care facilities that can accommodate seniors' needs, and they no longer have the extensive years of waiting that used to exist.

The current shortage of doctors, I hear from many of my seniors in the riding, is extensive, and it is troubling

to them that they can't access family doctors. I'm hoping that nurse practitioners are going to play more of a role in rural Ontario so that they do have the front-line care they deserve.

We're hoping this has some teeth and that it's going to be enacted so that seniors have the rights, freedoms and privileges they deserve and have the ability to stay in their homes longer. What a challenge it is in rural Ontario: the hydro rates are going up, taxes are going up and insurance is going up. It's going to be more and more difficult, and seniors want to stay in their homes as long as they can. So if we can help in any way—we can talk about the seniors' tax credit. I think it should be more so that it gives them that extra bit of money, so that they can pay their bills and stay in their own homes and not become vulnerable seniors.

Seniors need to have their right to work protected. Ageism and stereotyping of all older Ontarians should be combated. Seniors play a very active role in our communities. They give back to their communities immensely. They get organized, and they just make our communities have a much higher quality of life.

So I think that I am going to support this motion. I'm waiting for some details, for some teeth, because we do need to act on it. I know there are many people who want to speak on this today, so I will let my turn go.

Mrs Donna H. Cansfield (Etobicoke Centre): I'm delighted to be able to stand in support of my colleague's resolution advocating the incorporation of a seniors' bill of rights in the province of Ontario. It's interesting. The first challenge, I think, is defining what is a senior. I can tell you, I recently got into a movie because I was a senior. Some people get free coffee because they're seniors, and others have to wait to be able to access certain reliefs within government support services because they need to be that age to be a senior.

So the idea of incorporating a bill of rights for seniors is actually acknowledging that there's an issue and a challenge, growing from 1.5 million up to over six million seniors by the year 2008, which is going to be a challenge for any government that's in place in dealing with a very significant bulge. I think we started out as yuppies, and now we're growing into what they call guppies or grumpies, whatever it is. We were upwardly mobile, and now we're going to be greying and mobile.

The other challenge we have is that we need to recognize that we live in a global world and that a lot of the people who are in our communities today are here without the advantage of support systems or extended families. That's a whole new reality for a very cosmopolitan city such as Toronto. It has as many challenges as even in the rural community where, again, they don't have the support systems that they require as well. But when you look at the need, for example, with large ethnic populations—and I've said this many times—where almost 51% of the children in our schools come from every country in the world except Antarctica and Greenland, you know that we have a challenge around ethnic-specific home care and/or long-term care.

We also know that as people age, the ethnicity issue becomes really important to them, because there's a level of comfort with their language, a level of comfort with their history and where they were. That really came to the forefront for me in a long-term-care facility—it was a facility for very elderly people—where they had put showers in. The clients were terrified—and I use the word “terrified”—of going into the showers. What people had forgotten was that many of those people had lived through the Nazi Holocaust, so the showers for them were a terrifying experience. That's the kind of sensitivity that we now need to think about in a growing seniors' population, because it is different from when our parents first came to this country.

So the issue of ethnic-specific long-term-care facilities dealing with banking—you can think of any number of issues. The idea of even learning how to use an ATM, computers, brings me into another issue around life-long learning. With the last government, they actually took the access to life-long learning away from seniors. They cut back and cut down and actually took away continuing education courses, because they didn't value the fact that you need to continue to learn, to use your grey cells, as I call them, in order to stimulate your social life, because you often are with your peers, but also the idea of learning in order to continue to grow, because every day is a new experience, and a computer is a really good example. If you didn't live in the age when the computer began, and you need to learn and are in your 70s, where do you go? If you are of modest means, where do you go? Yet the computer is very much a part of everybody's life today. So there's that part of continuing education.

The other is the statistics, and the shelves are lined with them, the research that will tell you that if you provide access to such things as Tai Chi or even bridge, which stimulates your mind, you're going to have a healthier senior and therefore you're going to reduce your dependence on long-term-care facilities and on medical facilities. Yet we took away that life-long learning aspect from them. That's why a seniors' bill of rights is required, because they deserve the opportunity. If we believe in and espouse life-long learning, then we need to walk our talk, and how do we do that except by protecting that right in some form of legislation?

We also need to look at how we can foster relationships. If you go back to the fact that many people in this country do not have extended families, I can tell you that when you put a nursery school next to people in a long-term-care facility, it's a whole new world for both. Again, that's part of every person's rights, to interact with another individual. But how do we foster that, how do we really engage that process, if we don't even have the opportunity to talk about it in the first place or if we don't believe that should continue to exist?

We also need to look at the issue of discrimination. I always found it so abhorrent when I thought of how a child was abused, but the fact that you have elder abuse blows my mind. Yet that is something that is happening and is more prevalent in our society than ever before.

Again, how do we protect people if we're not prepared to talk about something that's very contentious?

I'm going to be sharing my time with my colleague from London, and I know that he's going to expand on many of the same kinds of themes, because he deals with this on a regular basis in his community as well.

Let's talk about the consideration of public policies as we move forward. One of the issues last year—I live in an area which has a significant number of seniors, so when I knocked on the door and people said, “We're going to get all this tax relief from the Tory government,” I'd say to them, “Folks, step back and take a good look at this. You're going to get tax relief on one hand, but where do you think they're going to get the money from on the other hand, especially if they're not going to raise taxes? They're going to do what they did in the United States: They're going to put a capital gains tax on your home when you sell it. If in fact you sell it to go down, you pay the difference in the capital gains tax, or if it becomes part of your estate, it becomes part of a capital gains tax.” That was the dishonesty, I felt, in many respects, because it wasn't as straightforward in giving all of the facts out to seniors.

Let's talk about mandatory retirement. Where do we start with that conversation if in fact we don't believe seniors have a right to have that as part of the discussion?

Let's talk about the ability, as was said, to live in their homes. Is it a right? Or by the age of 90 must you be stuck in a facility that says, “You can't cope,” because we feel that we know more than you do? Do we listen to seniors? I have a mother-in-law who's 94 this year and quite happy in her home, as long as she has the support services. That physiotherapist was there in her home not long ago, just to help her learn how to go up and down the stairs.

1030

Let's talk about healthy lifestyles and how we can provide the information and the tools to seniors to enable them to continue to be healthy in their homes, the medical support, and finally, let's talk about their vulnerability if we don't look after them. We always say that we hold our world as custodians for the future, and that's for the children, but the children will inherit each and every one of us. So how do we put in place policies, practices, procedures and legislation to ensure that the children will do this in a way that we would deem responsible?

There are so many issues out there, and that's why this is neither long on rhetoric nor short on substance, ladies and gentlemen. This is a really good beginning of a discussion that needs to take place in this House on many fronts. I'll throw out to all of you for consideration: Let's talk about 6.5 million seniors driving. If you don't think that's an issue that we're going to have to struggle with in the not-too-distant future, then I think we're all living in never-never land.

I have great admiration, and I acknowledge that there is a recognition on how we can move forward. I have to tell you that seniors in my community in Etobicoke Centre would tell you that there's a whole lot to said for grey power. It's phenomenal.

Mr Khalil Ramal (London-Fanshawe): As always, I'm honoured to stand up and be part of many debates, and today I'm honoured to stand up and talk about the resolution brought by the great member of York West, the bill of rights for senior citizens in this province. I talk about it because it's very important, not just for the seniors but for all of us, because it's our future. I want to talk about how we can protect our future, because every one of us is going to become a senior citizen at one time in our lives. Therefore, I think it's important for every one of us to speak in support and try to do something in order to protect our future.

I decided 14 or 15 years ago to volunteer. I went to a senior citizens' home in my riding called Dearness Home. It's one of the greatest homes dealing with senior citizens in my riding of London-Fanshawe. I had the chance and the privilege to speak with many seniors. I spent time every once in a while with them talking about their frustration and their isolation, because they felt isolated from the mainstream community. They felt discriminated against.

This hurt my feelings back then, and it caught my attention. A huge segment of our society, almost 1.6 million people, is being ignored. I believe that's why the member from York West brought this issue to the attention of the House, in order to do something to connect that huge segment of our society to the mainstream community and acknowledge the hard work they did for all of us to enhance the society in which we live today.

My colleague from Etobicoke Centre spoke about a very important issue, about our community being diverse, multicultural. I had the chance to meet with several groups from different ethnic backgrounds. I would say they are probably listening to us today, because it's very important to them. The group was put together from Portuguese and Italians. They came to my office and started speaking about the seniors of both those communities. They brought to my attention, they said to me, "You know, when people grow older, they tend to forget the second language they learned when they came to this land. They go back to their native tongue, and then they have a problem."

The seniors who have English as their second language, when they grow older, they forget the second language they learned, so they're looking for some kind of support. They're looking for a group of people who can speak their language, who know about their traditions and culture, who know about their heritage, their food, their music; whatever support we can provide in order to comfort those people who worked hard for us. I think that's a very important element of protecting our seniors in this province.

Also, my colleague from Burlington was speaking about how our government is trying to tax seniors, trying to ignore their right to medical support. I would say, for the record, that all the seniors in this province, especially after 65 years of age, are allowed to seek medical support from our government, and it's free, with no payment. This is very important for all the seniors in this province.

After all of us heard from the media about the abuse going on in many senior citizens' homes in this province, our government went one step further and conducted a review. That's why my colleague who is sitting behind me here, Monique Smith, the PA to the Minister of Health, went all the way across the province, visited many senior citizens' homes and conducted a good review to provide the ministry and this government with a report, to tell them the best way to deal with our senior citizens in this province. I believe it was a good and credible report. As a result of that report, the PA to the Minister of Health provided all senior citizens in this province with a free phone number to contact the ministry and submit their complaints. And, of course, the ministry will look into their complaints right away and will do something about them in order to protect them.

Also, the Minister of Health and Long-Term Care has taken many steps, trying to invest more money to support facilities, to support senior citizens remaining in the homes they love, among their families, in the place they grew up in.

It's very important that we're taking many steps to protect them, and I think speaking in support of the bill brought by my colleague from York West is very important. We're not going to make it a political debate. I think all the people in this place will support it because it's very important, not only to protect our seniors at the present time, but also to protect our future, because it's very important to plan for the future. That's what I think my colleague is thinking of, and I will gladly support your bill.

Mr Michael Prue (Beaches-East York): I have waited for a little while to see the tenor of the debate from the other speakers, and it appears that everyone is going to be supporting this good bill. This is an idea whose time has come, and probably come again, and if it wasn't being dealt with today, it would most certainly have to be dealt with in the next few years, as the number of senior citizens in this country and indeed around the world continues to rise.

People all too soon forget that the whole cause of senior citizens, the whole cause of people living beyond 65, is a relatively recent phenomenon in terms of humankind. Less than 100 years ago, in Germany, Bismarck came out with the first old age pensions. The pensions were pegged at 65, and the reason that age was chosen is that very few people lived to 65. In fact, only about 10% of the people of that country, and indeed of our country in those days, lived to the ripe old age of 65. In fact, when the Canada pension plan was first organized, the average payment made to a person who reached that ripe old age of 65 was 13 payments; that is, they lived 13 months, on average, beyond their 65th birthday. So if you were lucky enough to reach that milestone of 65 and you were one of the first recipients of an old age pension in Canada, odds are that you would receive but 13 payments for the balance of your life. Many people did not get 13 payments; some got a few more. But the average was some 13 months that one lived, or to the age of 66 years and one month.

1040

Much has happened since then, of course. In the relatively short time of two or three generations, people are living much, much longer. In fact, the number of senior citizens we have today is higher than at any other time in human history. At no time in human history has the number of people living beyond the age of 65 ever been this high.

Of course, the reasons are quite simple. There are better food opportunities. People are better able to have nutrition. There are better public health opportunities in this country, this province, and indeed in most places around the world. As well, medical practices have improved, with operations, with drug therapy, so that people who ordinarily would not have lasted into their senior years are now increasingly doing so, to the extent that most people who live beyond their fifth birthday can expect to become a senior citizen, barring any catastrophic illness, any catastrophic emergency or accident.

The life expectancy in Canada now for women has gone beyond 80 years, and the life expectancy for men is approaching 80 years. So we can expect that the majority of people, certainly the majority of people in this room, will attain around that age. That means they will have been retired and will be considered seniors in our society for some 15 or more years. We need to start looking at how we protect those individuals.

There was a time, of course, when senior citizens did not need protection, because the reality was there weren't very many of them, and those who were there were largely looked after within the confines of their home. They were relatively rare individuals, and usually the children had the obligation of looking after their parents if in fact they were aged.

But there is a big blip happening, and I'm probably part of the leading edge of that blip, called the baby boomers. Baby boomers make up a huge portion of Canadian society. It's a phenomenon that is not known throughout the world; in fact, it's not even common in the United States. They don't know that phrase, because the number of children born between the Second World War and the Korean War was not nearly so large as it was in Canada. But we have a lot of boomers here and there will be a lot more seniors. As has correctly been pointed out, by the year 2028 when I myself, if I'm still alive, will have attained my 80th birthday, there will be 6.5 million Ontarians who are senior citizens. We need to start looking at that whole blip. We need to start looking at the numbers of people and how we are going to care for them. We need to look at our frail elderly. We need to make sure there are safeguards in place not only for their well-being, but also to prevent possible abuse.

In East York, when I had the privilege of being the mayor of that municipality—

Ms Kathleen O. Wynne (Don Valley West): And a good one it was.

Mr Prue: And a good municipality it was, as my colleague points out—we had a program, the first instituted program of its kind, which was orchestrated by

the police and the community to look at the problem of fraud against senior citizens. We noticed there were a number of fraud cases. There were unscrupulous contractors who came in and offered to do work that wasn't necessary on houses, charged exorbitant rates and often walked away. We saw people going door to door collecting for non-existent charities, taking in fraudulent ways seniors' money, which they didn't have a lot of, but they tend to be very generous. We saw that there were assaults against senior citizens in the streets. We saw as well that there were assaults in nursing homes.

There was a general feeling that senior citizens were being neglected, and our community came together to make sure that that neglect was stopped. We were very proud of the fact that the unscrupulous people who were going door to door were stopped. I don't believe they went away, other than that they left our community because we started to inform seniors through fraud calendars, meetings and a police presence that these people were no longer welcome, and they moved on to more hospitable climes.

We took, as part of our reference in all of this, the country of Japan. Japan has a remarkable feeling for their senior citizens. In fact, they don't refer to them as senior citizens; they refer to them as national treasures. Someone who reaches 80 years of age is deemed to be a national treasure. They deem that and they say that and they mean that, because these people are the repositories of the old Japan. If you go to that country today, in Tokyo or in any of the larger cities you will find that they're very much like Toronto. It is hard to tell that that is the old Japan. You're not going to see pagodas, you're not going to see rice fields, you're not going to see all those things that one might idealize about Japan. You're going to see ultra-modern cities just like this one, and to go there is to go to just another big city. You need to get out into the country areas to still find the old Japan. But the Japanese understand that the people who understand what Japan was, the kind of country Japan was at the turn of the last century and right up until well after the Second World War—it was a country built of farms, a country built of culture and of tradition, a country that had a remarkable and rich cultural history.

The repositories of those ideals are the elderly; it is the elderly who remember those and can talk to the young people who all around them see a modern city just like ours, who do not understand their old culture, who do not understand from whence they came or what life was like. The Japanese have deemed their elderly citizens national treasures. These national treasures go out into the schools, meet with young people, meet in all the hallowed halls of learning to pass on to this generation and to future generations what it means to be Japanese. We should do the same thing.

We need to realize the changing realities of our own countries. We need to realize that we are increasingly becoming an urban phenomenon. There are very few people who make their living off the land any more. There are very few people who live in northern towns or

small communities. Increasingly, people live in large cities like Toronto or Ottawa or Hamilton.

Mr Ramal: London.

Mr Prue: Or London. I mean, there are lots of them.

Interjection.

Mr Prue: I don't want to leave out London. No, no. I will not leave out London.

We need, in this new reality, to understand that this bill will go some way in saying that we have national treasures. I hope that kind of language can be included as well.

But in doing that, I would put to you, it is simply not enough that we have national treasures. We need to make a commitment, as a society, as a government, as a Legislature, to ensure that not only do we recognize these truly remarkable people but also realize and recognize that they have special needs and that those special needs will involve the expenditure of taxpayers' dollars.

It will require additional monies for geriatric care, as the number of seniors and those living particularly above 80 years continues to grow. We will need money for seniors' housing. There is all too little seniors' housing available in this province. There is a growing need, as people age and as people are looking for alternative lifestyles, to find housing that is suitable for them.

There is some wonderful seniors' housing put forward by the municipality of metropolitan Toronto, as it then was, and now by the city of Toronto. There are some wonderful private ideas. There's a group called Stay at Home in Leaside that has built life-share condominiums for people who leave their homes, who find that a home is just too onerous, and can live in a wonderful condominium apartment with other seniors in a life-lease plan. There are other options available as well.

We need money for pensions. The Canada pension plan and other pension plans that people are buying into may not be sustainable in the long run. We need to take a very careful look at whether it will be sustainable to look after 6.5 million senior citizens by the year 2028.

We need money and we need opportunities to make sure that our people remain healthy. I would again ask the government to reconsider your privatization and delisting of optometry, chiropractic and physiotherapy, because many seniors rely and will continue to rely on these programs.

1050

It may surprise people, but it shouldn't, that most seniors have a hard time having sufficient money. Seniors, as a group, tend to be poor, especially women who have not had access to pensions and who do not have a lot of money saved up. If you go into the homes, into the seniors' residences and find those who are lucky enough to be in a subsidized unit, you will find out how incredibly low their salaries and their annual incomes are. We need to make sure that doesn't happen.

We need to improve OHIP for them. The health tax is not the way to go, quite frankly, for our seniors. They should be exempt from that tax.

We need go back to the vehicle tax credit so that seniors and people who are disabled can get around. That tax credit has been taken away and ought not to have been taken away. I recognize that it is there for the most vulnerable and for the poorest, but many of our seniors rely on adequate and modified transportation to have full and complete lives.

We need to ensure that our seniors are well cared for. In a recent example from my own municipality, Community Care East York lost, through a very failed and flawed bidding process, the right to look after long-term care in our community after having done so for some 16 years. The seniors had people they trusted ripped away from them. It went to the lowest-bidding group, which I am convinced will never have the support of the community that Community Care East York has had till this time.

We need to do more for recreational programs. Municipalities all over are strapped for cash. They are starting to charge seniors for such recreational programs as swimming, which they need to remain physically healthy.

So there we go. We've got the whole thing. Seniors are a remarkable asset. We go to the Legions, we talk to people from CARP, we talk to seniors' organizations, and we can see that they have intergenerational programs. We see them working in the hospitals, we see them working in the municipalities, we see them doing just the most incredible jobs for us. They are a resource that our society needs, but we in turn need to assist them to be that resource. We need them to give us the focus on from whence we came and to remember the old skills and abilities that are slowly but surely being lost.

I salute our seniors. I salute the member who brought this forward. We need to do this bill and so much more to ensure that those people who have come before us and who live with us are well cared for.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate today. I think the member's motion is in good faith. He's a strong member, the member from York West, and I believe he thinks this is something that should be done. Certainly a seniors' bill of rights is symbolically important. The problem he's got is, how does he put this into law? Is it going to be a statement or is it going to be actual legislation? That's something that's going to have to be dealt with, because this is just a resolution today. We're just voting on a motion that is a good-faith motion.

I'm proud of the work my government did in the years from 1995 to 2003. In our area, we had a shortage of long-term-care beds, and the elderly in Barrie had to go to a facility outside the community. I'm very pleased that during that mandate we created over 1,000 long-term-care beds for our seniors and tremendous growth in the retirement home business also. I'm very proud of the work that was done at Victoria Village. Sam Cancilla, a good friend of mine, spearheaded that particular project with Doug Jagges. It's a state-of-the-art facility for seniors along the lines of Villa Columbo, which the member from York West would be very familiar with.

The work done at Grove Park Home to expand its facilities, the IOOF, Roberta Place and Woods Park home in Barrie are just classic examples of the new standards that were brought in during our mandate.

There's also the work of the seniors through our area—the Danube Seniors Leisure Centre with Sylvia Luxton and the members there; they have done great work in the Bradford area—the Alcona Lions Club with Larry Wilkins, and also the Barrie seniors' centre that we have at the Allandale Recreation Centre, and the Parkview Seniors' Centre and the good work that's been done by Jean McCann and others to show that the seniors are very active in the community and are doing a great job.

I'm also proud of the fact that we brought in the community care access centres during our mandate. The Simcoe county community care access centre does a great job in terms of providing service to people who want to stay at home but aren't able to do everything, but also in directing them into placement with respect to long-term-care facilities. I'm very proud of that record and the work that was done in my riding.

So I wish the member well, but I think you have to also keep in mind some of the things that his government has done in terms of making seniors pay for OHIP, the delisting of chiropractic, eye care and physiotherapy services, and removing the cap with respect to hydro rates, which make the quality of life for senior citizens a little bit more trying.

The Deputy Speaker: The member for York West has two minutes to reply.

Mr Sergio: Thank you very much. It's very encouraging to hear the contribution that various members of the House have made on today's resolution: the members for Burlington, Haldimand-Norfolk-Brant, Haliburton-Victoria-Brock, London-Fanshawe, Etobicoke Centre, Beaches-East York, and Simcoe-Bradford.

Mr Tascona: Barrie.

Mr Sergio: Yes, you can have the whole shebang, Joe. Thank you.

I would find it very hard if there is one member in the House who doesn't have a very solid representation of seniors in their constituency, and I'm sure that you yourself, Speaker, have a good number of seniors in your area. I can look in this House here and see that there are members who belong to this national treasure, as the member has mentioned. We would have to have perhaps a survey and see who has more. I think I have the most seniors in Ontario. Maybe my colleague for Etobicoke Centre has, or maybe the member—she spoke so eloquently—for Haliburton-Victoria-Brock. Maybe she does indeed have the largest seniors population. But no matter what, wherever they are, we all share the same problem, we all share the same concern.

As the member for London-Fanshawe said, if you go into nursing homes, community centres, seniors' clubs, you really know the problem that is affecting our seniors today. And if you don't find the seniors themselves, you can engage in a discussion with their family members,

the younger ones, and they will tell you the difficulties that senior members are experiencing. So I'm very gratified and I thank the members of this House for their support today.

DENTAL HYGIENE
AMENDMENT ACT, 2004
LOI DE 2004
MODIFIANT LA LOI DE 1991
SUR LES HYGIÉNISTES DENTAIRES

Mr Flaherty moved second reading of the following bill:

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

The Deputy Speaker (Mr Bruce Crozier): Pursuant to standing order 96, Mr Flaherty has up to 10 minutes.

Mr Jim Flaherty (Whitby-Ajax): I am pleased to rise today to speak about Bill 116. I introduced this bill on June 24 of this year to remove the restriction that currently prohibits dental hygienists from cleaning patients' teeth without first having to obtain a dentist's order.

If I may speak by way of background to the bill, the College of Dental Hygienists was created in 1993, with royal assent then. There was an anomaly, a hangover from the previous jurisdiction of the college of dentists, with respect to this one particular item of oral hygiene and oral hygiene care. That has persisted over the years and has not been corrected. The purpose of the bill, and it's a short bill, is quite simply to delete the requirement that there be a dentist's order in place in order for a dental hygienist to conduct that oral hygiene care.

1100

That issue has been looked at by various members of this House. I'm pleased that there is another private member's bill that stands in the name of the member for Etobicoke Centre, who is on the other side, as you know. That is Bill 91, which is to the same effect, to accomplish the same what I consider to be good public policy goal of deleting this requirement.

Why is it a public policy good? It's a public policy good because it will increase access to oral hygiene, to health care in Ontario, which I believe is a public policy goal shared by my Liberal friends opposite and also by the members of the third party.

This is an attempt to delete this anomaly, this exception in the law of the province. I believe there is tripartisan support for the bill, and I hope that is reflected in our discussions today.

Those who have indicated some opposition to the bill outside of this place have spoken about safety issues. Those issues were addressed by the relevant regulatory body, which is the Health Professions Regulatory Advisory Council in Ontario. They were asked to consider this issue of making sure that the safety issue is dealt with back in the mid-1990s. They considered it not only once

but several times, and reported back to the Minister of Health in May 1996. I commend to members this report by the Health Professions Regulatory Advisory Council dated May 1996, which has not yet been acted upon.

The recommendation on page 27 of the report is, "HPRAC recommends that the Dental Hygiene Act be amended to allow dental hygienists to perform their authorized acts of scaling teeth and root planing including (incidental) curetting of surrounding tissue without an order, subject to appropriate restrictions in regulations and standards." I would hope that if this bill successfully passes second reading today, it will go to committee and be dealt with at committee in more detail with respect to those standards, as recommended by the council.

I will say nothing more about the safety issue other than that it has been dealt with by the appropriate regulatory authority and the recommendation made to the Minister of Health, which I commend to all members of this House.

I believe there is also support by the Premier. He wrote to the Ontario Dental Hygienists' Association on September 29, 2003, indicating, "In government, we are committed to acting on the HPRAC recommendations." Those are the recommendations to which I have just made reference, including the recommendation to delete the requirement of the dentist's order in order for a dental hygienist to conduct that type of oral hygiene care.

Why do this? What's the difference for people in Ontario if this step forward is made? The difference is primarily for persons who are not mobile, vulnerable people in the province. If you're mobile and you live in an urban area, it's not too difficult to get to the dentist, and dental hygiene is available there. The challenge is particularly acute for people who have limited mobility, persons with disabilities—obviously physical disabilities, but in my own experience as president of the Head Injury Association of Durham Region, I can tell you that we also saw this issue time and time again with respect to the transportation needs of persons with cognitive disabilities and other physical disabilities which may or may not accompany cognitive disabilities. It is also a significant problem with respect to older persons in Ontario who suffer from decreased mobility, particularly people in long-term-care centres. Earlier this week we had the executive director of the ALS Society of Ontario here talking about the 750 persons in Ontario who suffer from ALS, also known as Lou Gehrig's disease, a degenerative disease which has increasingly limited mobility as the disease progresses. Regrettably, that's also true for other diseases, as the Speaker and other members of this place know.

So we want to make sure, I think, in the interest of persons with disabilities and other vulnerable people in the province of Ontario, that they have the opportunity to have good access to oral hygiene. How do we do that? We do that by ensuring that dental hygienists have the opportunity to provide that care and that the care can be taken to these persons who require the care, and not insist that they find some way of getting to a dentist's office.

So this is true. It's true in the north. It's certainly true in rural Ontario. I've had the benefit of talking to quite a few dental hygienists about some of these issues and some of the important steps they have taken to help people. There are some troubling stories about the care that is required by people, particularly people with limited accessibility, and their need to get the care they need, which does require someone taking the care to them.

There is support also by the Little Brothers of the Good Shepherd, the Good Shepherd Centres for homeless men in Toronto and in Hamilton. As other members have, I'm sure, I've visited the centre in Toronto, and it is an advantage that oral hygienists can bring that kind of care to persons who otherwise would not receive the care at the shelters. The Little Brothers of the Good Shepherd have written, indicating their support for the bill, and these are, of course, dedicated persons who dedicate their lives to helping persons who need help in the evenings to get off the streets and to receive this kind of fundamental health care.

The Alzheimer Society is also supportive. Again, as I understand it, because of the mobility issue, the transportation issue is always a major issue when dealing with persons with disabilities in the province of Ontario and other vulnerable people.

As I say, it is not a bill that is complex. It is a straightforward bill. It changes a law that arguably ought to have been changed some years ago in order to meet the goal that I'm sure the Liberal government shares because of the Premier's commitment to enhance access to oral hygiene care in the province of Ontario. I consider it to be an important step forward. I think that the safety concerns that have been expressed by some in the province are legitimate concerns that have been thoroughly and adequately addressed by the Health Professions Regulatory Advisory Council, resulting in the recommendation on page 27 of the report, which is rather—well, it's almost eight years old now, in terms of timing.

So I encourage members to speak up in favour of the proposed change in the laws of the province of Ontario. I thank the assistance that I have received from the Ontario Dental Hygienists' Association. Some of the members, including the president, Michele Carrick, are present in the gallery today. Their members are prepared to make that effort to provide this important health service to persons across the province of Ontario. It's particularly important for seniors, and I have letters from the associations representing seniors in Ontario, because appearance and oral hygiene are very important to all of us, particularly as we age.

So I commend the bill to all the members. I thank the members who are going to speak on the bill, and I hope they will be supportive.

The Deputy Speaker: Further debate?

Mr Howard Hampton (Kenora-Rainy River): I'm pleased to take part in this debate today because I think, for many people across Ontario, this is a very important issue. Perhaps 40 or 50 years ago, people did not think

that dental health was the most important priority. Other issues of physical health took first place. Dental health was something that was considered secondary or tertiary. But I think we recognize now that dental health is a very important issue. This private member's bill—and I know there's another private member's bill that addresses very much the same issue—is, I think, important for the public of Ontario.

1110

Let me say at the outset that I intend to support this private member's bill, and I urge all members to support it, because I think this will better the position for many people of this province in terms of access to dental health. Let me say as well that there may be some more detailed issues that need to be addressed, and the appropriate place to deal with those more detailed issues would be at committee where specific questions can be asked, specific issues can be raised and expert evidence can perhaps be called. In any case, those more detailed issues can most appropriately be dealt with there.

I, too, want to go into the history of this, because I believe the history is important. There is a lot of health care history to this issue. Let me go back to the letter which was sent by a former Minister of Health, the Honourable Ruth Grier, to the chair of the Health Professions Regulatory Advisory Council. The Health Professions Regulatory Advisory Council was set up to do the policy research for the Ministry of Health, to tell the Ministry of Health the issues that need to be addressed, some of the sub-issues and some of the complications. So a very detailed letter was sent by the then Minister of Health to the Health Professions Regulatory Advisory Council. This was in September 1994, and the letter reads:

“Re: Need for an ‘order’ from a dentist for dental hygienists to perform certain authorized acts.

“This letter is a referral to you on the issue of whether dental hygienists need an order from a dentist to perform their authorized acts of scaling teeth and root planing, including curetting of surrounding tissue, or whether dental hygienists should be allowed the option of initiating these procedures without an order, subject to appropriate conditions in regulations. The matter how this would best be accomplished must also be considered, should your review of the matter lead you to the conclusion that the latter option is preferable.

“This referral is made in accordance with section 12 of the Regulated Health Professions Act, 1991. This matter is a private for the ministry. I am therefore requesting that you complete your analysis” within a prescribed time frame.

The letter then goes on and says:

“I am seeking advice, not only on whether the proposed amendment would be in the public interest, but also on whether the advisory council feels that there are any pressing issues related to the proposed amendment which need immediate attention (eg, the fact that a number of hygienists may be operating without a protocol seems to be of immediate concern). If there are such

pressing issues, I would like the council's advice on what would be the best procedural way to address such questions in the absence of a legislative amendment” etc.

Then the letter goes on to raise a number of very specific questions to really narrow the issues:

“(1) What was the ‘status quo’ prior to the proclamation of the Regulated Health Professions Act? Did dental hygienists routinely self-initiate these acts?

“(2) Does the need for an ‘order’ from a dentist to allow a dental hygienist to perform scaling teeth and root planing, including curetting of surrounding tissue, negate self-governance of the dental hygiene profession?

“(3) Do dental hygienists have the training to assess adequately whether they should proceed independently with scaling teeth and root planing (including curetting of surrounding tissue) or whether they should insist the patient see a dentist or physician for an assessment and/or diagnosis?

“(4) Is an assessment by a hygienist enough, prior to initiating scaling teeth, root planing and curetting, or is a diagnosis necessary? If so, who should provide the diagnosis? A dentist? A physician? Either? Could the need for pre-screening (eg, for the purpose of prophylactic use of antibiotics) be addressed acceptably in some other way (such as a protocol)?

“(5) What does self-initiation mean? Is it really self-initiation of an act when a dental hygienist performs a procedure under a ‘standing order’ or ‘protocol’? Is the public interest served better if hygienists self-initiate scaling teeth and root planing?

“(6) Would public health dentistry be adversely affected if hygienists cannot self-initiate these procedures?

“(7) Is it more cost-effective for the health care system and patients for dental hygienists to practise on their own?”

And so the questions go on. Detailed questions were asked of this body which operates on a non-partisan basis, which is there to do the research to sort through the issues.

It was a very detailed referral letter to the Health Professions Regulatory Advisory Council in 1994. Now, not surprisingly, the council was not able to answer immediately, so the report was first submitted to the Minister of Health in September 1995. I want to note that by 1995 it was now a Conservative Minister of Health, so we're not dealing with something that happened under the NDP. Some of this was initiated under the NDP; then it was reported to a Conservative minister.

On April 23, 1996, the then minister wrote to the Health Professions Regulatory Advisory Council requesting further clarification of conclusions and recommendations. The report that was then finally submitted on May 17, 1996, was even more detailed. I simply want to refer to that report. It's a detailed report, and this is the kind of thing that members could actually look at in committee, because they answer all the questions, they engage in the debate, they engage in the discussion. There is, if I may, an examination and cross-examination,

re-examination of some of the issues, and this is non-partisan advice.

What is their recommendation? “The Health Professions Advisory Council recommends that the Dental Hygiene Act be amended to allow hygienists to perform their authorized acts of scaling teeth and root planing including (incidental) curetting of surrounding tissue without an order, subject to appropriate restrictions in regulations and standards. The regulations must clearly limit self-initiation to patients where there are no contraindications or uncertainty as to whether it is safe to proceed.” So that was the recommendation, a non-partisan recommendation from people who were specifically there to provide advice.

In fact, if you go to Web site of the Health Professions Regulatory Advisory Council, this is what they say: “The Health Professions Regulatory Advisory Council provides independent policy advice to the Minister of Health and Long-Term Care on matters related to the regulation of health professions in Ontario.” That’s their job, and as I said earlier, they were sent a very detailed referral letter which asked a number of specific questions, asked for research, asked for evidence and asked then for the opinion. Their opinion, after in effect studying it for two years, was, “HPRAC recommends that the Dental Hygiene Act be amended to allow dental hygienists to perform their authorized acts of scaling teeth and root planing including (incidental) curetting of surrounding tissue without an order.” That was their recommendation.

Some would say, “What about this issue of regulations and standards?” Well, that’s really what the regulation of a profession involves. This advisory council has said that hygienists should be able to do this work; now get down to the business of putting in place the appropriate regulations and standards so that everyone will know the scope of practice. They’ll know exactly how this is going to be determined. That’s what the regulatory process is really all about.

What has happened since then? I’m mindful that I’ve only got five minutes left. In fact, there are a number of things that have happened since then. The College of Dental Hygienists, after receiving this information, as the Minister of Health received it, actually sat down and started thinking about standards of practice. What should the standards of practice be? Because they were self-initiated, they have actually published since 1996 how dental hygienists would be regulated to operate within this recommendation that was made by the Health Professions Regulatory Advisory Council. So they have actually done some of this work already.

Now, I guess the question would be, what does this mean for ordinary folks? That’s, at the end of the day, really what we’re here about. What does this mean for ordinary folks? Well, as my colleague Mr Flaherty has indicated, it means some folks who might not have ready access. The advisory committee said very clearly when it set out its recommendation that with the appropriate regulations and standards in place, people’s health would not be threatened; in fact, people’s health would be better

served. So I think, generally, that is what this would mean for the average person out there across Ontario.

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I know that whenever you get into health care debates, you immediately get into debates about, “What is the scope of practice of this profession, ie, dentists and dental hygienists, and where do they conflict?” So there are likely some details that arise here; in fact, I know there are some details. Those are the kinds of things that I believe should go to committee. If this bill passes second reading and goes to committee, some of those nitty-gritty issues, the more detailed issues, can in fact be raised and dealt with at committee. I think that would be good work for the committee. In fact, it would be excellent, positive work for a committee to do in order to move this forward. And after hearing the evidence and listening to the analysis and the opinions, if the committee then wants to offer some amendments, so be it, but that’s the place for those more detailed issues to be sorted through and worked upon.

I believe firmly, having some acquaintance with the history of this issue, with the reports and with the follow-up that’s happened since then in terms of the work of the College of Dental Hygienists saying, “We need standards; we recognize that. Here’s what we think should be the standards. We need regulation within this scope of practice. Here’s what we think the regulation should be,” with all of the work that’s been done on this—and I must say, non-partisan work, work that has occurred under different governments—NDP, Conservative, Liberal—non-partisan work that was done by the advisory council, with all of the work that’s been done here—and I say good work that’s been done, thoughtful work, good analysis, good examination and re-examination of the issues—I believe all members of the Legislature should vote in favour of this measure today so that it can be sent to committee, and the next steps, the more detailed analysis, whether or not amendments are needed and, if amendments are needed, what kind of amendments there should be, that kind of work should now proceed.

I believe that literally hundreds of thousands of Ontarians would be very well served by the members of this Legislature voting to support this measure today and moving it to the next stage of the legislative process.

If I may just speak about the economics of the province, I don’t know about other members, but what I hear people say to me every day is, “I work longer, I work harder, and at the end of the month I seem to have less in my bank and less in my pocket.” As a pocketbook issue, this issue would speak to that. Making sure that people can have access to affordable, reliable, good, quality service in terms of dental health would be served by us passing this measure today.

Mrs Donna H. Cansfield (Etobicoke Centre): I’m pleased to have the opportunity to speak to the bill this morning and to share my time with my colleague from Etobicoke-Lakeshore.

Bill 116 is all about improving access to health care. It’s about letting patients choose where they get their

teeth cleaned and choosing the health care practitioner who performs the procedure. It's also about allowing dental hygiene services to be brought to people who can't go to a dentist's office. It's about lowering the costs of oral hygiene treatments. And it's about letting the dental hygiene profession regulate itself in the public interest, as was intended when dental hygiene became a self-governing profession, independent from dentistry, in 1993.

We have far too many people in Ontario today who go without routine oral care and compromise their own health because of the order requirement. As a rule, dentists do not go to long-term-care facilities, they do not do house calls, and they aren't easily accessible in rural or remote areas. I've seen too many heart-rending stories about people in vulnerable situations who really let their own oral health care deteriorate. Removal of the order requirement will allow them to get the help and the care they need directly from a dental hygienist.

Bill 116 is also about implementing the recommendations of the Health Professions Regulatory Advisory Committee. It was this council that, after extensive reviews, recommended not once but twice that the order requirements should be removed in the public interest. Bill 116 is virtually identical to Bill 91, which I tabled in the House on June 4, 2004, and I support Bill 116 because I am convinced it is the right thing to do for the people in Ontario.

I've been impressed by the number of people who have taken the time to contact me in support of my bill or of Bill 116, and I really don't care whether it's my bill or the bill from the member for Whitby-Ajax that does it, as long as it gets done. There may not be many things on which the honourable member and I agree, but I can assure you that we do agree on this.

There are some who would have us believe that the removal of the order requirement will somehow endanger patient safety. I reject that claim, and I'd like to tell you why. The order requirement actually did not exist prior to 1993, so no one, not even opponents of Bills 116 and 91, has suggested that patient safety was in jeopardy previous to 1993 because of the absence of the order requirement. But suddenly, now, it's a serious issue for them. The order requirement was really added to the Dental Hygiene Act as a political compromise with dentistry in order to let self-regulation by dental hygiene go forward without opposition. It is ironic that some have now elevated the political expedient to something that is necessary to protect patient safety.

The Health Professions Legislation Review, which was spoken about earlier and was the precursor to the Regulated Health Professions Act, determined that hygienists have the knowledge, the skill and the judgment to perform their authorized act of scaling, root-planing and cleaning of teeth, which we understand can be done without an order.

In other jurisdictions in the United States and, actually, in British Columbia, dental hygienists work safely without the requirement of an order or any supervision by

dentists. As I have already said, the Health Professions Regulatory Advisory Council recommended that the order be removed in the public interest.

There are a few who suggest that the people who would benefit from the removal of the order requirement are people who are medically compromised and therefore need the order requirement to be retained so that dentists, not dental hygienists, decide when it's safe to clean a patient's teeth. These are seniors, residents of long-term care facilities, students studying away from home, of whom I have one, persons who rely on public health, residents of rural and remote areas, the home-bound, and those who are physically or mentally challenged.

In fact, according to the Ontario Dental Association, it's just about everybody. In a press release that was issued yesterday, the ODA states, "Most adults in Ontario have some form of medical condition" that requires a dentist's diagnosis before routine teeth cleaning. I actually thought that our health status was in better condition in Ontario, but obviously the ODA does not agree.

It is actually insulting to characterize that every senior is medically compromised, and it is fundamentally wrong to say that every resident of a long-term-care facility is medically compromised. The same goes for anyone who wants to exercise his or her choice as to where, when and by whom they get their teeth cleaned.

Those who oppose Bill 116 and Bill 91 suggest it's necessary for a dentist to examine a patient every time the patient has their teeth cleaned by a dental hygienist in a dental office. But that's not always the case. In public health, standing orders or protocols apply when the dental hygienist is responsible for deciding whether patients should or should not have their teeth cleaned, and no one has raised concerns about that particular practice. In remote communities and on First Nations reserves, dental hygienists are often the only dental practitioner whom patients see, and no one has raised concerns about that practice.

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I urge the honourable members to reflect on their own experience when they go to a dentist to have their teeth cleaned. I venture to say that if they are examined by the dentist at all, it's usually after the dental hygienist has completed the procedure. In fact, an independent survey found that 90% of dental hygienists always or usually analyze assessment data, determine significant findings, identify oral health-related factors, establish priorities for dental hygiene care and, specifically, clinical interventions for patients.

So I don't believe for a minute that resistance to removal of the order requirement is based on concerns about public safety. It really is about two things: It's about the exercise of power of one profession over another—it's about maintaining control—and it's about money. It's about revenues. It's as simple as that.

The essence of the order requirement is that it ties dental hygienists to employment by dentists. It ties the delivery of the service to conventional dental clinics and,

as I have said, it's about securing for dentists the revenue stream that dental hygienists generate. Because of the order requirement, charges for all hygiene services in Ontario are made by dentists, pursuant to the fee guide of the Ontario Dental Association.

This is a really important consideration for all of our constituents, but in particular for those who do not have extended health benefits and who cannot afford to pay for themselves. Dr Pran Manga of the University of Ottawa calculated that teeth cleaning and other routine oral hygiene services could be provided at up to 40% less. Think: 40% less cost if that order is removed. Why would we reject an initiative that stands to save our health care system, quite frankly, millions of dollars annually? Why would we even consider rejecting something that actually would provide service for the poor and vulnerable, whose numbers, we know, are increasing? Children of poor families do not have the access to dentists. They don't get their teeth examined any more in school, and they're not getting good oral hygiene.

I believe the other piece of information that's critical is that when you look in the latest study out of the United States, in long-term health care facilities the fact that there isn't good oral hygiene is contributing to significant health issues that needn't occur. So we know that this can make a difference.

In closing, I reiterate my support for Bill 116, and I urge my colleagues on this side of the House to support this bill, because it really benefits everybody in Ontario.

Mr Tim Hudak (Erie-Lincoln): I am pleased to rise and contribute to the debate on Bill 116. It's an area that politicians are often loath to venture into, and that's the area of scope of practice, particularly when it comes to health care professionals. I am very pleased to see politicians here in the assembly today coming forward and arguing to move ahead with Bill 116, which I certainly support.

I want to commend my colleague too, the member for Whitby-Ajax: certainly as an MPP, as a minister, as Deputy Premier and as a leadership candidate for the Progressive Conservative Party of Ontario, a man who's not afraid to tell you where he stands and who brings forward brave initiatives. It's certainly within his character to bring forward Bill 116 here today.

I think that, as a principle, one should err on the side of consumer choice. Of course, when it comes to health care issues, we need to ensure that consumers have the proper information and that they're protected by adequate training and precautions. Certainly, in this case I believe that does exist. Dental hygienists go through extensive training. I understand some 700 hours of clinical experience is part of their training, covering scaling, root planing and oral prophylaxis, among other training initiatives—700 hours per dental hygienist coming out of school.

On top of that, you have the College of Dental Hygienists, which has appointees from the dental hygienists themselves as well as public appointees to make sure that the standards of care, quality of care and

training exist, and proper disciplinary proceedings if that fails. I would say that, all in all, the college system of health professionals in the province of Ontario is generally functioning quite well, and I'm confident, in this case, functioning very well.

Third, we have the Health Professionals Regulatory Advisory Council—HPRAC—one of the more esteemed bodies in the province of Ontario, which takes its time and very carefully, very cautiously reviews areas of medical practice. HPRAC has intervened in this matter on a couple of occasions. In fact, as some speakers have already said, this issue goes back more than a decade to some mediation the Ministry of Health conducted, I believe in 1993-94, to try to find a solution. That was not successful. Then HPRAC reviewed the matter and reported back in September 1995 and once again in May 1996: a very careful, well-thought-out review in the area of scope of practice, both times affirming that changes to the act like Bill 116 should take place.

While this issue has been around a long time and has been reviewed on several occasions, unfortunately the act has not moved forward until today. I am pleased to see it in the Legislative Assembly. I will be supporting it and I look forward to it carrying at third reading.

I believe that in areas like long-term care and non-ambulatory residents from rural or remote areas, individuals who don't have private dental assistance will benefit from this type of consumer choice, protected by the College of Dental Hygienists and reviewed by HPRAC. I know I've received some calls from some dentists in my riding who oppose the legislation—Dr Zammit and Dr Southward were talking about it. I reviewed their suggestions and I appreciate their input. I've also heard from dental hygienists in my riding, Marie Lochhead and Susan Luchesi, an old classmate of mine, a great individual dedicated to her profession as a dental hygienist and a strong advocate for the hygienists, whom I found had compelling arguments to support this legislation.

It's about time to move ahead. It has been given due consideration. I'm very proud to stand in my place and say, let's move forward. I'll be voting for the legislation.

Ms Laurel C. Broten (Etobicoke-Lakeshore): I'm very pleased to stand up today and indicate my support of Bill 116. I have also had an opportunity to speak to dental hygienists in my own community and hear from them about what change they hope to see in their profession. I think it is important we acknowledge that this is a profession, and that this bill, at its heart, is about increasing accessibility to a health provider who is a professional for those in our community who live in a long-term-care facility, or are not able to get to a doctor, or are non-ambulatory or are affected by cost consequences. We've learned over the years that making sure Ontarians are healthy by looking at a preventive approach is the best mechanism to ensure the health and safety of those individuals in our province.

I know others have spoken about the fact that this is perhaps a long time in coming and that there has been a lot of debate, not in this Legislature necessarily, but an

examination of this issue. I thought it would be helpful to look at the recommendation HPRAC brought forward in October 1995. After an 18-month review, HPRAC recommended the following:

“The Dental Hygiene Act, 1991, should be amended to allow dental hygienists to perform their authorized acts of scaling teeth and root planing including (incidental) curetting of surrounding tissue without an order, subject to appropriate conditions in regulations and standards. The regulations must clearly limit initiation of the procedures by dental hygienists to patients where there are no contra-indications or uncertainty as to whether it is safe to proceed. The regulations and standards of practice governing the limitations and expectations relating to initiation should be established through consultation with other professionals, particularly dentists and physicians, before the act is amended.”

I agree with my colleague across the House that this is the type of debate that is appropriately done at a committee level. We can bring those experts forward and talk about the concrete details of how this could move forward. At its heart, it is about ensuring that all of us work together in this Legislature to the benefit of those in our community.

I know that at times what we're talking about might seem very technical, but I think it is about making sure we have increased access to dental hygiene services in this province, so that those individuals who do not currently have access have the choice to locate a professional practitioner to ensure they have the care they need in terms of their oral hygiene and oral health.

I'm one of those individuals who loves getting my teeth cleaned. I really am one of those people who do like going to the dentist and getting my teeth cleaned. I've had an opportunity to speak to the dental hygienists about this, and to think about the fact that there are many individuals, in particular seniors in the community, whom I meet who simply don't have that opportunity to attend a professional and get the help they need.

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Although I support Bill 116, we have some more work to do; there is no doubt about it. There is more work to do to ensure that protections are put in place, but it is important to acknowledge, as my friend across the House indicated, that the profession itself has been doing some of that work over the years, to establish standards of practice. The Ontario dental hygienists have demonstrated that professionalism coming forward. They have restrictions on how they would seek to operate, and you need only speak to the dental hygienists—I know some of them are here with us today—about why they want to see this change, and you see in their eyes and in their voices the passion, the desire to help and to care for those individuals in this province.

They really bring forward that initiative of being caregivers in all our communities, and it is their goal to make sure that Ontarians who need it the most, frankly, have access to that care so we can prevent more serious medical problems from arising, those that arise when you

are not able to sufficiently take care of the issues you need.

I had a chance to speak to my mom about this issue last night. We were talking about the fact that it was imperative. On January 7, I will be going to Edmonton to my grandmother's 100th-birthday party. It has been important over the years that those issues—she's living in a long-term care facility, has lived in a small rural community, did not have access to a dentist, did not have access to those types of services. It has been a health detriment over the years; there's no doubt about that.

That's what we're talking about today: making sure that we make those services available. It's been important to me in making my determination on why I supported this to know that organizations have the same goals in mind, like the Good Shepherd Centre, like some of the many organizations in our province that do good work on all of our behalf every day, making sure those citizens in each of our communities are cared for and looked after in their time of need. Groups like the Alzheimer Society, the ALS Society, the Good Shepherd, the Ontario seniors coalition, are all strong supporters of this bill. It's important to ensure that from their perspective, they're supportive, because they want to ensure that oral hygiene doesn't lead to morbidity among those who are vulnerable.

If there is something we can be proud of today, it's that everyone across this House is coming together, I hope, in a unified front to support those across Ontario who are vulnerable. As a result I am very proud to stand in support of Bill 116.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate on Bill 116, brought forth by my colleague from Whitby-Ajax who has done a lot of work on this. The essence of the bill has been bantered back and forth for over a decade now, since the Ontario health act early in the 1990s gave dental hygienists their own college and permitted self-regulation. What we're seeing here today is not something new in terms of different professions trying to get established, which the dental hygienists have accomplished, but moving to also provide service and to serve the public in the best way that serves that profession.

Both sides, as we've heard already, the Ontario Dental Hygienists's Association and also the Ontario Dental Association have made points on this issue. There are obvious self-interest aspects from both the dentists and the dental hygienists, to be quite frank about it. I think what it comes down to, as I think the member from Erie-Lincoln and the member for Whitby-Ajax have stated, is what is best for the population in terms of cost, health and safety. I think those are a number of areas that have been addressed by both sides as we go through this.

In terms of cost, the position of the dental hygienists is that they can provide the treatment more cost-effectively, and that's certainly something that has to be looked at because dentists, when you talk to them, look at the use of a dental hygienist, as they state their position, as sort of a loss leader, which often doesn't generate much

income after all the expenses: rent, equipment and staff. They put their position forth, saying, "If that's the case, how can a dental hygienist do it for less?" But I don't think that's essentially the point in terms of what we're looking at here, in terms of serving of the public, in terms of the costs that they pay.

The argument of greater access to care by the dental hygienists is certainly a valid point; however, we have to focus on the areas where they're trying to provide this access, and usually it's the sick and the elderly. That's the focus, as we move through this, in terms of making sure there is greater access to care to the broadest sector of the population that there possibly can be.

Dental hygienists are well trained to do what they do. They usually have a one- or two-year course straight out of high school, and this includes all the additional science and physiology requirements. Certainly in the training aspect, there really isn't an issue. I think what's at issue is what we face with respect to CGAs, CAs and different groups that want to become self-regulated, like the acupuncturists and some other groups that are trying to move into an area that is provided through doctors. It is an area that you have to look at in terms of, what's the best way to provide that service?

I think this bill has to go forward. The member from Whitby-Ajax has put a lot of work into this. We've heard all the sides. I think we have to go to committee hearings and hear the arguments from the public and see what is best, so we can get the facts. I think that's what is important, because we certainly have positions from the Ontario Dental Hygienists' Association and from the Ontario Dental Association, but we have to hear the facts.

We also have to look at the fact that the Liberal government, during the election, made a promise with respect to dealing with the recommendations from the HPRAC regarding dental hygienists. They indicated that they are committed to acting on those recommendations, but you have to look at it in perspective. Now that they've promised that, really, what is the chance of that promise coming through? Because they have broken every other promise. What's happening here is that you have the member from Whitby-Ajax, a committed member, who has brought it forth. It's the loyal opposition that has brought this bill forth, not the Liberal government, who promised they would deal with this. At the end of the day, this is an issue that we have to join together on.

I have received input from Dr Chris Cottle from the city of Barrie, who works in this area and is on the Ontario Dental Association as a representative. I've also heard from Melanie Doyle, from the Ontario Dental Hygienists' Association, who is also from my riding of Barrie. I appreciate their input and I look forward to this bill receiving the merit that it deserves.

Mr Ernie Hardeman (Oxford): I rise to speak in support of Bill 116, the amendment to the Dental Hygiene Act of 1991. It's an amendment to change the needs that exist presently in our society, where the dental hygienists have to get an order from a dentist before they

can perform the work that they have been trained to do, that fits within their scope of practice.

I think it's very important, particularly representing a part of rural Ontario where a lot of services are not as available as they might be, and dental services are no exception. When I look back, when I came to this area that I now represent, the only time that my family went to have their teeth looked at was when the child would start to cry because they had a toothache. Nine times out of 10, when we finally got to the dentist, the dentist would have to pull that tooth out.

I want to welcome the dental hygienists who are here today.

I go back quite a way, and at that time, I don't expect there were many dental hygienists in existence. I'm an old person.

Today, when I go to the dentist—and incidentally, it's in the same town. It's not quite in the same building, but close to the same building that I went to as a child. When I go there now, my children go into the office next to the one that I go into, where the dental hygienist is doing everything that's required for my children. Incidentally, they do a very good job.

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When I asked my dentist about how the association works, he said, "It works very well." Obviously, he looks after the dental needs and the dental hygienist next door does a very good job of maintaining the quality and condition of my children's teeth. I said, "There's a bill coming forward that talks about removing the need for the order that you have to give and that the dental hygienist has to work with you on. What's your position on that?" He said, "I guess for us here it makes absolutely no difference. Obviously, she's doing her work and we're doing ours." There's more than one dentist in that office and everybody is doing their thing.

Obviously, we have a need for the dental hygienist in other places where they don't have a dentist available, such as long-term-care facilities. That was mentioned by the member from Whitby-Ajax. In rural Ontario, transportation is a major problem. We don't have transit and so forth, so if the disabled don't have the ability to drive or someone to drive them, they can't get to these services. The dental hygienists are prepared and, in many cases, are already doing it with an order from a dentist, looking after the needs of these people.

I think that really brings out the point of the need for the order. It seems to me that if it's a formality that a dentist must sign an order, and then I can take this piece of paper and as a dental hygienist I can travel around and provide services to homes for the aged and to disabled people, I really don't see the need for that order if the dentist is never going to be able to supervise the work anyway. After doing research, I found out what the dental hygienist is doing; in fact, they are better qualified and have had more training in doing that than the average dentist. So I don't know why the dentist should have to give an order that he will not follow up on just to allow the dental hygienist to do what it is they're trained to do.

I think it's a very good bill to bring forward, to let the experts, shall we say, perform in their field. I don't believe anybody in Ontario is well served by suggesting that one group of individuals should be able to control another group of experts in doing their duty. But more than that, they not only control or give the order, they also end up taking a payment for doing that. I don't think it's appropriate, where one person—I guess the right word is—lives off the avails of another's labour. They have absolutely—

Mr Peter Kormos (Niagara Centre): That's one way of putting it.

Mr Hardeman: Oh, some of the members in the Legislature are taking more from that statement than was meant, I'm sure.

It comes down to the ability of some of our people to pay for the services they require. It's a proven fact that the dental hygienist can perform this service more economically and effectively for my community if it's not done through the dentist's office, if they can set up a practice to provide that service in my community, where, incidentally, dental services are not as prevalent as they are in some other areas of the province. They're very hard to access, very hard to get to, and indeed may be not quite as available as they are in the big cities.

I strongly support this bill, and from listening to the debate this morning, I'm sure it will pass unanimously, as I've heard absolutely no one speak against it. For the dental hygienists who are here today, I want to say I proudly support this bill and will be voting that way.

The Deputy Speaker: The member for Whitby-Ajax has two minutes.

Mr Flaherty: I want to thank all of the members who spoke here this morning, in the last hour, most of whom have made reference to the important issue here, which is increased access to dental health, to oral hygiene, to health care in the province. To the member for Kenora-Rainy River; the member for Etobicoke Centre, who also has Bill 91 standing in her name, to the same effect as Bill 116; and the members for Erie-Lincoln, Etobicoke-Lakeshore, Barrie-Simcoe-Bradford and Oxford, my thanks to all of them for speaking in support of the bill.

Two points: Bill 91 is standing in this place. The member for Etobicoke Centre has spoken eloquently in support of the concept that we should increase access to oral hygiene in the province of Ontario. I thank the member. She's correct, we don't agree on everything, but there are issues that affect access to health care in Ontario with respect to which I am sure the member for Etobicoke Centre and I agree, like this issue, and to which many members of this House agree.

It is a good day in this place, Speaker, I'm sure you'd agree, when members of all three parties can rise above partisan concerns, look at an issue that affects a broad group of people in Ontario and come together and support a bill that is not a long bill. It's a short bill but it deals with a specific issue. The result of the bill eventually becoming law in Ontario, which I hope it does, will be to increase access to health care for many of our constituents in rural Ontario, but also in other part of

the province, certainly; for all our constituents who have transportation issues, particularly the vulnerable people in Ontario, including elderly people.

For all those reasons, I thank my friends who spoke in support of the bill and I look forward to its passing.

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

SENIOR CITIZENS

The Deputy Speaker (Mr Bruce Crozier): We shall deal first with ballot item number 43, standing in the name of Mr Sergio.

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

DENTAL HYGIENE AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI DE 1991 SUR LES HYGIÉNISTES DENTAIRES

The Deputy Speaker (Mr Bruce Crozier): We shall now deal with ballot item number 44, standing in the name of Mr Flaherty.

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

Pursuant to standing order 96, this is referred to the—

Mr Jim Flaherty (Whitby-Ajax): The standing committee on public accounts.

The Deputy Speaker: Mr Flaherty has asked that it be referred to the standing committee on public accounts. Agreed? Agreed.

All matters relating to private members' public business having now been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

The House recessed from 1157 to 1330.

VISITOR

Mr Ted Arnott (Waterloo-Wellington): On a point of order, Mr Speaker: I would like to welcome to the House the Right Honourable John Turner, the former Prime Minister.

The Speaker (Hon Alvin Curling): Welcome, Prime Minister.

MEMBERS' STATEMENTS

CHARITY HOCKEY GAME

Mr Jerry J. Ouellette (Oshawa): I'd like to take this opportunity to thank my legislative colleagues for their participation and support in the fourth annual charity hockey challenge.

On Monday last at Oshawa's Civic Auditorium, I was pleased to host a hockey challenge between the Queen's

Park Legiskaters and the Durham Regional Police. All proceeds of this game went toward minor hockey teams in Oshawa. This year's event presented a unique opportunity for the public, as hockey's most cherished trophy, the Stanley Cup, was on hand for viewing, picture-taking and touching just for luck.

I'd like to praise the Hockey Hall of Fame and its employees, especially Mike Boltz and Phil Pritchard, the guys who wear the white gloves, for their hard work, dedication and care in bringing the cup to Oshawa.

I'd also like to pay special thanks to the members who made up the Legiskaters team: the members from Pembroke-Nipissing-Renfrew, Scarborough Centre, Durham, Bruce-Grey-Owen Sound, Parry Sound-Muskoka, Mississauga West and our outstanding coach, the member from Glengarry-Prescott-Russell, who organized the members and the security staff from Queen's Park; also, the city of Oshawa's Mayor Gray, along with city council members. Without the years of experience that come along with the Civic Auditorium management and staff and all the volunteers, including the Oshawa firefighters, my staff and my father, the evening could not have run as smoothly as it did. To them, a big special thanks. I'd also like to express my gratitude to the Durham Regional Police, Chief McAlpine and organizer Sergeant Ross for their sportsmanlike conduct on and off the ice.

Over 1,500 excited fans turned out for the event. More importantly, up to \$20,000 was raised in support of the NASC, CYO, OCHL, Oshawa Girls' Hockey and Oshawa Minor Hockey.

It's all about kids and hockey, as showcased in the kids' mini game between periods, which ended up in a 0-0 tie. Thanks to all, and remember: Never mind the luck; give it your best and the luck will take care of itself.

POVERTY

Ms Andrea Horwath (Hamilton East): Today we've been visiting with students from McMaster University who joined us to talk about some of the issues in my city. They're studying the inadequacy of the government's personal needs allowance for people who live in residential care facilities. It's \$112 a month. I think it's pathetic to expect that anyone could survive on that amount, let alone change the circumstances they are in. Imagine trying to survive yourself on \$4 a day, not just for one day or two, but every single day of your life. That's the reality of the grinding poverty that 95,000 residents experience every day in Hamilton.

The McMaster students have studied the issue in depth and have come up with practical steps the government can take right now: for example, raise the allocation to \$160 a month and index allowances to keep them at pace with inflation; make Ontario minimum wage a living wage right away; ensure that our most vulnerable citizens are looked after and have the dignity that comes with having adequate means to purchase basic items like a newspaper, a cup of coffee and bus fare. The minister's pitiful \$2-a-month increase doesn't cut it at all.

I rise in support of the McMaster students, who have studied the punishing effects of poverty on residents in special-care homes. We should ensure that these residents have the dignity of an adequate allowance so they don't have to become career panhandlers or face being shunned and ostracized by others.

I know the Minister of Community and Social Services also met with the McMaster students today. I urge the minister to please follow through on the government's promise and take meaningful action on poverty for the health and well-being of the city of Hamilton and the province as a whole.

DIABETES

Mr Vic Dhillon (Brampton West-Mississauga): On November 26, 2004, at the Pearson Convention Centre, the Young Liberals in Brampton came together to hold the first-ever Dinner for Diabetes fundraiser. The event was a huge success, as a crowd of 300 people attended the event. It is a proud testament to the youth of Brampton that they were able to raise more than \$10,000 for the Canadian Diabetes Association during Diabetes Awareness Month. I, along with my fellow Brampton MPP colleagues the Minister of Health and the Minister of Transportation, was privileged to partake in this important and significant event.

As I'm sure you know, diabetes is a chronic disease that cannot be cured but can only be prevented or managed. Today, over 700,000 Ontarians live with diabetes and an estimated 300,000 Ontarians do not know that they have diabetes. The high-risk group includes those who are of Aboriginal, Hispanic, Asian, South Asian or African descent.

The vice-president of research and education for the Canadian Diabetes Association, Donna Lillie, praised the commitment of the youth of Brampton in bringing awareness to this deadly disease. The Canadian Diabetes Association helps to ensure that Canadians are well informed about this deadly disease through diabetes research, education and service. With a commitment from those in the community, such as the Dinner for Diabetes fundraiser, and from all of levels of government, we will be able to manage and ultimately cure diabetes.

HIGHWAY 7

Mr Ted Arnott (Waterloo-Wellington): Once again, I am rising in this House to insist that the provincial government take appropriate action to fast-track the construction of the new four-lane Highway 7 between Kitchener and Guelph. This much-needed project, which has been talked about and studied for a generation, is currently undergoing further study and public consultation involving environmental issues. While we're all concerned about the environmental impact of major projects, the Ministry of the Environment must not allow the Highway 7 job to become bogged down in unnecessary bureaucratic delay. We need a new Highway

7 for reasons of safety and the efficient movement of goods and people through and within our growing and dynamic communities in Waterloo region and Wellington county.

For almost two years now I have been calling upon successive provincial governments to prioritize the projects in the Waterloo-Wellington transportation action plan, including the new Highway 7. The project ideas come from the municipal councils of the communities I'm privileged to represent. They have the support of many hundreds of our residents who have signed petitions which I continue to present to this House.

A few days ago I was pleased to attend a meeting with the Ministers of Transportation and Public Infrastructure Renewal, along with Waterloo regional chair Ken Seiling, Kitchener mayor Carl Zehr, Woolwich township mayor Bill Strauss, Guelph mayor Kate Quarrie, and Guelph/Eramosa township mayor Clint Martin. Our elected community leaders made a compelling case that this project needs to continue to move forward. And in a recent editorial headline, the Guelph Mercury said, "Time to Approve a New Highway 7." No one in this House could have said it better.

VISITORS

Mr Tim Peterson (Mississauga South): On a point of order, Mr Speaker: I stand today to say that this morning the Ministry of Tourism and Recreation had their first meeting of the advisory council on the trails strategy of Ontario, and I would like the House to recognize four people sitting in the gallery who have assisted us with this: Mr John Marsh, John Broderick, Sandra Hanson and Patrick Connor. Thank you very much for coming to Queen's Park to assist us with this process.

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

PENSION PLANS

Ms Jennifer F. Mossop (Stoney Creek): At the end of the last session of the Legislature in June, I rose in this House to ask the members gathered here to keep in mind some of my constituents. I'm speaking of the retired workers, both unionized and salary, of Stelco. For roughly the last year, they've been living with tremendous uncertainty as their former employer, Stelco, has been undergoing restructuring under court protection, courtesy of the Companies' Creditors Arrangement Act.

Right now, the steel market is healthy—we could even say it is robust—and the bidding war for Stelco is now in high gear. Justice James Farley has reminded the companies involved that in their zeal to cut a good deal and cash in on the booming steel market, the pensioners—the men and women who spent their lives working for that company and in good faith deferred their wages in the form of pension considerations—should not only be remembered but be given priority in this deal and, might I add, in any future deals.

While this government recognizes its role in helping to protect the pensioners, we can all agree it should not be the job of taxpayers of this province, this country or any other country to fulfill the obligations and responsibilities of profit-making companies, especially the obligations to human beings and their families who contribute so much to the success of those companies. As the future of Stelco seems now to be bright, so too should the futures of the workers, especially the pensioners who have been watching helplessly from the sidelines.

I'm proud to know that the Premier and his staff, the Minister of Economic Development, the Minister of Labour, as well as our area minister and MPPs, have all been taking this issue very seriously, and will continue to do so.

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HEALTH SERVICES

Mr John O'Toole (Durham): Later this afternoon, I'll be introducing a private member's bill which will help ease the very real financial pressures Ontario families face as a result of the McGuinty government. In early 2004, the Liberal government amended regulations under the Ontario Health Insurance Act. Sadly, and without consultation, this government announced the delisting of routine eye exams, chiropractic and physiotherapy care. This is causing undue pressure on the hard-working Ontario resident who now must pay out of pocket for these important services. Clearly, Ontarians are paying more for their health care and receiving less. The Premier made almost 40 promises on health care during the last election; we now see his promises mean nothing.

December 1 marks the first day in which citizens are going to be forced to pay 100% of the cost of these services. This is simply wrong. Approximately 600,000 chiropractic patients signed petitions and letters asking the Premier not to delist chiropractic funding. This demonstrates the importance of chiropractic care in Ontario. Indeed, I might say that in Scugog, in my riding, is the home of Dr Daniel Palmer, who is considered the founder of chiropractic care.

My private member's bill is entitled An Act to amend the Income Tax Act with respect to tax credits for medical expenses. Last October, the Premier asked Ontarians to choose change. He promised a radically different Ontario and improved quality of life. Well, none of this has happened. Thanks to this government, change is all that is left in the pockets of hard-working Ontarians.

TAMIL CANADIAN COMMUNITY

Mr Brad Duguid (Scarborough Centre): I'm pleased to take this opportunity to inform the Legislature of an inspiring evening I shared with a number of Tamil young people at the Canadian Tamil Youth Development Centre Awards of Excellence 2004, held at the University of Toronto on October 30. The Canadian Tamil Youth

Development Centre was hosting their sixth annual awards ceremony acknowledging the incredible talent and achievement of young Tamils in our community.

Allow me to congratulate these fine young people for putting forward the positive side of our youth. Too many people focus on the negative and tar all of our young people with the same brush. When the majority of young people have so much potential, there's no question our future will be in good hands.

Allow me to congratulate the award winners that evening. Their accomplishments are impressive. Their talent was on display throughout the evening.

The Tamil community has quickly become an important part of life in our community. They are a growing community. They are a flourishing community. They're a community that is quickly adapting to the Canadian way of life. Tamil small businesses are popping every everywhere. This community is having an incredibly valuable impact on our local economy.

I'm delighted to congratulate these young people today for their achievements. I congratulate our local Tamil community on their accomplishments and entrepreneurial spirit. These young people are proud of their Tamil heritage and proud to be Canadians. They are truly inspiring to us all.

EVENTS IN NIPISSING

Ms Monique M. Smith (Nipissing): Christmas came to Nipissing this past weekend. On Friday evening, the mayor of North Bay, councillors, Santa and Mrs Claus and I made our way down Main Street to officially light the downtown Christmas tree and start the downtown Christmas walk. Thousand of North Bayites came out Friday evening to stroll down Main Street, enjoy carollers and musicians and the hospitality of our downtown merchants. Hundreds of people joined my staff and me in our office for hot chocolate and treats. Our thanks go to the downtown improvement area staff and volunteers, as well as the parks and recreation staff and the various merchants for a really beautiful evening.

On Saturday, the volunteers at the Callandar library organized a fabulous Celtic holiday house tour, where over 400 people in the community of Callandar toured five beautifully decorated homes and enjoyed homemade scones and tea and Sandy Peden's famous shortbread.

Saturday night, Mayor Brazeau of Callandar and I, along with councillors and Mayor Billingsley from Nipissing and a few hundred residents, lit up the waterfront in Callandar and enjoyed listening to the students of MT Davidson school sing from their Christmas pageant. Thank you to the Callandar library volunteers, the merchants, the rec committee and the volunteers who created such a beautiful evening and day in Callandar.

Finally, on Sunday in Mattawa, the parents, teachers and students at St Victor's hosted a Christmas tea and bake sale while the volunteer firefighters organized a wonderful Christmas parade, which began at the Algonquin long-term care home, where many of the residents were able to enjoy the parade.

I'd like to thank Butch Belanger, the firefighters and the volunteers who made the parade such a success, and I'd like to thank all of those people who are building our communities in Nipissing.

HIGHWAY NOISE BARRIERS

Mrs Donna H. Cansfield (Etobicoke Centre): I rise this afternoon on behalf of the residents of Etobicoke Centre to say thank you to Minister Takhar and to the Ministry of Transportation for our new barrier that's going to be erected along Highway 427. Now, while I know that that's not of particular interest to a lot of people, I can assure you that it is to the folks who bought their homes some 40 or 50 years ago, who now have over 400,000 cars that go by their homes each and every day. The noise is a significant challenge for these folks as they get older and wish to stay in their homes.

JOHN TURNER

Mrs Donna H. Cansfield (Etobicoke Centre): I also would like to take a moment to say thank you to the Honourable John Turner. I'd like to be able to say thank you for 25 years of contribution to the political scene in Canada and for his continued, sustainable contribution to people such as myself, whom he's chosen to help and mentor as I learn this whole new process called politics at the provincial level. It's something you can't do on your own. You really do need the helping friend that you can turn to for some good, sage advice, somebody who's been there, done that and turned all those corners, as it were. I have a great deal of respect for this gentleman, and in particular for the fact that he is my friend. I thank you, sir.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Norman W. Sterling (Lanark-Carleton): I beg leave to present a report on curriculum development and implementation from the standing committee on public accounts and move the adoption of its recommendations.

The Speaker (Hon Alvin Curling): Does the member wish to make a brief statement?

Mr Sterling: In 1996, the Ministry of Education undertook the development of the first province-wide curriculum. Elementary curriculum policy documents were introduced in 1997 and 1998. The new secondary curriculum was introduced one grade at a time, beginning with grade 9 in 1999 and ending with grade 12 in 2002. The committee examined the first value-for-money audit of this program area since the development and implementation of the new curriculum.

In its report, the committee made seven recommendations. Among them are two that refer to at-risk students. The ministry has been asked to report on the actions it has taken to create more effective pathways for these students, including increasing the number of locally developed courses that qualify for compulsory credit and to provide information on the impact of its programs for at-risk students. The committee also recommended that the ministry report on the results of its research regarding social promotion and remediation.

This completes the committee's work on the 2003 annual report of the auditor. The committee held nine hearings in February 2004. Following these hearings, the committee has submitted unanimous reports on each of those hearings. The tabling of these reports has completed the cycle that we are in.

I'd like to thank the members of the standing committee on public accounts, who include Laurel Broten, Jim Flaherty, Shelley Martel, Bill Mauro, Julia Munro, Richard Patten, Liz Sandals and David Zimmer. I would like to thank them as their Chair.

I would move adjournment of the debate.

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

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mrs Linda Jeffrey (Brampton Centre): I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

The Clerk-at-the-Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 25, An Act respecting government advertising /
Projet de loi 25, Loi concernant la publicité gouvernementale.

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

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

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

The division bells rang from 1350 to 1355.

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

Ayes

Arthurs, Wayne	Fonseca, Peter	Pupatello, Sandra
Bentley, Christopher	Gerretsen, John	Qaadri, Shafiq
Berardinetti, Lorenzo	Gravelle, Michael	Racco, Mario G.
Bountrogianni, Marie	Hoy, Pat	Ramal, Khalil
Bradley, James J.	Jeffrey, Linda	Ramsay, David
Broten, Laurel C.	Kennedy, Gerard	Sandals, Liz
Bryant, Michael	Kular, Kuldip	Sergio, Mario
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Chambers, Mary Anne V.	McMeekin, Ted	Smitherman, George
Delaney, Bob	McNeely, Phil	Takhar, Harinder S.
Dhillon, Vic	Meilleur, Madeleine	Van Bommel, Maria
Dombrowsky, Leona	Mossop, Jennifer F.	Wilkinson, John
Duguid, Brad	Peters, Steve	Wong, Tony C.
Duncan, Dwight	Peterson, Tim	Wynne, Kathleen O.
Flynn, Kevin Daniel	Phillips, Gerry	Zimmer, David

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

Nays

Arnott, Ted	Jackson, Cameron	Prue, Michael
Baird, John R.	Kormos, Peter	Scott, Laurie
Barrett, Toby	Marchese, Rosario	Sterling, Norman W.
Bisson, Gilles	Miller, Norm	Tascona, Joseph N.
Hardeman, Ernie	Munro, Julia	Wilson, Jim
Horwath, Andrea	O'Toole, John	Witmer, Elizabeth
Hudak, Tim	Ouellette, Jerry J.	

The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 45; the nays are 20.

The Speaker: I declare the motion carried.

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON JUSTICE POLICY

Mr Bob Delaney (Mississauga West): I beg leave to present a report from the standing committee on justice policy and move its adoption.

The Clerk-at-the-Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 60, An Act to amend the Ontario Heritage Act /
Projet de loi 60, Loi modifiant la Loi sur le patrimoine de l'Ontario.

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

Mr John R. Baird (Nepean-Carleton): No.

The Speaker: Carried.

The bill is therefore ordered for third reading.

Mr Peter Kormos (Niagara Centre): Mr Speaker, when there's a no, you call for "all in favour" and "all opposed."

The Speaker: Order. If you are paying attention, when I ask for it, I would like to hear it very clearly. I will ask again.

Shall the report be received and adopted?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

The bill is therefore ordered for third reading.

MEMBER FOR TIMISKAMING-COCHRANE

Mr John R. Baird (Nepean-Carleton): On a point of order, Mr Speaker: All members of the House will want to join me in congratulating the newest grandfather in the House. This individual became a grandfather to a grandson called Isaac, and I'm of course talking about our friend the Minister of Natural Resources.

PRESS GALLERY CHARITY AUCTION

Hon James J. Bradley (Minister of Tourism and Recreation): On a point of order and information, Mr Speaker: I know you and all members of the House

would want to know that the press gallery charity auction last night raised \$33,700, surpassing last year's total of \$25,000. They want to thank everyone possible. That message comes from his honour Badger Brennan.

1400

INTRODUCTION OF BILLS

INCOME TAX AMENDMENT ACT (MEDICAL EXPENSE TAX CREDIT), 2004

LOI DE 2004 MODIFIANT LA LOI DE L'IMPÔT SUR LE REVENU (CRÉDIT D'IMPÔT POUR FRAIS MÉDICAUX)

Mr O'Toole moved first reading of the following bill:

Bill 154, An Act to amend the Income Tax Act with respect to the tax credit for medical expenses / Projet de loi 154, Loi modifiant la Loi de l'impôt sur le revenu à l'égard du crédit d'impôt pour frais médicaux.

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

Mr O'Toole.

Mr John O'Toole (Durham): Everyone in Ontario recalls the Liberal government's first budget. They introduced the dreaded health tax. Next came the review of the Health Insurance Act, where they delisted physiotherapy, optometry and chiropractic, this without consultation. The delisting of these essential medical services is simply wrong. The people of Ontario are paying more and receiving less. I ask for support for this bill for the people of Ontario.

FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS

Ms Pupatello moved first reading of the following bill:

Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

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

Ms Pupatello.

Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I will save my remarks for ministerial statements.

TRILLIUM GIFT OF LIFE NETWORK AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI SUR LE RÉSEAU TRILLIUM POUR LE DON DE VIE

Mr Kormos moved first reading of the following bill:

Bill 156, An Act to amend the Trillium Gift of Life Network Act / Projet de loi 156, Loi visant à modifier la Loi sur le Réseau Trillium pour le don de vie.

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

Mr Kormos.

Mr Peter Kormos (Niagara Centre): This bill will save thousands of lives. The purpose of the bill is to ensure that upon the death of a person, tissue from the person's body may be removed and made available for transplant into another person's body, and that this may be done without the consent of the person from whom the tissue is removed.

Currently, the act requires that consent be obtained before tissue can be removed from a human body. Under the proposed amendments, consent is no longer required, but a person may object to the removal of the tissue prior to his or her death, or a substitute may object on his or her behalf after the death has occurred. If an objection is made, no tissue shall be removed from the body. Part II of the act sets out the manner and circumstances in which an objection may be made by or on behalf of a person.

The Trillium Gift of Life Network continues in its role as planner, promoter and coordinator of activities relating to the donation, removal and use of tissue for transplant and for other uses. Obligations are placed on hospitals, nursing homes and other facilities designated under the act to notify the network when a person dies, or if death is imminent.

The network coordinates the provision of information to the patient, or his or her family, with respect to the removal of tissue and the person's right to object. An individual may register with the network its objection to the removal and use of tissue from his or her body after his or her death. The network shall establish and maintain a registry of such objections.

STATEMENTS BY THE MINISTRY AND RESPONSES

FAMILY RESPONSIBILITY OFFICE

Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I rise today to inform the House that this government is taking further action to increase enforcement, improve fairness and enhance efficiency at the Family Responsibility Office. I know we're all pleased to hear about this today.

One of my first actions as Minister of Community and Social Services was to visit the Family Responsibility

Office. I was struck by the Industrial Revolution type of assembly line systems that they had to employ just to do their jobs. I also participated in round tables in my own hometown, in Ottawa and in Niagara Falls. Many of our members in this House also had their own round tables to help us, to give us advice on the priority areas that we needed to address with this office.

During those consultations, they told us that it was important for government to help families and to move quickly to help people get the money they were entitled to. When this government took office, there had been virtually no improvements made to FRO, even though for years the Ontario Ombudsman, the Privacy Commissioner and the Provincial Auditor all had been warning that changes were needed. We listened, and that is why in February our government took action to help families get the support they are entitled to.

It was a plan for the Family Responsibility Office that moved forward in three significant ways: making immediate improvements on customer service, laying the foundation for significant long-term changes in the way the Family Responsibility Office works, and launching a series of consultations across the province. Our government also committed \$40 million over four years for a new case management system with supporting technology to help transform FRO and to help track down and collect support payments that are in arrears.

I am very proud to report to the Legislature that since our last announcement, more than \$64 million has been collected as a result of our credit bureau initiative. There has been a 35% increase in the number of phone calls that the Family Responsibility Office fields every day. The average wait time on the customer service line is now half of what it was last February. The Family Responsibility Office has tracked down addresses for almost half of all the returned mail, and we've added staff to the office that faces a steadily growing number of files.

If I may, I have to congratulate the staff, our public service, who work at the FRO office, because they've worked very hard to help us with a tremendous number of changes, and they do so because they know that they are helping people who need their intervention and help. Congratulations to the people at FRO. You are doing a tremendous job for us.

While we're proud of our accomplishments, we must continue to show leadership in helping families get the support they need. That's why we have a plan to further improve the office. Our plan would increase enforcement by: providing the Family Responsibility Office with stronger trace-and-locate measures by expanding the number of organizations from which they can demand information to include trade unions, among others; extending the maximum jail term for defaulting parents who fail to comply with court orders from 90 to 180 days; reporting the defaulting payers to professional licensing bodies; allowing the Family Responsibility Office to obtain a financial statement from a third party that is linked to the payer, should they be trying to hide

their assets; and giving us the authority to post on a Web site those that we can't find, a measure that we will take if we need to.

Our plan would improve fairness by giving our staff the flexibility to cease enforcement and enforce a lesser amount, dependent on that case. Our plan would enhance efficiency by allowing people who owe money to send payments to the office electronically.

The proposed legislative amendments are the first substantive changes that the act has seen in almost eight years. They're long overdue.

We know that most parents are responsible and pay their child support payments. Two thirds are in full or partial compliance. But that means there is another one third out there whom we need to be very concerned about. Today we're telling those who don't live up to their family responsibilities that it's time to pay up. We cannot allow defaulting parents to continue to force their families into poverty.

1410

Our government is the first to show leadership in helping families get the support they deserve. We know there is much more work still to be done, and we will get there. We intend to make Ontario a leader in enforcing support payments. Our government plans to use aggressive means so that we have the tools we need to go after people who aren't paying what the courts have ruled they ought to pay. In Ontario, parents who should be paying support will pay support. I call upon all members of this House to support these progressive measures, these fair measures that would help make our families stronger, our communities stronger and ultimately the province of Ontario stronger.

The Speaker (Hon Alvin Curling): Responses?

Mr Cameron Jackson (Burlington): I'm pleased to respond on behalf of my caucus with respect to the Family Responsibility and Support Arrears Enforcement Amendment Act, which was tabled by the minister today. As one who has seen the evolution of support order and custody legislation in this province over the last 20 years, I'm mindful that in the late 1980s, when we saw the first legislation in our province, enforcement components were not supported by the then Attorney General of the day, Ian Scott. We have come, indeed, a long way over the course of the last 20 years, so that meaningful enforcement can occur when, as all members in this House will agree, it is extremely important that we support those families who rely on their support payments from a parent who is no longer living with them. For that reason our party will very definitely want to work with this legislation and offer some constructive comments as well as participate in committee in terms of making amendments to it.

We do have some concerns, and I'm pleased to see the minister has taken a decidedly different tack, now that she is a minister, with these matters.

Mr John R. Baird (Nepean-Carleton): She's changed.

Mr Jackson: Well, you know, the rhetoric in opposition sometimes gets retailored when you make the trip across the floor and become the government responsible.

I have some questions for the minister today. First of all, the minister has indicated that the minimum sentences would be moved from 90 to 180 days. It begs the question of just how frequently this is being used in our courts, what average time of stay in a correction facility was called upon. I find it passing strange that we are not creating more of a maximum environment for these enforcements, but minimum levels.

The one that concerns me the most is that you're going to bring—a very rare time in Canadian justice: You are saying that early-release provisions for persons in default will not apply. Now, I want to bring to the House's attention that just last Friday, in this province, a known child sex offender who secured his prey through the Internet was released in an Ontario court, by a provincially appointed judge, and was given triple time off for early release. This is a known pedophile who sexually assaulted a child, and yet we have no protections in our legislation at all in this province to say that that dangerous offender must stay behind bars for the full term. And yet, if your parent has been in arrears with their support payments, by God, we're going to lock them up for 180 days and they will have no chance of getting out early. It seems to me that this is an unusual application of the law, considering the fact that just this week the same case in Alberta resulted in a seven-year sentence for that pedophile and yet here in Ontario this individual is actually out of jail. So I want the member to realize that the use of that provision here should be considered very strongly in other legislation, and I'm surprised at where the priorities are.

The member opposite would be aware that her Attorney General is currently looking at paralegals in this province and their impact on the entire issue around support, custody and FRO matters, and that the Attorney General is looking at eliminating the use of paralegals in these matters. She would know that they are having a dramatic and positive impact on helping to clear the backlog and finding affordable, accessible access to our justice system when families find themselves in dispute on matters of custody and support payment.

The amount of write-offs that the treasurer of this province—an historic write-off of \$214 million owed to the province of Ontario. On one hand, you want to put people in jail for non-support payments, but your minister, a mere three seats away from you, has been routinely writing off the debts of individuals to the province of Ontario, who owe the money for the welfare payments that we as a province pay for their children.

Minister, thank you for the legislation. We look forward to working with you on providing positive amendments to improve it.

Mr Peter Kormos (Niagara Centre): This isn't the first announcement of this sort that we've had occasion to listen to in this chamber. In fact, it has been eight years since the Conservative government, upon their election, dismantled the regional offices of the Family Respon-

sibility Office and created the chaos that prevails, even a year plus into the reign of this new McGuinty Liberal government in the province of Ontario, the government that promised change and, on a good day, delivers but spare change.

In fact, it has been just about eight years and a month or so plus since my colleague Shelley Martel, the member from Nickel Belt, conducted her early morning raid, her break and enter into the Family Responsibility Office to demonstrate the laxness of security. She came back, after that break and enter, with videotape demonstrating an office that was in complete chaos, floor after floor after floor—overflowing boxes of files there, ready for inspection by anybody who might pass by, whether they belonged in that building or not, be it at 7 in the morning or 7 in the evening.

The silliness of today's announcement is matched only by the superciliousness of previous announcements from similar ministers: "Reporting the defaulting payers to professional licensing bodies." See, this sounds, oh so profound. We're going to report these people. Well, big deal. So you're going to tell the law society that some lawyer hasn't been paying his or her child support. "Yeah? So?" Where does that get you? You're going to tell the College of Physicians and Surgeons that somebody isn't paying their child support. "Yeah? So?" Where does that get you? You're going to tell the local Lions Club, I suppose, or maybe the Kinsmen Club that one of their members is not paying his or her child support. "Yeah? So?" That doesn't put money into the account of what is usually the mother and her kids, who have been paying a huge price for the incompetence of this government and its ongoing mismanagement of the FRO.

Even more shocking is that this government would include in their announcement today that they are going to give staff flexibility to cease enforcement and to enforce a lesser amount. What bunkum. What hogwash. What this government is saying is that they're going to close files by simply washing their hands of that mom and her kids or that dad and his kids, as the case might be. In fact, the Tories tried that stunt and all hell broke loose amongst opposition benches, including from the Liberals.

It is outrageous that your response to your incompetent mismanagement of the Family Responsibility Office and your disdain for those moms—inevitably moms, but from time to time dads—and their kids is expressed in your acknowledgement today that you're going to wash your hands of so many of them by simply refusing to pursue those files, those collections, or by arbitrarily varying the amount. That's of little comfort to kids this season of the year who are not going to just go without gifts under the tree but will go without a tree during this Christmas season, during this holiday season, because this government can't get its act together around management of the Family Responsibility Office.

FRO complaints remain in the top three for our constituency offices, eclipsed only as a result of the misman-

agement by your colleague the Minister of Consumer and Business Services of the registry office up in Thunder Bay. And it isn't because FRO complaints have been reduced; it's because the concerns around the availability of birth certificates and other similar sorts of government documentation have ballooned, skyrocketed.

1420

This government has bought into the Tory theme of centralizing and destaffing this office. This government owes those custodial parents and their kids more than the same old Tory platitudes. This government owes those fathers—inevitably fathers, but from time to time moms—who are paying their support but whose support gets lost in the black hole of the FRO office up in north Toronto; far more than an effort to try to build some positive spin around a tragic and dismal situation.

I say to the minister, cut the crap. Get with it. Get food on those tables. Protect those kids. Don't treat this with scorn and disdain.

VISITORS

Ms Judy Marsales (Hamilton West): On a point of order, Mr Speaker: I am sure you would allow me to acknowledge the future politicians of Ontario seated above us here: Dr Stein and the political science students of the great McMaster University, alma mater of my colleague Mr McMeekin and our own Premier.

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

Now we have a real point of order from the government House leader.

MOTIONS

ORDER OF BUSINESS

Hon Dwight Duncan (Minister of Energy, Government House Leader): Mr Speaker, I believe we have unanimous consent to revert to motions.

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

Hon Mr Duncan: I move that notwithstanding standing order 77(b), the orders for third reading of Bill 25, An Act respecting government advertising, and Bill 73, An Act to enhance the safety of children and youth on Ontario's roads, may be called today; and

That the time available for debate this afternoon, up to 5:50 pm, shall be divided into two equal parts, with the first part being allotted for debate on Bill 25 and the second part being allotted for debate on Bill 73; and

That each part shall be further divided and apportioned equally among the recognized parties; and

That when the time allotted for debate of both bills has expired, the Speaker shall put every question necessary to dispose of the third reading stage of each bill; and

That any divisions required shall be deferred until Monday, December 6, 2004.

The Speaker: Mr Duncan has moved—

Interjection: Dispense.

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

DEFERRED VOTES

EXECUTIVE COUNCIL AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI SUR LE CONSEIL EXÉCUTIF

Deferred vote on the motion for second reading of Bill 17, An Act to amend the Executive Council Act / Projet de loi 17, Loi modifiant la Loi sur le Conseil exécutif.

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

The division bells rang from 1424 to 1429.

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

Ayes

Arthurs, Wayne	Fonseca, Peter	Qaadri, Shafiq
Bentley, Christopher	Gerretsen, John	Racco, Mario G.
Berardinetti, Lorenzo	Gravelle, Michael	Ramal, Khalil
Bountrogianni, Marie	Hoy, Pat	Ramsay, David
Bradley, James J.	Jeffrey, Linda	Sandals, Liz
Brotten, Laurel C.	Kennedy, Gerard	Sergio, Mario
Bryant, Michael	Kular, Kuldip	Smith, Monique
Cansfield, Donna H.	Lalonde, Jean-Marc	Smitherman, George
Caplan, David	Marsales, Judy	Sorbara, Gregory S.
Chambers, Mary Anne V.	McMeekin, Ted	Takhar, Harinder S.
Cordiano, Joseph	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Dhillon, Vic	Mossop, Jennifer F.	Wong, Tony C.
Dombrowsky, Leona	Peters, Steve	Wynne, Kathleen O.
Duguid, Brad	Peterson, Tim	Zimmer, David
Duncan, Dwight	Phillips, Gerry	
Flynn, Kevin Daniel	Pupatello, Sandra	

The Speaker: All those against, please rise.

Nays

Bisson, Gilles	Hampton, Howard	Marchese, Rosario
Churley, Marilyn	Kormos, Peter	Prue, Michael

The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 49; the nays are 6.

The Speaker: I declare the motion carried. Shall the bill be ordered for third reading?

Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I move that the bill be referred to the standing committee on the Legislative Assembly.

The Speaker: So ordered.

ACCESSIBILITY FOR ONTARIANS WITH
DISABILITIES ACT, 2004

LOI DE 2004 SUR L'ACCESSIBILITÉ
POUR LES PERSONNES HANDICAPÉES
DE L'ONTARIO

Deferred vote on the motion for second reading of Bill 118, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the Act for persons with disabilities / Projet de loi 118, Loi traitant de l'élaboration, de la mise en oeuvre et de l'application de normes concernant l'accessibilité pour les personnes handicapées en ce qui concerne les biens, les services, les installations, l'emploi, le logement, les bâtiments et toutes les autres choses qu'elle précise.

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

The division bells rang from 1432 to 1437.

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

Ayes

Arnett, Ted	Gerretsen, John	Peterson, Tim
Arthurs, Wayne	Gravelle, Michael	Phillips, Gerry
Baird, John R.	Hampton, Howard	Prue, Michael
Barrett, Toby	Hardeman, Ernie	Pupatello, Sandra
Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Hudak, Tim	Racco, Mario G.
Bisson, Gilles	Jackson, Cameron	Ramal, Khalil
Bountrogianni, Marie	Jeffrey, Linda	Ramsay, David
Bradley, James J.	Kennedy, Gerard	Runciman, Robert W.
Broten, Laurel C.	Kormos, Peter	Sandals, Liz
Bryant, Michael	Kular, Kuldip	Scott, Laurie
Cansfield, Donna H.	Lalonde, Jean-Marc	Sergio, Mario
Caplan, David	Leal, Jeff	Smith, Monique
Chambers, Mary Anne V.	Marchese, Rosario	Smitherman, George
Churley, Marilyn	Marsales, Judy	Sterling, Norman W.
Cordiano, Joseph	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Tascona, Joseph N.
Dhillon, Vic	Meilleur, Madeleine	Van Bommel, Maria
Dombrowsky, Leona	Miller, Norm	Wilkinson, John
Duguid, Brad	Mossop, Jennifer F.	Wilson, Jim
Duncan, Dwight	Munro, Julia	Witmer, Elizabeth
Flaherty, Jim	O'Toole, John	Wong, Tony C.
Flynn, Kevin Daniel	Ouellette, Jerry J.	Wynne, Kathleen O.
Fonseca, Peter	Peters, Steve	Zimmer, David

The Clerk of the Assembly (Mr Claude L. DesRosiers): The ayes are 72; the nays are 0.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading?

Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): Mr Speaker, I ask that the bill be referred to the standing committee on social policy.

The Speaker: So ordered.

INTERNATIONAL DAY OF
DISABLED PERSONS

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: We have two unanimous consents. I just want to signal to

the opposition that the government will agree to the full hour for question period today, and I'd ask the table to give me the proper wording for the motion.

In any event, I believe we have unanimous consent for each party to speak for up to five minutes on the International Day of Disabled Persons.

The Speaker (Hon Alvin Curling): The government House leader has requested unanimous consent for each party to speak for up to five minutes on the International Day of Disabled Persons. Agreed? Agreed.

Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): Tomorrow marks the United Nations International Day of Disabled Persons. More than half a billion human beings have disabilities. No matter where they live in our world, they face physical barriers, social barriers, cultural barriers, technological barriers and that most daunting barrier of attitude. Hundreds of millions of people with disabilities around the globe face ignorance, neglect, superstition, fear and isolation.

The UN has called for all societies, all communities, to ensure that girls and boys and women and men with disabilities may exercise the same rights, responsibilities and obligations as others. These are fundamental principles of human dignity and freedom, matters of human rights and social justice, matters of empowerment and opportunity. The challenges before us in Ontario are the challenges before us in the world. The issues are clear. The needs are real. The potential is extraordinary.

In the past few weeks, members have debated the proposed new Accessibility for Ontarians with Disabilities Act, 2004. The debate has brought home how very personal the issue of accessibility is for each of us—for all of us. I have listened as members on both sides of the chamber have spoken with deep passion and emotion about the challenges faced by their constituents, their families, their neighbours, their friends, their campaign workers, their loved ones. Everyone here knows the importance of full participation and equality for Ontarians with disabilities. We all know the issues: raising awareness; accessibility; knocking down barriers, both visible and invisible; support services; employment; safety; independence. And we all know the incredible benefits to be gained by all of us with the integration of persons with disabilities in every aspect of our political, social, economic and cultural life.

The theme of the 2004 UN observance is, "Nothing About Us Without Us." People with disabilities want us to listen to their wishes, their aspirations, their ideas, their dreams. People with disabilities want legislators to craft laws based on what they tell us is good for them, not what we tell them is good for them. That is what we have tried to do in bringing forward the new accessibility legislation. We have paid close attention to the desires of the disability community. Two of these advocates are here today. I'm pleased to welcome, on behalf of the Legislature, David Lepofsky and Patti Bregman.

We have incorporated the aims, objectives and concrete suggestions of the Ontarians with Disabilities

Act Committee. We have built upon the extremely solid foundation of work undertaken by Ontarians with disabilities over the past 10 years. More than 250 community groups have provided input to the proposed legislation. More than 1,000 individuals took part in regional meetings across the province. We had 14 round tables with persons with disabilities, and thousands of people have spoken with me to express their individual hopes, their practical suggestions and their unwavering determination to build a truly inclusive Ontario.

Ontarians with disabilities have brought home the need to address the full range of disabilities: physical, mental, sensory, developmental and learning disabilities. They have brought home the need to fully include the private sector, as well as the public sector, in the legislation. They have brought home the need for strong enforcement measures.

Most importantly, they have brought home the absolute imperative of enabling people with disabilities to be ongoing partners in shaping the laws that touch their lives—"Nothing About Us Without Us."

The real key to the proposed legislation is that it would make people with disabilities full partners in drafting and crafting the standards that would apply to the public sector and the private sector in the years to come. Ontarians with disabilities would be at the table when the t's are crossed and the i's are dotted on the rules respecting access to goods, services, buildings, accommodation and employment.

I want to re-emphasize my appreciation to all members of this House for their heartfelt and constructive comments on accessibility. I'm also gratified that the Legislature has approved this bill in principle, through the vote this afternoon, and that we may now move ahead to the committee stage. What a wonderful achievement on the eve of the United Nations International Day of Disabled Persons.

We all want Ontario to be a leader in building a world of true inclusion. We all want to leave our children a society where everyone is free to make the most of their own potential. In the words of UN Secretary-General Kofi Annan, "In these and other efforts, let us listen to disabled persons, not just on this day, but every day."

The Speaker (Hon Alvin Curling): Responses?

Mr Cameron Jackson (Burlington): I, too, would like to join all members of this House in acknowledging International Day of Disabled Persons and to lend my voice and that of my leader, John Tory, and our caucus in terms of our support for persons who are differently abled to cope with the daily rigors of life in our province.

At the outset, I want to put on the record again, as I do on most occasions, that the people of Ontario are fortunate to live in a jurisdiction that has provided some of the most outstanding leadership on this continent as it relates to the rights of individuals. Not only were we the very first to sign on to the declarations inherent with the national Charter of Rights and Freedoms, but we were also the first jurisdiction to bring in a human rights

commission and to strengthen that commission office with real power and real authority in our province.

I was pleased to be part of a government that participated in enhancing that mandate and the budget for our chief commissioner, who I'd like to publicly acknowledge today, the honourable Keith Norton and his associates and hard-working staff at the human rights commission. They have done much to focus attention, when the courts have sometimes failed and politicians have fallen short, in terms of understanding the needs of disabled persons.

It was just this week that commissioner Norton tabled a very significant piece of work that he'd been working on for over a year, in the opportunity to succeed in achieving barrier-free education for students with disabilities in Ontario. This is an incredibly important and powerful document, because this document is a guide to setting the very standards the minister has just spoken to, which she feels we need to negotiate over the next 20 years to achieve.

What I find interesting is that we clearly have now in place, from our chief commissioner in this province, an accountability, accessibility and accommodation plan for students to receive the benefits they are entitled to under the law in this province today. I know I have spoken with the Minister of Education on several occasions about those families who continue to have to go to the courts in our province to seek the benefits and the rights they currently enjoy in legislation that was supported by all members of this House.

Just recently I had a case of a family that, for the last two years, have been in court. They've been to two provincial tribunals. They've spent \$15,000 of their own money. They got a ruling from the Ontario special education tribunal ordering their school board to accommodate their disabled autistic son, the school board approved it, and now, next week, the board is considering a motion to rescind all of this—here in Ontario.

I know the Minister of Education is vitally concerned about the conduct of the Halton board of education in these matters, and I've spoken to him, and I encourage him to look into this case in more detail.

1450

It strikes me that one of the comments I have made to the minister about her new legislation—I commend her for providing a time frame, but I fundamentally don't believe that it should take the Ministry of Education of this province 20 years to become fully accessible. But it might take the private sector 15 or 20 years to do that.

I want to encourage the minister to consider amendments that will allow for various government agencies, as called for in the previous legislation, Bill 125—it talks about the fact that our provincial courts, for example, should be fully accessible within 10 years, and those budget monies were budgeted by the previous government. I want the minister to be aware that when I scanned the Web site for the accessibility plans that are called for in Bill 125, it's clearly indicated right here that the 15% increase was to be allocated to each and every recon-

struction or modification to a courthouse in Ontario; 15% was added to ensure that those courthouses and those changes to the physical environment would be to the code regulations and to the higher standard as set by the government. And right in the document it indicates that those plans have been rescinded.

I say to the minister, we need to work together on behalf of disabled people in this province, but the government can make this province more accessible a lot sooner than anyone else, and it's a challenge we should all work together on and achieve.

Mr Rosario Marchese (Trinity-Spadina): The annual observance of the International Day of Disabled Persons is a very important day. On behalf of New Democrats, I'm very pleased to speak to it. I have observed over the years that unless you have a disability or you're affected by a particular disability, you do not spend too much time thinking about the problem or imagining what it must be like to live with a physical or mental disability. But as legislators it's our obligation to acknowledge, understand and imagine what those problems are and to deal with them.

The fact of the matter is, persons with disabilities number over 15% of our population. That's a huge number of people. We often don't believe that there could be so many facing these disabilities, but it's huge. They face numerous barriers, many of which we take for granted—barriers in getting access to and fully participating in important activities such as jobs, access to information, communication, education at all levels, public transit, access to a café, to a restaurant, to a movie theatre, the use of goods, services and facilities that the public usually enjoys.

Even though both the Charter of Rights and Freedoms and the Ontario Human Rights Code ban discrimination on the basis of physical or mental disability in so many aspects of life, they have not been successful in effectively rooting out the old barriers or preventing the erection of new barriers. Lawsuits under these laws are costly, often very slow, and not always successful. Efforts to secure voluntary compliance over the years have not solved the problem.

The International Day of Disabled Persons helps us all to remember that we have a duty as legislators to break down those barriers. Such a day helps us to mobilize support for the dignity, rights and well-being of persons with disabilities. Such a day helps us to mobilize support for full and equal enjoyment of human rights and participation in society by persons with disabilities. It's a day to remember that people with disabilities survive on \$930 a month for food, clothing and housing, and that this government has increased support to ODSP claimants by a mere 3%—better than a kick in the teeth, some people might say, but I think it's insufficient and shameful.

If we believe that this is not sufficient, do we then not have a moral and political obligation to increase ODSP support, and do it now? If we believe in a new disability

act, do you not think, as I do, that people with disabilities need it today rather than having to wait for 20 years?

UKRAINIAN ELECTION

Hon James J. Bradley (Minister of Tourism and Recreation): On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for up to two minutes on the situation in Ukraine.

The Speaker (Hon Alvin Curling): Do we have unanimous consent for each party to speak for two minutes on the matter of Ukraine? Agreed? Agreed.

Hon Gerard Kennedy (Minister of Education): I'm pleased to be able to rise in my place as member for Parkdale-High Park on behalf of many interested members in this House, specifically members for Etobicoke-Lakeshore and Etobicoke Centre, but really, I believe, now on behalf of all of us.

We are standing here today in a place that is a long way from the streets of Kiev, where there are thousands of people who have been parked out overnight, camping in support of their right to have a free election. They've done that in a country that has not known the kinds of freedoms that we take for granted in the explicit way that we have them here.

We're not so far, though, from a vigil on Bloor Street in my riding, where there were dozens of young people yesterday, as young as eight years old, getting their first taste of what all of us need to be reminded of: that certain rights and certain inalienable freedoms have to be stood up for, that we have to take notice of them and do something about them if they're going to be exercised by people in every part of the world. So what started off as a matter for Ukrainians in Ukraine, and then for Ukrainian Canadians, is really now a matter for all of us.

There have been other times in other places: in Manila; in Gdansk; in East Berlin and other parts of eastern Europe. But today is a seminal time when decisions are being made by Ukraine's Supreme Court, where it has already suspended the results of the election, where the Ukrainian Parliament has voted not to uphold those results and to condemn the elections commission, where our national government, the European Union and the United States have all expressed that they will not accept the outcome of this election; that even we, in this provincial Legislature, need to be able to express some of what goes to the foundations of why we are here in the first place, whether or not there will be efforts made to uphold in every country, in every Legislature, to ensure that Ukrainians are able to express their rights to a free and democratic election.

I had in my office, a few years ago, students from Ukraine as eager, bright and intelligent as students anywhere in the world. But they didn't trust their banks. They didn't trust their police. They didn't trust any of their institutions, and they didn't trust their government. They stand on the precipice of being able to get the government that they really do need.

I hope we can ask every single member of this House to support the efforts of our government to support the Canadian government to make sure that there are fair and free elections held soon and that democratic processes do work in Ukraine.

Mr Cameron Jackson (Burlington): It's my privilege to rise on behalf of my leader, John Tory, and our caucus to speak on the current situation of tension and unrest in Ukraine.

Over 100 Canadian observers joined many others in Ukraine two weeks ago, during the most recent round of presidential elections there, only to find proof of systemic electoral abuses and fraud by the current regime. However, hundreds of thousands of Ukrainian citizens have taken to the streets in support of Viktor Yushchenko, the leader of democratic reforms in Ukraine. They have been joined by the clergy, the military and even by a radio station that announced it will no longer lie for the government on behalf of its candidate, Viktor Yanukovich.

I have had the privilege to reference the history of Ukraine many times in this House, from Stalin's man-made famine that killed close to nine million Ukrainians, to official Russification and the martyrdom of the clergy and the Ukrainian churches, to the wholesale exploitation of their natural resources as the breadbasket of Europe. Even the Chernobyl tragedy illustrates Moscow's contempt for the pain and suffering of its Ukrainian and Belarussian victims.

1500

I've also maintained close contact with the Ukrainian Legislature over the last few years and have been pleased to sponsor right here in this building Ukrainian interns who came to be exposed to our parliamentary democracy and its tradition.

I remember when Viktor Yushchenko visited this Legislature two years ago and personally confided that he did not think Russia would let him win the election, and that if he did, he feared for his life.

Canada, the US and the European Union are now calling in the strongest possible terms on Ukraine's current President to ensure that the democratic will of the citizens be respected and that no harm comes to these pro-democratic forces.

As a Canadian of proud ancestry—as is my colleague from the Liberal Party—that goes back over 100 years in this country, I join with all Canadians of goodwill in supporting the citizens of Ukraine in their struggle to bring democracy and economic prosperity to their country, to affirm their complete independence of Russia and to move forward with the international community of free nations in determining their own future.

I call on all members of our Parliament to likewise show their unreserved support for the ongoing struggle for the freedom and democratic rights of Viktor Yushchenko and the citizens of Ukraine.

Slava Ukraini.

Mr Howard Hampton (Kenora-Rainy River): The people in Ukraine find themselves in a very difficult and delicate situation, and I'm not going to advocate for

anyone in the current controversy there. But I want to, on behalf of New Democrats, underline some other issues that I think are at play here.

Many people felt that when the Iron Curtain came down and the Cold War ended, somehow we were going to live in a world where there were not going to be any controversies. There are some learned authors who say that in fact we'll revert now to the old controversies, that controversies will be about who has oil and where we can get it, who has the gas, who has the natural resources and where we can get them.

I want to read an excerpt from the CIA Factbook on Ukraine: "a strategic position at the crossroads between Europe and Asia." "Its natural resources include iron ore, coal, manganese, natural gas, oil, salt, sulphur, graphite, titanium, magnesium, kaolin, nickel, mercury and timber"—very rich in natural resources.

An article that has recently been written very clearly says, "Ukraine finds itself in a strategic location with regard to Caspian oil and natural gas reserves, and because of its proximity to Russia."

Another article says that much of the world economy now is about who has oil, and who has control of access to oil, and who can get oil. Indeed, many would say that what's going on in Iraq is not about weapons of mass destruction; it's about who has control of oil.

We all wish the best for the people of Ukraine. Most of all, we hope they do not get caught in a battle between those interests which really are concerned with oil and natural gas, and natural resources, and not concerned with what happens to people.

ORAL QUESTIONS

OMA AGREEMENT

Mr John R. Baird (Nepean-Carleton): On a point of order, Mr Speaker: I seek unanimous consent that, notwithstanding standing order 30(b), routine proceedings continue beyond 4 pm today for the purposes of completing question period.

The Speaker (Hon Alvin Curling): Do I have unanimous consent that question period extend beyond the time? Agreed.

Mr John R. Baird (Nepean-Carleton): My question, in the absence of the Premier, is directed to the Minister of Health. Yesterday the Premier said in this House, and I'll quote him directly, "We're going to continue talking to people about this deal." We had thought this would mean sitting down and restarting discussions with representatives of Ontario's physicians. Now we learn that instead of working with Ontario doctors, you and your government plan to begin advertising your cynical attempt to malign doctors and manipulate public opinion.

Minister, I have a very simple question for you: Why won't you reopen negotiations that go the extra mile to work constructively with Ontario physicians?

Hon George Smitherman (Minister of Health and Long-Term Care): I do believe that 120 meetings and a further 44 meetings over a period of nine months stand as very, very considerable mileage to meet the test of the honourable member. Further, last Friday the Premier and I had an opportunity to meet with members of the executive committee of the Ontario Medical Association and present content, six points in direct response to the particular concerns addressed by the Ontario Medical Association in their press release of the prior Saturday.

On this basis, I think we've made significant enhancements to a deal that was already essential and important to providing care in a variety of communities in Ontario, 142 of which are without medical practitioners. I think it underscores our government's commitment to move forward in a fashion which addresses the underlying needs of the people of Ontario. That's about doctors in local communities, and that's what we're working toward doing.

Mr Baird: I say to the minister, he presents one picture and one tale of the events of last Friday. Here's what representatives of Ontario's physicians had to say about that meeting. They said that members of the executive of the Ontario Medical Association "are unanimous in their indignation and rejection of the process and tactics that your government has used in unilaterally imposing a new contract on Ontario's 24,000 doctors."

They go on: "It was apparent at that meeting"—the meeting you personally referenced just now—"that your government had no intention of working with" the OMA. They go on to say that they are "formally requesting that you continue to negotiate with the OMA to resolve our concerns" instead of acting unilaterally.

So I say to the minister, instead of your cynical attempt to manipulate public opinion, why won't you reach out and take the olive branch that Ontario's physicians are offering?

Hon Mr Smitherman: Last Friday morning, the Premier and I presented, on content, six very particular pieces of information designed to dramatically address the concerns that were brought forward by the Ontario Medical Association in their very own release. I hear the honourable member talk a lot about process, but I don't hear the honourable member talk about content.

Where does he stand, as an example, on the issue of the recognition of senior family physicians and the changes we've made; the better recognition of the role of solo physicians and the changes we made related to that; further improvements to reduce wait times by bringing forward additional resources to the earlier part of the agreement, to take caps off earlier for those specialists working in key wait time areas; fee increases in year one and two, directly responding to concerns that were raised during the ratification process; dramatically clarifying the process with respect to getting better utilization rates in the province of Ontario for drugs and bringing the \$50 million related to that right into the earlier part of the agreement; and closing the reassessment process that

some doctors had complained was too much power for the government of Ontario?

I think it makes the point rather well that we're working hard to address the content concerns that were brought to us by Ontario's doctors, but we're interested in moving forward on a basis to the benefit of the people of Ontario—many communities left behind by that party while in government.

Mr Baird: I say to the member opposite, if I have a choice between believing you and Dalton McGuinty or believing Ontario physicians, I'll stand behind Ontario physicians every day of the week. These aren't quotes that I'm giving; these are quotes from John Rapin, president of the Ontario Medical Association. He is joining the over 71% of the people of Ontario who, according to your own polling, don't trust you to competently manage health care in Ontario.

Let's look what else they're saying: "It is very easy to write and verbalize your commitments to work with doctors, but it is far more important to truly work in a co-operative manner to achieve real improvements to health care for Ontario patients." They go on that your plan "will do nothing to make Ontario more attractive to doctors practising in other jurisdictions, and will do nothing to encourage those currently practising to stay."

Minister, why don't you end this war with Ontario doctors and give peace a chance?

Interjections.

1510

Hon Mr Smitherman: I'm being serenaded. I thought the best piece of drama in that question came from the fact that at the very beginning, when the honourable member was talking about the degree of respect that he has for Ontario's doctors, the acting Leader of the Opposition actually clapped, in sharp contrast to his public statements about the Ontario Medical Association and Ontario's doctors.

On the issue that the member raises, on Tuesday, as I had the opportunity to speak to the media, members of the Ontario Medical Association staff and members of the Ministry of Health and Long-Term Care had a meeting to discuss the content that we had presented the previous Friday. This is an example of the fact that strong bilateral relationships continue between our government and the Ontario Medical Association. We're anxious, of course, to hear direct feedback on the very six particular points of content that we moved forward with in response to the concerns addressed by the Ontario Medical Association. We're working on a content basis to improve the quality of care for the patients in the province of Ontario, and to address the very clear and present reality—

The Speaker (Hon Alvin Curling): Thank you. Could I have a new question?

AIR QUALITY

Mr Robert W. Runciman (Leader of the Opposition): I have a question for the Minister of the Environment. Yesterday, in response to a question from the leader of

the third party, you said that nobody should deny that your government has the strength and fortitude to press forward and replace coal generation with clean, renewable energy for the people of Ontario. This morning, we read in the media that your energy minister sees it differently. He said, "We're still looking at all the options. It may be prudent to keep one or more of the coal furnaces on reserve."

Minister, when you were responding yesterday, is that what you meant by Dalton McGuinty's strength and fortitude in keeping his promise? What are you doing, as the Minister of the Environment, to ensure that your government keeps this significant promise to improve the environment? What are you doing?

Hon Leona Dombrowsky (Minister of the Environment): I'm very happy to have an opportunity to talk about what our government is doing to improve the environment. I expect that the honourable member would want me to focus on our achievements in improving air quality.

We have designated two cents of the gas tax to municipalities so they can invest in transit. That is going to have a very positive impact on our environment. Just last week we announced our ethanol strategy: By 2007, the 5% ethanol content in our gas is going to be the equivalent of removing 200,000 vehicles off of our roadways. Last spring, we introduced a five-point air emissions plan. We are going to limit NO_x and SO_x emissions for six additional sectors. We are going to improve the modelling, the measurement system that's in place in the province. We are going to take a risk-based approach and ensure that the nastiest contaminants that are spewed into our air are addressed first.

Those are just some of the things that our government is moving on to improve air quality for the people of Ontario.

Mr Runciman: I think that response could be officially designated as air pollution—there was no answer there. I asked the minister a specific question about a very key promise that her party, the Liberal Party of Ontario, made in the last election, 14, 15 or 16 months ago: a very clear commitment which has been reiterated time and time again ad nauseam by her colleague and herself, that they will indeed close all of the coal-fired generation in this province by 2007.

That should be a concern to you, Minister. You've said it; you have all of these nice stories to get up and tell us about. We applaud you for that, but I say to you, this was a key promise. What are you doing, as the Minister of Environment, to ensure that your government keeps that solemn promise?

Hon Mrs Dombrowsky: The Minister of Energy will respond.

Hon Dwight Duncan (Minister of Energy, Government House Leader): This government remains committed to closing the coal-fired plants and replacing coal generation with clean renewables, according to the timeline we laid out to the end of 2007. Today, the Ontario Clean Air Alliance stated, "The good news is that right

now Ontario is setting the pace and setting a positive example as the only jurisdiction in North America that is committed to eliminating coal-fired power."

We will replace the coal-fired generation as per the time frame we outlined, and we'll do it in a prudent way that will clean up the air emissions related to coal, something the Conservative Party did not want to do—

Hon James J. Bradley (Minister of Tourism and Recreation): And they oppose it today.

Hon Mr Duncan: —and they continue to oppose it. We will continue to work to replace that generation with new, clean, renewable energy sources so that the people of this province can breathe cleaner air for years to come.

Mr Runciman: It's pretty shameful that the Minister of the Environment couldn't respond to that important issue. The government has about two years left to make up 25% of its energy output. We don't hear a plan in this House; we hear a lot of political rhetoric.

Minister, I want to share some facts with you. Ontario's coal capacity is now over 7,600 megawatts. We currently have eight wind turbines, each with a power output of about 1.8 megawatts. According to your officials, wind turbines can be counted on only 30% of the time. If we assume there's no additional demand for energy, you would need over 17,000 additional windmills to make up for your closure of all coal plants. That's more windmills than exist in the United States.

When you made this very important political promise to close the coal plants by 2007, you must have known it was impossible to fulfill. In fact, you were just quoted on CFTO News as saying that Dalton McGuinty is only keeping "the essence" of his election promise, whatever the devil that means. Minister, you knowingly betrayed the trust of voters. If that's not the case, you are alarmingly incompetent. Which is it?

Hon Mr Duncan: The one fact the member didn't note and that I'm pleased to announce today is that when this government took office a year ago, Ontario relied on coal for 25% of its electricity. Today, according to the independent market operator, we rely on coal for 17% of our electricity.

I have enormous respect for the member opposite, but the incompetence of your researchers in not getting that information betrays what went on in your government. You did not understand the energy sector. You were content with the status quo, with CO₂ in our air, with nitrous oxide, with mercury and particulates. This government is not.

The people of Ontario chose change. We're bringing about change. We've reduced coal-fired dependence in this province by 32% to date, and we continue to move toward the commitment we made in the general election.

GOVERNMENT CONSULTANTS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health, and it's about your antismoking campaign. Specifically, it's about the contract for the Web site stupid.ca, the television ads, the

whole promotional campaign. Who got the contract, and how much did you pay them?

Hon George Smitherman (Minister of Health and Long-Term Care): I'll take the question under advisement. I don't have that information at hand.

I would say to the people of Ontario watching and listening in that they should log on to stupid.ca. It is a campaign that has been developed—

Interjection.

Hon Mr Smitherman: No, I say to the honourable member from Simcoe that his picture is nowhere to be found there. What he will find is a very creative campaign—

Interjections.

Hon Mr Smitherman: —seriously, a very creative campaign that has been developed by youth in the province of Ontario that we're very proud of.

Mr Hampton: It seems that the McGuinty government gave the contract to Mighty Digital Direct and Design, a wholly owned subsidiary of the Toronto advertising firm Bensimon Byrne. Heading that campaign is one Peter Byrne, Dalton McGuinty's personal image consultant, and advertising guru to the Ontario Liberal Party. When Mr Byrne came to work for Dalton McGuinty, he said he was working on his own time and doing you a favour. We wonder now who is doing favours for whom.

Minister, how do you justify giving this contract, which must be worth in the hundreds of thousands of dollars, to the company headed by Dalton McGuinty's personal image consultant and the advertising guru to the Ontario Liberal Party?

1520

Hon Mr Smitherman: I think it's important to note that the firm in question has done work for every government in Ontario. They have a reputation for doing excellent quality work, and the campaign will give you an opportunity to see the quality of the work they're doing. I'm very proud that as a government we have jumped over what the previous government did in the form of a comprehensive tobacco strategy, one that is significantly designed—

Ms Marilyn Churley (Toronto-Danforth): You look stupid now, George.

Hon Mr Smitherman: The honourable member from Toronto-Danforth says that I look stupid now, but I think the reality very clearly is that for 12 years there hasn't been a comprehensive tobacco strategy in Ontario. Ruth Grier was the last Minister of Health who had one. I'm very pleased that the government of Ontario is working to address the realities, which are that tobacco-related diseases are the number one preventable cause of death in Ontario, and that as a government we're very committed to seeing their reduction.

Mr Hampton: Mr Byrne produced the most blatant case of misleading advertising in Canadian history: Dalton McGuinty's "I won't raise your taxes." Last week this government gave the president of the Liberal Party a \$475-million guaranteed hydro contract. This week

Dalton McGuinty's personal image consultant gets contracts worth, we believe, in the hundreds of thousands of dollars. It seems to me that you guys are addicted over there, that you need to kick the habit. Will you stop sending the public's money to your Liberal pals, or is your pledge of open and transparent government yet again a broken McGuinty promise?

Hon Mr Smitherman: Notwithstanding the honourable member's actions and activities as the new host of Smear Factor, I think the reality is very clear. The Minister of Energy has clearly indicated how he is wrong on the energy case he raises. It seems interesting that in a province like Ontario, where we've launched a comprehensive strategy, we have a properly selected firm that has this enormous capacity, as, for example, with the Joe Canadian ads, which really struck an incredible chord, and this is exactly the kind of energy we need involved in a campaign that is designed to help kids stay off tobacco or quit if they've started.

I'm enormously impressed that we've been able to use the energy of young people themselves to help design and develop this campaign. It stands behind our commitment to deal with the number one preventable cause of death in our province, tobacco-related causes.

HYDRO GENERATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. Yesterday you blurted out one of the worst-kept secrets: that you are now going close all the coal-fired electricity generating plants by 2007. Just a year ago Dalton McGuinty said, "We will shut Ontario coal-burning plants by 2007 and replace them with cleaner sources of energy." Admit it now, Minister, your promise to close down Ontario's coal-fired electricity generating plants has become yet another McGuinty broken promise.

Hon Dwight Duncan (Minister of Energy, Government House Leader): In the first year of this government, reliance on coal-fired electricity has decreased from 25% to 17%. In the first year of this government, we've brought on 395 new megawatts of clean, renewable green energy. In the first year of this government, we approved the Niagara Tunnel project. In the first year of this government, another 1,000 megawatts of power have come on stream. We remain committed to replacing Ontario's coal-fired generation according to the schedule we laid out, because unlike the member opposite who said he would do it in the election and then changed his mind in a CBC Radio interview, we believe that it's important to move as fast as we can to the deadlines we set to reduce the emissions associated with coal-fired generation, to reduce the incidents of childhood asthma, to reduce our reliance on the dirtiest form of energy. This government and our Premier are working diligently to achieve the promise we laid out in 2007, to replace our coal-fired generation.

Mr Hampton: The people of Ontario can listen to that hot air or to what the Globe and Mail has to say,

“Liberals Hedging on Promise to Shut Coal-Fired Power Plants”; or the Toronto Star, “Coal-Fired Plants Won’t All Close”; or the Toronto Sun, “Duncan Warms to Coal.” The people of Ontario can choose to believe a minister who has repeated this line, or they can acknowledge what everyone else in the province now knows: You’re not going to keep the promise, you never intended to keep the promise, and you haven’t done any of the planning, any of the energy supply work, to keep the promise. Even the chair of Ontario Power Generation, Jake Epp, whom you appointed, says you haven’t done the planning and you haven’t done the work necessary. Will you just finally admit that this is another McGuinty broken promise?

Hon Mr Duncan: We continue to move toward our goal of replacing coal-fired generation by 2007, in spite of your objections. Let me say this: The news accounts were accurate about what I said with respect to keeping electricity or coal-fired burners possibly on reserve. When they invented electricity, they didn’t throw out the candles; they kept them in the event of an emergency. We think that’s the prudent response. We think that’s the right thing to do in the context of eliminating CO₂ emissions, in the context of reducing greenhouse gas emissions.

I invite the member opposite, and all members, to join this government as we move toward achieving our goal of replacing coal-fired generation by 2007, to ensure a cleaner and better environment for our children and their children. Stop fighting us in the NDP.

Mr Hampton: I merely want to repeat Dalton McGuinty’s promise. He said he would close all the coal-fired stations by 2007 and replace them with cleaner sources of electricity. Dalton McGuinty didn’t say, “I’ll put them on hold.” Dalton McGuinty didn’t say, “I’ll take them temporarily off-line.” Dalton McGuinty didn’t say, “We’ll put them on reserve.” He said, “Close them.” And all the weasel words in the world are not going to help you now. Will you finally admit that this is yet again another McGuinty broken promise?

Hon Mr Duncan: Well, since the member raised weasel words, let’s talk about weasel words. In January, Mr Hampton compared one coal plant against the other and said, “Just look at those coal plants. Not all of the coal plants in Ontario today are huge pollution producers.” You’re wrong. You’re dead wrong. They’re all dirty, they’re all bad, and we’re going to replace that dirty coal-fired generation.

Talk about weasel words—it was his government that cancelled the deal with Manitoba on Conawapa, another 1,500 megawatts of potential green power. Had you kept your promise on that, there would be no challenge associated with coal. But in spite of your incompetence, in spite of the failure of the previous government, we remain committed to replacing the coal-fired generation in this province by 2007 to reduce greenhouse gas emissions, to reduce the NO_x, to reduce the SO_x, to reduce the mercury and to reduce the particulate. Please

join with us in what we think is an important environmental cause.

1530

The Speaker (Hon Alvin Curling): New question. Member for Durham.

Mr John O’Toole (Durham): Clearly, by the answer given by the Minister of Energy today, he is not being forthright with any of us. He knows that coal plants represent 25% of the generating capacity, and he also knows that that is primarily used for peaking supply. When he says it’s 25% of capacity, he’s got to know that we’ve also added to the generation grid 2,500 megawatts from gas as well as refurbishment of nuclear power. You know that.

You should also know that you fully endorsed the Electricity Conservation and Supply Task Force report. You endorsed that report. What did they say? Your good friends on that committee said that phasing out coal would mean the price is going to be both higher and more volatile. They also said that the supply would be more at risk.

Minister, you’re putting the province, not just the people of Ontario but the very economy of Ontario, at risk. Just tell the people of Ontario what your plans are so that we know what you’ve been saying here in this House has been blowing smoke and what you said during the election is simply not correct. Tell this House today that you’ll resign if you won’t—

The Speaker: Minister of Energy?

Hon Mr Duncan: What we intend to do is replace coal-fired generation in this province by 2007. We do not underestimate the difficulty in that challenge. We do not take for granted that there was an enormous problem left to us by the previous government on the energy file. But we reject any argument that doesn’t take into account the cost of increased childhood asthma. We reject any argument that doesn’t take into account the impact of mercury on our lakes and streams. We do not reject any argument that takes into account the pollution from Nanticoke, which is the largest single-source polluter in North America.

This government remains committed to achieving its coal-fired generation replacement goal by 2007. Again, I invite the opposition to join with us as we move forward on achieving that goal.

The Speaker: Supplementary?

Mr Toby Barrett (Haldimand-Norfolk-Brant): To the Minister of Energy: Minister, you now talk about keeping coal plants on reserve and restarting them as “a short process”; I’m told you’ve said a day and a half. Have you ever been to OPG Nanticoke? I’ve been there 30 times, and I can tell you that 600 workers at Nanticoke question your short process. Granted, if the plant is already in operation and one unit goes down, they tell me it can be restarted in eight hours. But they have no idea how long it would take to restart a shut-down plant because they’ve never done it before.

What maintenance is needed for a plant to be fired up at a moment’s notice, Minister? What about staffing in the interim? What about coal delivery? What about fuel

contracts? Minister, do you have any idea what you're talking about?

Hon Mr Duncan: Yes, what we're talking about is cleaning up our environment and doing it in a responsible way. I can't understand; one moment the Tories sound like they want to close them and the next minute we have another Tory member wanting to keep them open and fired up all the time.

What should be clear is that we are moving toward replacement of coal-fired generation by the time frame we outlined. We're doing it by bringing on-line new, clean, renewable electricity to fuel this province's economic future in a responsible way and fashion for our environment.

FOOD SAFETY

Ms Marilyn Churley (Toronto-Danforth): I have a question for the Minister of Health. Minister, this fall, you took swift action on one of the most pressing health crises of all time—

Mr Tim Hudak (Erie-Lincoln): What's that?

Ms Churley: Sushi. You put the freeze on this Japanese delicacy, claiming this fish dish is a real and present danger to our health and well-being. Your move devastated sushi lovers and caused great worry for restaurant owners. But now the truth is out: Your sushi ban is a red herring. Word is, you're getting ready to perform a patented Liberal flip-flop on this red herring. Minister, will you confirm your flip-flop here today and scrap the sushi crackdown?

Hon George Smitherman (Minister of Health and Long-Term Care): It's interesting that the honourable member would ask about flip-flops when it looks like she's been training with the seals.

I think that it's important—was that fish from the Don River?

Ms Churley: It's a red herring.

Hon Mr Smitherman: It's a sign that the Don River is coming back.

I want to say to the honourable member that we—

Mr John R. Baird (Nepean-Carleton): We forced you to back down.

Hon Mr Smitherman: Yes, you forced me to do it, for sure.

The facts are very, very clear. The chief medical officer of health brought forward a regulation based on their analysis of scientific data. Upon reflection that was, in part, brought forward by a variety of community response, they took a harder look at the data. We continue to support the idea that freezing all fish before it's consumed is healthier for people. In fact, we confirmed that an estimated 75% of the sushi served is frozen before it's served. But I can confirm for the honourable member that, upon reflection, scientific evidence and the like, the chief medical officer of health's view is that this regulation could be revoked, and it will be.

Ms Churley: That was a red herring, not a seal. I'm from Newfoundland, so I can really tell the difference.

Look, the sushi ban is another example of how Liberals make promises without thinking them through clearly—and the Minister of Energy would be familiar with that.

In October, you said, "I'm proud to be able to say that Ontario's a leader. There's a lot of international evidence that lots and lots of people get sick when eating raw fish." Now, the chief medical officer says sushi is safe to eat.

Listen to what this critic had to say: "I don't know if we had a good enough understanding of what other jurisdictions were doing and what the risks really were." Who said that? The parliamentary assistant to the Minister of Health.

Minister, freezing sushi before you had the facts was reckless. You should admit that. It's an example of how you're not up to the job of handling the health care file. So I want to ask you now, will you promise that from now on you'll do your homework before making reckless announcements?

Hon Mr Smitherman: I do believe that the government's actions stand for themselves, and they stand in an important place, and it's this: Sometimes you get something a little bit wrong, and the appropriate thing to do in that circumstance is to move swiftly to make it right. If the honourable member wants to ridicule me for that, then I'm very, very comfortable with her doing so.

I want to say that I think this is a very, very apt demonstration of an important reality: that, from time to time, we get more information, we apprise ourselves of that information, and we take the appropriate decision. On behalf of the people of the province of Ontario, I promise to continue doing exactly the same.

FAMILY RESPONSIBILITY OFFICE

Ms Laurel C. Broten (Etobicoke-Lakeshore): My question is for the Minister of Community and Social Services. Minister, earlier today you introduced the Family Responsibility and Support Arrears Enforcement Amendment Act, a bill which makes substantial changes to the 1996 act and which responds to our government's commitment to streamline and strengthen enforcement tools for support orders to help those women—primarily women—and children in this province. I know that recipients of support orders in my own community of Etobicoke-Lakeshore will applaud the efforts that are being made to streamline and strengthen that system.

I understand that this new legislation, Minister, will allow FRO greater access to information, which will help FRO track down deadbeat parents and make them abide by their responsibilities to help their families. Can you give us some more details with respect to what information will be available so that our constituency offices can help the families that we help every day?

Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I know that many people have waited a long time to see more enforcement measures in the Family Respon-

sibility Office, because so many families are struggling, many of whom find themselves on social assistance because those who are to pay are simply ignoring their responsibilities. In many cases, our office is designated to find these people. We have set up a new trace-and-locate unit within the Family Responsibility Office. We fondly call it our own CSI in the government of Ontario.

Let me say that what we need to do is go out and access more information to find people. Now we'll be in a position to go to trade unions, for example. So we will now be able to access those who work in the trades. We can acquire additional information—some of the basics like addresses and phone numbers—when we get names, which will go a long way to helping us find people. Some of them are very basic steps that we should have had for a long time. I can tell you, though, that we're looking forward to using them to find people and bring them into compliance.

1540

Ms Broten: Thank you, Minister, I know from my constituents that at long last things at FRO are getting a bit better, and some tough new measures are being put in place.

It's also imperative, obviously, that the system be user-friendly and fair. I have worked over the years with many families who are caught in the bureaucratic red tape of FRO. They've reached an agreement, the child has turned 18, the child is out of school, and those families get caught in that system. Can you tell us what efforts are being made to help those responsible payers who are trying to meet their obligations, to make sure that they're not caught in red tape and bureaucratic measures at FRO?

Hon Ms Pupatello: I appreciate the question. I know that this member has long worked with her own community to get people better access to the Family Responsibility Office as well. There are a number of items in this bill that really do ensure fairness. We're not picking sides; we simply want to bring people into compliance. In areas where, frankly, it has come about because of an acrimonious breakup, typically through the courts, it results in a court order where both sides are not often very happy. When a court order can be changed, for example, because the intent of it is obvious, we now have the authority in the Family Responsibility Office to make those small changes to the court order, so that we can bring some fairness into the system. I know many payers are going to appreciate that.

In some instances, I think it's fair to say that we wanted access to third party information in order to get at some financial assets. I think it's entirely fair that we now will have a much easier time to get after those who are trying to hide assets through a third party. This is going to be very important for people who deserve to have the support that the court order has mandated.

We appreciate the support from all members of the House as we move this bill through so we can have these further enforcement measures.

CONSUMER PROTECTION

Mr Jim Flaherty (Whitby-Ajax): My question is for the Minister of Finance. Many members, I think, will have noticed, particularly recently, the growth, the expansion of these so-called payday loan shops in the province. This is an industry that I suggest we do not want to see grow in Ontario.

It is really a loansharking business. It's a scourge on our communities. The Criminal Code of Canada, as the minister knows, provides that the maximum per annum interest is 60%, which is substantial enough, but these payday loan shops are charging effective interest rates of between 300% and 900% per annum.

I know Bill 70 came to the House and requires disclosure, but I say to the minister that the issue here is not disclosure to vulnerable people; it's about protecting vulnerable people in the province. I ask the minister what plans he or his government has to bring in legislation to stop this practice in Ontario.

Hon Greg Sorbara (Minister of Finance): I'm delighted that my friend from Whitby-Ajax has taken the opportunity to shed some light on this issue. I think what the public is looking for is to be satisfied that at both levels of government we are doing everything necessary to protect consumers. And so my friend, if he were debating this in a place other than this Parliament, would probably want to put on the record that the regulation of interest rates and the enforcement of criminal violations which arise from offences against the Interest Act are the responsibility of the federal government.

My own ministry is working directly with the federal government. I'm working with my colleague the Minister of Consumer and Business Services to see the appropriate way in which the government of Ontario should intervene. I should tell you, because my friend has raised it, that very recently there was a decision of the Financial Services Tribunal, an agency right within my own department, which upheld our regulator's order that a particular company was abusing the insurance provisions that I'm responsible for, and we were able to deal with a perpetrator and a violator on that basis.

I'd be interested in the suggestions of my friend from Whitby-Ajax as to where else he thinks we should go.

Mr Flaherty: My suggestion is, do something: Bring a bill to this House, or call the police. It's a Criminal Code provision. These people are being preyed on. The Attorney General is responsible for the administration of justice in Ontario. You brought in a bill regulating them with respect to disclosure, but you didn't do what needed to be done, and I urge you to do it.

The minister responsible, Mr Watson, said yesterday that he's got a group together. They're going meet next June to talk about it. The businesses themselves have formed an association. They say they're OK with disclosure but they do not plan to change their interest rates on loans.

You know what they do? They lend money to somebody and then, when the person's next paycheque comes

up—they're a couple of days from pay—they double up on the loan again. This is staggeringly wrong. This is a matter of consumer protection for low-wage earners in the province of Ontario. Please bring in legislation here.

Hon Mr Sorbara: Very recently, we brought in a whole series of new regulations requiring dramatically new disclosure in the insurance industry. I should tell you that on this matter relating to so-called payday loan entities, we have been working directly with my colleague the Attorney General to identify areas of criminal violation, and we will prosecute those.

I will tell you that we have been working directly with my colleague the Minister of Consumer and Business Services to make sure that the very highest standards of consumer protection are in place. And I can tell you as well, sir, that we are working directly with the federal government, which is responsible for both the Criminal Code and the regulation of interest rates, to ensure that the consumers of this province, and indeed of this country, are protected against that kind of loansharking.

PROVINCIAL PARKS

Mr Gilles Bisson (Timmins-James Bay): My question is to the Minister of Natural Resources. Minister, you'll know that the auditor this week in his report, on pages 415 and 416, spoke of the ever-decreasing state of the infrastructure in our Ontario parks. We know that this infrastructure includes everything from visitor centres to sewer treatment systems, water systems, bridges, docks, and a number of other things that are basically part of that infrastructure. The auditor is saying that some of this stuff is 25 to 50 years old. It has not been in a good state of repair for some years and, quite frankly, your Ministry of Natural Resources budget is inadequate to address the ever-crumbling infrastructure in those parks.

My question to you is simply this: Will you commit today in this House that you will ensure that you'll have the money necessary from the Minister of Finance in your next budget to upgrade the infrastructure in our provincial parks system to make sure it's safe for the public that uses those parks?

Hon David Ramsay (Minister of Natural Resources): Yes, I can give the member that assurance.

The Speaker (Hon Alvin Curling): Supplementary?

Mr Bisson: I know how to take yes for an answer.

ACCESSIBILITY FOR THE DISABLED

Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale): My question is directed to the Minister of Citizenship and Immigration. Minister, today we heard you speak so eloquently about the barriers faced by people living with disabilities in Ontario. Tomorrow marks the United Nations International Day of Disabled Persons, and I hope that everyone will take a minute to reflect on the challenges that face those living with disabilities within our society.

In the past few weeks, members have debated the proposed new Accessibility for Ontarians with Disabilities Act, 2004, and today the act has passed second reading and has been referred to the standing committee on social policy. This act would make Ontario one of the world leaders in improving accessibility and deliver real, positive change for people with disabilities.

I was privileged to hear some of the debate that took place during second reading and heard many members from both sides of the House speak very passionately about this bill. I heard members tell personal stories of people within their own lives who had to deal with challenges of an Ontario that is not fully accessible. These stories were incredibly touching and showed the commitment of all the parties to see change brought forward on a very important issue. Yet there is one question that the opposition repeatedly raised, and that is on the 20-year timeline. My friends in both the PC and the NDP caucus asked, "Why is the government waiting 20 years?" Minister, could you please explain the time frame laid out in the proposed act and the approach with which standards and change would be implemented?

Interjection.

Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): I thank the honourable member for the question. Thank you, Mr Speaker, and thank you, Mr O'Toole, for waiting.

We believe the proposed legislation sets a realistic time frame to achieve accessibility, with milestones every five years and real concrete results in five years or less. Achieving an accessible Ontario would mean changes to facilities, programs, services, how we work and how we communicate. Our time frame would ensure a smooth transition to an accessible Ontario.

I'm not alone in thinking that our approach of benchmarks every five years and an accessible Ontario in 20 years is realistic. Here's what others have to say:

David Lepofsky: "We know that you can't make Ontario barrier-free overnight."

The Ontario Chamber of Commerce: "We welcome the phased-in approach," and, "Businesses need time to absorb the costs."

It's a reasonable, logical approach. We've received a lot of positive feedback on it and I'm very proud of our government.

1550

Mr Kular: Minister, I agree that the phased-in approach of benchmarks every five years is a realistic vision and would see real change finally realized in Ontario. I think this approach is especially significant for business, and the endorsement of the timeline by the Ontario Chamber of Commerce is noteworthy. I know that in my own riding, many businesses, small businesses, are going to be affected by this proposed legislation. If the legislation is passed, I ask you, Minister, what would be the impact on businesses in Ontario?

Interjection: Good question.

Hon Mrs Bountrogianni: Yes, indeed, it is a good question.

Businesses play an important role in implementation of this proposed act, and so I appreciate the question very much. Improved accessibility means eliminating barriers, and a part of that equation would see persons with disabilities provided access to stores, jobs and services previously unavailable to them. This would include persons with disabilities who live and work in Ontario, as well as persons with disabilities all over the world who travel or do business here.

We would be asking business and the broader public sector to help shape accessibility outcomes and accessibility standards that apply to those outcomes. Economic factors would be considered as part of the timelines for complying with standards in up to five-year increments. This would allow business time to comply with standards as part of their normal business planning and capital renewal cycles. Furthermore, this approach we are proposing will keep costs to business at a minimum. In fact, it will be less than 1% of capital costs in the next 20 years, and less than 0.01% of retail costs.

GREENBELT LEGISLATION

Mr Tim Hudak (Erie-Lincoln): A question to the Minister of Municipal Affairs and Housing: As part of the greenbelt plan, a plot of land in the Thorold-Niagara Falls area just north of Highway 58 and west of Mountain Road has been graded as tender fruit land. This land is home to the regional public works yard, a police training facility, an industrial area, a garbage dump and a cemetery. Minister, we're concerned that your greenbelt plan is not based on good science. Could you inform the House what kind of good science would have you grow tender fruit in a cemetery or a junkyard?

Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I welcome a question like this because it exactly illustrates our point to the extent that we want to make sure that we have the delineation of the greenbelt correct. That's why we're meeting with municipal officials, with the planning officials of the various municipalities. We're meeting to make sure that the delineation is correct, because we are interested in making sure that the farmland, that the sensitive agricultural lands and the sensitive environmental lands are in fact being protected.

That's what the greenbelt is all about, and if there are any specific instances that this member knows about where that's not exactly the case right now, let's know about it. We'll take a look at it. As we've already indicated, we'd like see the bill passed as soon as possible, but the actual mapping will take another 45 days to make sure we get it right.

Mr Hudak: The problem, Minister, is that the same municipal leaders, the same planners, the same farmers, business leaders and environmentalists are asking for more time to make sure we get the greenbelt right. We in the opposition believe in protecting green space. We do

so based on good science and a plan to make sure it's successful.

We're very concerned that the science is lacking here. There's an arbitrariness and a rushed nature that will prevent the greenbelt from being successful. Good science, no matter how talented the farmer, doesn't mean he can grow tender fruit in a cemetery; good science would not have you cut a Durham farm in half; good science would not have you cut the Holland Marsh in half, as your draft plan originally did; and good science would likely not leave out areas like Pleasantview or Boyd Park.

Minister, let's try to get the greenbelt right. Why don't we get together, bring in the stakeholders, and send this to a legislative committee in the new year. We want to make sure the greenbelt works.

Hon Mr Gerretsen: As the member well knows, all of the Holland Marsh is included in the greenbelt—absolutely. He knows as well as I do that this will be an absolute jewel in Ontario. We want to protect the entire million acres of farmland, of sensitive environmental land. As a matter of fact, a certain person in this House said one day, "The greenbelt ... could be a jewel for the entire province, the country and for visitors from abroad to enjoy." That was Tim Hudak, on Monday, November 15 of this year, during debate here.

We agree with the member that we want to see this implemented as quickly as possible, but we also want to make sure that it's done in the right and proper way, and the way we're going to do it is by meeting with municipal official, planning officials and the interested parties so that we know we've got the right delineation of this greenbelt plan, which everyone can enjoy the benefit of for many years to come.

AGGREGATE EXTRACTION

Ms Marilyn Churley (Toronto-Danforth): A question to the Minister of Natural Resources: You've stated that the government's Greenbelt Act and plan will restore, protect and preserve our watersheds and natural heritage for present and future generations. However, there's a massive gap between your government's stated goal for the greenbelt and the reality on the ground. Contrary to protecting water and water sources, your greenbelt plan will permit new and expanded aggregate extraction throughout the greenbelt area. One of the worst examples is the slated expansion of the Milton quarry, which will put a giant hole in the Niagara Escarpment, the spine of the greenbelt, and will threaten to dry up local streams and wetlands. Minister, given the serious impacts on water of aggregate extraction, will you intervene with your government to ensure that new or expanded aggregate sites will not be permitted in the greenbelt?

Hon David Ramsay (Minister of Natural Resources): As the member knows, the Aggregate Resources Act is one of the most progressive acts in the world in regard to the control of the extraction of aggregates. The member

also knows that it's very important, for the growth that's to happen in southern Ontario, that we have affordable access to aggregates. So the job in my ministry, obviously, is to balance the preservation of natural heritage lands and the accessibility of aggregates so that we can both prosper and grow here in southern Ontario.

Ms Churley: The Environment Commissioner—it's not just me—has said the opposite a number of times now, that Ontario is one of the worst, not one of the more progressive, when it comes to aggregate extraction. Not only are new aggregate operations and the expansion of existing operations going to be allowed throughout the greenbelt, but new wording in this Liberal government's proposed provincial policy statement significantly strengthens the aggregate industry's clutch on greenbelt lands. When it comes to aggregates, you're making the Tories look green. Your policy is worse than theirs.

You promised the people of Ontario a greenbelt, not a gravel belt. If you are truly serious about protecting water and watersheds, then you must move now to stop new and expanding aggregate operations in the proposed greenbelt. Minister, I ask you again, will you intervene to stop new and expanded aggregate operations within the greenbelt boundaries?

Hon Mr Ramsay: I must tell the member that the aggregate industry actually is quite concerned about restrictions that are being placed upon them by the greenbelt strategy, so it sounds like we may have it right. If you're upset and they're upset, we probably have the right balance.

I'd also like to remind the member that our source water protection watershed studies are underway. As you know, my ministry has funded our conservation authorities to the tune of over \$10 million, and we are looking at that.

The last thing I'd say too the member is that the aggregate sites that are being approved today are totally rehabilitated. I'd love to take you around to see some of these things; you would never recognize them as ever being quarries.

CURRICULUM

Mrs Maria Van Bommel (Lambton-Kent-Middlesex): My question is for the Minister of Education. Last week, the Education Quality and Accountability Office released the results of the standardized provincial math testing for grade 9 students. The students who are in the advanced math did quite well, but the students who are in the applied math were not quite as successful, and that's caused some concern in my riding from parents who have students who are in the applied math courses. The parents in my riding—and I'm sure parents in all of Ontario—are wondering what our government is doing to help support those grade 9 students in applied math so that we don't have the same results next year.

1600

Hon Gerard Kennedy (Minister of Education): Thank you very much for the question. This is a question

that should concern everyone in the House because it is one of the toughest legacy items that we had coming into government, which is that the so-called new curriculum has actually been very difficult on certain students. It has resulted in, for example, a prediction from Dr King at Queen's University, who tracks this for the Ministry of the Education, that 12,000 students will not have high school diplomas as a result of the transition from a five- to a four-year curriculum. And almost all of those students will have had difficulty in grade 9 mathematics.

That went on for, unfortunately, three years in our system—four years, in fact, where nothing was done to help those particular students. They failed at 75% rates, even with an improvement this year, still far too many for anyone in this House, or anyone in the system, to say that it is the fault of those students. This is not an accurate reflection of their potential.

We believe we have to take some responsibility to amend both the approach we take in the curriculum and the curriculum itself to make sure that these students have a better chance. We are also, starting last year, providing more remedial help, providing more assistance to make sure they can do the best they can.

But clearly, the government has to take responsibility for the prior decisions that were made and help these students be able to have a math curriculum that will be more challenging. I'll tell you this, more students will learn more math under the approach that we're bringing into Ontario schools.

Mrs Van Bommel: Thank you very much, Minister. I know the parents appreciate hearing that we as a government are moving forward to help those students to achieve success in their own right. But I also want to carry that just a little bit farther. High school students have a lot more challenges than just in math. I'd like to know what our government is doing to help students all across this province achieve excellence for themselves.

Hon Mr Kennedy: There is the broader question of how we are going to make sure that every student has a good outcome. That is the goal we set for ourselves. That outcome could be apprenticeship, a co-op program, a work experience with skills, or it could be college or university.

We have a broad outlook in our society: 81% of parents want their students to be in university. And we want as many as possible to be able to go, whatever the right level of advancement is for them. We have to just amend a little bit how we have this high ambition for our kids. In the system, we're now developing alternate programs for students to be able to make sure that they do find success.

We're going to make sure they acquire literacy and numeracy at a high level by age 12 so they have the best choices. But we're also going to be offering another range of programs. We're looking at an alternative diploma that would allow every student to have their eye on success. We're also looking forward to raising the school-leaving age once these new programs are in place so that more students are learning for the time that they

have to, to have a successful life and successful position in the workforce.

GREENBELT LEGISLATION.

Mr Jerry J. Ouellette (Oshawa): My question is for the minister responsible for municipal affairs. Last Thursday, I had the opportunity to attend the hearings on the greenbelt legislation, although I didn't get the opportunity to put my question. So at that time I said I'd bring it forward in the House.

The area of concern is that you're changing the protection distance from the stream to the new meter mark. The question is, is it from the current water level, the high-water mark or the 100-year water mark? Depending on the interpretation, it could be substantial—as much as twice the length of this room—added to the current length you're on there.

Not only that, the forestry practices in Ontario specifically state the area you can harvest up to depends on the angle of the bank, how steep it is. Are you considering that? Have you looked at the forestry aspects? What is the current water level going to be allowed in there?

Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I certainly appreciate the question. I'd be more than pleased to look into it and get back to the member.

But I think the thing to remember is quite simply this: Existing uses within the greenbelt can continue. The Greenbelt Act does not take anything away from the existing uses that land is being put to currently, whether it's agricultural or otherwise. I'll look into the member's question and get back to him.

The Speaker (Hon Alvin Curling): That brings us to the end of question period. It being after 4 o'clock, I think we go to orders of the day.

ORDERS OF THE DAY

GOVERNMENT ADVERTISING ACT, 2004

LOI DE 2004 SUR LA PUBLICITÉ GOUVERNEMENTALE

Mr Phillips moved third reading of the following bill:

Bill 25, An Act respecting government advertising /
Projet de loi 25, Loi concernant la publicité gouvernementale.

Hon Gerry Phillips (Chair of the Management Board of Cabinet): I believe we have unanimous consent from an earlier motion that we are going to split the time three ways. I suspect that each party will get roughly 15 minutes, if I'm not mistaken. I want to indicate to the House that I'll be sharing my time with the member from

Etobicoke North, the member from Pickering-Ajax-Uxbridge and the member from Thornhill.

Let me begin by saying that this truly is an historic piece of legislation that, if passed, I believe will be the first of its kind in North America, and perhaps in the world. It is legislation designed to ban governments from using partisan advertising paid for by the taxpayer to promote their own interest. As I say, I think it's a groundbreaking piece of legislation.

For the public's information, essentially what it does is, if the government wants to do any paid advertising or if the government wants to distribute, on a bulk basis, householders, it must first obtain the approval of our Auditor General. The Auditor General will be given some very clear guidelines on what can or cannot be advertised. The advertising cannot be partisan, and the Auditor General will determine that; the advertisement must contain the cost of the advertising; and the advertising must, to use the language, be a reasonable means "to inform the public about government policies, programs or services..." or it must be a reasonable means "to inform the public of their rights and responsibilities..." or "to encourage or discourage specific social behaviour in the public interest" or, fourthly, "to promote Ontario or any part of it as a good place to live, work, invest, study or visit" or promote any activity or sector of Ontario's economy. As well, the ad cannot contain the image of the Premier or a member of the legislative council.

I might also add that the member from Mississauga will also be participating in our comments.

As I said earlier, this is a piece of legislation that will set this Legislature apart from any other jurisdiction in North America. I think, if passed, we should be very proud of this legislation. I'd just like to touch on a couple of concerns that have been expressed. One is that the legislation does permit the government to use, in jurisdictions outside Ontario, advertising using the image of the Premier or of a member of the executive council. I will stress to all of us that it still must be approved by the Auditor General.

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The reason for this one exception is—I use this example: If the people of Ontario remember, in the last few months Florida's gone through several hurricanes. They wanted to attract people back down there from Ontario as tourists. They used as their spokesperson the governor of Florida. Why? It is because the head of the government, often, in another jurisdiction would have the most authority. If Ontario needs to make a statement in another jurisdiction about, whatever—investing in Ontario or coming to Ontario for any reason—I think it would be a mistake if we were to exclude the opportunity for the province to use what, in many jurisdictions, would be the most credible spokesperson. So that's the one exception in the bill, and I think for the taxpayers and the people of Ontario it's the right exception.

So I look forward to the debate this afternoon. I look forward to the Legislature dealing with this bill. I gather,

Mr Speaker, the plan is that on Monday there will be a vote on third reading. I would just say to all of us that I hope we will all support the bill. It's a piece of legislation that we can be justly proud of.

With that, I'd like to provide an opportunity for other members of our caucus to speak.

Mr Toby Barrett (Haldimand-Norfolk-Brant): Mr Speaker, opposition time also will be shared, with the member for York North and the member for Durham.

We are here debating Bill 25. It was introduced just over a year ago, actually. An entire year has gone by for this government to push this legislation through, and yet here we are today, debating it. It makes one wonder if the Liberals are really dedicated to this concept of democratic renewal. We've seen little indication on the part of the government that they really want to call this legislation. They're dragging their feet.

Once the bill is passed, once it does receive royal assent, they won't be able to put out any pieces like their self-serving year in review. This was a government document, printed in red. I think the colour is Liberal wine. I won't hold this document up, but you know how it works. They may not proclaim this legislation until closer to the election, for that matter, and claim this as one of their efforts with respect to supposed democratic renewal lip service. We all know the track record of this government over the past year, a government that is practising something it does not preach, and it preaches what it does not practise.

If there were any real commitment to democratic renewal, we would have seen government members rise in support of the concept of recall, for example. I presented a private members' bill and the member for Whitby-Ajax has presented a private members' bill on recall, and we may well see an initiative toward democratic renewal, as with this particular government advertising bill which comes under the rubric of democratic renewal.

Government members are not supporting recall. When democratic renewal comes calling, this government sticks its head in the sand for fear of losing a position they've achieved by making election commitments they could not keep. It's the same with this waiting game that we see with the government advertising legislation, Bill 25.

We welcome getting this government to this stage of this legislative process, because we want it passed. We would have liked the Liberal government to have brought this thing forward sooner—they had a year—and we would have liked also to have the Auditor General take a look at some of the Liberal wine pieces that I see before me here.

I'll wrap it up there. There are two other members of our party who will stand in rotation.

Mr Gilles Bisson (Timmins-James Bay): I'll be sharing this with all the members—oh, no, sorry. I want to take time here—I'm going impersonate every member of caucus. I want start with Rosario Marchese. No, that's another story.

I just want to put a couple things on the record in this particular debate. I didn't get a chance on second reading,

and we have a truncated debate here at third reading so I'm going to take an opportunity to put a couple things on the record.

It's an interesting debate in the sense that there was a genuine call, I believe, on the part of the opposition during the Mike Harris government time that there be something done to curb the government's appetite to utilize advertising in a partisan political way when it comes to government advertising. I remember back then sitting in opposition with the then Liberal opposition, and they were pretty adamant that this had to be done. So I expected when the government came forward that it was going bring a bill that basically did what the Liberals said they'd do when they were in opposition and would do what they said it would do in the period of the election. To an extent it does, but it falls pretty short as far as the actual teeth of the legislation and about how this is going to work.

If you were to have a bill that says, "We're going to ban partisan political advertising," you would think that when you read the bill, it would actually do what the title says. But the reality is, when you look at the bill, it falls short of that. I think the government needs to make up its mind about what it wants to do. Is this a partisan political bill so that the government, on one side, can stand and say, "We are banning partisan political advertising. Look at us how good we are. We've got a bill," and then it's able to do pretty well what any other government did before because of the way the bill is written? Or is this bill really going to do, at the end of the day, what it was meant to do? I don't think it is and I think that's a little bit sad.

I want to put on the record that I believe a government has the right to advertise. I'm not going to stand here and say, "Governments should not have the ability to have government programs and government policies advertised within the province of Ontario." That's silly. I don't think any government or any party would argue that you don't need to do that. For example, the Ministry of Natural Resources from time to time has the need to advertise to the public to let them know things. There may be an aerial spraying going on, and we need to let people in that particular area know that that area is now being sprayed and it would be a good idea for people not to go. You may have health and safety issues that you want to advertise to consumers.

In the summer, look at the advertising blitzes that go on within the various ministries, like the Ministry of the Environment when it comes to the whole issue of trying to reduce the amount of air pollution by way of smog that is generated by coal-fired plants—that are going to be running after 2007, but that's for another debate—or by way of cars. So governments need to engage, and I think rightfully so, in advertising, and I think nobody argues that a government shouldn't have the right to do that.

However, there is an argument to be made that the government should not be using the huge sums of money that are at its disposition to try to highlight a particular bill that it's very associated with as a way of being able

to advertise to the voters of this province that it is doing something that is popular, for electoral gain. I think that's where you've got to make the division, and that's where it gets really murky.

For example, let's say the government was to pass a bill, call it Bill 123, and the government knows that particular bill is a positive bill and the opposition votes in favour of it. All of a sudden, the government decides it's going to spending millions of dollars to advertise that bill. Is that partisan political advertising? I guess some people would argue it probably is, to a degree. When I look at this legislation, the legislation doesn't preclude you from being able to do that. It doesn't preclude you from being able to advertise by way of third party. I don't mean third party in the Legislature, I mean third-party advertising. There's nothing done to deal with that.

It doesn't preclude you from being able to advertise by going to markets outside of Ontario. For example, in the age of cable television, much of the television our people watch is, by and large, generated outside Ontario. It could be in Manitoba, in New York or in California, for all we know. The government does nothing in this bill that precludes it from producing an ad in the United States and running it on American television about a particular issue it wants to push forward.

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My first point is that I wish the bill did what it said it would do, and if it did, I guess I wouldn't have any difficulty voting for this bill. But as I look at the bill, you're still going to be allowed, in the end, when this legislation is passed, to do partisan political advertising by way of using government dollars, which brings up the other issue: Is there a genuine need—this is a bit of a different issue and people might think it a bit odd that I raise this—for MPPs to basically communicate with their constituents about whatever is going on in the Legislature?

Interjections.

Mr Bisson: It's interesting, because I heard members on all sides of the House, from all three parties, say yes to that comment. Why is it, then, that the government doesn't deal with issues such as making sure that members have the right, as we had before, to be able to put out a newsletter, or two or three, per year so that we can let people in our constituency know what we've been doing here at Queen's Park on behalf of the people who voted for us?

For example, our federal members, as we all know, have unlimited mailing privileges. They can put up, I think, 10% of their riding per week and they're allowed to advertise, basically send out a flyer to say what it is their member has been doing. My former member, Mr Bélair, who was a Liberal member, did that. My current federal member, Mr Angus, who's a New Democrat, does that as well.

They're entitled to put out three householders per year, in other words, a report from the members saying, "Here's what I've been doing. Here are the initiatives that have been going on in the Legislature. What do you

think about the heritage act? It's a way of canvassing the public so you can get some feedback.

Nothing in this bill deals with the genuine need of members to be able to communicate with their constituents. I think that's somehow kind of contrary to what this place should be all about, and that is that we should be, on all occasions, trying to find ways, as members, to open the Legislature up to the people of Ontario. One of the ways we do that, obviously, is by televising our debates here and by allowing the House to be open, as it always is. Any member of the public can be here, but not everybody from Cochrane or Timmins or Brockville, or wherever it might be, or Windsor—

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

Mr Bisson: —or Fort Erie can make it here to Queen's Park every day to watch the Legislature. Most people have pretty busy days. They don't even get a chance to watch television to watch what's going on. So I think there's a genuine need, and I think the government—I'm saying this, standing up in this House, for the public to know and for the media to report. I think that, quite frankly, this Legislature should think about the need of members to be able to communicate with their constituents. That's part of what's not in this bill.

So I want to say up front that I have no difficulty with the genuine need of the government to advertise particular government policies or programs, and I have no difficulty with the ability of members to keep their constituents up to date with what's going on at Queen's Park. For example, I would like, as I'm sure my good friend Mr Wilkinson would as well, to put a householder out in my riding and say, "Here are some of the government initiatives that are now currently before the House. Tell me what you think about it, as a constituent of the riding. What are the pros? What are the cons?" and then take that information and bring it back so that we're able to better do our jobs.

I think it's a good mechanism to allow people to communicate. We can do that by Internet to a certain extent, but not everybody can. There's about a 55% connectivity on the Internet, and I would argue that probably, of the 55% of the population who are connected to the Internet, not a lot of people use it in that way. Unfortunately, or fortunately, that's just the way it is.

My argument is that there's a genuine need on the part of government and members to communicate with people. We need to allow that to happen, and we need to make sure it's done in a non-partisan way. For example, if a member has mailing privileges or householders, or both, there need to be rules in place that say, "Gilles Bisson can't grab a newsletter, send it out to the constituents, and say, 'By the way, next week, I'm having an NDP fundraiser. Come to my fundraiser.'" That would be wrong. Would you agree? I think that would be totally wrong. The government and the members of this House would have the right to sanction me if I ever decided to do that. That's the kind of legislation we need.

Conversely, we would argue that the government should not use their advertising dollars in their ministry

budgets to try to position the government in a particular way when it comes to trying to enhance their electoral chances with the public of Ontario. Quite frankly, I don't think it's good public policy, and at the end of the day I don't think it serves us well as legislators.

It comes back to one of the issues that I think we've all heard as we go back into our constituencies, and that is that there's a larger and larger sense of people disconnecting from politics. As we go around and talk to people, not only in our constituencies but around this province, and, I would argue, around this country, each passing day there are less and less people who have confidence in politicians and the institutions of Parliament. I think one of the reasons for that—there are a lot of reasons, and we can get into this debate, but part of it is that the public just tunes us out because of the partisanship that sometimes happens, and I think we need to find ways to lessen that.

I'm not going to argue here for one second that we, as politicians, will never be partisan. Listen, there are elections. I can guarantee you that I will be partisan at election time. If I'm not, I think the voters will quickly figure out what to do. There are times, on particular bills where you're pretty ideologically opposed or in support, when you're going to be partisan to a degree as well. But the argument I'm making, as it relates to Bill 25, is that when the public sees us using this ability we have to communicate, by way of large budgets, in a partisan way—for example, my good friend the Minister of Industry, Trade and Technology will remember the ad that the Harris government did on fixing government. Do you remember the big one that they spent—they had an electrical panel, and they had wires all over, plugged into it. Remember, they had that running for a while at Maple Leaf Gardens and on television, and it was on bus shelters. I think a lot of people looked at that and said, "Here's a government trying to sell itself." I think that's where the public disconnects with us. All I'm saying is, as legislators we need to somehow figure out a way that we can regain the trust of the people who are the voters and the citizens of the province of Ontario. If we don't do that, I think democracy starts to fail to a certain extent.

There are a lot of things we've got to do. I would argue that it's not just advertising, obviously. We need to look at democratic reform. Give the government some credit. I'm going to say it here today. I'm going to give the government some credit. The government is proposing a process by which we can talk about how we can reform our democracy and our assembly here in such a way that people can see themselves and have more confidence in them. I have some difficulties with how you're approaching it. It's a little bit like what happened in British Columbia, where you know the product you want at the end, so you sort of shove it in that direction. I don't think that's right. I think the process should be that you consult and you say to people, "Here's the problem. Here are some of the possible solutions. Let's have some town hall meetings across the province." You can have non-politicians chair them; I don't care. You can have

some good discussion, and you bring that back. At the end of the day, it's got to come back to us, as legislators. I think you'd have to send it to a standing committee in order to deal with some of the very complex issues.

For example, British Columbia just went through a huge process. They had those constituents' assemblies that they put together, and in the end, they basically are trying to bind themselves by way of what happened out of that process. All I argue is, there are a lot of parts of the Election Act and a lot of parts of the way this House operates that, never mind the public, quite frankly some politicians don't understand. You might think you're doing the right thing, but you might be doing harm.

Let me give you a good example: the bill before the House today. We now have a bill that I support: the fixed-date elections. I happen to be one of the people in my caucus—we're not unanimous on this—who says, "That's not a bad idea." However, if you don't associate with that bill some sort of rule that says there will be no campaigning, no spending of money—only the 27-day period of the election—do you know what's going to happen? It'll be Americanized elections. All of us will be advertising. Our riding associations and political parties will be out for a year or a year and a half before the elections jockeying for position in preparation for an election to which we know the date.

My point, as I relate this back to what I was saying, is that often you have a good idea, the public may come up with a good idea in the process that the government has put forward in regards to its democratic reform package, but sometimes people don't understand the nuances and the intricacies of the Election Act and other bills that are associated. I just think that, as legislators, we've got to take back the information we get from the public at one point, and we need to stand it at committee, and we have to get, yes, the parties involved, we have to get the chief electoral officer involved and also those people who are knowledgeable about Parliament; for example, our clerks. The people who work here in the House are probably some of the best in the province—well, not in the province; in Canada—when it comes to being able to understand how a British parliamentary House works. I think we'd be doing ourselves and the public a disservice if we were to be in a position of trying to reform our House without having some discussion with clerks, because they understand the rules.

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My point is this: In the end, if we want to make this place less partisan and make it work better on the part of the people of Ontario, it's not by monkeying around at the edges that we're going to do it. I believe we have to be honest with ourselves and say, as in the case of Bill 25, is there a genuine need for government to advertise? As a New Democrat, I say yes. Is there a genuine need on the part of members to communicate with their constituents? The answer is yes. We should deal with those issues out in the open, so the public can see what we're saying, where we are on the record and what the expenditure should be. Attempting to say we're doing

something at the end of the day by a bill like Bill 25, that's a step in the right direction, but it really leaves the barn door open. I say it doesn't do justice to what the overall goal is.

I just say to members in this debate, I think it's high time we as legislators try to take back control of our Legislature. We've got to stop letting the Premier—the person who sits in that chair—along with a group of advisers who are non-elected people around the Premier, drive the legislative agenda in the assembly, in many cases for partisan political gain. I think we as members need to take some of that control back, and the way we do that is by trying to be as honest as we can with ourselves about what our needs are as politicians, as political parties, and how we reform this place in order to meet some of those needs.

Mr Wayne Arthurs (Pickering-Ajax-Uxbridge): In the time remaining to the government, we'll continue to share our time with the members from Thornhill and Mississauga West.

I'm pleased to rise and speak to Bill 25, following the Chair of Management Board on our side of the House. I want to make a couple of early comments about the broad intent of the bill, and I think it falls into three parts.

One is to set some standards, some purposes for which governments advertise, to lay out a framework: things like informing the public of their rights and responsibilities—that seems like a reasonable purpose for which governments should advertise; activities such as promoting Ontario, or any part of it, as a good place to live, work, invest and study; or promoting economic activity. Those are good purpose or causes for government to go out and advertise. So the first part of the intent of the bill is to set standards, to set purposes out there for which governments undertake advertising.

The second part is to deal with the issue of partisanship in advertising. I'm going to speak about that in a minute or so, but it's clear that over many governments and many years, each government could be rightfully accused of having undertaken what is called partisan advertising at the expense of the taxpayer.

The third broad part of the act deals with control mechanisms; strategies by which, when the government is advertising, it does meet those standards, and to ensure that the partisan advertising that has occurred in the past is removed from the system.

Those are the primary intentions of Bill 25, and I'm pleased to speak to it.

We know that the previous government, during their eight years in office, spent tens of millions of dollars of taxpayers' money—no question about that—on clearly partisan advertising. Fliers known as householders were directly mailed to millions of homes in Ontario. I saw the stuff in my mailbox, and I think the number on each little piece was 3.1 cents, or was it 7.1 cents? I'm not sure what it was, but multiply times millions and then multiply times multiples, and the costs were enormous. As a matter of fact, it was exactly that advertising pre the last peekaboo election that was run for six months that drove

the need for this bill to be introduced early. It created the environment whereby the Premier said that within the first 100 days we would introduce legislation to deal with that matter. Our government fulfilled that obligation. The Chair of Management Board introduced this bill within that first 100 days and fulfilled the obligation we had set out for ourselves through the Premier.

The previous government, as I said, spent millions of dollars on partisan advertising. As a matter of fact, they had \$10 million set aside, \$10 million parked in a specific fund for that purpose; specifically partisan advertising in the form of householders. They didn't even hide the fact of what they were doing; they were quite deliberate about it and parked it for us all to see.

Nearly six years ago, in January 1999, the then leader of the opposition party, Dalton McGuinty, now the Premier, promised that a government led by him would introduce legislation to end taxpayer-funded political advertising, and that's what we did, very clearly. December 11 of last year, two months after being sworn in, the Chair of Management Board did just that and introduced this piece of legislation. Today we're here for third reading debate on this legislation and, if members of the House support it, looking forward to its passage.

During the previous government's mandate, any number of third parties spoke out about the partisan advertising that was going on. I know my constituents certainly spoke out quite clearly during the election period. I heard from them by e-mail, by phone, and I certainly heard it at the door, time and time again. Back as early as 1999, in addition to the now Premier, then leader, Mr Bradley wrote to the then Provincial Auditor, Erik Peters, and asked him to investigate the appropriateness of how taxpayers' dollars were being used in government advertising. Unfortunately, at that point the auditor didn't have any authority to undertake an investigation of that nature, and no authority to be able to stop what was happening. But in a letter to Mr Bradley dated March 25, 1999, he said the then government should consider drafting guidelines about what is and what isn't proper in government advertising.

A brief quote from the auditor's letter, if I may: "It would be in the interest of improving public accountability for the government and/or the Legislature to consider the establishment of principles, guidelines and criteria that clearly define the nature and characteristics of government advertising."

Was anything done at that point to act on the auditor's suggestion? No, clearly it wasn't. The government of the day snubbed its nose at that suggestion and snubbed its nose at the then Auditor General. Did the government of the day heed the auditor's sensible advice at that time? No, not at all. The most flagrant abuse occurred throughout the spring and summer of 2003 during the Tory peekaboo campaign. We waited and waited.

There is lots that could be said in respect to Bill 25 about why it should have the support of this Legislature. It clearly meets the expectations of the public. It clearly meets the standards of advertising. It deals with the

matter of partisanship and provides some control to the mechanism. Is any piece of legislation that comes forward perfect? No, and some of the suggestions and comments made that might expand it somewhat are probably appropriate, but we have a need to act now. This is good legislation and should have the support of this Legislature.

Mrs Julia Munro (York North): I'm pleased to be able to rise and add a few comments on Bill 25. I think there are a couple of issues we need to identify in examining this bill. If you go back in time, all parties have done communications with the voters of Ontario, and it's a fine line, obviously, when you look at those communications. I certainly recall the NDP government, in its day, sending out wonderful glossy brochures about the work that the government of the day had done, and the previous government was no exception. So what we're looking at here is something that has been part of doing business for a long time.

I think the issue here is the fact that the government has chosen to try to put some boundaries around that, but when you start to examine these boundaries they have put around it, there become some problematic issues. I use as an example the material that was sent out—prior to this bill, obviously, because we are discussing it now—called *The Year in Review*. If we are going to have a new era of communications with our constituents in the province by the government, then I think we have to be looking at a document such as *The Year in Review* as an indicator of a new way of communicating with people in the province. Sadly, I don't see that that particular document provided us with any sense of the future nature of the communications that the government plans to introduce under this bill. When we look at the framework legislation, it becomes clear why it's possible.

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For instance, in *The Year in Review*, we have the Premier referring to it as a report card. Obviously, in defining it that way and in fact grading his government, he was seeing this as a vehicle for government relations as opposed to providing information for the balanced proposal of this new era. It did not deal with anything that was controversial. Obviously, it left major issues out of the discussion—the health tax, for instance—so we're still looking at making sure that any kind of document that goes out at public expense is still going to present the government in a most favourable light.

When you look at the details of the act itself, it seems to me that it's far more a question of lack of substance in fairly detailed issues around bureaucracy—a report by the auditor, and who's signed off, and things like that. It has very little substance—a lot of style. It certainly provides the government with an opportunity to say, in fact, that they have passed a bill that deals with government advertising, but in its own words it refers to it as framework legislation.

Framework legislation is not uncommon. It simply provides the government of the day with a way to provide regulations which aren't in a public discussion,

in a public forum. I think that in this particular bill, to have framework legislation offering a way of dealing with the details through regulation is really very unfortunate, because immediately what you are doing is saying, "Well, we have this framework legislation. We're going to be seen to be doing something about it. But by the way, the regulations will be done, as they always are, without public discussion, without a public forum and certainly not in this Legislature."

I think that the legislation we are debating here today is really a matter of public relations on the part of the government, as opposed to substance. I'm not quite sure that we're really going to see a great deal of difference in the kind of communication that will come forward from this government post the passing of this bill, any more than what we have seen so far.

I think there are a lot of questions—the use of the media outside Ontario—that have yet to be answered. I would suggest to people that we're probably not going to see a great deal of difference between the period prior to this legislation and that which will follow.

Mr Mario G. Racco (Thornhill): Unlike our predecessor, we are prepared to deliver real and positive changes by acting to ban partisan government advertising and renew public faith in our democracy and our government. The previous Tory government wasted millions of taxpayers' dollars on partisan, self-promotional government advertising. We are taking the government in a new direction and doing things differently; that is, putting the public interest first. This is a major departure, a major change.

The legislation being debated today will ensure that taxpayer dollars are not funding partisan advertising. Ontarians want their hard-earned tax dollars used to serve them instead of serving partisan political interests. Every dollar spent on self-serving partisan advertisement is a dollar less for our classrooms, our health care system, our water inspectors and our public transportation.

We are putting years of Tory mismanagement behind us and taking our government in a new and better direction by introducing more transparency, accountability and fiscal responsibility for everything we do as a government. We are committed to restoring the public's faith in our democratic institutions by making government more accountable, transparent and fiscally responsible. That is our strategy.

This groundbreaking legislation, I believe the first of its kind, is part of our government's pledge to deliver an agenda for positive change. Our government made an election promise and a throne speech commitment to eliminate the waste of taxpayers' dollars on partisan political advertising. That is what this legislation will do. Management Board Secretariat will work with the Democratic Renewal Secretariat to bring greater transparency and accountability to the government.

The previous Tory government wasted millions of taxpayers' dollars on self-promotional government advertising. In fact, in 1999 specifically, the production of this

type of householder by the Tories cost us \$10 million. Our bill will eliminate that; it won't happen.

We are committed to reporting the cost of advertising. The cost of advertising campaigns would be made public as part of the Provincial Auditor's annual report. The total cost of an ad is often not known until the campaign has run its course.

As the member for Thornhill and Concord, I'm proud to be part of a government that is committed to being fiscally responsible and investing our dollars back in our schools, our health care and our public transportation.

Those are my comments on Bill 25.

Mr John O'Toole (Durham): I think at the time that Bill 25 was introduced, Mr Phillips said it was trying to show some sort of non-partisan initiative. But to the member who has just spoken, it should be on the record that I'd encourage him to do a little bit more research. Don't just read the notes they give you to read. I'm going to give you some information that will help you to see just how unfair it is.

I made some remarks on this, in response, as I was the critic for Management Board. It says, if you look to history, to the numbers, "Between 1985 and 1990"—this is when Mr Peterson was the Premier of the province of Ontario for that very brief time—"the average spending on advertising by the then Liberal government" was \$71.2 million. The NDP, right after that, surprisingly became the leadership, and they spent \$70 million. You should know, for the record, that between 1995 and 2000, we spent \$58 million.

Now, why we spent \$58 million should become some part of the substance of the debate. During that time, we inherited a huge, huge deficit, like \$12 billion, which was approximately 20% of the total spending of the government. There was a huge communications deficit, because the last thing on people's mind was the social contract; prior to that, with Mr Peterson, it was basically the Meech Lake accord. What we were trying to do was turn Ontario back to a period of prosperity. I think it's still evident today that as a result of the actions of rebuilding Ontario's economy, there was much that had to be communicated to the people of Ontario, the motive for why we were making the changes we made. So I think, respectfully, to the member who has just spoken, I wanted to correct the record.

But now, when I really get forward, I just randomly picked out of my desk several of these new—of course, they're non-partisan. It's a subliminal message. They've moved from straightforward communication to a kind of blurring of the line in telling the important content.

1650

Mrs Munro: It's subliminal.

Mr O'Toole: It's subliminal. That's the word that has been moved. I'm not sure if it's a parliamentary term that's accepted. Then they try to brand things by saying, "The government for change." The question should have been, on the back of these brochures, "Change to what?"

I met this morning, and have been meeting with all along, some of the victims of your health policy and

strategy. Those victims could be in the form of health care providers like chiropractors, optometrists and physio-therapist, or in fact they could be the recipients, my constituents and yours, who are now paying a health tax and are now paying for delisted services. They are paying more and getting less. So I introduced a bill today.

Bill 25, by and large—we would say that the big question that remains here is when it receives royal assent. You, in the parliamentary tradition, cannot say, "When passed"; you should say, "If passed." You'll ram this thing through. I understand that. You will ram it, you will force it through on the people of Ontario, however unimportant the bill is. But what I'm going to watch quite carefully is when you actually implement it. The terror that you're wreaking on the OMA and the hospitals right now—you're going to have to advertise; you're advertising now.

Mr Phillips, as the Chair of Management Board—I have the greatest respect for him—knows that you're going to have to convince the public that your Draconian measures against the OMA are justifiable, and you're going to call it government communication. Well, I call it government politics. By any other name, they're going to try and convince the public, through some form of media or communication, that this is the right thing to do.

I would love to know just how much they paid Roy Romanow to make the statement, just in case, that this was the right thing to do. I would suggest to you that all parties have a responsibility to communicate. I just think of two or three reasons that all of you would agree with me if you were listening. I'm listening. I'm watching for response.

The first thing we had was the BSE outbreak, which caused havoc and hardship amongst the agricultural community. Of course, we had a duty and a responsibility to communicate a strategy and a response to that necessity. We also had the blackout, which was from a transmission problem in the States. We had a tremendous communications challenge. Then we had SARS, which was another communications and strategic challenge, which you tried to vilify as partisan advertising. It was for the safety and well-being of the people of Ontario. Mr Speaker, you would agree as well, although I'm sure in that seat you're non-partisan. I know that you will listen patiently.

Governments of whatever stripe have a duty to communicate with the people of Ontario. The subliminal message that was referred to is the colour of these things, the subtle wording of the word "change," all of these subliminal, kind of suggestive linkages between the political mandate on which you run and the reality. People of Ontario, I'm not encouraging you to become cynical about it, but this government—

What I'm going to be watching very carefully is that when this is proclaimed, will it be after the OMA is forced back to work or after the hospitals are forced to cut services? Is it going to be after the next budget? Mr Speaker, I'm still waiting to even get a straight answer to when it would be proclaimed.

It will be a forced vote. They'll be rounded up to vote like a bunch of lambs, I would think Monday, and I would say it could easily become law that day, Monday, which would prevent Mr Sorbara from trying to explain what he intends to do in the next budget.

My intention here this afternoon is to point out to the people of Ontario that, by and large, we didn't ever spend as much as the previous Liberals on government advertising. That's the record: \$58 million versus \$70 million-plus. Adjusted for inflation, it would be less than half of what they spent under Peterson. So be aware. There's one message you should keep posted to your refrigerator: "Liberals will spend more and you'll get less." Liberals are tax-and-spend. The record speaks for itself. Look at the ad scandal going on in Ottawa. They're the masters. This here is the junior B hockey team of the Liberals.

Honest to God, we'll have a bigger deficit, a bigger debt, and it won't be called government advertising. It's called government reality. But at the end of the day, respectfully to Mr Phillips, I support the intent of the bill. I support the fact that the people of Ontario don't want any one-dollar or 100-dollar bills spent unnecessarily, but government does have a duty to communicate to all of the constituents, the residents of Ontario.

Mr Bob Delaney (Mississauga West): Did Mike Harris really have more time on air than Larry King? The former government spent a staggering \$300 million of Ontario taxpayers' money on its report to taxpayers, politically laden pulp and its broadcast equivalent. But the people of Ontario didn't buy the message and they couldn't stomach the medium, so they elected a new government.

We said we'd put a stop to taxpayer-financed political propaganda, and Bill 25 is a key promise kept. What does Bill 25 mean in day-to-day terms? It means that the \$300 million that we've saved, that we won't spend on TV commercials, on newspaper ads, brochures and other promotions, helps pay for an increase in the minimum wage.

I asked teenagers across Ontario, "Which would you rather have: an increase in the minimum wage that so many of you work for or some colourful lining for the cat box?" I asked elementary teachers across Ontario, "Which would you rather have: the smaller class sizes that so many of you now enjoy today or an ad campaign on the feel-good aspects of health care with US stock photos?"

This is easy. Government in Ontario now has a bit more money because Ontarians know their government has stopped this unconscionable wholesale waste of their tax money. That's what Bill 25 is already doing, because the government of Ontario has lived up to the intent of Bill 25 for more than a year now.

Bill 25 is more than good policy; it's good sense. It's groundbreaking legislation. In fact, the only groundbreaking that will make me prouder as an MPP will be to join with my colleagues the member from Mississauga Centre and the Minister of Transportation, and do a groundbreaking on the new Lisgar GO train station. I

didn't get a chance to read my petition this afternoon, so I thought I'd add that to the debate.

Bill 25, when passed, will require the Provincial Auditor to report annually to the Legislative Assembly on government advertising expenditures. But the teeth in Bill 25 is the requirement by the Provincial Auditor to report on the contraventions of this bill. Speaker, just like your rulings in this chamber, the Provincial Auditor's determination is final. If the Provincial Auditor says it looks like partisan advertising, if it reads or sounds like partisan advertising, then it's partisan advertising and someone will answer for it in this chamber.

I look forward to the speedy passage of Bill 25, and I proudly support this legislation.

The Acting Speaker (Mr Joseph N. Tascona): Further proceedings on this matter will be deferred to the end of the afternoon.

HIGHWAY TRAFFIC STATUTE
LAW AMENDMENT ACT
(CHILD AND YOUTH SAFETY), 2004
LOI DE 2004 MODIFIANT
DES LOIS EN CE QUI CONCERNE
LE CODE DE LA ROUTE
(SÉCURITÉ DES ENFANTS
ET DES JEUNES)

Mr Takhar moved third reading of the following bill:

Bill 73, An Act to enhance the safety of children and youth on Ontario's roads / Projet de loi 73, Loi visant à accroître la sécurité des enfants et des jeunes sur les routes de l'Ontario.

The Acting Speaker (Mr Joseph N. Tascona): Minister?

Hon Harinder S. Takhar (Minister of Transportation): I rise in the House today to introduce third reading of a bill to protect the most vulnerable in our society: our children and youth. Nearly one in five people killed on Ontario's roads are 19 or under. We can, and we will, change that terrible statistic. The proposed legislation before the House would protect our young from the cradle to adulthood by (1) improving the use of child car seats and booster seats, (2) increasing school bus safety and (3) improving the graduated licensing system.

An appropriate child car seat can mean the difference between life and death for infants, toddlers and primary grade children. A properly used child car seat can reduce the risk of death or serious injury by as much as 75%.

1700

Speaker, I forgot to say that I will be sharing my time with two of my colleagues, my parliamentary assistant, the member for Glengarry-Prescott-Russell, and the member for Chatham-Kent-Essex.

Here is a quote from a Barrie OPP officer: "I have seen a vehicle roll over several times and the child was secured in the car seat, hanging upside down but totally safe." If passed, this bill would add demerit points to the

penalty facing drivers who fail to follow infant and toddler car seat requirements, and not just parents and legal guardians. Anyone who transports a child in a motor vehicle must be held responsible for the safety of that child. This bill, if passed, would ensure that is the case.

Here is another terrible statistic: Children using seat belts instead of booster seats are three and a half times more likely to suffer significant injury in a crash. That is why booster seats will be mandatory. It is such a simple way of saving and protecting the lives of our children.

This proposed legislation would also build on existing school bus safety measures. It would allow charges to be laid against the owner of a vehicle that is reported to have illegally passed a stopped school bus with its overhead red signal light flashing. One-third of school bus drivers report that they have seen at least one car illegally passing a stopped school bus every day, according to a recent Transport Canada survey.

I am very grateful to my colleague Pat Hoy, MPP for Chatham-Kent Essex, who has campaigned and championed tirelessly to improve school bus safety, and to the families who lost children in school bus collisions. The legislation I am introducing today, if passed, would help prevent this tragedy from happening to any more families in Ontario.

New teenage drivers are almost three times more likely than new drivers over 20 to be involved in a fatal or serious collision if they have three or more teenaged passengers. The proposed legislation would allow the regulation to restrict the number of young passengers a driver aged 19 and under can carry during and after their first six months in the G2 level.

As one Peterborough county OPP constable put it, "I really and truly believe it will lessen the risk of disturbances in the car." It is important to note that these restrictions would not apply if the G2 driver is 19 and under, and is accompanied by an experienced driver in the front seat. In addition, family members would be exempt from this restriction, regardless of age.

The measures that I have proposed recognize the need of all Ontarians to travel freely, but our government has a responsibility to ensure safety above all else. We owe it to our children and youth.

In conclusion, Ontario has the safest track record in Canada in terms of safety. Our government is determined to make sure that we keep it that way. The measures have the support of the Infant and Toddler Safety Association, the Insurance Bureau of Canada, the Ontario Medical Association, the Ontario Public Health Association, St John's Ambulance, the Toronto Police Service, the OPP, the Ontario Association of Chiefs of Police and the Ontario Safety League.

I really want to take this opportunity to invite all my colleagues on both sides of the House to support our government's measure to protect our children and youth on Ontario's roads.

Mr Gilles Bisson (Timmins-James Bay): I want to say at the outset, as I did at second reading, that we will be supporting this bill. We see this bill as definitely a

step in the right direction when it comes to the safety of children in cars and school buses. We know this has been an issue that has been ongoing.

I want to give some credit to the member from Chatham-Kent Essex, who has been one of the champions on this, along with the member from Glengarry-Prescott-Russell. They have come to this House a number of times to try to deal with this issue. I know the member from Chatham-Kent Essex brought forward legislation dealing with school buses. I think my good friend Mr Lalonde did so as well. I want to make sure they get some credit for what was, initially, a couple of private members' bills while they were in opposition. It's good to see the government has decided to make this a government initiative.

However, I think it raises the issue of private members' bills. Very often people in this House—all honourable members, every one of us—have a particular issue brought to us by constituents in our constituency, or in the greater constituency of Ontario, and we are asked to come forward with legislation to deal with it. They know that trying to get a government to sponsor legislation can sometimes be difficult, because a government has a finite amount of time in its mandate, and in the time it has in the House, to move legislation through the House. It raises the issue—this particular bill gives us an opportunity to think about this—of how are we able to change the rules in this place to give private members a better ability to not only introduce bills, to not only to be able to debate a bill for an hour and possibly get it passed at second reading, but more importantly, to get a bill passed in this House?

I have to believe, for example, that the member from Chatham-Kent Essex, who championed part of the initiatives in this bill while in opposition, did a whole bunch of work on this. He did a lot of consultation with the people in his community and the greater community of Ontario. He came to this House, looked for support, did the research, did the discussion needed with various stakeholders, and came forward with a bill that, unfortunately, the government was never able to support when he was in opposition, but fortunately for him, we can support it now that he is in government. It raises the point, how do we make this place work?

I thought it would be an interesting point to make in this debate because I think there are some things we could do. For example, we could look at extending the sittings of this House in the mornings to have an additional private members' hour. That would be one way to do it.

I know the federal House of Commons has changed its private members' system. You would know, Mr Speaker, that it used to be in the federal House of Commons that you had to go before a committee to decide if your bill was votable or not, which I always thought was kind of wonky. Now we have a minority Parliament in Ottawa and they have basically done what we now have in Ontario, which is, I think, a far better system. But just because somebody has finally caught up to our juris-

diction doesn't mean we have to stay there. Should we try to find more ways for private members to participate?

The other issue is members of cabinet. For example, a member like Minister Takhar, our Minister of Transportation, is limited in what he can introduce in the House. He can introduce only transportation bills. Does the member, as a private member, let alone a minister, have particular issues that are near and dear to his heart that he would like to bring into this House? I think, somehow or other, we need to think about how we can do that.

Another way we would be able to achieve this—I think Bill 73, again, gives us an opportunity to reflect on that—is, when ministers of the crown bring legislation forward, is it necessarily the best mechanism to table a bill at second reading to get a debate, to get it into committee when all the decisions have been made? I give the government some credit, and the previous government under the Conservatives, for when they introduced bills at first reading and said, “Here is a bill at first reading.” I know the then House leader—I think it was John Baird under the Conservatives—had a couple of bills where they actually did that. They said, “Here is a bill. Let's introduce it as first reading. Let's send it off to committee, allow the committee to do some work, and then we'll bring it back for debate at second reading,” without everybody firmly planting their heels in the ground as to what side—they followed various issues within the bill. I think that was certainly a step forward. I give the government some credit. They tried to do that in this new Parliament, and it's worked to a degree. The greenbelt legislation, by and large, has been a bill that has to a certain extent been developed by members of the opposition, but not to the degree that I think the Conservatives or we as New Democrats feel comfortable with.

1710

It raises the issue: Should we find a way to refer policy areas to committee? For example, if a minister of the crown such as our good friend Mr Takhar, the Minister of Transportation, says, “I am concerned about school bus safety. I am concerned about the graduated driver's licence system. I am concerned about speed on our highways. I am concerned about a number of Highway Traffic Act amendments that could make our highways safer,” would it not be a better use of parliamentary time to say, “Let's refer the policy area to a standing committee”? The standing committee can do a review of the current legislation and try to figure out how you capture the ideas that are being put forward by the minister, and then canvas the other 102 members of the House, and in the process we consult with our constituents, about how to put together a bill that deals with a number of policy questions within a particular policy area.

For example, you may have a Minister of Transportation who refers the matter of safety on our highways and roads to a standing committee. Then, through a process of standing committee hearings, you deal with the issue by listening to what people have to say about some of the things we can do to make our Highway Traffic Act work better and make our highways and

roads in Ontario safer, and then draft a bill based on those discussions.

It would mean you would have a bill before this House that is certainly bigger than the bill we've got now, but I would argue, for the government House leader, it would also make better use of House time. Rather than coming to the Legislature and this Parliament, it will probably come with Minister Takhar's bills and we'll probably see some amendments to the Highway Traffic Act, three, four, maybe five times in the life of this Parliament. That's certainly been the case every time. This is the fourth or fifth Parliament that I've been privileged to serve in and each and every time a minister will bring amendments to an act more than once.

My argument is that by referring the policy matter out to a standing committee and allowing it to look at the overall policy issues raised by the minister and any other member, you can bring a much more comprehensive bill back to the House, with some agreement from the parties about being able to pass it through the House in a fairly speedy manner. That way, rather than having five or six bills debated in the House, you can end up with one government bill that is basically developed by consensus within the committee process to deal with the various issues. It's just an idea. Maybe that's not the best approach. It's just my attempt at trying to figure out how you find ways of giving individual members a larger role in developing public policy.

Specifically on this bill, just for the record, there are a couple of issues I'd like to raise—in no particular order.

The first one I want to deal with is the issue of the owner of a vehicle being charged because the owner's vehicle has been spotted passing a school bus with flashing red lights. Do we agree that there should be a prohibition against people passing school buses when the red lights are flashing? Obviously, yes. Everybody agrees. Is this a way of deterring people from passing a school bus when the red lights are flashing? Probably yes, to most, I would argue. But I'm not convinced—because I've been through this debate now two or three times—that ticketing the owner of the vehicle is necessarily the best way to do it.

Let me give you an example. If I'm the owner of the vehicle and I'm driving my vehicle down the road and I know I can get caught for passing a school bus with its lights flashing, I'm less likely to do it if I know there is a fairly hefty fine. It's the fear of getting caught that will stop me from doing the action. It's never really the fine itself; it's the fear that you may get caught. If I think I can get away, with impunity, as the case is now—because as it is, the police officer has to catch you red-handed in the action of passing a bus with flashing lights. Unfortunately there are a lot of people out there who figure the cops aren't around. “I'm going to do it. I'm in a hurry. I've got to get from point A to point B.”

Clearly the bill is going to deal with those drivers or owners of cars. You drive your car, Speaker. You're not about to do this for fear of getting caught. But if I'm an irresponsible individual—and believe me, there are many

of them out there—who happens to have borrowed somebody's car, what the hell do they care? I'm going to be real blunt about it: What do they care?

Somebody all of a sudden comes by and says, "Gilles, can I borrow your truck? I've got to go bring something to the dump." If I know the person well enough, a fellow cottager or somebody in my neighbourhood, I might say, "Yeah, here are my keys. Go." All of a sudden that person takes off, sees a bus with flashing lights and says, "I'm going anyway. It's not me who's going to get caught." And away they go, and they cause an infraction of the Highway Traffic Act. The person is more likely to do that if they feel that they as the driver can't get caught.

The problem is that under this act part of the issue that the government is trying to deal with is dealt with if the owner and the driver happen to be the same, but that's not the case if the driver is not the owner. I'm not convinced that saying, "All right, Mr Bisson, you lent your car. Your car was spotted. We've got the licence plate number. You're getting the ticket," in itself is going to fix the problem. You have to have some kind of a mechanism that forces the owner to turn over the person that he or she lent the car to. I don't see that in the legislation.

I'm not clear how you do that, because we haven't spent a lot of time at committee on that particular issue, but we need some sort of a mechanism to get the owner to turn the information over. If I, as the owner, say, "I lent my car to Joe Schmo," and Joe Schmo gets ticketed, the owner is not ticketed—I guess that's what I'm saying. But if I don't want to turn over whoever I lent the car to, then I would be made responsible.

It's a point that somebody raised in my constituency one day as I was traveling on the many hours of highways that I have to do in my constituency. In fact, I'm going to be driving nine hours on Saturday to go to three meetings. I don't know what you guys are doing on Saturday, but that's what I'm doing. I wish the weather was nice and I could—

Mr Tim Peterson (Mississauga South): We're not that goofy.

Mr Bisson: Not that goofy? Well, I happen to have a pretty big riding. I guess that makes me goofy.

I would say that I'm not sure the way that this is particularly set up—

Mr Tim Hudak (Erie-Lincoln): Who said "goofy"?

Mr Bisson: I know. I didn't think it was a very bright comment, but he's a nice guy. Mr Peterson, I've got to say, is a nice man. I respect him, and I know he meant it as a joke. I'm not going to go ballistic about having to service a large riding. I know where it came from. He meant it as—

Mr Peterson: I'd be happy to withdraw it.

Mr Bisson: I know you would, and I'm not taking big exception to it. I understand what you were saying. You were just having a bit of fun with me. That's allowed. We shouldn't take ourselves too seriously.

Interjection: We shouldn't take him seriously.

Mr Bisson: No, we shouldn't take ourselves too seriously.

Interjection.

Mr Bisson: Yeah, you did. I heard him withdraw. He apologized. That's fine. I'm digressing now, my friend.

The point is that I'm saying it would be nice to have some sort of an amendment in that legislation that could have done that. That's all I'm saying.

The issue of car seats: Listen, I've got to agree with you. How many times have we gone through this debate in this province? I've had people come to me and say, "I don't want to be forced to have to put a car seat in my vehicle for driving a child. I feel safe enough just buckling him up in the belts." We know the stats show that there are a lot of fatalities and a lot of serious injuries to young people because they are not in proper car seats. The only thing I'm going to say to that, like I said to those people, "I remember the debate when we said wearing motorcycle helmets was a bad thing. I remember it, because I was a young man driving a motorcycle when motorcycle helmet laws came into the province of Ontario."

Mr Hudak: Did you rebel?

Mr Bisson: Listen, I rebelled. Obviously, I did. I thought, "Who is the government of Ontario to tell me?" At the time I guess it was Bill Davis who was the Premier, or whoever it was before him, Mr Frost—well, it couldn't have been Frost; I would have been too young. Who was the Premier in about 1971-72?

Mr Hudak: Davis was 1971.

Mr Bisson: Was it still Davis? OK.

Interjection.

Mr Bisson: Well, I know it was a Conservative; I can't go wrong there.

Interjection: It should always be a Conservative.

Mr Bisson: It shouldn't always be a Conservative, but it was at that time.

My point is that we all rebelled. We said, "That's a terrible thing. They're taking away my freedom. God, that's awful." You know what? I wouldn't go in my yard on my motorcycle today without wearing a helmet. I think it's much the same argument about this here, that sometimes—

Mr John O'Toole (Durham): What about your skateboard?

Mr Bisson: You wouldn't catch me on a skateboard; I'd kill myself, especially on the driveway out at the lake. Oh God, that would be tough.

The point I make is this: Far too often, when legislators sometimes put forward legislation like this, safety measures to protect the public, we often as individual citizens see that as an affront to our freedoms and our ability to make our own choices. I kind of understand where people are coming from, but we listened to a debate in this House about a month ago where a member of the House—I forget who it was—put forward legislation that people riding bicycles over the age of 18 should be forced to wear a helmet.

1720

Mr Jeff Leal (Peterborough): The member from Kitchener.

Mr Bisson: The member from Kitchener.

We listened to Mr Prue, who, members in this House probably didn't know, lost his brother. He was almost 50 years old at the time. He got on his bicycle to get a quart of milk, something happened, the bike fell, and his brother died of a head injury. As Mr Prue says, "Listen, I don't want to hear about it any more. I've been through this. I understand what it's all about. I've lost a brother because he was not wearing a helmet."

All I'm saying, in this legislation, is that I hear what some of the people have told me. They have said we should oppose this bill because they see this as an infringement of their rights, but the reality is, so does a child have a right, and we need to make sure we do the right thing for citizens, including the children of the province. So on that particular point, I've got to say to the government, I'm with you on that. I think that is a step in the right direction.

I don't have a lot of time, but on the graduated driver's licence amendments that you're making, I understand why you're making them. I ain't going to fight 'em. I've heard arguments equally on both sides of that one. We'll default to the side of safety. I guess what this is all about is making sure we don't have young people piling in their friends and going cruising somewhere and not having the experience or the comfort to be able to drive in a way that makes all those people safe. I'm just wondering, though, are we going a little bit too far on that one? Possibly. Anyway, I'm prepared to give you support generally on the bill, and that was about the only one I had some problem with.

I just wanted to put those comments on the record. As I say, we have no problem supporting this particular initiative, and we look forward to the government coming back with other sizzling legislation that we can stand in this House and speak to.

Mr O'Toole: It's a pleasure to stand and respond to the discussion on Bill 73, another bill that will be forced on the people of Ontario, some with good intentions and some with questionable intentions. And that's my intention here, to cover both sides, because no issue is that simple and straightforward that there aren't many sides to it.

My train of thought, respectfully, always goes to my constituents in the riding of Durham, and what I'm hearing and seeing from them. I do listen to the civil servants, of course. They are well intended, but they need direction and management. Quite often, this is what's missing from Dalton McGuinty and the crew there.

The member from Chatham-Kent Essex, Mr Hoy, has tried relentlessly to make this bill law, and I think, respectfully, Mr Takhar, the minister, has recognized that. I give him credit for that, because Mr Hoy has done a lot of work on that, with the right intentions, although some of the implementation I had difficulty with, and that is the issue of passing school buses. Mr Speaker, you, as a practising lawyer—well, I don't think you're practising right now, but usually you do. You need a lot of practice, too, at times.

The point there is that it's one of those reverse-onus issues. As you know, what they're going to do now is issue a ticket or some kind of notice. If you pass a school bus, which is wrong and forbidden and shouldn't happen, and if you, as the driver of the vehicle, aren't the owner of the vehicle, it's the owner of the vehicle who gets the ticket. They're then in the unenviable position of having to pay the fine—\$1,000, I think it is. That has caused some concern. I would say it's a weakness in administration that I see continuously here.

Also, I just want to say for the record, I have spoken for some time—because I had the privilege to speak on this bill—with Jim Wilson, a former minister of several ministries; a very capable guy and a person I have grown to respect. He is also the critic for transportation. He's made some comments on this, as has Frank Klees.

Frank Klees, you may recall, raised the issue of carpooling, and the issue of an unforeseen emergency: children out in the cold on a winter day. It could be this December or January. It could be my grandchildren. I'll get to that, too, because I always like to cover my family on this. For instance, if the bus had somehow been unable to make it to the school, and there are children there, and I'm there with my van—or my wife would be at the school because she's a teacher—

Mr Leal: And a great teacher.

Mr O'Toole: A very good teacher, in fact. I'd say Mr Leal is correct there. I can't say that all the time, but this time I will.

The point I'm trying to make is that she would not be able to rescue those children from the cold. The school could be locked because they may have thought the bus was going to be there on time, and they could not legally take the children. Now, that doesn't seem to allow much flexibility. But again, I know I hear from my constituents—and I'm going to get to that. Mr Klees raised that point. Where are the three children who could be left in the cold? That has not been responded to. I challenge the minister, in his two-minute summation, to tell us what to do with those children who have been left because the volunteer who would have, in all due course of safety, tried to get the children home to their parents who are fretting and worrying couldn't do it because of the Liberal government's poorly articulated legislation.

The other comment I want to make with respect to my peers here at Queen's Park is about Garfield Dunlop, the member from Simcoe North, who is the critic for the community safety and correctional ministry. He has a very valid concern too. Here we are downloading—I use the word—responsibilities to the enforcement people, our police officers in our communities. Actually, here's another case where I just ask very normal administrative questions. It appears now that, rather than carrying pepper spray and a baton and maybe a Taser gun, they're going to have to carry scales to weigh the children, because it's very specific in regulation. They're also going to have to carry a tape measure to measure the child. Mr Dunlop has raised some very valid concerns. These are all part of the implementation cobweb, a night-

mare that this government hasn't thought through. Now they're trying to force it through without any further debate. In fact, they had a one-day committee, which lasted for less than an hour, to amend the bill. I was looking forward to further amendments.

This is a very particular e-mail, and since it's on e-mail, I'm going to read it. These are my constituents. It's a real letter I'm reading here. I do read them and, thank you, stay in touch. My e-mail is always available. My constituency office in Durham, at 75 King Street East, is always there to listen and respond to your concerns.

This one went on to say, "My son Maverick is five years old, 49 inches tall and 60 pounds"—these are their words, and I'm quoting it; I'll have to give this to Hansard because I want to get it correct—"so according to Dalton he should be in a booster seat. Except if I did this in a 1988 Dodge regular cab pickup truck with a bench seat, his head could hit off the back window during a sudden stop if he were in a booster seat. This would probably be the same in many full- and mid-size pickup trucks, with a bench seat, with no headrest in the middle seat. This would be far worse than having him sitting properly on the seat with his belt on, with his head properly protected."

So there are many vehicles where retrofitting would create a problem. That's what my constituent is telling me, and I am listening. That is from Blaine Sleep, who is at 3515 Church Street. I don't think I've heard from him before. I think this is a very good letter.

This is another one, from Jill MacIntosh. It's a letter to the editor. She's very outraged about this—"booster seats save lives"—and I would be supporting it from listening to people like Jill, because she puts a very positive spin on it.

Also with respect to my riding, this was a recent article in the Durham Times, and it says here they want to thank Cowan Pontiac Buick Ltd, the Kiwanis Clubs of Durham region, the Durham Region Car Safety Seat Committee and Durham regional police for sponsoring an event. This event, which was free, checked safety seats. The implementation, not just purchasing the seat—it's a tax by any other name when you force people to make an expenditure. It's perhaps needed; we need more discussion on that, I suspect. Having raised five children, I would never have been able to put all the seats in a car, because they were quite close in age. I probably could have had two cars, so not only would I have had to buy the car seats, I would have had to buy two cars.

So there are many difficult issues in here. By and large, my own response personally—and Mr Takhar has spoken on this. But the issue here is that trying to enforce this becomes quite problematic. I'm just going to run through a couple of—Speaker, you're paying attention, and I notice that.

1730

The two things that I was going to say—I'm a school bus driver, let's presume. I have a route and my route is on a certain number of streets each day for the 190 school-teaching days of the year. In that neighbourhood I

have, the route that I pass through, I notice that there are similar drivers all the time trying to go to work at the same time. So there might be a little bit of conflict, personality conflicts, maybe, between the driver of the bus and the driver of a certain vehicle that's always trying to get slightly ahead of the bus. And maybe the bus driver could just, inadvertently, in a bad-tempered mood, take down the number and send it in, but in fact the person didn't pass the bus when the arm was out—as they should, and as I encourage all Ontarians to do, to obey the law. But now the driver of the vehicle—who may have been one of the children in the family, it may have been the owner of the vehicle—got the ticket. Now it's up to them to prove that they didn't pass the bus. Now what have you got? You've got the lawyer—that's probably going to cost you a couple thousand dollars; you've got the fine—a thousand bucks; and you've got this day in court—you lose pay. It's going to cost \$5,000, possibly. That may be low, depending on how severe.

These little conflicts create problems, so there has to be a resolution process. That's all I'm bringing to the minister's attention. Make sure there's an adequate resolution process. And I think an implementation—again, this is one of the things you have to take into stead.

I think always of my constituents. It's part of how and why I enjoy doing this public service function. In this case here, I'm thinking of the booster seat issue and the pickup of children. In my case—I'm going to make it very personal. I've said this before, and I'm very, very flattered. For Christmas, my daughter and her husband, with our two grandchildren, just arrived from Australia. To pick them up at the airport, we have to have two vehicles, because you can only get two car seats in the back seat and two in the front. There are two children and two adults, plus myself and my wife. That means two cars.

We were thinking of buying a van. Of course, it would be a GM Astro van, because they're probably the best, most efficient vans on the road today. I worked at GM for 30 years, so I have some knowledge of that. I would encourage all members to go out and consider that, if that's the choice they need.

The real issue, though, for me, is just the practicality of implementation. I am looking through my notes here for the copy of the bill, because I do have it here—lock the doors, somebody has taken my bill. I think I can survive without it. I know I have it here—open the doors, the bill has been found.

Introduced in May. I spoke to the minister earlier this evening. He clarified for me a couple of the questions I had, and I was satisfied with that—a good minister because he's helped me out a great deal on a number of issues. "Section 7 is amended to provide that if an owner convicted of the offence of failing to stop for a school bus with its overhead red signal lights flashing fails to pay the fine imposed on the conviction, the owner's vehicle permit may not be validated," and the new permit would not be permitted. So you've got this huge problem which I described—a huge fine, the lawyer, the day at

court, and all the stuff. All I really want is reassurance today; there needs to be a dispute resolution mechanism.

Now in fairness, my cousin Mike O'Toole—

Mr Leal: I know him well, a good friend of mine.

Mr O'Toole: Jeff Leal knows him well, an excellent person. David Peterson appointed him as a justice of the peace. He did run for the Liberals. I think, possibly, that that may be one of the wrong turns in life, but nonetheless, potentially, he would be sitting in his chamber. He is very fair-minded, reasonable, and he would want to err on the side of safety, so he'd just say, "Guilty as charged." And it turns out, as I described earlier, that that may not have been the case. It might not have been quite so simple. There may have been a bit of background that I described, just a bit of bad feeling between the bus driver and the person who, on each day of the 190 days, may have been trying to just get ahead of the bus—maybe inappropriately, maybe even in infraction of the speed a bit. Those are the things I continually think of.

I believe that the thin edge of the wedge here that was always in everyone's mind was that they were trying surreptitiously to sneak in photo radar again. Minister Takhar and the Premier disagreed on that on a couple of different press days, you may recall, Mr Speaker, because you read most of the press clippings. I've seen you reading them here. In fact, I saw you reading them today.

The point is that in many cases the news reports on this bill haven't been too exaggerated. The issue I'm speaking of is that the government intends to pass regulations restricting teenaged novice drivers to only one passenger. There are some issues within that part of the bill as well.

People living in the country and restrictions on the G licensing system is another concern: how many passengers, how you prove who they are, how old they are. Members of the family are exempt. There is a whole bunch of minutiae in that section.

But on the photo radar thing, I'm still not clear. I think they're going to download the responsibility on red light cameras. Red light cameras are Big Brother. I hate to say it. We wonder where the front-line policing is on this issue.

I was asking my daughter, the one who just came from Australia, about seat belts in Australia. I think the fine for running a red light—and they're all camera-ed. The cameras down there work for both. They do photo radar and the red-light camera thing, and the fine is like \$4,000. It's just enormous.

If the civil service perhaps has a revenue problem going into the future, and maybe the fine is only \$1,000 now, maybe it will just be \$2,000, and pretty soon you have government havoc on the people of Ontario. These things worry me from time to time.

Interjection.

Mr O'Toole: Mr Hudak is asking—and he's been doing a marvellous job on Bill 135. Minister Gerretsen has refused to respond to simply more hearings. Once again—

Mr Hudak: I'll ask for it. "Get it right."

Mr. O'Toole: We want to get the legislation right. We intend to support every issue that involves public safety. With respect to the greenbelt legislation that I mentioned, Bill 135, I am quite supportive of it. I know Mr Tory is quite passionate about having preserves of green space, as we were under the Oak Ridges moraine.

But under this bill there has to be a mechanism to ensure there's fairness with passing the school buses, as I've described, with the enforcement mechanism with police officers—now there aren't enough police officers because they're really not giving them a thousand front-line police officers—to enforce this downloaded thing of enforcement. I don't know how they're going to enforce the G2 licensing, who's in the car, who's related, who's a brother, who's exempted. These enforcement, what I'd call administrative, issues are of concern. I think more hearings are warranted.

In conclusion, I want to say that the minister has helped greatly in trying to advance the importance of Highway 407 through the region of Durham. It's the ribbon of the economy. He knows it, I know it and Roger Anderson, the chair of Durham region, and most of the mayors agree. I know Wayne Arthurs is here tonight and I'm surprised at that too. Anyway, he's here. The last I heard, Mr Arthurs was actually in the back of a van in the parking lot at the hearing on Bill 135. There were a lot of people at the meeting who were concerned, but he's here tonight, and I'm pleased to support the discussion.

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): Ça me fait grandement plaisir de prendre part au débat de ce projet de loi 73, qui comporte sur la sécurité de nos enfants, ainsi que la sécurité routière pour tous ceux et toutes celles circulant sur nos routes canadiennes.

Ce projet de loi a trois composantes. La première est les exigences relatives aux sièges des enfants. La deuxième : conducteur ayant omis « de s'arrêter pour un autobus scolaire dont les feux rouges supérieurs clignotent ». Cette partie-là, je vais la laisser à mon collègue le député de Chatham-Kent-Essex, parce que c'est vraiment lui qui a parrainé ce projet de loi-là. La troisième : restrictions réglementaires imposées aux conducteurs débutants.

1740

J'ai écouté les membres de l'opposition nous dire que—la partie sur les conducteurs débutants, de quelle façon allons-nous l'appliquer? Laissez-moi vous dire que, actuellement aux États-Unis, 17 États ont déjà des restrictions pour les conducteurs débutants. Au Canada, nous en avons quatre actuellement, qui sont la Colombie-Britannique, le Manitoba, l'Île-du-Prince-Édouard et le Yukon.

Pourquoi avons-nous décidé d'inclure dans le projet de loi cette partie? Tout d'abord, je vais vous lire les parties qui comprennent les conducteurs débutants.

« L'article 57.1 est modifié pour autoriser la prise de règlements qui prescrivent les qualités requises pour l'obtention d'un permis de conducteur débutant.

« Le nouvel article 57.1.1 autorise un agent de police et un autre agent d'application de la loi à demander au

passager d'un véhicule conduit par un conducteur débutant de s'identifier pour déterminer si ce dernier contrevient à une condition ou à une restriction réglementaire imposée aux conducteurs débutants. »

Nous savons que, actuellement pour un conducteur de moins de 16 ans—oui, je dis bien 16 ans—les chances d'être impliqué dans un accident majeur sont de 2,3 % plus élevées que pour un conducteur de 20 ans. Pour le conducteur de 17 ans qui n'a pas son permis de conduire G2 après avoir passé son année d'essai, le pourcentage d'accidents est de 2,02 % plus élevé que pour un conducteur de 20 ans.

Cela veut dire que lorsque nous regardons, nous avons environ 7 % de plus de chances d'avoir un accident par une personne qui n'a pas passé ce qu'on appelle en français les grands permis. Les grands permis : c'est une personne qui a obtenu son G2, qui a eu une période d'essai pendant 12 mois sans infraction. Si elle a eu une infraction, elle n'est définitivement pas autorisée à renouveler son G2 avant d'avoir passé un an au complet sans avoir des contraventions ou avoir été arrêtée pour d'autres infractions.

En Ontario, nous avons le meilleur record au Canada pour le nombre d'accidents mortels. Si je regarde l'Ontario sur toutes les provinces que j'ai devant moi—c'est un rapport qui a été remis par Statistique Canada deux semaines passées—nous avons actuellement 16,9 fatalités ou décès sur 100 mille de population. Le plus près de nous, ce sont les Territoires du Nord-Ouest, à 7,2 accidents mortels sur 100 mille de population.

Nous avons aussi entendu parler mon collègue de Durham, qui nous disait qu'on n'aura pas retiré la partie du photo-radar qui paraît dans le projet de loi. Il aurait fallu procéder à des changements dans 25 autres projets de loi. Il était impossible de procéder actuellement. Nous laissons le pouvoir aux municipalités si elles veulent procéder avec le photo-radar.

Actuellement, en Ontario, nous avons un total de 64 photo-radars qui ont été installés dans cinq municipalités différentes, ce qui était un projet pilote. Aujourd'hui, nous savons que, encore une fois, du fait qu'on a mis en place des photo-radars, nous avons réduit le nombre d'accidents considérablement.

Même d'après les statistiques que nous avons obtenues de 2002, 2,8 % de nos collisions, de nos accidents, sont causées par des personnes qui traversent sur une lumière rouge.

Je dois maintenant passer la parole à mon collègue. I would just like to say that this Bill 73 reaffirms the commitment of the McGuinty government. This government is committed to the safety of our children and also to making sure those people travelling on our highways are safe.

Mr Pat Hoy (Chatham-Kent Essex): I'm pleased to comment on Bill 73, An Act to enhance the safety of children and youth on Ontario's roads. It has been mentioned by others that the bill contains a provision for child car seats. It's very important that we protect our

smallest of passengers. We also incorporate in this bill some changes to G2 licences.

In the few minutes I have, I'd like to comment on the school bus provision in this bill. First of all, I want to thank Minister Takhar for incorporating an idea I had in 1996 to bring about some changes to the school bus laws in this province. As a matter of fact, in 1996, the riding I now represent went by a different name. There have been a couple of elections since then.

I want to thank my supporters who have stayed with me on this issue for some eight years now. In the gallery today are two of them, Ginny and Ed Loxton, who have travelled to be at Queen's Park for this third reading debate. They have assisted me over the years and I appreciate their help.

I also want to thank Colleen and Larry Marcuzzi. They travelled to Queen's Park on numerous occasions, and with great courage and through great emotion, shared their lives as no parent should have to in a tragedy in a very public forum. I want to thank Colleen and Larry so very much. We have become very good friends over the years, as have my wife and I with Ginny and Ed Loxton.

The school bus provision that has been spoken about today has wide support. First of all, in committee the opposition put forth no amendments toward it, so obviously they agree, regardless of some of the comments that were made here today.

We had 50,000 people sign petitions in regard to the school bus safety aspect. Police associations supported it. I have boxes and boxes of letters. We've had numerous e-mails that have come in over the last eight years.

What we're talking about is allowing a school bus driver to identify the offending vehicle by licence plate. Currently, until this law is to pass, the bus driver must identify the driver of the offending vehicle, which is almost impossible to do: daylight hours, tinted windows on vehicles, the speed of the vehicle. Most importantly, we must remember that the school bus driver is watching the children, either getting on or getting off the bus, those 810,000 children from JK to grade 12, getting on and off school buses daily. There are some 16,000 buses travelling our roads, and obviously the police cannot follow 16,000 buses.

What we have needed and will now have, should this bill pass, is a conviction mechanism. The previous government increased the fines, and I said, "Go ahead, make them \$10,000 if you want. You have no conviction mechanism." Our minister, Minister Takhar, has listened to the situation and has indeed brought about what is known as vehicle liability. I say to my friends across the way that vehicle liability is used for vehicle impoundment and for those driving while suspended for drunk driving. It's used on red light camera issues. I've mentioned very many times in this House that we use the vehicle licence plate to charge people on the 407. Surely we can use this mechanism to ensure the safety of our young, as we do with car seat legislation in this bill and as we do with the provision on G2 licences.

GOVERNMENT
ADVERTISING ACT, 2003

LOI DE 2003 SUR
LA PUBLICITÉ GOUVERNEMENTALE

The Acting Speaker (Mr Joseph N. Tascona): Mr Phillips has moved third reading of Bill 25. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Pursuant to the motion passed earlier today, the vote is deferred until Monday, December 6.

HIGHWAY TRAFFIC STATUTE
LAW AMENDMENT ACT
(CHILD AND YOUTH SAFETY), 2004

LOI DE 2004 MODIFIANT
DES LOIS EN CE QUI CONCERNE
LE CODE DE LA ROUTE
(SÉCURITÉ DES ENFANTS
ET DES JEUNES)

The Acting Speaker (Mr Joseph N. Tascona): Mr Takhar has moved third reading of Bill 73. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Pursuant to the motion passed earlier, the vote is deferred until Monday, December 6.

It being close to 6 o'clock, this House stands adjourned until 1:30 pm, December 6.

The House adjourned at 1750.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Burlington	Jackson, Cameron (PC)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	Sterling, Norman W. (PC)
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Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Falls	Craiton, Kim (L)
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Guelph-Wellington	Sandals, Liz (L)	Nipissing	Smith, Monique M. (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Northumberland	Rinaldi, Lou (L)
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
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Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Finance and economic affairs /
Finances et affaires économiques**

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Vice-Chair / Vice-Président: John Wilkinson
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,
Phil McNeely, Carol Mitchell, John O'Toole,
Michael Prue, John Wilkinson
Clerk / Greffier: Trevor Day

General government / Affaires gouvernementales

Chair / Président: Jean-Marc Lalonde
Vice-Chair / Vice-Président: Vic Dhillon
Marilyn Churley, Vic Dhillon, Brad Duguid,
Jean-Marc Lalonde, Deborah Matthews, Jerry J. Ouellette,
Shafiq Qaadri, Lou Rinaldi, John Yakabuski
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

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Vice-Chair / Vice-Présidente: Andrea Horwath
Lorenzo Berardinetti, Michael Gravelle,
Andrea Horwath, Tim Hudak,
David Oraziotti, Ernie Parsons,
Laurie Scott, Monique M. Smith,
Joseph N. Tascona
Clerk / Greffière: Susan Sourial

Justice Policy / Justice

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Vice-Chair / Vice-Président: Bob Delaney
Michael A. Brown, Jim Brownell, Bob Delaney,
Kevin Daniel Flynn, Frank Klees, Peter Kormos,
David Oraziotti, Mario G. Racco, Elizabeth Witmer
Clerk / Greffier: Katch Koch

Legislative Assembly / Assemblée législative

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Vice-Chair / Vice-Président: Mario G. Racco
Donna H. Cansfield, Kim Craiton, Bob Delaney,
Ernie Hardeman, Linda Jeffrey, Rosario Marchese,
Norm Miller, Mario G. Racco, Mario Sergio
Clerk / Greffier: Douglas Arnott

Public accounts / Comptes publics

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-Présidente: Julia Munro
Laurel C. Broten, Jim Flaherty, Shelley Martel,
Bill Mauro, Julia Munro, Richard Patten,
Liz Sandals, Norman W. Sterling, David Zimmer
Clerk / Greffière: Susan Sourial

**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley
Vice-Chair / Vice-Président: Tony C. Wong
Gilles Bisson, Marilyn Churley, Jeff Leal,
Gerry Martiniuk, Bill Murdoch, Tim Peterson,
Khalil Ramal, Maria Van Bommel, Tony C. Wong
Clerk / Greffière: Tonia Grannum

Social Policy / Politique sociale

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Vice-Chair / Vice-Président: Khalil Ramal
Ted Arnott, Ted Chudleigh, Kim Craiton,
Peter Fonseca, Jeff Leal, Rosario Marchese,
Ted McMeekin, Khalil Ramal, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

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