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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 24 February 2005**

**Jeudi 24 février 2005**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 24 February 2005

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 24 février 2005

*The House met at 1000.*

*Prayers.*

PRIVATE MEMBERS'  
PUBLIC BUSINESS

FARM IMPLEMENTS  
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI  
SUR LES APPAREILS AGRICOLES

Mr. Hardeman moved second reading of the following bill:

Bill 168, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector / Projet de loi 168, Loi visant à assurer l'équité, à favoriser la concurrence et le choix chez le consommateur et à encourager l'innovation dans le secteur des appareils agricoles.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Hardeman, you have 10 minutes to lead off.

**Mr. Ernie Hardeman (Oxford):** Thank you very much, Mr. Speaker, and thank you to the members of the Legislature who will participate in the debate on this bill this morning. I'm confident that I will hear only supportive, positive comments, as I'm sure everyone here, after reading Bill 168 and the explanatory note, will see the necessity of creating a fairer playing field in the farm implement industry.

I'm very happy to be able to rise in the House today and bring forward legislation that will make needed changes to the Farm Implements Act. These changes follow the lead of the United States and the majority of provinces in Canada. They are being made because present legislation such as the federal Competition Act, the Ontario franchise legislation and the Arthur Wishart Act are not effective in this instance. It's also worth noting that these jurisdictions have not received any legal challenges where they've implemented these changes, and I say this only because I would like to point out that this legislation sets no legal precedent for any equipment dealers other than farm implement dealers. It is meant to address a very specific injustice happening in a specific industry.

The proposed changes to the Farm Implements Act have come before this House before. In 2001, Toby Barrett, the member for Haldimand-Norfolk-Brant, introduced the Farm Implements Amendment Act for the first time. In his first reading statement, he rightly pointed out these changes are needed to "remove dealer exclusivity as an irritant in dealer/distributor agreements by allowing dealers to sell farm machinery from any distributor or manufacturer." He also pointed out that dealers need to be protected from contract termination without cause, and finally, that distributors need to be discouraged from imposing discriminatory contracts on individual dealers and small distributors that would not let them share warranty costs, parts supply and inventory responsibilities with their manufacturers.

Changes similar to those found in Bill 168 can also be found in the previous Rural Red Tape Reduction Act, which I was pleased to introduce in 2003, after the original version was prorogued. The rural red tape act was produced to encourage economic growth, entrepreneurship and innovation in rural Ontario. I believe the bill I bring for second reading debate this morning does just that.

The content of the rural red tape act was produced after a series of consultations that were held to determine how to improve investment, reduce red tape and remove barriers to jobs in rural and remote parts of the province.

In the spring and summer of 2000, Dr. Doug Galt, the then MPP for Northumberland, held a series of consultations with a broad range of rural stakeholders across Ontario which led to the report of the Task Force on Rural Economic Renewal. Rural red tape reduction was one of the key recommendations of the task force report.

In the summer of 2001, Minister Coburn, then-Minister of Agriculture, Food and Rural Affairs, hosted a series of small business round tables across Ontario. In the fall of 2001, the Red Tape Commission had consultations with over 600 small business owners in 20 communities across the province. In June of 2002, the Premier at the time, Ernie Eves, along with Minister Helen Johns, held round tables with the province's agriculture and food industries to establish key priorities to strengthen rural businesses. For two years, consultations were held with rural stakeholders, small businesses and the province's agriculture and food industries to establish key priorities to strengthen rural businesses.

Drawing on the consultations, the Ministry of Municipal Affairs and Housing and the Red Tape Commission initiated a red tape reduction project that recognized the unique challenge of rural communities. To this

day, government red tape continues to be cited by rural economic development organizations as the key factor limiting competitiveness, investment and job creation in rural Ontario.

Our government responded to farmers and farm implement dealers, distributors and manufacturers who asked for increased flexibility for the Ontario farm implement industry. They wanted to provide better customer service in repairs and warranties and to foster more choice for farmers by preventing barriers to competition. Unfortunately, the previous attempts to change the Farm Implements Act were unsuccessful because they were unable to complete the legal process necessary to become law before the last election. But the problem is still there.

It is with great hope for all-party support that I bring before this Legislature a bill that would finally be able to address the problems that are plaguing the industry. The Farm Implements Amendment Act, 2005, once again brings to the table the changes that will encourage economic growth, improve the environment for investment, reduce red tape and remove barriers to growth in rural Ontario. It will see that no large implement manufacturers can force implement dealers to carry only one line of product or a line that no one in their area needs or is interested in. It includes measures to remove burdens placed on farm implement dealers, distributors and manufacturers and the farm community they serve. It will allow dealers to carry short-line equipment, local equipment and to provide a more competitive environment in which farmers can have more choice and greater freedom to purchase equipment that will better suit their needs and budgets. And it will finally settle a negotiation point that has been unable to be solved going on for 15 years.

The bill demonstrates my commitment to building sustainable business and stronger rural communities. The Minister of Agriculture and Food supported the bill when he was critic. He said of Toby Barrett's bill, "As the critic responsible for agriculture for the Liberal Party, I want to commend the member ... for his initiative ... that is going to have a great benefit and a real" positive "effect in rural Ontario."

#### 1010

He goes on to say, "At times I've stood in this Legislature and been critical of the government in their commitment to rural Ontario, but today I'm not going to stand up and criticize the government for this initiative. I think it is a good initiative, and it's one I've recommended to our party that we support.... I think it is essential and incumbent on us as legislators that we look after the small distributors and manufacturers comprising what's known as the short-line farm implement industry in this province, which generates over \$240 million annually for the Ontario economy."

The member from Elgin–Middlesex–London only suggested it was taking too long, that we had done too many consultations needed to pass the legislation changing the Farm Implements Act faster. My esteemed colleague from Timmins–James Bay, Mr. Gilles Bisson, criticized the bill because it didn't address dealer purity

policies as definitively as he would have liked. I want to assure him that that clause has been amended and included in the bill. The minister was very supportive of this legislation then, and while I do wonder why he hasn't tabled the bill himself, I'm happy to do so on behalf of the farmers of Ontario. I'm sure the minister's previous statements are indicative of how he will vote on this bill, and I look forward to his support.

Here is an opportunity to do something for the stakeholders. The minister can help an industry in crisis. This bill has no budget impact; it merely allows for more freedom within the farm implements industry. No one can plead poverty on this one. This bill is supported by the Ontario Retail Farm Equipment Dealers Association, the Ontario Federation of Agriculture, the Ontario Farm Equipment Manufacturers Association, the National Farmers Union and the Christian Farmers Federation of Ontario. I could continue with the list of organizations that support this bill.

I am happy to resurrect the Farm Implements Amendment Act to respond to the farmers and farm implement dealers, distributors and manufacturers, who are asking for increased flexibility for the Ontario farm implements industry. When the minister was critic, he told us, "As we have a real mix of urban and rural representatives in this Legislature, it's important that I encourage and urge the urban members in particular to support this. You need to understand that there are differences between urban and rural Ontario, and that often what's best for Toronto isn't necessarily best for rural Ontario. I urge all the members to support this initiative because this is something that is going to have a positive effect in rural Ontario."

Minister, I ask that you vote and encourage your urban members in particular to support this, because you said you would. Every one of us in this Legislature, urban or rural, has to get up in the morning and eat. It's incumbent on every one of us to do everything we can to ensure that the agriculture industry and this province remain competitive and that we continue to be leaders.

Thank you very much for allowing me to introduce this bill and for patiently hearing my presentation. We do look forward to further comment and, in the end, support for this bill.

**Ms. Andrea Horwath (Hamilton East):** I want to start by commenting on the member for Oxford's last few comments around the issue of urban members and whether or not urban members understand the importance of this particular bill.

But first, congratulations for bringing it forward. It's certainly long overdue—not that I have been here to see how it has gone through the process, but my understanding is that it is long overdue, and I congratulate the member for Oxford for bringing it forward.

I actually am one of the members who represent an urban riding, the riding of Hamilton East. But I also have the privilege of having that riding sit in a municipality that has a significant rural-agricultural base. I grew up in a place called Stoney Creek, which has a great number of farms still there and of course a very active tender fruit

belt area. The riding I represent is surrounded by a couple of other urban ridings, but those are then circled by a great deal of farmland: the Glanbrook area, the Flam-borough area, the Stoney Creek area. All of those are very rural, and farmers' issues are not something that I am unaware of.

Having represented, at that time, the downtown area of Hamilton on city council after amalgamation came to the city in the year 2000, I spent several years learning more about what was happening in the agricultural areas of our great city because, quite frankly, it was an obligation of mine—and a serious obligation, I thought at the time—to make sure I understood what the rural representatives were bringing to the table. Whether that was an issue of planning and subdivision of farms, for example, or whether an issue of roads and speed limits and those kinds of things, the reality is that the rural areas are quite unique. Farming particularly is an area that has not been well supported over the years by governments generally.

I see this bill as something that is long overdue and much needed by the farm community. It means support for farmers, which we haven't seen enough of in this Legislature. As an urban member, I'm very proud to say that I will likely be supporting this bill; in fact, I know I will be supporting this bill. Farmers are a group of people that this government and, unfortunately, previous governments as well have not done enough for. From my perspective, that could be in some small way corrected by Bill 168.

When you look at what has happened in farm communities, when you look at what has happened in the farming industry, if you want to call it that, in Ontario over the last couple of years, there have been quite serious challenges that have faced farmers. Whether that challenge is BSE and the subsequent restriction of beef imports to the United States and what that has done to cattle prices, or whether it's going back even to globalization of free trade and what that did to the ability of our farmers to compete in a more unrestricted market, when we look at those kinds of impacts that farmers really had no control over but were asked to adapt to and still provide the kinds of goods that we need, as was mentioned by the member for Oxford, to survive, then you know they have been hurting. They certainly do need all the support they can get from their governments.

When you look at the effect even recently, over the last year or two, of the climbing Canadian dollar and what that has done in terms of the ability of farmers to compete, it's the same as what has been happening in industry and other places, the same kinds of impacts that have had a serious effect on our economy overall. The same thing has happened in the farm industry. What we see is that with that competition increasing the value of goods, the amount of dollars that can be obtained when there's not that extra give in the value of the Canadian dollar, then that had a serious impact on farmers. Really, this bill, although it won't affect that piece, does send out a signal that farmers are not being ignored in this Legislature. Although they may have felt that way by the

government, certainly this bill brought by the opposition member from Oxford does let them see that there are some people here who are concerned about the issues they have and the ways we can find to correct some of their concerns.

I just wanted to go through what I understand is happening in some of the specific industries, some of the specific farming areas. I've talked about things like the high Canadian dollar. One of the things I haven't talked about, though, is the issue of other variables that are not manageable, are not something that can be affected by farmers yet where the farmers are affected by the results of these things: things like weather patterns, things like rain, things like drought, things like freezing—weather that does not do well for crops. I think about, particularly in the region that I come from, understanding the seasons and how whether they arrive on time or leave on time will affect everything from the quality of a grape to the ability of the wine industry to make icewine that year. Similarly, the way that the weather and its fluctuations affect the ability of farmers to cope and to still be able to operate their farms over time is a significant problem.

#### 1020

Crop prices apparently are the worst that they've been in the last 25 years. Corn prices are at the lowest level since 1986. Soybeans are also at a 25-year low in terms of the prices they can obtain. The income of farmers—when I read these notes, I thought, “This is a staggering figure.” Farm income is down 253% this year. I challenge anybody around here to try to survive on a 253% reduction in their income source.

There is a severe shortage of other kinds of resources needed by farmers. We talk about this bill in relation to the equipment that is being sold to farmers that they need to raise their crops and bring those crops to market. But there are also other pieces of the farm and of the rural lifestyle that have been withdrawn, perhaps not in any purposeful way, but the result is the same when it comes to the way it affects the farmers. For example, one of the things that isn't discussed very often but is in fact the case is that there is a severe shortage of veterinarians in rural Ontario. Farmers are often on their own when they need emergency veterinary assistance on their farms, when there is a problem with perhaps a birth or some other kind of incident that has occurred with an injury to an animal.

We see a number of different challenges to farmers and a number of different areas that need to be reviewed and acted upon. When it comes to the hard-working farmers of rural Ontario, when it comes to the people who literally put the food on our table, we need to make sure that as governments we support those people and ensure that they are able to continue to produce and provide that important piece not only of our subsistence but of our economy.

When I was on city council in Hamilton, I was quite shocked to learn the proportion of the local economy that was taken up by the agricultural community. It was something that I had taken for granted for all the years I

lived in that community. As I said, I was quite pleased to have the opportunity to learn more about not only what was being produced in my local area but how that affected the economy of the area I come from. That is of course reflective of the province overall and of what is so important a piece of our economy in terms of overall goods and service production.

I had a chance to go up to the nomination meeting, and we now have a wonderful candidate in the Dufferin–Peel–Wellington–Grey by-election. Our candidate there, Lynda McDougall, is a woman who comes from five generations of farms. She has born-and-bred farm and historical roots in that community. I had the opportunity to speak to her a little bit about what was happening in her community and what she saw as the issues in that riding. I can tell you, as the only one who can speak with authority and with knowledge about what has happened to rural Ontario in that particular by-election in terms of the candidates, she was quite a wealth of information. I look forward to seeing her in this House standing up for the needs of our farmers. She would be, I'm sure, the first to agree with Bill 168.

The bill really states the obvious: that farmers deserve a fair deal, that the laws that exist should be there to protect the farmers and protect them from being ripped off in unregulated situations. The bottom line is that programs have been cut and funding has been cut even for things like drainage systems. The support for those kinds of necessary capital projects were cut. The bottom line is that the farmers were ignored. The initiatives come forward and then people scramble to fix it, but had people been paying attention to and appropriately consulting with farmers all along, these things that throw them for a loop and force them to leave their farms to lobby and do other things that they have no time for—it's really unfortunate.

It is a matter of opening up the dialogue and keeping the communication going, but unfortunately, farmers—you just needed to go to the ROMA conference the other day to see how disappointed rural people are with the commitment of their government to even talk to them about the issues in a way that is productive and in a way that will move their issues forward. We all know, not only from what happened there but from what has happened in this very House in terms of the disappointment there—it has happened with the rural municipalities and the leadership in those municipalities, and it's happening with the farmers as well.

The bottom line, what we need, is a government that's prepared to look at these issues and do the things that are necessary to be done—not for us to have to take the farmers away from their very busy and quite difficult daily lives in keeping their farms going, but to try to get the government to have an ear. The bottom line is it's the government's obligation to make sure that their needs are met.

I see my colleague Gilles Bisson has come back into the House, and I'm not sure whether he's interested in saying a few words. I don't know what your hand signals mean yet, Gilles.

**Mr. Gilles Bisson (Timmins–James Bay):** Keep going.

**Ms. Horwath:** I haven't been here long enough to know whether this means, "Keep going," or "Wrap it up." Anyway, this means, "Keep going," so I will.

One of the interesting things when I was having my breakfast this morning—I had an omelette. I was thinking, you know, it's interesting. Every day, I consume some of the produce from the agricultural industries in our province. In fact, the riding that I represent, Hamilton East, has a farmers' market in it at a place called the Centre Mall. The farmers' market there is an excellent little market, because it is a little farmers' market where the wares are all locally produced. So it's not a commercial farmer's market. It is actually a very grassroots farmer's market. When you go there to buy honey or eggs or cheese or meat, you know that it's been raised or produced in a farm somewhere nearby.

You know, I served on city council in Hamilton with somebody who was an active farmer. He was a dairy farmer. I had an opportunity to visit his farm and see the kinds of things that he was having to do as technology changed and as technology was introduced to the farm. It's very interesting to talk to someone like that, to find out how they've had to adapt from the traditional four, five, six generations of farming into the technological advancements that have happened in the farm industry. He said that at first it was very intimidating, but when he figured out how he was going to be benefiting from the changes in technology, he had the opportunity to take advantage of that financially and has done quite well.

I think the bottom line to this bill is that it's a great bill. It's a long-overdue bill. What it does in terms of providing the opportunity for more competition, for more availability of various name brands of products and various types of products in each individual place of commercial farm implement distribution, is allow the farmers more choice. It allows them more opportunity for things like repairs and for upkeep of their equipment. From my perspective, that is something that absolutely, without saying it's necessary, provides great support to farmers and that addresses an issue that they have been very vocal about, and they have been waiting for this change for, unfortunately, several years.

Thank you. I'm pleased to be able to support this bill.

**The Deputy Speaker:** Further debate? The member for Grey–Bruce.

**Mrs. Carol Mitchell (Huron–Bruce):** Thank you, Mr. Speaker, and I would like to thank the member from Hamilton East for the support of our rural communities. I know everyone, and the Speaker, in the House knows that I'm from Huron–Bruce.

**The Deputy Speaker:** I always get the Bruce right, though.

**Mrs. Mitchell:** Well, that's very good.

How rural my communities are. I know the importance of farm implement dealers in Ontario, and I too support this bill. But I must ask why it has taken so long to get this bill, which will make implement dealers far

more competitive, passed. Why is it that a party which was in power for the last 10 years, the party that talked about competition and the importance of farming in our rural communities, didn't pass the bill? In fact, they did nothing but cut the agriculture budget, cut services that our farmers, our rural communities, have relied on over the years. Not only did that happen, but it jeopardized our food safety, food safety which the people of Ontario have every right to rely on, because they know that our farmers are behind food safety 100%. And they sat on the bill since 2001.

1030

I can tell you that many of the dealers in my riding have been in business for decades and they looked for equipment which would work for the farmers in their area. They looked for certain makes that were priced right and did the job for their customers. With globalization came the big corporations, which decided that the dealer would be tied to those large corporations. It was sell their brand or else. The implement dealers were in a bind, and the small manufacturers needed the dealers who handled short-line equipment. Without dealers, they had no outlets and no places to sell their machinery. Often, these small manufacturers were very innovative. Their ideas came from work in the field. Frequently, they emerged from our rural welding shops, which grew into factories. Without dealers, they could not sell enough equipment to take advantage of economies of scale.

This bill will remove the dealer purity clauses which restrict implement dealers to one distributor, and it will ensure fairness and foster competition. The implement dealer has long been an institution in rural Ontario. It is a place of business, but it's not only a place of business for all of us in rural Ontario; we also know that it's a place to share many ideas. Often the dealers, I can tell you, were pioneers in new techniques. They have been active in farm organizations. They have sponsored teams. They have provided transportation to agricultural events.

The president of the Ontario Retail Farm Equipment Dealers' Association lives in my riding, in Huron county. He and his father before him have been fighting for more than a decade to bring about this change. This bill will allow them and other dealers to do what they do best, and that's sell and service equipment which meets the needs of our farmers.

Our farmers are competing globally. They need competitively priced equipment. This bill will provide our dealers the same protection as dealers in other provinces and all of the American states. This bill will ensure fairness and foster competition. It will encourage innovation. I can tell you that in rural communities, we are the farmers of innovation. We often don't have the same tools as our urban counterparts, but what we do have is a great wealth of creativity. This will benefit rural Ontario in many ways, and I'm very pleased to rise and support this bill and to congratulate the member from Oxford, also from a very rural riding within our province.

**The Deputy Speaker:** Further debate?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** The member mentioned that similar legislation—

*Failure of sound system.*

**The Deputy Speaker:** The member may want to speak up loudly, because there's a problem with the microphone. We'll just continue—there we go. I think maybe it's coming on.

**Mr. Barrett:** Well, we've resurrected this bill, so I'll resurrect my introduction.

In June 2001, it was introduced as Bill 76; we have the title before us. It did receive support then from farmers and, of course, from farm implement dealers and members in this Legislature. I thank my colleague Ernie Hardeman for resurrecting this particular piece of legislation designed to protect farm implement dealers from certain business practices of the large manufacturers.

Manufacturers have been using these dealer purity policies that prevent dealers from selling other products. Dealer purity or exclusivity is currently being used in dealer contracts by some of the large farm equipment manufacturers in order to force the dealers to sell products exclusive to that manufacturer. This bill would essentially eliminate dealer purity policies and allow dealers more choice. It will allow farmers more choice on the brands of equipment and parts that they can purchase and will help foster competition.

Last night, my office spoke to a dealer in our area. I've indicated that manufacturers have loosened up a bit on this, although the dealer still feels there is a problem there, and there's a problem for the short-line manufacturers as well in this province.

I represent an area that grows tobacco, ginseng, horseradish, peanuts and potatoes. These kinds of specialized crops require specialized machinery. The big manufacturers are not in that market. It's difficult to get that kind of specialized machinery. Therefore, we have short-liners. They can manufacture a limited run of vegetable planters, specialized tillage, the kind of stuff we need for ginseng, potatoes and tobacco. They have been able to offer cheaper product. They've been able to offer alternatives to the more expensive equipment, and they have been in the forefront with respect to innovation and developing new machinery. They have a track record. They led the charge to bring in front-wheel drive, for example, and to bring in the articulated tractors and no-till equipment, the stuff that was not initiated by the very large manufacturers.

We know there are fewer companies; we know that mergers have been continually ongoing. There is more control now in the distribution. We don't have large tractor manufacturers in Canada anymore. We lost International in Hamilton, we lost Cockshutt, White farm machinery in Brantford, and we lost Massey-Ferguson in Brantford. We still have John Deere. It's been a while since I've been in their Grimsby operation; the warehouse is still there. So the way things stand today, the range of machinery being offered for purchase is reduced; competition is reduced. If a farm dealership closes down in many parts of Ontario, it means farmers have to drive perhaps an extra hour or hour and a half to get the parts they need.

This issue of dealer purity policy does threaten the survival not only of dealers but of the short-liners, and rural communities as well. It does not really contribute to spinoff economic activity in the rural ridings and rural areas that many of us represent.

Bill 168 is similar to what we have already in the provinces of Saskatchewan, Manitoba and Prince Edward Island. I think it's in Alberta now; it was awaiting royal assent a year or two ago. Again, as growing numbers of dealers begin to lose their businesses, governments in the United States have found it necessary to introduce legislation. Dealer purity is illegal in the United States.

I do wish to caution the House. We're certainly not going overboard on this one. I wish to quote from a 1969 paper in the *Canadian Journal of Agricultural Economics*. It's an article by W. James White, an economist. He is doing a critique of *The Challenge of Abundance*, the report that came from the Ontario farm income committee at that time. *The Challenge of Abundance* was written in response to the tractor rallies of the day at Queen's Park. The committee made some recommendations on the farm equipment industry, and he criticizes their recommendations. For example, believe it or not, the government of the day proposed that a corporation be established to distribute all farm equipment in the province of Ontario, to have the Ontario government distribute farm equipment in Ontario. It was a corporation called the Ontario Farm Machinery Crown Corp. There's some valuable stuff here. They would allow any dealer to handle any make of machine—that's what we are talking about today—and of course to reduce the cost of machinery. But to have the government distribute farm equipment in the province of Ontario smacks of socialism in my business, and over the years we have come a long way with respect to some of these socialistic recommendations from the Ontario government.

Some people say this issue can be worked out between the manufacturers and the dealers. It's pretty hard to negotiate with some of these large corporations like John Deere. The dealers have found that the Competition Bureau has been ineffective in protecting them. The behaviour has to be repetitive for the bureau to step in. Ontario's franchise legislation, the Arthur Wishart Act, also does not address this issue. So it looks like the responsibility to try and rectify this lies with the members of this House.

1040

**Mr. Mario G. Racco (Thornhill):** I'm pleased to speak about my colleague Ernie Hardeman's Bill 168. If this bill sounds strikingly familiar, that is because it is. PC Toby Barrett's private member's bill, Bill 76, Farm Implements Amendment Act, 2001, was introduced on June 6, 2001. It was carried over to the spring 2002 session as the Farm Implements Amendment Act, 2002, and was never passed. The Conservatives like to masquerade as friends of Ontario farmers, yet they let this bill sit on the order paper and eventually die after two years of inaction.

The amendments proposed in Bill 168 are more specific in nature than those proposed by OMAF. How-

ever, it is OMAF's position that these specifics would more appropriately be dealt with in regulation following further consultation with the industry.

Our Conservative predecessors sat on this legislation, and although we could commend their initiative, the fact remains that during the last five years that they were in government, Ontario lost 1,000 farmers per year. The Conservatives slashed \$80 million from agriculture, \$23 million was cut from policy and farm finance, \$10.3 million was cut from education, research and labs, and \$11.4 million was cut from food industry development. They sat on this just like they sat on that negative meat inspection memo for a year and a half and cut the number of provincial inspectors in plants down from 130 in 1993 to only 80. The Liberal Party of Ontario does not sit on those pertinent issues. We have since hired the necessary full-time meat inspectors needed to ensure the safety of our constituents. We will not sit back and jeopardize their safety like the Conservatives did.

Minister Peters has consistently and relentlessly supported Ontario's farmers. Just a few examples include:

Fulfilling Justice R. Haines's first recommendation through proclaiming the Food Safety and Quality Act, and promulgating a new, stronger meat regulation under the act took another step toward protecting Ontarians' health.

To ensure the financial health of our agricultural industry, we hammered out a better deal on the agricultural policy framework with the federal government.

To ensure that Ontario's food remains safe, we asked a prominent judge to conduct an inquiry into problems with food safety.

To help the province's farmers with the mad cow crisis and to adjust to a new generation of farm safety nets, we are spending \$74 million to provide stability for our farmers.

We have committed to providing as much as \$138.5 million in BSE relief funding and \$20 million in nutrient management assistance.

The government of Ontario will invest \$1 million toward the creation of an integrated anaerobic digestion facility that will convert the biogas from manure into heat and electricity.

To protect Ontario's dairy farmers from edible oil products, we passed the Edible Oil Products Repeal Date Amendment Act.

To help Ontario's apple growers better compete in the global market, we have established the Ontario Apple Growers Marketing Board. Brian Gilroy, the chair of the Ontario apple growers' steering committee, welcomes the government's announcement.

Our Liberal government is protecting the viability of family farming in the province by exempting the land transfer tax on farmland.

To enhance the safety of foods produced and processed in Ontario, we are investing in research projects designed to do just that.

To help Ontario's livestock industry deal with the effects of BSE, we are investing and increasing abattoir capacity for older animals.

We are doing many things—

**The Deputy Speaker:** I remind the member that we're discussing Bill 168, which is the farm implement bill. We should stick to that subject, if we can.

**Mr. Racco:** In closing, this act will ensure fairness, foster competition and consumer choice. Furthermore, it will encourage innovation in the farm implement sector and will give dealerships the ability to sell products from multiple manufacturers, specialized equipment distributors and to carry equipment manufactured locally.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** It's a pleasure to rise here today. As the member from Haldimand–Norfolk–Brant has said, doing the right thing takes a little while. The bill was introduced by that member in 2001. I've been told there have been two main ways for a private member's bill to succeed. One is through the legislative process to become law. That does happen some of the time.

I commend the member for Oxford for reintroducing this bill today because important matters are raised in his private member's bill. I'm happy to hear the members opposite speaking in support of this bill, especially the member from Hamilton East, whose riding is not rural but who understands the rural concepts and the challenges we're facing and the need for this bill to go through.

The Farm Implements Amendment Act, 2001, succeeded by having the government include these changes in the Rural Red Tape Reduction Act, 2002. The member from Oxford again was instrumental in bringing that forward. Unfortunately it didn't come into law, and the government has changed.

I was pleased to hear the present government members speak in favour of that. I think that maybe they were involved in some holdups of its passage before. But the government has not seen fit to address the farmers and the farm implement dealers by bringing this forward. We had hoped that Minister Peters would have introduced this earlier. He has not, and I want to give you a quote from Minister Peters that he made on June 21, 2001. He said during the debate, "I think it is a good initiative, and it's one I've recommended to our party that we support today." I'm hoping he's going to live by this, as he is the Minister of Agriculture and Food, and put this legislation into law.

We on this side of the House, the PC caucus, understand the importance of passing this bill and it's much needed. When the Farm Implements Amendment Act was being brought forward, I let a lot of businesses in the area know and the responses that have come back were that it's what the dealers and manufacturers have been waiting for—finally.

I think the member from Hamilton East touched on the point that we need to keep small businesses in operation. It's important that we have competition.

**Mr. Jeff Leal (Peterborough):** Callaghan Farm Supply in Lindsay.

**Ms. Scott:** Sorry, member for Peterborough?

**Mr. Leal:** Callaghan Farm Supply in Lindsay.

**Ms. Scott:** I did get that from Tom Callaghan and Callaghan farm machinery in Lindsay saying, "Finally, it's good."

**Mr. Leal:** Good people.

**Ms. Scott:** They are good people. We have a lot of good dealerships all through my riding, which is a very large riding, Haliburton–Victoria–Brock. Agriculture is very important there. I'm glad the member from Peterborough acknowledges that. I'm sure we'll have his support on this bill to make it law.

I have to move forward because we have a lot of members from our caucus who are here in support of it. I encourage everyone here today to support the bill. The member from Renfrew–Nipissing–Pembroke is a little anxious and wants to speak to it, so thank you, Mr. Speaker.

**Mr. John Wilkinson (Perth–Middlesex):** I have but one question: Why are we debating this bill today? It's because this bill has been before the House and the previous government, in its wisdom, decided not to support their own member, the member from Haldimand–Norfolk–Brant, when he put this in. I know enough about this place to know that if the previous government supported this bill, it would be law. My God, the current Minister of Agriculture, Steve Peters, supported the bill, so I'm sure there was no problem with the opposition. I'm sure that the member from Hamilton East, who showed us today that she has an interest, let's say, in rural affairs—perhaps not a grasp of the issues of rural Ontario, but she does have an interest and we appreciate that.

I ask the question, why is this not the law today? Because the previous government, while they talked about rural Ontario and they talked about supporting the farmers, actually didn't get around to the business of doing something that we all agreed to.

**1050**

It must be difficult, I'm sure, for my colleague from Oxford, the former Minister of Agriculture and Food, that this matter has come back yet again to this House. So I say, just so that we're consistent, our members here are fully in support of the retreat of this bill that came from the previous government that just did not have, obviously, the support of the members of the PC caucus, when they formed the government, to move this bill forward. I know that the Minister of Agriculture and Food has told me personally how he supports this bill.

Despite the frustration that I'm sure they're feeling by having to bring this up—really, it has to be galling that they have to do this—we are looking forward to supporting this bill. Our farmers want it. The implement dealers want it. On behalf of all of us in our caucus, rural caucus, I agree with the member from Huron–Bruce that this is a great bill. It will be interesting to see that this bill actually sees the light of day, particularly with the support of our Minister of Agriculture and Food.

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to join in the debate today and to support the

member from Oxford and his private member's bill, Bill 168, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector.

This bill really is about increasing competition for farm dealers. There are these agreements between the distributor and the dealer that restrict the ability of the dealer to sell other lines of implements. This bill would allow a dealer—for example, a John Deere or a Case or a Ford New Holland dealer—to also sell implements that may be made locally, just down the road, for example. This will be a positive for rural Ontario. It will increase competition. It will allow products that may be less expensive and of better quality to be available to farmers. It will also support the local manufacturers in Ontario. That's a good thing.

I'm very pleased that the member from Oxford is standing up for rural Ontario in bringing this bill forward. I note that the member from Haldimand–Norfolk–Brant has brought this bill forward previously, I believe it was in 2001. Surely, it's important for the rural PC members to bring this forward, because we see that the government and the Minister of Agriculture is neglecting rural Ontario. They haven't given any of the gas tax to the small communities across rural Ontario. We see the farmers having to go to such extreme measures as blocking the 401 and coming here to the Legislature on March 2 and March 9 to protest the actions of the government. So it's good to see that a rural PC member is sticking up for rural Ontario.

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** Right out of the farm gate, I'd like to say that I support this bill. Certainly, during the campaign and later, I myself was approached by a person who was then the president of ORFEDA, which is the Ontario Retail Farm Equipment Dealers' Association, about this very matter. He told me about the fact that this had been before the House and somehow had not moved through, had never really been finalized or passed into law. In my mind, I wonder if maybe with this bill there is a bit of political plowing going on here. But I know that the member from Oxford has the interests of farmers at heart, so I would never accuse him of any such thing.

I want to tell you about our own situation on the farm and what happened to us. A few years ago, René and I needed to buy a tractor. We had to make a decision: It was either going to be the John Deere tractor dealership, which was further afield, or our own local dealer. We decided to go with our own local dealer because it meant that we would have him very close by. If René needed to go in for repairs, he could drive the tractor there. He could pick up the parts in and out of town, and it was going to be very convenient for us to do business there. We certainly wanted to support our own local business, and so we did. We purchased the tractor there. But what happened was, within about a year and a half, there was suddenly this enforcement of the dealer purity clause, and our local dealer had to close their tractor line. They went to a short line of small equipment, but we were no longer

able to go there and we had to go quite a bit farther to get the parts.

So what that meant was that René stopped taking the tractor to the dealer and having them do the work. The mechanic lost the work. René would simply go—and still does—and get the parts and do his own repairs. That's had a very real impact on our community. When he does need to take it in for repairs because he can't manage it himself, he has to ask the dealer to bring out the float. They draw it back to the dealership, they do the repairs, they float it back, and it all takes extra time. More importantly, it means that in my community we lost a viable business. That business continues to struggle.

So for us as farmers, dealer purity has been a real problem, and we really want to see this issue solved, so I certainly support the member's bill. In terms of farmers—and I heard talk about supporting farmers—make sure you buy Ontario first. That's how you can support our farmers.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I'm pleased to stand in support of my colleague from Oxford this morning, speaking on Bill 168. Again, I congratulate the member from Haldimand–Norfolk–Brant for introducing this bill back in 2001.

This bill reflects the changing times that we have in commerce across the province of Ontario, and indeed across the world. I grew up in the hardware business. We owned a hardware store. The hardware store of 2001, when my wife and I sold the store, didn't much resemble the hardware store of 1950. So many businesses reflect those changes.

At one time, if you wanted to buy an extension cord or a rake or a shovel, or you wanted to buy some bolts, the only place you could go was the hardware store. But as times changed, some of those products became available at your local supermarket, they became available at your local pharmacy, because the consumer wants availability of products in as many different locations as possible. We live very busy lives, and the consumer wants that availability. They don't want to be restricted to having to go to one particular location to get one particular product.

This bill is saying that farmers should be afforded the same kind of service. They should be able to get the equipment they need from more than one source in their particular area. I congratulate the member for bringing this forward to the House. You see, farming doesn't involve as many people as it used to years ago, either. Can a dealership survive today if it is restricted to selling the products of one particular manufacturer or if it has to have a dealership agreement with only one particular manufacturer?

I think it's very important for the sake of our farmers—who are suffering badly these days, and much of that because of the neglect of this particular government—that they be afforded that choice, to have the availability of those implements in this day and age. This bill will give the farmers that choice. As we all know, it's about time in the province of Ontario, because since October 2003, they haven't been given much. We're trying to give them something here, and we hope that in

other key agricultural issues, this government does start to see what kind of plight farmers are suffering in this province and starts to address those problems as well.

**The Deputy Speaker:** Mr. Hardeman, you have two minutes to reply.

**Mr. Hardeman:** I want to thank all the members who spoke: Renfrew–Nipissing–Pembroke, Parry Sound–Muskoka, Lambton–Kent–Middlesex, Hamilton East—the urban member speaking—Huron–Bruce, Haldimand–Norfolk–Brant, Thornhill, Haliburton–Victoria–Brock and Perth–Middlesex. I thank them for their kind comments. As I started, I made the assumption that I would hear no one speaking in opposition to this bill because it is such a necessary and useful piece of legislation for our rural community.

The other thing that I mentioned in my opening remarks, and I just want to quickly comment on it, was that the problem we have in rural and agricultural Ontario is that we don't seem to be able to get the message out to the urban majority of our population on the importance of agriculture and the challenge they are facing. I said that it was our job as the rural members to convince the urban people to understand the problem. If they understood the problem, then they would support the solutions that are required.

I think the member from Hamilton East did a wonderful job of proving me right once again. When she looked at the bill and the explanation of it and understood the implications of not having this piece of legislation, she stood up very appropriately, spoke to it and then supported the bill because it would help not only farmers, but if it helps farmers and food production in Ontario, it indeed will help the province of Ontario. I want to thank her for that.

**1100**

I also want to say that there was a considerable debate about the length of time it took to bring this forward. I think it's somewhat indicative of the problem we have in this Legislature: Even though everyone agrees, it just doesn't seem to be able to get done in an expeditious manner. So I put that to you, Mr. Speaker. Maybe you could look at some way to make sure that when something is supported by everyone in this place, it could, in fact, become the law of the province in an expeditious manner.

I am very thankful, with the discussion this morning, that we look forward to a positive vote for this and that it can be called for third reading and brought into law in the province. Thank you very much.

JAY LAWRENCE AND BART MACKEY  
MEMORIAL ACT (HIGHWAY TRAFFIC  
AMENDMENT), 2005

LOI DE 2005 COMMÉMORANT  
JAY LAWRENCE ET BART MACKEY  
(MODIFICATION DU CODE DE LA ROUTE)

Mr. Rinaldi moved second reading of the following bill:

Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act / Projet de loi 153, Loi modifiant le Code de la route à la mémoire de Jay Lawrence et Bart Mackey.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Rinaldi, you have 10 minutes to lead off.

**Mr. Lou Rinaldi (Northumberland):** The common phrase by all members when we stand in this House is that we normally say it's a pleasure to stand here today and speak about something. Indeed, it is a pleasure, but under these circumstances, I'm having difficulty saying it's a pleasure.

Having said that, Bill 153 is legislation that's long overdue in this province. Before I get there, I would like to recognize one of the families that was impacted by what we're trying to correct, the Lawrence family, that is here with us today. Unfortunately, the Mackey family could not join us. Mr. and Mrs. Lawrence are here in the members' gallery, and I certainly appreciate their being here today. They're here because they believe we're missing some laws in the province of Ontario for the betterment of the health and safety of all.

Before I talk about the bill, I'd also like to acknowledge my assistant Travis Hoover for the work he put toward this, my EA Elaine Palmateer and, of course, legislative counsel that was there to help us.

This bill is not new to this House. It was first introduced by Mr. Doug Galt, a former member of the now opposition. I think we heard from the previous speaker that sometimes, even though we all agree, things don't get done in an expeditious manner. I want to thank Doug for initiating this. But, of course, it got lost.

This started during the election campaign over a year ago, when I had the good fortune of meeting some of these folks. They said, "You know, if you do get elected"—I got a sense of what had happened, and I knew what had happened. They don't live very far from where I live in the riding. So I guess I'm delighted to resurrect that today and move it forward.

I want to talk about a little background on why we're here. Early in the morning of July 30, 2000, Jay Lawrence and Bart Mackey headed home, riding in the back of a pickup truck, after spending the evening with a group of close friends. The truck that the young men were riding in was involved in an automobile accident, which resulted in these two young men being thrown from the box of the truck and killed instantly.

There cannot be a worse experience in the world for a parent than having a police officer knock on the door in the middle of the night. We can only imagine the heartache the family, the friends and the community have suffered with the loss of two remarkable young men. The hopes and dreams and bright future of Jay and Bart were taken away in an instant, but this could have been prevented.

To remind us again, on August 24, 2004, in Manitoba, two 20-year-olds were killed while riding in the back of a pickup truck. It just seems too similar. A 20-year-old

man and a 20-year-old woman from Opaskwayak Cree Nation were riding in the back of a truck with 16 other people. Those 16 other folks also got hurt.

It's hard to believe that we have laws in this country, in this province, that if we put a dog in the back of a truck, he's got to be tied down. He actually has to be tied down; he cannot be loose. Yet we allow people—adults, kids—to ride in the back of pickup trucks with no restraint, and it's legal. It's hard to believe.

Going back to the year 2000, the Canadian Public Health Association passed a resolution calling on all Canadian jurisdictions to take action to make it illegal for passengers to ride in the back of pickup trucks. The reason they did that is because they know that injuries happen, deaths happen, when we allow that.

I'm just going to read an excerpt from the resolution they passed, to give you some sense of the scope and magnitude of what we can prevent: "Whereas the head is the most frequently injured body region following a fall or ejection from the back of a pickup truck, and the direct average cost of care during the first year following severe brain injury can be as high as \$300,000, with a lifetime care cost ranging from \$2.5 million to \$5.5 million"—that's just from an injury. That's not a death; it's an injury.

It seems that some provinces in Canada get it. I guess we in Ontario don't get it. British Columbia, New Brunswick, Northwest Territories, Nova Scotia, Quebec and Alberta have legislation of some sort to regulate riding in the back of pickup trucks. Ontario, Prince Edward Island, Saskatchewan, Manitoba, Yukon, Newfoundland and Nunavut, I guess, just don't get it, and we need to step up to the plate.

This is not just a novelty in Ontario, in Canada. Some staggering numbers, for the record: A Washington state study found the fatality risk is 10.4 times higher for persons riding in the cargo area than the risk to the general population involved in collisions. So it increases tenfold. How simple. Over 200 deaths per year occur to persons riding in the back of pickup trucks, in cargo beds. More than half of those are children or teenagers.

Let's assume we don't change the law. Let me tell you that people riding in the back of a pickup truck, even with no accident happening, especially in trucks that have a covered area in the back, will be exposed to dangerous carbon monoxide poisoning from exhaust fumes, and we just seem to take that for granted.

It became very important to me to move forward, as I said before, bringing back this bill from a previous member of this Legislature. I'm here today—before I get there, we do have support from the Ontario Association of Chiefs of Police. They want to see this move forward, because it's going to make their life easier. Along with the Police Association of Ontario, which is very supportive—not that they only want to control accidents, personal injury or even deaths. I had a conversation with one of these folks, and one of their hardest tasks is to go to a parent's door, a relative's door or a friend's door in

the middle of the night, or any time of day, and bring that horrible news. That, to them, is a tough task.

**1110**

So in closing my time, what I must tell you is that this is almost too simple. We sometimes fight to understand things. We as legislators in this province and in this country get criticized a number of times—from my constituents, and I'm sure all of your constituents—that legislators put too many laws in place, we over-regulate things, we get in their faces. Yet we totally ignore something as simple as what I'm bringing forth today in this bill. In the last few seconds that I have, I think maybe that as legislators we should stop worrying about those grandiose things and start dealing with some of the realities of life that are simple to achieve, to protect the lives of folks in the province of Ontario. So I urge all sides of the House to help me and help those families reach their goal, because they really want to put this to bed and they're here today because they don't want to see another parent suffer what they suffered some four or five years ago. I urge the House to support this bill and to move it along. Thank you.

**The Deputy Speaker:** Further debate?

**Mr. Ernie Hardeman (Oxford):** I rise in support of Bill 153, which is a bill dealing with the issue of carrying passengers in the back of commercial vehicles. Yes, I will again be voting in favour of this bill during second reading debate, although I strongly believe that the bill should go to committee and strongly urge and respectfully ask that this bill be sent to committee hearings for some fine-tuning. There are several concerns I have with the bill and I look forward to speaking to and addressing these with Mr. Rinaldi, the member from Northumberland, prior to third reading.

As I said, I will again be voting in favour of this bill, and please allow me to explain. On May 2, 2001, my esteemed former colleague Dr. Doug Galt, the former member from Northumberland, introduced this bill, which was then Bill 33, under the same title. I supported the bill then and I support it today. The most significant difference between that bill and this one is the lack of additional protection for agricultural, farming and parade-type vehicles. I would hope that these necessary and important protections for our farmers would be amended into the bill prior to third reading.

This bill is similar to the previous one in that it is trying to change the behaviour and action of people and how they deal with vehicles and ride on them. During the second reading of his bill, Dr. Galt read a letter from a girlfriend of one of the young men killed on that tragic day in 2000. I think it's appropriate to read that letter again into the record:

"On July 30, 2000, my world came crashing down when my boyfriend Jason Lawrence was instantly killed when he was ejected from the back of a pickup truck. Jason and I lived an incredible life together and had planned every minute of our future together. Little did I know on July 29, as I sat waiting for him to get home, he would never return. The accident also involved two other

friends riding in the back of the truck, Bartley Mackey, who was also killed instantly, and Robert Toddish, who suffered serious head injuries.

“I did not share this story with my class or write this letter for sympathy, but simply because I feel this issue needs to be addressed immediately. After receiving the only perfect mark in my class for my presentation, and noticing the level of interest I obtained after I concluded my speech, I found comfort in believing I had changed the beliefs of so many impressionable people. Simply because I find it so hard to justify why it is illegal to ride in a closed vehicle without restraint, but it is legal to ride in an open vehicle without any restraint. I cannot think of a single logical reason why this has never become a law.

“I am hoping that this letter may make even a few people sit back and realize that something needs to be done to prevent anything similar to this from happening in the future. I have witnessed the horrible grief that has surrounded all the friends and family of these young men. A law surrounding riding in the back of a truck can prevent accidents like this in the future, and the pain and grief that follow tragedies. In conclusion, please take my words seriously and make it illegal to ride in the back of a truck. This law will make anyone who chooses to ride in the back of a truck to think twice about their decisions, because laws are made for reasons. I truly believe that my story is reason enough.” It’s signed by Jennifer Shepherd.

How many times have we seen our children, teenagers, and others just like them in a similar circumstance, overcrowded and riding in the back of a half-ton truck? This is particularly true, Mr. Speaker, in rural Ontario. Certainly this legislation can prevent similar deaths by changing that kind of behaviour.

We are not the first in Canada to put forward a law to prevent people from riding on the outside of vehicles. This is in place in several other jurisdictions across Canada. A simple change to our transportation act would accommodate and prevent people from riding on the outside of a commercial vehicle. In general, it prohibits anyone from riding in the cargo bed of a commercial truck.

The reason I’m urging that this bill go to committee is to ensure that motorcycles and fire trucks would be exempt. I would also ask for exemptions for people engaged in agricultural work, horticultural work, road construction and municipal work. We should also be looking at parade vehicles. Certainly that is a very different kind of atmosphere and speed. I suggest that these concerns could probably be dealt with at committee.

The other provinces with similar bills specifically deal with some of the special circumstances I just mentioned. For example, Alberta has an exclusion that says, “Vehicles forming part of an entertainment exhibition that has been approved by the council of the municipality in which it is taking place” are exempt. The province of New Brunswick has a similar specific exclusion. These types of exclusions should be in this bill, and that’s an issue that could be dealt with at committee at a future

date. New Brunswick also has a provision that goes into a little bit more of an elaboration with respect to construction: “A motor vehicle engaged in highway construction or maintenance.” New Brunswick also offers exemptions where passengers are being transported to and from a work site. There may be other items, exclusions that need to be discussed when this bill is in committee.

In conclusion, I believe this is indeed good legislation, and it’s certainly emotional legislation, particularly after reading this young lady’s letter. It’s been said that of all the duties of government, the most important responsibility is to keep its citizens safe. Motor vehicle accidents are the leading cause of death among young people, and with some of the aggressive driving we’re seeing today, I don’t think there’s any question that it’s increasing. Anything that we can do about aggressive driving would certainly help.

There’s a significant amount of research that would support this bill. People are 25 times more likely to be ejected from the cargo area of a vehicle than they would be if they were in the cab. We certainly have many other jurisdictions which have passed similar legislation. It is really an important step in the continuation of making sure that our roads are the safest in the country.

There are some issues with regard to agricultural exemptions and speed limits, as I’ve mentioned, and things like that, but I think those are issues that certainly can be dealt with before it goes to third reading. Farmers will need to be assured that this bill will not disrupt normal farming operations, especially at a crucial time in our farming communities such as we’re having today.

I rise in support of this bill and of sending the bill to committee, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act. I thank the member for Northumberland for bringing this forward again. This goes to the same problem as we spoke to on the earlier bill: It has been introduced, it is a good bill, everybody supports the bill, and here we are doing it all over again. I would hope, and I would ask you, Mr. Speaker, to expedite the process to make sure that it comes back and becomes the law of the province of Ontario.

Thank you very much for allowing me to speak to it.

**Mr. Gilles Bisson (Timmins—James Bay):** I just want at the outset to say we will support this bill at second reading. However, I do think it needs to get into committee.

Just taking a quick look at the bill, it would appear to me that some amendments need to be done to it. Specifically, in section 1 of the bill, adding 188.1(1), we’re really dealing with commercial motor vehicles. I guess the question we have to ask ourselves in committee is, should a bill like this extend to all vehicles, or just commercial vehicles? I get an indication from the drafter of the bill that in fact he thinks this needs to be amended as well.

**1120**

I think, as well, we need to have a bit of a discussion about some of the language of the bill. Again, I think this

is something that could be fixed without too much difficulty in committee. I'll just read here, Speaker, because I've been dealing with legislation for some 16 or 17 years now, and it always amazes me how legislative counsel can draft something to make it as ambiguous as possible so that when we do end up in court, we've got to pay lawyers a big amount of money to figure out what they were really getting at in the first place. I think it's incumbent upon us as legislators to be pretty darn clear in what we want. I don't blame the member, because all of us send our stuff off to leg. counsel. I'll just read this, and you'll know what I'm getting at.

The section says, "No person shall drive a commercial motor vehicle on a highway while any person occupies the truck or delivery body of the vehicle..." We understand; that's pretty clear. The first amendment might be, do we want to take "commercial" out and say "all trucks," all of these types of vehicles? That would be the first thing, and that would be pretty clear. But then it gets into the second part, which I find to be a bit of mumbo-jumbo. Please bear with me. It says, "...except if the vehicle is being driven at less than 25 kilometres per hour..." I understand what we're getting at here. That's talking about, for example, a situation where you're at the cottage and you're moving a shed that you've got in the back of your truck and somebody has to hang on to it; that you're going to move it from yard A to yard B or you're going to the dump and you're going to be driving really slow. We understand what we're getting at; that's the intent here.

Now it gets into the second part, which I think gets a little bit more convoluted: "...that is not designated as a controlled-access highway under the Public Transportation and Highway Improvement Act." Well, that could mean a whole bunch of things to different people. Does it mean all highways patrolled by the Ontario Provincial Police, any highway under the Highway Traffic Act? Does that give some kind of exemption where you can do this? I think we've got to be really clear about what we're talking about.

I support where the member's going. I wholeheartedly understand what he's trying to do here. I see the parents here who have suffered this loss, and there are many others across this province and this country who have had to suffer your loss. We extend our—I don't know what to tell you. I am a parent. We have two kids. I don't even know where to start. I hope I never have to live that. Anyway, we'll leave that there.

In the second part of the bill, we get into talking about how we limit people in vehicles while they're being towed. Now, I understand this. This is pretty logical stuff. It's where there's a car breakdown or an accident and the owner of the vehicle wants to get into the back of the car or truck while it's being towed by the tow truck back to wherever it's going. I've seen that. My nephew was a tow truck driver, and he'd tell me some of these stories. He'd almost have to get into arguments with people, saying, "You can't get in the back. You sit in the tow truck with me." If something happens, if there's an

accident to the tow truck, you're in a heck of a lot better position of being hurt in the vehicle behind than if you were in a belted seat in the tow truck itself. So I understand where the member's going with this.

But under subsection (2) it says, "No person shall occupy the truck or delivery body of a commercial motor vehicle while the vehicle is being" towed "except if the motor vehicle is being driven at less than 25 kilometres per hour on a highway that is not designated as a controlled-access highway...."

I think we need to have a bit of a discussion about where we're going with this. I think you're trying to say that there are times when people need to do these things and we want to allow that to happen. We don't want to cover off, for example, bush roads where people are going hunting and you set something up in the back of a truck as a spotter. People do those kinds of things. I take it that's what you're trying to get at. In committee, we're able to deal with those issues, and I don't have any problem.

However, I want to speak to a larger issue. This might be seen as being unsupportive, but I don't want you to take it this way, please, especially the parents. We have a tendency in our Legislature and in Legislatures across this country and in other places of the world that whenever there's a problem, we try to bring a law to try to fix it. I understand our response in doing that. However, I ask myself the question, if this law was there, would this accident have happened anyway? It's not nice to say, but who knows? It could have happened. We all do silly things at times. I've survived many of them, and I think a lot of us have survived some pretty stupid things we've done in our lives. It really comes down to a couple of things. We do the best we can as parents to teach our kids the right thing, and I'm sure that's what you, the parents who are here today, did in your case. But we have no control, once the children walk outside the door, over what they're going to do.

For example, a couple of weeks ago, our youngest daughter, who's here in Toronto, called at 11 o'clock at night and said, "Dad, it's spring break." It's her last year in university. She wants to come home. She's fed up with the big city. She and her boyfriend are going to pack up the car and drive up to Timmins. I worried. I stayed up all bloody night. My kid was on the highway and it was snowing. She's 22 years old, with her boyfriend. I didn't sleep all bloody night. I stayed up until 5 in the morning or whenever it was that she came in, after my saying, "Are you nuts? Wait until daytime. Don't drive at night. What are you doing?" Well, she does what she does. She's 22 years old and he's 25. What am I to do? You say to yourself, "We can't legislate that kind of behaviour."

I'm just trying to say that we can try to legislate this, but we need to be clear that people are still going to do some things that they shouldn't, because they're human beings.

The other issue is that if this law has any chance of having any force, you have to have a way of being able to

police it. That's something you've heard me harp on many times in this Legislature. People don't break laws if they fear being caught. How many people are going to get caught if we don't have the proper number of police in our communities or on the highways to police a law like this?

Now, there's a balance of how many police you need. I was in Tokyo this year and went through the most secure airport I've ever seen in my life. There were police officers every five feet almost. I thought, "Whoa, that's kind of overdoing it." That looked kind of weird to me. I'm a bit of a New Democrat socialist, but I'm also a libertarian when it comes to individual rights. It's kind of a weird way of looking at things, but that's the way I am. I guess that's the way most of us are. It's not a political affiliation thing. We really enjoy our freedoms and feel very uncomfortable when freedoms are challenged.

The point I'm getting at is this: If this law has any chance of being enforced and hopefully saving some lives, at the end of the day, it's going to have to be policed in such a way that people feel they may get caught. If they feel that way, they're less likely to go out and do it. So if I, as a parent, have not been able to get through the skull, if you know what I mean, of my 22-year-old daughter, who went out on the highway at 11 o'clock at night—I hope she's watching this, because yes, I didn't sleep, Natalie—then there is some other mechanism, once they walk out the door, to make them think twice, to say, "Not only did my parents try to teach me some good things about taking responsibility, but there is also the issue that we might get caught."

You will have to pardon me. I'm going to digress. It's the Highway Traffic Act, so I'm allowed to deal with this. I want to reflect on something else altogether that is not related to this particular bill specifically, that is, the issue of traffic. I just put this out there for people to think about, and I'm not suggesting we go there. I look at traffic flow in a city like Toronto or Windsor or Timmins or wherever it is. In our system of the way we devise traffic, we are always making laws to try to control traffic, to control how fast people drive and to control how safe they are in their driving habits, and putting up stop signs and red lights and yields, all kinds of rules about how you can drive. We send our kids off to school to learn all the rules so they learn how to drive according to the rules in the Highway Traffic Act. Yet we still have tons of accidents. The congestion on our roads is, quite frankly, pretty bundled up. If you take a look at Toronto, this light is red so everything is stopped. The next one is green. Traffic flow is really quite congested and bad.

I was in Vietnam in January. This is the nuttiest place I've ever seen to drive. But there ain't a stop sign, there ain't a red light, and the Highway Traffic Act only says one thing: You drive in the middle of the road in both directions. It sounds nuts, right? There are fewer accidents. The traffic moves. It's an interesting comparison. I guess all I'm saying is that at some point we need to think about how many rules of the road we need versus safety versus getting the traffic moved.

I've been in different parts of the world. How many people here have been to Rome? Right? It's the same idea. The traffic just moves at all speed in Rome and nobody pays attention to the rules.

**Mr. Rinaldi:** They have a lot of horns, though.

**Mr. Bisson:** Listen, there are lots of horns in Vietnam. I swear to God that everybody at birth has their thumb attached to the button on their mopeds and the horns of their cars, because I'll tell you, all they do is blown their horn. But my point is that people watch out for themselves far more in those environments than we do in ours. For example, the pedestrian who crosses the street in Hanoi or Saigon, where traffic is just horrendous and it's going every which way, with motorcycles, trucks and all kinds of rickshaws—you name it. It's just total mayhem when you look at it. But people watch out for each other. The pedestrian doesn't walk out on to the road and expect that the red light coming the other way is going to protect them. The pedestrian looks both ways and says, "I'm not going to trust that a red light or a stop sign is enough to save my life. I will look." A person looks and works their way across the traffic.

**1130**

I had an opportunity to meet with some of the members of the national government when I was in Hué, the old capital, and I asked them, "What stats do you have around fatalities and accidents?" They provided me with some stats a couple of days later. I was surprised. For a country of 80 million people and with the number of vehicles they have registered in that country, there are far fewer accidents by ratio than we have in Canada. I thought, isn't that interesting? The point is that we need to take some internal responsibility.

You know what? Oh, I should keep on going? I just realized the time. I hogged all the time from my friend the member from Hamilton East. Will you forgive me? It's just terrible that I did that. Do you want any time?

**Ms. Andrea Horwath (Hamilton East):** That's OK.

**Mr. Bisson:** Sorry about that.

I would just say that we can try to legislate this stuff as much as we want, but at the end of the day, we, as pedestrians and as drivers and as passengers, need to take some responsibility ourselves.

I just come back to that experience of Rome or Vietnam or wherever it might be, where people take the time when they walk out on to the street to look both ways. Drivers are looking for those kinds of things.

The interesting thing in Vietnam—I asked, "Who gets charged when there's an accident?" He said, "Always the biggest vehicle." Really, when you think about it, it's the one that does the most damage. I started having some chats with some people about that, and they said that the bigger your vehicle, the larger your responsibility to make sure you watch what's going on, because you have more potential of doing more damage. I thought it was kind of an interesting thing.

I just say to my friend who has put forward this bill that we will support it. There are a couple of things we need to do in committee to make sure we clarify. But at

one point, I think it would be interesting as a Legislature to refer the Highway Traffic Act and all those rules back to a standing committee, or even if we don't refer it to a standing committee just have a standing committee take a look at this whole issue, because it seems to me that we keep on making rules and we keep on having fatalities, and I sometimes wonder how effective we are.

For example, the government has amendments to the Highway Traffic Act that I was reading through this morning in preparation for the debate that I imagine we're going to have next week or the week after on the amendments the minister has made to everything from speed limits to you name it. I look at it, and what you've basically got is a whole bunch of fee increases. I just say to myself, the fees are hefty enough as it is, and if people aren't afraid of being caught at these fees, I don't think they're going to be any more afraid of being caught with higher fees.

With that, I just want to say to the member that we will support it.

I've got a minute and 30 seconds left, but I have nothing else to say, so that's it.

**Mr. Jeff Leal (Peterborough):** I appreciate the opportunity to speak on Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act. I've had some chats on this issue with my good friend the member for Northumberland. I want to say that the member from Northumberland follows in a long tradition of exceptional members who have come to this House to represent their riding. I think of Doug Galt, Joan Fawcett, Howard Sheppard, and a former Speaker of this House, the Honourable Russell Rowe, who was very distinguished—as you are, Mr. Speaker—in that chair. He had about a four-year reign as Speaker of this House and is recognized as one of the great Speakers in this area.

I think this is an important piece of legislation. Personally, about three years ago, I had the opportunity to buy my first pickup truck. I have two young children. I have a son, Braden, who's six, and my daughter, Shanae, is five. The member from Oxford kids me about my truck. It's parked out front; it's the one that has the grey duct tape holding in the headlight. I hope to get that fixed soon. But the serious side of this is that both of my children play hockey. The Evinrude Centre in Peterborough is about five minutes away from my home. When I'm taking my kids, I put either my daughter or my son in the front seat, and we load the hockey equipment in the back. Each of them has always asked me, "Dad, can we ride in the back?" It's only five minutes away and there's a sense that that might indeed be a safe thing to do. But I certainly indicate to them that they have to go with my wife, Karan, and ride in the car, where they can be safely buckled into the back seat.

I think this legislation certainly needs to go forward. I'll just quote a few statistics here. It indicates that "Over 200 deaths per year occur to persons riding in" the back of pickup cargo trucks. "More than half the deaths are children and teenagers. In addition, children riding in

covered cargo beds are exposed to the danger of carbon monoxide poisoning from exhaust fumes.

Parents with pickup trucks should only allow their children to ride with them if the children can be firmly secured with safety belts inside the cab of the truck."

There's an interesting article here, Mr. Speaker, that I'll share with you. It comes from Tom Grace, who is a reporter with the Cooperstown News Bureau, a community in the United States. It says:

"Hartwick—Hartwick Town Justice Orrin Higgins is trying to change a state law that allows children to ride in the back of pickup trucks.

"It's dangerous and you see it all the time," said Higgins. "Kids ride in the back, and all it takes is a bump or accident and they're spilled out on to the road, usually on their heads."

In his particular community, "State law regulates who can ride in the back of a truck only when the trip is more than five miles long. For such trips, the driver or owner must assure that the truck has a tailgate and side racks at least three feet off the truck bed, or no more than a third of the people in the truck can ride in the back.

"That law's old, hard to understand and incredibly inconsistent," said Higgins. "When you're driving a car, you have to have the children in seat belts and child seats, but in a pickup, they can ride in back, bounce around and that's legal."

"It's really a throwback to the horse and buggy days," he said."

He went on to say he contacted the local state senator, a man by the name of James L. Seward, who is a Republican from Milford, and state assemblyman, Bill Magee, who is a Democrat from Nelson, about his concerns. Both of these individuals shared the concerns that were articulated very clearly by the local justice and picked up on the essential nature of Bill 153 that we are discussing today.

He went on to say that in his particular area of the United States, there have been over 200 deaths and injuries resulting from riding in the back of trucks, and it's a serious problem that needs to be addressed.

There are other examples of very tragic situations. I'm quoting from an article of August 24, 2004:

The deaths of two 20-year-olds in The Pas, Manitoba, in an August 21, 2004, pickup truck rollover have led to renewed calls to make it illegal for passengers to ride in the open box of pickup trucks.

"According to news reports, 20 people were riding in a pickup truck near The Pas—14 in the open bed and six in the cab." That just demonstrates why this bill should move forward at this particular time.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to rise today to speak on Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act.

We're debating the bill here today, and many members have mentioned that it was originally brought forward by the member from Northumberland, Dr. Doug Galt, so it is fitting that the new member from North-

umberland reintroduce this bill this morning in the Legislature. I appreciate that he's doing it so we have a chance to consider tightening up safety laws that we have in the province.

When it was initially introduced by Dr. Galt, the bill went quite far along in the process in becoming law. It received second reading and had gone to committee for consideration. Unfortunately, it didn't have the chance to come forward for third reading. I had a chance to review some of the committee discussions. They were quite good and quite thoughtful and with some good recommendations. I know Al McDonald reintroduced the bill in 2002. He was the former MPP from Nipissing. I see that Mr. Rinaldi has incorporated a lot of the amendments the committee brought through, improving the bill, and the work is not going to be lost.

One of the things I worry about in the bill, and some of the members have mentioned, is the lack of protection for farmers. I understand that there could be regulations made exempting any class of motor vehicle or passenger, but the key word here is "may." When the word "may" is used, it also encompasses the possibility that regulations may not be made. We really have to look at that again so that there is protection for farmers built into the body of the bill rather than leaving it to the regulations. We've also mentioned parades. I think there's a lot to work with here, that we can make some improvements and do some fine-tuning.

#### 1140

I want to take a few minutes to reflect upon the fact that the bill was named after the two people who were involved in the tragic accident in which they were killed suddenly on July 30, 2000, and in which their friend Robert Toddish received serious head injuries, when they were in the accident and ejected from the back of the pickup truck. I come from a rural riding and grew up in a small town. For sure, we took lots of rides in the back of pickup trucks between farms on rural roads.

I've nursed at the local hospitals and even in Toronto. We had many patients airlifted to us in Toronto and that we airlifted from the rural hospital, who had been involved in such tragic accidents. The same can be said with motorcycle accidents—just no protection when you are thrown from the vehicle. It is a fact of life in rural Ontario that you do use a pickup truck, as the member from Peterborough said. And duct tape is also used sometimes to hold it together.

Motor vehicle accidents are certainly the leading cause of death among our young people. I had a young cousin who, before he reached his 20th birthday, was killed tragically with another young person from Bobcaygeon in a motor vehicle accident. There's certainly the devastation that the families incur when young people pass on and the effect that it has on their friends. There was a great letter that was read by the member from Oxford that I think emotionally and quite eloquently put the devastating effects that these accidents have on our small communities and on young people.

Anything that we can do to protect the safety of people we should do. It is our responsibility as legislators. I'm happy that the bill is being brought forward again by the member from Northumberland. It's going to be studied in committee. We're going to have discussions about the regulations and how it can be enforced reasonably, to not hamper some of the stakeholders that were mentioned. I congratulate the member from Northumberland for bringing this forward, and I look forward to sending it to committee.

**The Deputy Speaker:** Further debate? The member for Perth—Middlesex—excuse me; Hamilton East and then—

**Ms. Horwath:** I think I have—

**Mr. Bisson:** We've got one minute and 37 seconds left.

**Ms. Horwath:** Yes, my very generous colleague from Timmins-James Bay left me a minute and 25 seconds, during which I wish to say two things, really. One is how much I respect and have a great amount of deference for the family of the young man who was killed in the traffic tragedy that initiated this bill. I'm a parent as well. My son's only 12 and isn't in that realm yet of all of the very frightening issues around automobile accidents. The Lawrences are extremely courageous. I respect them a great deal for following this through for so many years after the tragedy and ensuring that this bill was brought forward. I thank the member from Northumberland for bringing it forward.

I will be supporting it, but I do recognize in discussions with the member that he will be looking at possible amendments to deal with overall pickup trucks, not just commercial vehicles but the ones that young men in their 20s generally like to drive. I look forward to those amendments. I think that they're important. I'm a little bit concerned that those amendments are going to go in the wrong direction. I think that just as private citizens need to be protected, so do workers when they're travelling in these kinds of vehicles, and I expect that that will be protected as well.

**Mr. John Wilkinson (Perth—Middlesex):** I would like to join in the debate today in support of my good friend the member from Northumberland and speak about two things: tragedy and hope. I would like to address my comments to the Lawrence family, who are here today.

I recall that the great American President, and a wonderful orator, a man named Theodore Roosevelt, said, "Death is always and under all circumstances a tragedy, for if it is not, then it means that life itself has become one." It's true of the human condition that we take tragedy, as human beings, and we show the bravery that you are showing here today; we take that tragedy and we turn into hope. It was Shakespeare—and I'm the member from Stratford—who said,

The miserable have no other medicine  
But only hope.

On behalf of all of us here, I want to commend you for sticking with this cause which is so dear to your heart, for

taking a tragedy and transferring that into hope and inspiring all of us to do what we know is the right thing in this House. We know that this bill, which was introduced previously by Dr. Doug Galt, the member from Northumberland, and now by his successor, my friend Mr Rinaldi, is the right thing to do. As some of us have said, it's difficult for this House sometimes to do those things which are so very simple, yet so very right. I know that all of us who have entered into the debate today are joining together to talk to our three House leaders to make this bill a reality.

I speak to this bill because of my friendship with the member from Northumberland. I was raised in the town of Trenton, at the confluence of the great ridings of Northumberland, Hastings and Prince Edward county. I myself represent a rural riding, and as a young lad I was on the back of pickup trucks. For the farm jobs that I had growing up in Northumberland county, as a matter of fact, at Laferty's farm and at Zimmerman's farm, I distinctly remember doing that and not thinking anything of it. I don't think my parents thought anything of it either.

A question was raised by the member for Timmins—James Bay about the need to have adequate resources. But one of the things that has always struck me, as a new member of this place and as a member of government, is that we seem to have all the money in the world to pay for those brave police officers and those incredibly heroic professional and volunteer firefighters who attend these scenes of great tragedy; we have money for the health care system, for those children and young people—again, in this case the one person who did not die but was maimed for life; we have money to pay insurance premiums so that insurance companies can pay out the millions of dollars on those who survive such a tragedy, but we don't seem to have the money to make sure that our police officers are in a position to help prevent this tragedy.

It's not so much the police officers, I think, as the education that is required in our schools to change the culture. The great changes in our life—for example, the fact that smoking today is unacceptable, the fact that we don't allow drinking and driving. the member for Prince Edward—Hastings' bill, Sandy's Law, about convincing women of childbearing age not to drink—are societal changes. We come together and we take tragedy and we turn it into hope. It is part of the human condition. It was Aristotle who said, "Hope is a waking dream." This is a place where we are fully awake. The people of Ontario have sent us here to do the right thing in all cases. Sometimes it's the simple things that are so difficult for us to do, so I commend the member from Northumberland for his perseverance. It is for many of us in this House really a question of the rural way of life. We must, as members from rural Ontario, take that message into the classrooms. All of us go into the classrooms of rural Ontario to talk about government to people in grade 10. We can be a force of change in this province, to take a tragedy and turn it into hope.

On behalf of all of us I want to commend the member, but particularly the Lawrence family, for their bravery here today. We will do all we can not to let you down. Thank you.

**Mr. Toby Barrett (Haldimand—Norfolk—Brant):** I again rise to speak in favour of this type of legislation. Doug Galt's original private member's bill is now resurrected by Lou Rinaldi, and I thank Mr. Rinaldi for doing this. This kind of legislation can avert the tragedies that many of us know about, oftentimes, in rural ridings and northern parts of this province. Most people can see the danger. But oftentimes young people can't when they're coming back from a bush party or they're at the lake or when they're using farm trucks as recreational vehicles.

I represent a labour-intensive farm riding. We grow cucumbers, ginseng, tomatoes, tobacco and apples, and it does require that many farmers have to up 30 or 35 people working on their farms. They have a number of farms. I think of our farms, where, every day, we would have to move on the roads from farm to farm. So there is a concern.

**1150**

There was a concern when former MPP Doug Galt introduced this bill, to what extent it may or may not disrupt normal farm operations. I know the Galt bill applied to vehicles at the 60-kilometre mark. This legislation lowers it to a vehicle that has to travel less than 25 kilometres an hour.

As a past president of the Norfolk Farm Safety Association, I, as do farmers, realize the importance of safety around our farms. We do have to use the roads. We do have to use the roads, for example, to move tobacco and other products. We have to realize that not everybody can fit into the cab of a pickup truck, and for most of us, if we're working up ground or plowing, there's no way our wives or, in other cases, husbands will allow us to get in the car, because we're covered in dust. We're covered in clay or sand, depending on what you're farming. We're covered in diesel fuel and mud and grease and hydraulic fluid. That does not go well on car upholstery or pickup truck upholstery.

So we do ask for some flexibility and some discretion with respect to this. There's been some very good work done through the Ontario Federation of Agriculture with respect to classifying certain vehicles as implements of husbandry. I think of school buses that have been cut back to hold the round bales.

Pickup trucks or flatbeds that can be cut back become farm implements to carry tobacco on the road, but they have to have working lights, brakes and good tires. You know, down our way, we don't tolerate duct tape on the headlight, although I've had to do that a bit myself. I've only hit two deer so far this year. I don't know about the rest of you.

So we have to take into consideration labour-intensive agriculture. There is that requirement to get workers from farm to farm, and oftentimes we do have to use not only the back roads, but the provincial highways. Thank you.

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** Before I start, I want to express my sympathies to both the Lawrence family and the Mackey family. Also, my thoughts and concerns go out to families that have lost family members to these kinds of accidents, and even to the families who have children or family members who have suffered brain injuries or other debilitating injuries, who have lost the future they thought they had for their children. We all have expectations for family members and for children, and when these kinds of things happen, they're life-altering for all of us. They completely change our lives.

I'm from the farm community, as everyone is well aware, and pickups are a very common vehicle, a very common mode of transportation. Over the years, we've had our share of farm accidents with these types of vehicles, and we have the Farm Safety Association, which has done a very good job of making farmers aware of the dangers of transporting people in the back of pickup trucks.

One of the things I see now is that the pickup truck has gone from being a utility vehicle, from being a vehicle that has a work purpose, to becoming a sport vehicle. I live en route from an urban centre, London, to Grand Bend and Port Franks. On weekends, it's not uncommon to see a short box pickup truck, a nice sporty thing all painted up in yellows and reds and all the graphics on the sides, the roll bars, the whole bit—

**Interjection:** And the lights.

**Mrs. Van Bommel:** And the lights, exactly. There are young people standing in the back. They're not sitting; they're standing in the back, hanging on to the roll bar, and they're travelling at high speed. I can barely look. I can barely watch it, because I'm so afraid of what's going to happen. I don't want to see what could happen. It scares me. If they were sitting in the cab of the truck, they'd have to have a seatbelt on across their shoulders and across their hips and they'd be secured in there completely. But the moment they can step outside and actually, like I say, stand there, nobody can stop them. The police have to watch this go by. As a citizen, I have to watch that go by. I can't phone the police. If I do, they say, "Well, we can't do anything about it because the law does not require that someone has to be secured in the back of a pickup truck." So I fully support this legislation. Like I said, it frightens me to no end to see this.

We talked about amendments that are necessary to this, and I recognize that. As I say, farmers use the pickups for work purposes. But quite frankly, most farmers are very aware of what the dangers are. We travel at higher speeds; we have that capability. We can do so much more, but we also have the potential for more accidents. I think that even in the farm community we recognize that this is good legislation and we need to follow through on this.

We need to talk about the whole issue of speed. If there are exemptions granted, speed has to be a part of that, you know, you can't travel at a certain speed.

I know that we use pickup trucks in things like parades and that sort of thing, and all those things have to come into play, but I still feel that the intent of this legislation is good. I feel that we can bring forward the kinds of amendments that we need to clean this whole issue up.

What we need very much is to have something in place that will prevent the deaths and the kinds of permanent injuries that we have seen all too often in our communities because of that ability to ride in the back. When you're young, you always think you'll live forever and you don't think you're going to get hurt doing that. Someone might say that we're restricting someone's freedom, but I also think that we're working in the public interest and we're working to save our young people from death and permanent injury. So I very much support the member's bill, and I'd like to see this one passed today.

**The Deputy Speaker:** Mr. Rinaldi, you have two minutes to reply.

**Mr. Rinaldi:** I want to thank all the members from all sides of the House for their valued input: Ernie Hardeman from Oxford, Laurie Scott from Haliburton–Victoria–Brock, Toby Barrett from Haldimand–Norfolk–Brant, Gilles Bisson from Timmins–James Bay, Andrea Horwath from Hamilton East, and of course our members, my good friend Jeff Leal from Peterborough, John Wilkinson from Perth–Middlesex and Maria Van Bommel from Lambton–Kent–Middlesex.

I guess the biggest thanks first and foremost is to the Lawrence family for taking their time and their perseverance—I think that they've heard from all sides of the House today that we are all in the same tune—and for being here today, to just strengthen the importance of a piece of legislation that I think—I know—will have meaningful and long-lasting benefits for society, forever and ever down the road.

I've heard today about a number of suggestions about amendments. This is what it's all about. We've brought forward this piece of legislation. It's already been through committee. The previous member brought it through. We picked out some issues to try to make the bill better. Certainly we're open to amendments. If it can make things better, if it can make things safer, by all means.

We talked about how, yes, we can put in legislation, but then we have to police it. Of course we have to police it. But if we don't have legislation, we have no tools to police. I'll use a comment that my friend Maria used: It's a chicken-and-egg situation. Yes, we need more police resources, we need more firefighters, but if we don't have laws to police, what are we policing?

So I think it's a start. I encourage all members from all sides of the House to support this today and hopefully move it forward.

**The Deputy Speaker:** Thank you, to all members. The time allowed for private members' public business has now expired.

FARM IMPLEMENTS  
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI  
SUR LES APPAREILS AGRICOLES

**The Deputy Speaker (Mr. Bruce Crozier):** We'll deal first with ballot item number 51, standing in the name of Mr. Hardeman.

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

Pursuant to standing order 96, the bill will be referred to the committee of the whole, but I believe Mr. Hardeman has a request.

**Mr. Ernie Hardeman (Oxford):** I would ask for permission to refer it to the standing committee on the Legislative Assembly.

**The Deputy Speaker:** Agreed? Agreed.

JAY LAWRENCE AND BART MACKEY  
MEMORIAL ACT (HIGHWAY TRAFFIC  
AMENDMENT), 2005

LOI DE 2005 COMMÉMORANT  
JAY LAWRENCE ET BART MACKEY  
(MODIFICATION DU CODE DE LA ROUTE)

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 52, standing in the name of Mr. Rinaldi.

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

**Mr. Lou Rinaldi (Northumberland):** I'd like to refer the bill to the stand committee on general government.

**The Deputy Speaker:** Agreed? Agreed.

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

*The House recessed from 1200 to 1330.*

MEMBERS' STATEMENTS

HEALTH CARE SPECIALISTS

**Mr. Gilles Bisson (Timmins-James Bay):** I rise today to raise an issue that is fast becoming somewhat of an epidemic in northeastern and northwestern Ontario, and that is the issue of the loss of specialists. We know that earlier this month a number of doctors in northwestern Ontario decided to pull up stakes in the community, leaving the community in a heck of a situation to deal with the medical needs of the residents.

We now find, by way of the newspapers and by way of calls to my office just this week, that a number of specialists in the city of Timmins are also upset because of the conditions they find themselves in when it comes to the office space they need to use at the hospital in regard to being able to carry out their practices. They talk about picking up 20 litres of water through leaking roofs

as they try to care for patients. We're not talking just about family doctors; we're talking about specialists, and people who are going in to see internists and others. I want to advise this House that I will be meeting with these individuals later on this weekend to sit down and take a look at what can be done.

I want to also tell this House and the community back in Timmins that Councillor Gary Scripnick, I think, has come up with a good idea, and that is for the community to work together to try to find a way of building a facility adjacent to the hospital that would suit the needs of the doctors, not only those that are here now but those later. I look forward to working with Gary Scripnick, city councillor for Timmins, ward 1, and with the rest of the city and the hospital toward a resolution. I want to put the government on notice that we will be coming with an application for money.

HEALTH CARE

**Mrs. Julia Munro (York North):** Three days ago, I informed the Minister of Health in this House that my constituents are facing a crisis in their health care. Thousands are without family doctors. Ambulances are redirected constantly. Patients cannot get the CT scans they need. Specialists are unavailable or overworked. The government has abandoned doctors and nurses to provide care without the resources they need. My constituents are asking me, what is the Liberal plan for health care?

When our PC government was in power, we had a plan. We made the tough decisions. We increased spending by \$10 billion, but we also made changes that were necessary. Our government closed aging, decrepit hospitals in downtown Toronto when that was the best way to improve health care. We planned a huge, new hospital in Brampton using an innovative private-public partnership. In my own riding, we committed funds to start a cancer centre in Newmarket, a commitment the Liberals are dithering about delivering.

The McGuinty Liberals do not have what it takes to make the tough decisions to save health care. Their priority is a massive bureaucratic organization, which means nothing to front-line doctors and nurses. The people of Ontario can only hope that Liberal dithering and incompetence does as little damage as possible before a John Tory government can restore our health care system.

MISSISSAUGA SPORTS WEEK

**Mr. Peter Fonseca (Mississauga East):** I rise in the House today to announce that it is Sports Week in the city of Mississauga. Mississauga Sports Week is an action-packed week of special events, displays and demonstrations designed to promote and celebrate the hundreds of sporting events and activities available to the residents in Mississauga.

I had the opportunity to attend the Mississauga Sports Council Sports Week kickoff breakfast with my col-

leagues the Minister of Transportation, Harinder Takhar, and Tim Peterson. At the breakfast, the sports council received \$45,000 from the communities in action fund grant to ensure that these activities, such as sports week, are possible and also contribute to the council's work in promoting sport and activities within Mississauga. This partnership between the government and the Mississauga Sports Council is all part of this government's larger strategy to create a healthy, active Ontario.

The rest of the week is jam-packed with exciting, engaging activities. There will be celebrity bowling, a night with the Mississauga Ice Dogs, a sports seminar that will culminate with a sports camps and leisure show this Saturday at Square One.

I want to take this moment to acknowledge all the hard work of Chuck Ealey and Cathy Rudisi, the co-chairs, and the efforts of the rest of the council and its executive director, Catherine Holland. Their year-round work on the sports council contributes to the development of sports facilities, activity programs, training and resources and ensures that the hard work and achievements of local coaches, volunteers and athletes are acknowledged and celebrated within the community.

#### SHIRLEY FINCH

**Mr. Norm Miller (Parry Sound–Muskoka):** I rise today to recognize the achievements of Mrs. Shirley Finch, a constituent of the beautiful riding of Parry Sound–Muskoka and a resident of Bracebridge. Mrs. Finch was recently selected by the Bracebridge Rotary Club as Citizen of the Year.

Yesterday, the rotary club celebrated its 100-year anniversary and continues to provide much-needed services to different communities. The Bracebridge Rotary Club organizes many youth programs from the Rotary Youth Centre, including Guides and Scouting activities.

On an international level, the rotary club continues to mobilize thousands of Polio Plus volunteers and has immunized more than one billion children worldwide. By the 2005 target date for certification of a polio-free world, rotary will have contributed half a billion dollars to the cause.

Mrs. Finch was nominated for Citizen of the Year by Tony Armstrong and received glowing endorsements from other Bracebridge residents.

From 1967 to 1981, Mrs. Finch has taken on various leadership roles with Girl Guides. She has served as deputy commissioner of Muskoka, district commissioner of Bracebridge, Milford Bay and Port Carling and has served as a Brownie and Pathfinder leader. In 2002, Mrs. Finch was awarded her 40-year pin by Girl Guides of Canada. She is now a Cub leader with Tony Armstrong.

Mrs. Finch has also been involved with the Order of the Eastern Star, the Royal Canadian Legion poppy day program, the breakfast club at the Muskoka Falls Public School and Meals on Wheels.

I wish to extend my sincere congratulations to Mrs. Finch, her husband, Wes, and their family and to sin-

cerely thank her for her many years of dedicated volunteer service.

#### GREENBELT LEGISLATION

**Mr. Vic Dhillon (Brampton West–Mississauga):** Later today, we will be voting on a historic piece of legislation. It's called the Greenbelt Act and, if passed, it will protect over one million acres of prime agricultural land and green space in Ontario's Golden Horseshoe. This is the boldest piece of planning law in Ontario's history, and it's a legacy I'm proud to leave future generations.

This is a momentous occasion. It follows months of public consultation with public leaders, municipal representatives, scientists, environmentalists and planners. Others claim to care about the green space, but they repeatedly failed to protect it. Today, we have put our words into action. Today, we take one million acres and protect it for future generations so that they can continue Ontario's proud farming tradition and enjoy Ontario's green space.

We are planning in a more comprehensive way than ever before. We are enhancing biodiversity instead of paving over it. We are cherishing Ontario's natural resources. We are respecting nature's delicate balance, and we are recognizing that a healthy population is directly linked to a healthy environment. In two words, today is about tomorrow.

I encourage all members of this House to vote in favour of this very important piece of legislation.

#### LANGUAGE EDUCATION

**Mr. John R. Baird (Nepean–Carleton):** I rise today to bring an important issue in education to the attention of the House. Learning a second or third language is tremendously important to many young people and their families across the province of Ontario. I had the pleasure of learning to speak French in our publicly funded education system, but I also had the chance to learn a third language, Spanish, and that was tremendously important.

**1340**

I want to stand today in this Legislature and call on the Minister of Education to expand Spanish-language training, because it's having a desperately terrible effect on family life. I even hear that there are people in Dufferin county who have to send their kids to Rosedale so they can learn Spanish, because Spanish isn't available to be taught in our publicly funded school system in rural Ontario. I want to appeal to this government to stand up today and demand that Spanish lessons be offered to students throughout Ontario, not just in Rosedale. How long will these families have to be separated, putting stresses on their personal finances by having to keep up two residences, one in Dufferin county and another in swanky Rosedale? I call upon this government to stand in their place, admit the folly of their ways and bring

Spanish education, and most importantly, help reunite families in the province of Ontario.

#### AGRICULTURE INDUSTRY

**Mr. Phil McNeely (Ottawa–Orléans):** This government is committed to supporting our agricultural industry. As the member representing the agricultural area of Ottawa–Orléans and as someone who grew up on a farm, I try to spread this message whenever I meet with Ontario's farmers and producers.

We made sure that farmers got a better deal on the agricultural policy framework with the federal government. We are spending \$74 million to provide stability for our farmers in times of crisis. We are providing up to \$30 million to help the cattle industry cope with BSE. These are but a few of the steps we've taken to support agriculture in Ontario, and we know there is still much to be done.

I know that our rural members and our Minister of Agriculture are working hard on an ongoing basis to develop a strategy that will help our farmers.

There will always be challenges facing Ontario's agricultural industry, and we must be equipped to face them. The \$23-billion gap facing Ontario undermines our ability to prepare for these and other challenges. When we're facing an inherited \$5.6-billion deficit, when we're 10th out of 10 provinces for post-secondary education funding and when we're unable to properly settle and train immigrants, we have a problem. The situation in agriculture is a symptom of that \$23-billion problem.

For the record, I am disappointed that there was nothing in yesterday's federal budget to address this issue, even though Canada recorded its eighth consecutive balanced budget.

A fair deal for Ontario will help all of Canada.

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Jeff Leal (Peterborough):** I rise today to speak about yesterday's federal budget. The \$23-billion gap between what Ontario gives to Ottawa and what we get back remains unaddressed. In recent years, that gap has been growing, constraining our ability to invest in things that matter to Ontarians.

We in Ontario have always been proud to contribute to the health of Canada's economy. We've always happily done our fair share for the country. We're now asking the federal government to give Ontarians our fair share of our own money. We need that money so that we can ensure that Ontario's economy, which drives Canada's economy, continues to grow.

One of our biggest competitive advantages is our health care system. But that system is growing at an astounding rate, and we need to make investments to transform it and make it more sustainable. It is critical that we modernize health care, but to do so requires investing in the system. To do that, we need the federal

government to give Ontario its fair share and begin addressing the \$23-billion gap.

I look forward to working with my federal counterpart, the Honourable Peter Adams, MP for Peterborough, on this very important matter.

**Mr. John Wilkinson (Perth–Middlesex):** Yesterday was budget day in Ottawa. We here in Ontario had hoped that they would take the opportunity to address the \$23-billion gap between what Ontario puts into federal coffers and what it gets back. Unfortunately, we didn't see any action on that file, despite the all-party support the Premier's resolution received in this Legislature. It's unfortunate, because Ontario indeed is the engine of this country's economy, and we need to make investments that will ensure we continue to be that engine.

One of the keys to ensuring a healthy economy down the road is an outstanding public education system. We need the federal government to address the \$23-billion gap so that we can develop the best-educated, most highly skilled workforce, which can compete with the world for the best jobs. We need a strong, vibrant, publicly funded education system that will give our children a clear, competitive advantage in an increasingly complex economy.

Ontarians are proud Canadians. We've always given our fair share to Canada. Unlike previous parties that bashed the federal government, we won't do that. We're working with them. Now we're asking for our fair share in return. We need the \$23-billion gap to be addressed so that we can continue to create the wealth that we and our fellow Canadians rely on.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

#### FEDERAL-PROVINCIAL FISCAL POLICIES

#### POLITIQUES FISCALES FÉDÉRALES-PROVINCIALES

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** A rare event happened this week in this place: We agreed. In fact, we all agreed. Members representing all parties unanimously supported a motion to narrow the \$23-billion gap. We all put our common cause, the people we are privileged to serve, ahead of any other interests.

I want to thank and congratulate my colleagues on the other side of the Legislature for recognizing an issue that transcends our usual political differences, but then, and I say this with respect to my colleagues in this place, something even more important happened: Ontarians agreed.

We've received calls of encouragement in our community offices from the people we are privileged to represent. We received non-partisan support from prominent

Ontarians like former Premier Bob Rae. Virtually the entire health sector wrote to the Prime Minister to offer their support for this Legislature. The people who deliver care to our sick perhaps know best the consequences of the \$23-billion gap, because they bear those consequences each and every day.

Make no mistake, momentum is building for our common cause. Notre cause commune est un Ontario fort au sein d'un Canada fort, un Ontario qui est suffisamment fort pour assumer ses responsabilités particulières envers ce grand pays, un Ontario qui est suffisamment riche pour assurer des services publics forts d'un océan à l'autre. That common cause is a strong Ontario in a strong Canada, an Ontario that is strong enough to fulfill its unique responsibility to this great country, an Ontario that is wealthy enough to guarantee strong public services from coast to coast to coast.

We understand who creates our wealth: the people of this province. You've often heard me say this, but it bears repeating: Our strength is our people. We understand that our wealth is created by the skills and hard work of our people. That is our competitive advantage.

It is in this context that yesterday's federal budget is so disappointing. Let me be clear: We applaud the federal government's efforts in some areas, particularly the environment. We share the federal government's commitment to improving our cities. We ourselves are dedicating two cents of the existing gas tax to Ontario municipalities.

But there is only one conclusion to be drawn from yesterday's federal budget: The federal government missed an opportunity to recognize our shared issue, this \$23-billion gap, and to join our common cause, a stronger Ontario for a stronger Canada.

To take perhaps the most puzzling example, yesterday's budget provided no significant new investments in post-secondary education. At a time when the strength of our economy depends on the skills of our people, the national government failed to invest in the institutions that sharpen those skills. The Rae report made clear how much there is to do, and how critical it is that we do it, but yesterday, the federal government sent us a message that they do not intend to play their part in making this happen.

On behalf of our students, their parents, and the universities and colleges that educate them, I say that is unacceptable. We will work to ensure that the federal government plays its role here. I know that Ontarians who care about the future of their province will support us in that work.

**1350**

We understand that immigration strengthens our society and our economy, but yesterday's budget did nothing to correct the unfairness that sees \$3,800 invested in immigrants who land in Montreal and just \$800 in those who land in Toronto. Some have argued that we should not be complaining, that we are receiving our per capita share of the new immigration money. But that, too, is unfair: When we receive over half of the country's

immigrants, it is unfair that we receive only 40% of the new federal immigration funding and 34% of the old federal immigration funding. Yesterday's budget does nothing to correct that problem.

I also want to say something directly to Ontarians about the burden we bear in financing national programs. We applaud the federal government's efforts to establish a true, high-quality national child care program. We have been allies in the fight to make it happen since we sat on the other side of this House. Here is the real story: That national program comes at a cost to Ontario. The federal government will get \$2.2 billion from Ontarians to fund national child care, but they will return just \$1.9 billion to Ontarians to provide child care in Ontario. That means national child care will cost Ontarians \$300 million each and every year after it is fully implemented. I say this out of a sense of responsibility. We support national child care and we will continue to fight for it, but in return, we ask to be treated fairly.

The federal government has \$31 billion in total surpluses over the next five years. Ontarians are contributing 43% of that money. Ontario is the economic engine of Canada, and that is a responsibility that we gladly embrace. Ontarians are proud to share the wealth they generate with Canadians so Canadians everywhere can enjoy quality public services. But there comes a time when, if we do not retain a sufficient amount of our wealth to invest in Ontarians, we compromise our ability to build a stronger Ontario for a stronger Canada. I believe that time has come.

I believe that there is something fundamentally wrong when the province of Ontario, Canada's economic engine, which works so hard to fund good-quality college and university programs right across the country, finds itself dead last among the 10 provinces when it comes to funding levels for our colleges and our universities. If we were put on the same footing as Quebec when it came to funding immigration, we could get \$330 million more every year. If we were treated in the same way as the other provinces are with respect to the Canada health transfer and the Canada social transfer, we would get \$1 billion more every year that we could invest in our colleges, our universities, our health care and our other social programs. If we were treated the same as the other provinces when it came to employment insurance, we could get \$1.3 billion more every year.

I am a proud Canadian, and I want to make my country stronger. I know the way to build a stronger Canada is to build a stronger Ontario. Our resolve on this matter will not waver. Over the coming days and weeks, I expect that more and more Ontarians will express their support. We've already received support from the health care community. We will also be seeking support from representatives of our colleges, universities, schools, cities, towns, villages, farmers, businesses, and our arts and culture community. We want the support of each and every Ontarian: from our young, from our middle-aged, from our elderly.

The people of this province deserve to have the federal government acknowledge the existence of this \$23-billion gap and the federal government's commitment to work with us to address it. We are not asking for special treatment; we are asking for fairness. We are asking that we keep enough of our wealth to invest in Ontarians so we can continue to play a leadership role in Canada.

We have just begun to press our case. In doing so, in pressing that case, we will be resolute and relentless, because Ontarians and Canadians deserve nothing less.

### LIVESTOCK INDUSTRY

#### **Hon. Steve Peters (Minister of Agriculture and Food):**

Our government recognizes that Ontario's livestock industry has contributed tremendously to our economy, but it continues to endure hardship over the ongoing border closures. That is why we continue to work closely with the industry and our federal partners to fully establish trade with the United States and other partners as soon as possible.

This government has provided close to \$138 million for our livestock industry. When combined with federal funding, as much as \$410 million can be delivered to Ontario's livestock sector.

One of the areas of investment is the \$7-million mature animal abattoir fund. This fund is helping to increase Ontario's slaughter capacity. Stage 3 of this fund will provide \$800,000 to St. Helen's Meat Packers of Toronto, Abingdon Meat Packers of Caistor Centre, and Eric's Claybelt Abattoir in Timiskaming to help increase capacity in Ontario's underserved areas and also benefit other segments of the ruminant livestock industry; in particular, sheep and veal.

When all the projects are fully up and running, we will increase slaughter capacity in this province by more than 6,500 animals a month.

Our government is following through on its commitment to act on the Haines report by continuing to support deadstock collection. We are announcing today that we are providing \$4 million in new funding to ensure that proper disposal of deadstock in our province continues.

By investing in our livestock industry today, we are making a responsible investment in Ontario's future.

### SEMAINE DU PATRIMOINE

#### HERITAGE WEEK

**L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones):** La Semaine du patrimoine est une occasion unique de célébrer le patrimoine culturel divers de l'Ontario et de rendre hommage aux travaux importants entrepris par les organismes patrimoniaux et les bénévoles de toute la province en matière de préservation de nos sites et lieux historiques irremplaçables.

The origins of Heritage Week go back to 1974, when the Heritage Canada Foundation designated the third

Monday in February as Heritage Day. This year, Heritage Day fell on February 21.

In 1985, Ontario designated the third week in February as Ontario Heritage Week, with National Heritage Day kicking off our own provincial week of celebration. This year's theme is Our Shared Legacy.

Le secteur du patrimoine vit des moments passionnants à l'heure actuelle. Le projet de loi 60, soit les changements les plus importants jamais apportés à la Loi sur le patrimoine de l'Ontario, suit son cours au sein du processus législatif. Il permettra de renforcer la loi et d'aider à préserver et protéger les sites, les bâtiments et les paysages culturels du patrimoine provincial dans l'intérêt des générations futures.

That's good news, because heritage matters to Ontarians. It contributes significantly to both Ontario's quality of life and its economy.

The celebration of Heritage Week going on across the province must remind us that, unfortunately, every year in this province unique heritage buildings and sites are destroyed. This has to stop. That's why we have proposed significant changes to the Ontario Heritage Act. I am confident that the changes we propose in this bill will help prevent the needless loss of valuable heritage resources.

#### 1400

En plus du lancement de la Semaine du patrimoine ontarien, auquel j'ai assisté au Temple de Sharon, à une localité située juste à l'est de Newmarket, des organismes patrimoniaux et des groupes communautaires de toute la province organisent des événements spéciaux mettant en vedette l'histoire locale et des sites du patrimoine. Vous pouvez découvrir les événements organisés dans vos collectivités en visitant le site Web du ministère de la Culture.

Some heritage events going on this week are: The Wilno Heritage Society has organized a Polish heritage film festival highlighting Polish-Canadian settlement history. Lifeworlds-Artsapes is holding a contemporary Iroquoian art exhibit at the Woodland Cultural Centre in Brantford; and the Museum of Health Care in Kingston is presenting an interesting event called Potions, Pills, Prescriptions: Remedies of 1900.

Alors, je vous encourage tous et toutes à participer cette semaine aux événements organisés dans vos collectivités locales. Je vous souhaite une excellente Semaine du patrimoine.

### SECURITIES INDUSTRY

**Hon. Gerry Phillips (Chair of the Management Board of Cabinet):** I rise to briefly update the House on the progress our government is making on another five of the recommendations that were made by the standing committee on finance and economic affairs when they tabled their report last fall on the five-year review of the Securities Act. At that time, I indicated that there were 14 recommendations in the report and that our government

immediately engaged on half of them. I want to report on another five of them today.

One of the legislative committee's recommendations was to proclaim the civil liability provisions for secondary market investors. We then moved, after the report, to include that in our fall budget bill. We now have the necessary legislation. Civil liability is about improving accountability and providing appropriate remedies to investors in the secondary market, in other words, in share re-sales. We've laid the groundwork and are now preparing the necessary regulatory changes. We will be bringing those forward over the next few months.

The standing committee, as you know, also recommended that the Ontario government continue to work with all stakeholders, including ministers in other provinces, toward the development of a single securities regulator. This call for a single securities regulator received the unanimous support of our all-party committee.

Previously, I have said that we need to engage experts from across the country to participate in the development of that new model. We are, as we indicated, appointing a panel to advance the design of a common securities regulator and to show us how it can serve the interests of all provinces and territories. I'm pleased to say that Ron Daniels, who is the dean and a professor at the University of Toronto's faculty of law, has agreed to act as the chair for the panel. Those are two examples of how we are proceeding with the recommendations: the civil liability and the single regulator panel.

We are also continuing to work on separating the OSC's adjudicative function from its other functions. The committee recommended that we consider that in conjunction with a single regulator. Consequently, this is one of the issues that we have asked Mr. Daniels's panel to consider in the context of a single regulator, as the standing committee report recommended.

The committee also recommended that the government establish a task force to review the role of self-regulatory organizations. We have begun the necessary background work and will be moving forward on this recommendation later this year.

The committee also recommended that the Ontario Securities Commission and the Canadian Securities Administrators should require publicly offered mutual funds to establish and maintain an independent governance body to provide for substantial investor protection. We commend the work that the OSC and other regulators have done on this to date, and it's considerable work. This is an important initiative, and we're now awaiting the report from the securities regulators in order to act on it.

This legislative committee tabled its report five months ago. As I said at the time, it was an extremely solid report. We are making real progress on their recommendations.

Today, virtually all of us in Ontario are investors in the equity market. Our government believes that these forward steps will contribute to a stronger, more modern economy to the benefit of all Ontarians.

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

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Robert W. Runciman (Leader of the Opposition):**

I think the people of Ontario are growing weary of the revisionist history being offered to them by the Premier and this Liberal government. The Premier would have us believe that the province of Ontario has been short-changed by the federal government for generations and that's the reason his government finds itself in a position where the deficit is spiralling out of control and vital public services are at risk. While it may be true that Ontario requires a new, more equitable financial arrangement with the federal government, this is not the reason that this Liberal government finds itself in the predicament it does today. The province of Ontario finds itself in trying economic times because this Premier and this Liberal government have proven time and time again to be utterly unable and unprepared to manage the affairs of government.

The inability of this government to develop a sound plan for the future of this province is truly disturbing, but what is worse is the refusal of the Premier and every member of the Liberal caucus to accept responsibility for their actions. They've been the government for almost a year and a half now, and all we have heard from them is who else is to blame for their failed policies.

Recently, we've heard nothing else from this government other than the need for the federal government to bail out the Ontario Liberals and provide \$5 billion to fund health care, infrastructure programs, immigration and to implement the Rae report. Not too many months ago, the Premier assured us all that the new working relationship between the federal and provincial governments would reap such a reward. Well, yesterday's federal budget was simply the icing on the cake in what has been a monumental failure for Premier McGuinty. The federal budget provides no new funding for health care. There was no announcement of funding to support the recommendations of the Rae report. Ontario still falls painfully short of the province of Quebec with respect to support funding for newly landed immigrants. And nowhere was it mentioned that Ontario would receive anything remotely close to \$5 billion of the federal surplus that the Premier has been demanding. What happened to forcing the federal government to address Ontario's priorities? So much for the Premier's muscle-flexing. Arnold Schwarzenegger, where are you?

Yesterday, the federal government flipped its nose at the Premier and sent a very clear message to the Liberal government: Don't come crying to us because you can't manage your province. The Premier's new and improved relationship with the federal government has failed and, in turn, the Premier has failed all Ontarians. In fact, the Premier's negotiating tactics have failed so badly that Ontario was not mentioned in Minister Goodale's speech a single time—not once. We in the official opposition

continue to follow the leadership of John Tory and continue to call on the Premier to immediately convene the Council of the Federation in order to negotiate a new long-term equitable deal for Ontario with respect to the sharing of wealth across this country.

With respect to the content of the federal budget, frankly, we respect the announcement of tax relief for hard-working Ontario families and we're happy to see that the federal government understands that high taxes on our valued employers destroy our competitive advantage in the global marketplace, a lesson this provincial Liberal government needs to learn. This tax relief from the federal government further isolates the Premier as a political leader with a thirst for higher taxes.

We can only hope that this Premier and the Minister of Finance see the light and follow in the footsteps of their federal cousins in the upcoming Ontario budget. Until then, I suppose we will sit and wait with all Ontarians to see whom this provincial Liberal government blames next for its absolute failure to represent our province's interests. We're now left to wonder what measures will be contained in the 2005 provincial budget to continue the Liberal assault on hard-working Ontarians.

#### LIVESTOCK INDUSTRY

**Mr. Ernie Hardeman (Oxford):** I just wanted to make a quick few comments on the Minister of Agriculture and Food's announcement, and it's obviously an announcement that has been repeated now for the third time. In fact, some of the recipients of the applications have appeared in more than one of these announcements as they spend the mature animal fund.

But I think what's most important is the press release I have from the Federation of Agriculture speaking to another announcement that the minister made on the weekend, which was replacing an old program that he had cancelled and is now putting back. The reason he has put it back is that, with no understanding of the program, he cancelled it. What the Federation of Agriculture says is, the farming industry in Ontario—

*Interjections.*

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

1410

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Howard Hampton (Kenora–Rainy River):** I want to respond to the Premier's statement. I want to start out by saying that, yes, all Ontarians would like to see more funding for health care, for education, for post-secondary education, for the environment. We all want to see those things. But that is not the issue here.

The issue here is a Premier and a government that went through an election campaign and said to people that there's money for health care, there's money for education, there's money for post-secondary education,

there's money for municipalities, there's money to protect the environment, without ever having a plan. Now that it's obvious that they didn't have a plan, they're looking for someone to blame.

The problem for the Premier is that he has no credibility on this issue. The issue of a fiscal gap between Ottawa and some of the provinces is not new. This has been a subject of political discussion for over 15 years. But the Premier doesn't have any credibility on this issue, because when other Premiers raised this issue, this Premier and members of this government hooted with derision. They couldn't heap enough scorn on Bob Rae when he raised these issues. They couldn't heap enough scorn on Mike Harris or Ernie Eves when they raised these issues.

I want to raise some of the quotes of the now Minister of Finance: "I get so offended by the increasing tendency of governments—municipal, federal, provincial—who are always looking for another level of government to blame." That was the Minister of Finance's response.

This is what he said at another time when the issue of a fiscal gap was raised: "This business of seeking to blame others is the thing that is destroying us in Ontario, and we really have to stop it."

Let me quote some of the other ministers. Just a couple of years ago, when Conservative Premiers raised the issue of the fiscal gap, this is what the now health minister said: "I believe that if members were to talk to their constituents and not be partisan about this, most of their constituents would say that they're tired of governments, provincial and federal, hammering each other with salvo after salvo after salvo and not getting on with the real task of finding improvements in the system."

This is what the Minister of Tourism said when the issue of the fiscal gap was raised: "The pass-the-puck government. Whenever there's something, they blame local government or the federal government."

This is what the Minister of Energy said when the issue of the fiscal gap was raised a few years ago: "They like to blame the federal government for this, that or the other thing." They like to imply that it's someone else's fault.

Then there's the Premier. This is what the Premier said when former Premiers raised the issue of the fiscal gap: "Mike Harris is so obsessed with fed-bashing, he's ignoring the crisis in health care in his own backyard—one largely of his own making."

Here's another quote of the now Premier when other Premiers raised the issue of the fiscal gap a couple of years ago: Mike Harris "plays the blame game when it comes to the federal government. He says that if only the federal government would send the province more money, then things would be better off here."

More recently, just a few months ago, this Premier felt that Paul Martin was the saviour for Ontario. This is what the now Premier said at the Grey Cup meeting in November 2003:

"The message I got from the people of Ontario in our recent election was that they were sick and tired of the

infighting and the bickering and the blame games." Now who's playing the blame game?

Or just at few months ago, at the health summit, this is what the Premier said: "I really do believe there is more goodwill connected with this meeting than there has been in connection with many in the past." Now the same Premier wants to blame Ottawa, wants to blame his good friend Paul Martin, for his problems.

Here's the reality, Premier: You have no credibility on this issue. After scorning and criticizing every Premier in the last 15 years who has raised this issue, after saying you'd be different, after saying that if you got elected Premier, relationships with Ottawa would be wonderful, you now have no credibility to play the blame game.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** On a point of order, Mr. Speaker: I would request unanimous consent of the House that at times when the government is going to make four announcements on the same day, the opposition and the third party be given 10 minutes, not five minutes, to respond.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. You are quite aware of the limitations on the time given for statements and for responses. I'm sure, if the House leaders get together, maybe they could make some changes to that.

**Mr. Yakabuski:** On a point of order, Mr. Speaker.

**The Speaker:** Is it on the same point?

**Mr. Yakabuski:** No, on a different point. I would request unanimous consent of the House that the government not make more than two announcements on the same day.

*Interjections.*

**The Speaker:** Order. Would you like me to deal with the point of order, member from Renfrew–Nipissing–Pembroke? Would you like me to deal with it?

**Mr. Yakabuski:** Yes, please.

**The Speaker:** Then please sit down and let me.

The member from Renfrew–Nipissing–Pembroke has asked for unanimous consent. I heard a no.

## DEFERRED VOTES

### GREENBELT ACT, 2005

#### LOI DE 2005 SUR LA CEINTURE DE VERDURE

Deferred vote on the motion for third reading of Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges

et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.

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

*The division bells rang from 1417 to 1422.*

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

### Ayes

Arthurs, Wayne	Duncan, Dwight	Parsons, Ernie
Bentley, Christopher	Flynn, Kevin Daniel	Peters, Steve
Berardinetti, Lorenzo	Fonseca, Peter	Phillips, Gerry
Bountrogianni, Marie	Gerretsen, John	Prue, Michael
Bradley, James J.	Horwath, Andrea	Pupatello, Sandra
Brotten, Laurel C.	Jeffrey, Linda	Racco, Mario G.
Brownell, Jim	Kular, Kuldeep	Ramsay, David
Bryant, Michael	Leal, Jeff	Rinaldi, Lou
Cansfield, Donna H.	Levac, Dave	Ruprecht, Tony
Caplan, David	Marchese, Rosario	Smitherman, George
Chambers, Mary Anne V.	Marsales, Judy	Takhar, Harinder S.
Churley, Marilyn	Matthews, Deborah	Van Bommel, Maria
Colle, Mike	McGuinty, Dalton	Watson, Jim
Crozier, Bruce	McMeekin, Ted	Wilkinson, John
Dhillon, Vic	McNeely, Phil	Wong, Tony C.
Dombrowsky, Leona	Meilleur, Madeleine	Wynne, Kathleen O.
Duguid, Brad	Mossop, Jennifer F.	Zimmer, David

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

### Nays

Arnott, Ted	Jackson, Cameron	Runciman, Robert W.
Baird, John R.	Klees, Frank	Scott, Laurie
Barrett, Toby	Miller, Norm	Sterling, Norman W.
Chudleigh, Ted	Munro, Julia	Tascona, Joseph N.
Hardeman, Ernie	Murdoch, Bill	Yakabuski, John
Hudak, Tim	Ouellette, Jerry J.	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 51; the nays are 17.

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

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

## ORAL QUESTIONS

### PROVINCIAL DEFICIT

**Mr. Robert W. Runciman (Leader of the Opposition):** My question is for the Premier. Premier, I don't know if you can answer this question without tap dancing and pointing fingers, and I don't know if Ontarians can hear the answer without wincing, but let's try. Please tell this assembly what the current deficit is for the province of Ontario.

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** It is no secret that we have inherited a \$5.6-billion deficit as a result of the irresponsible actions on the part of the former Conservative government. It's no secret whatsoever, and the member should know that.

**Mr. Runciman:** That indicates the Premier has no idea what the deficit is running at. He's—what?—five or six weeks away from presenting their new budget.

Less than two weeks ago, you and your government were tooling along down the highway of broken promises, throwing money at roadside attractions like casino hotels in Liberal ridings, when, all of a sudden, your finance minister noticed something: The gas tank was even more empty than he thought. Two billion dollars short? No, more like \$6 billion. According to your finance minister, in a Canadian Press article, that is why you need \$5 billion from the federal government.

This year, you've received record revenues from the LCBO, an extra \$825 million from Ottawa for health care, \$1.6 billion from your new health tax. Despite all that extra cash, the deficit is somehow going to be triple what you said it would be. Premier, will you finally admit that your fed-bashing call for an arbitrary \$5 billion is a political smokescreen to cover up your own mismanagement and lay the groundwork for future tax increases?

**Hon. Mr. McGuinty:** I want to thank the member once again for his support for our resolution, which is to convey to the federal government that it's important they acknowledge that we have a real issue here. It is a \$23-billion gap. That is not the beginning and the end of our financial challenges in this province, of course. This former government contributed to our challenges as well when they saddled us all with that multi-billion dollar deficit. But yes, the \$23-billion gap is a real issue. I once again take the opportunity to thank the member opposite for his support in our collective efforts to get the federal government to acknowledge the existence of this very real issue.

1430

**Mr. Runciman:** The Premier doesn't know the current deficit, and he continues to refuse to respond directly to questions. Premier, this is about the promises you made and the decisions you've made and the lack of leadership you've shown.

Let's examine where we're at at the moment. You made 231 promises two years ago, including the biggest of all, that you could hike spending and not increase taxes and still balance the budget. Just two weeks ago, the light suddenly came on in your belfry and you realized all sorts of things: that there is a fiscal imbalance, one that has been around for years but you never saw before; that your spending threatens to triple your forecast deficit; and that you will be hard pressed to ever balance the budget, despite breaking your promise on tax hikes and despite increased revenues across the board.

Premier, a few weeks ago, you ruled out again raising taxes in your upcoming budget. Several days later, the finance minister was less definitive. Are you still committed to not raising taxes in your upcoming provincial budget?

**Hon. Mr. McGuinty:** Yes.

**The Speaker (Hon. Alvin Curling):** New question.

## FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Tim Hudak (Erie–Lincoln):** Back to the Premier, who is making more promises I don't think he'll keep. Yesterday's federal budget was your last hope for bailout money to save Ontario from a big Dalton McGuinty deficit this spring. You said you were going to take on Paul Martin, you said you were going to flex your muscles, but after all that posing, you were left empty-handed on the stage. Obviously, they didn't take you seriously. You're all bark and no bite. In fact, you've quickly become the Scrappy-Doo of Ontario politics. Just how much trouble has your lack of a plan and your lack of leadership caused Ontario taxpayers? Just how big is that provincial deficit going to be?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I gather from the member opposite's question that we should just give up; we've just raised the issue over the course of the past two or three weeks, but now we should abandon this matter.

*Interjection.*

**The Speaker (Hon. Alvin Curling):** Member from Renfrew–Nipissing–Pembroke, will you come to order, please? Premier.

**Hon. Mr. McGuinty:** We think that we owe more than just that to the people of Ontario. As I've indicated before, we think we owe more than just that to the people of Canada. We think we have a real and pressing issue. It is the matter of this \$23-billion gap, the difference between how much we send to the federal government and how much they return to us by way of services or transfer payments of one kind or another. We're not asking that we eliminate the gap in its entirety; we're simply saying that we should be able to keep more of our own money so we can make investments in things like health care, colleges and universities, and roads and bridges so that we can further strengthen this economy, something that will benefit both Ontarians and the country as a whole. I invite the member opposite to join me and Ontarians in continuing to press this case before the federal government.

**The Speaker:** Supplementary?

**Mr. Ted Chudleigh (Halton):** Premier, yesterday Ottawa didn't hear you. After yesterday's federal budget, you've been further isolated as a political leader with a thirst for higher taxes. What we want to know is, who will you blame for your failure next? You've tried blaming former governments, even though on October 23, 2003, you said you wouldn't do that. You've blamed former governments; you've blamed the federal government; you've blamed other provinces. Who's left? Who are you going to blame next?

You've been sitting there for 16 months now and you still don't get it. You are the Premier of Ontario. That makes you accountable for the decisions and actions of the government of Ontario. That makes you accountable for your \$6-billion deficit. Stop the blame game. Now that your federal cousins have turned you down, will you

tell Ontarians what is your plan for your \$6-billion deficit?

**Hon. Mr. McGuinty:** My friends opposite are going to have to take a side on this. They've got to decide whether they think it's fair that an immigrant arriving in Quebec gets \$3,800 from the federal government, but one landing in Toronto gets \$800. If they think that's fair, then they should say so. If they think it's fair that we go without \$1.3 billion by way of employment insurance payments, which we should receive if we were treated the same as the other provinces—

*Interjections.*

**The Speaker:** Order. Member from Halton, you did put a question, and the Premier would like to respond. Premier?

**Hon. Mr. McGuinty:** I'm going to recommend to my friend opposite that he speak with his constituents about this matter of the \$23-billion gap and that he acquaint them with some of the basic facts. I think there's a matter of fundamental unfairness here. I think that he and his colleagues should join Ontarians so that together we can make a strong case before the federal government.

**The Speaker:** Final supplementary?

**Mr. Hudak:** The Premier asks us to help him. Premier, we'd like to help you, but you just can't seem to help.

Let me tell you the problem. For the first 16 months, you could not do enough to placate your federal cousins in Ottawa, and at the first ministers' conference, you practically acted as head waiter to the Prime Minister and his cabinet. In your first few months, you took a SARS deal that was bad news for Ontario taxpayers. You got taken, and you did cartwheels down the hallway in celebration. Your lack of credibility makes you bargain from a position of extreme weakness. We'd like to help you, but you can't help yourself.

Premier, point the finger squarely at your own chest, for a change, and tell us: bigger taxes, a bigger deficit or a combination of both; what can Ontarians depend on from your lack of leadership?

**Hon. Mr. McGuinty:** My Conservative colleagues have to ask themselves, are they with the people of Ontario or against the people of Ontario? We're with the people of Ontario. Also, we are proud to say that we can do it in a way that demonstrates that as Ontarians we can both walk and chew gum at the same time. We can stand up for our province, and where it serves the interests of Ontarians, we can join with our federal cousins in a way that strengthens this country. As Ontarians, we can walk and chew gum at the same time. What the people of Ontario want to know is, is this party with the people of Ontario when it comes to this issue, or do they stand with the federal government on this issue?

**The Speaker:** New question.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is—

*Interjections.*

**The Speaker:** The leader of the third party hasn't started his question yet.

**Mr. Hampton:** Premier, I sent a document over to you. You might recognize it. It's called Affordable, Responsible Change. It's the McGuinty financial plan. This is where you outlined how you'd pay for your promises: better schools, improved health care and a competitive workforce. Can you point out where in your plan it says that you will need a \$5-billion bailout from Ottawa to pay for your promises?

**Hon. Mr. McGuinty:** I guess Ontarians will have the same question regarding the NDP as they do regarding the Conservatives; that is, where does the NDP stand on this particular issue? I thought they were onside, because they voted in favour of the resolution. We had unanimous support for that resolution, which requested that the federal government, at a minimum, recognize that we have a real issue, a \$23-billion issue.

The former leader of the NDP, former Premier Bob Rae, is onside. He said we should continue to press our case against the federal government. He said we should seek dollars to invest in our colleges and our universities. He says there is a basic unfairness at play when virtually every other province and territory has a higher level of funding for its colleges and universities than we do here in Ontario. Of course, it is our money that funds that level of funding. I thought this member would be with the people of Ontario and his former leader.

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**Mr. Hampton:** I beg to inform the Premier that it's not about Bob Rae; it's about your plan. I want to turn to page 4 of your plan, the part that's entitled, "How we will pay for it." It says, "Cancelling Tory tax giveaways and eliminating Tory waste." Nowhere does it mention that you need a \$5-billion bailout from Ottawa to keep your promises.

Today, after flexing your muscles, there's no federal bailout. There's no one to rescue you from the fiscal problem you created by promising better public services, on one hand, and Louisiana-style taxes on the other.

The question is, what's your plan? There's no bailout from Ottawa. There was no plan for a bailout from Ottawa in your fiscal plan. What is your plan now?

**Hon. Mr. McGuinty:** If the member is so intent on making his contribution to helping us address our financial challenges in this province, then I ask him, on behalf of the good people of Ontario, why he voted against our plan to cut corporate tax cuts. Why is it that he said he would not support us when it came to eliminating the private school credit? Those two measures alone generated billions of dollars of additional revenues for the province of Ontario. If he's so determined to help us address Ontario's financial challenges, then why did he stand for corporate tax cuts and a private school tax credit?

**Mr. Hampton:** What I stand up and vote for is that you should act according to your plan.

*Interjections.*

**The Speaker:** Order. I'm having difficulty hearing the leader of the third party. I'm going to ask the member from Eglinton–Lawrence to come to order, please.

Minister for Public Infrastructure Renewal, please come to order. I'm hearing too much shouting across the floor.

**Mr. Hampton:** I want to read, from your plan, the part you signed. It's a letter from you: "Our plan holds the line on taxes, ensures balanced budgets, enhances essential public services and sets money aside for a rainy day." Then you say, "A leading forensic accountant spent more than 70 hours reviewing our spending commitments. He validated the accuracy of our estimates. We submitted our numbers to two different senior economists, each working independently. They analyzed the impact of our planned investments and revenue projections." That's signed by Dalton McGuinty.

**The Speaker:** Question?

**Mr. Hampton:** Premier, your plan doesn't mention a \$5-billion bailout from the federal government. I ask you, now that the federal government has said you don't have any credibility, now that the federal government has said you are really blowing smoke, what's your plan to fulfill the promises you made?

**Hon. Mr. McGuinty:** The leader of the NDP has thrown in the towel: I guess there is nothing more we can do; we'll just have to buckle down and allow the federal government to do as it pleases.

Maybe that's the kind of leadership he brings to his party, but that's not the kind of leadership our government is bringing on behalf of the good people of Ontario. We will stand up for the interests of Ontarians. There is a real and pressing issue before all of us. It is the matter of this \$23-billion gap. We find ourselves in a position where we are not able to make essential investments in our colleges, universities, health care and infrastructure.

We're not asking that we eliminate the gap. What we're saying is that we should be able to narrow it so we can retain more of our own money and make the kinds of investments that benefit not only Ontarians but Canadians.

**The Speaker:** New question.

**Mr. Hampton:** A question to the Premier: Your problem is that you don't have any credibility. When other Premiers raised this issue, this is what your Minister of Finance said: "What always struck me as really unconscionable is for Ontario to be complaining that other governments in Canada were getting more and that Ontario wasn't getting its fair share." That's what your Minister of Finance said.

Just six months ago, you were telling us how wonderful Prime Minister Paul Martin was to Ontario, how he was giving Ontario \$2 billion for health care.

Premier, how can you be taken as credible when every one of your front-benchers, including yourself, has heaped scorn on anyone who has mentioned the fiscal gap before in the last 15 years?

**Hon. Mr. McGuinty:** Try as he might, the leader of the NDP can't hide it: He is with us on this one. I am convinced of that. He can't hide it. He cannot possibly justify \$3,800 for an immigrant in Quebec and \$800 for an immigrant in Toronto. He can't do that. I know he is

with us on that. He can't possibly justify, in support of the federal government, that although we receive 54% of the nation's immigrants, we only get 34% of the funding. He cannot possibly justify that. I know that deep down Mr. Hampton, the leader of the NDP, stands arm in arm with our government when it comes to pressing our case, the matter of the \$23-billion gap, before the federal government.

**Mr. Hampton:** Once again, Premier, this is about your credibility. This is, again, what your Minister of Finance said: "I was appalled and embarrassed that ... any Premier in Ontario could whine and whimper about not getting more from the national government." I quote again: "This business of seeking to blame others is the thing that is destroying us in Ontario, and we really have to stop it."

This is what all the members of your front bench—the Minister of Health, the Minister of Finance, the Minister of Energy, the Minister of Tourism and you yourself—have been saying, Premier. How do you expect that Paul Martin is going to give you any credibility when for the last 15 years you have been scorning and criticizing anyone who raised the issue of a fiscal gap for Ontario?

**Hon. Mr. McGuinty:** Again I say to the member opposite that he cannot hide the fact that he is supporting us on this. Back in 1992, the leader of the NDP, then Attorney General, said to reporters, "The real problem is that revenues from the federal government have not kept pace with needs." This merely serves to confirm that in his heart of hearts, Mr. Hampton stands arm in arm with our government as we continue to press our case before the federal government.

**Mr. Hampton:** Once again, Premier, people like myself have recognized this issue for over 13 or 14 years, while you were scorning everyone and criticizing everyone who raised the issue.

The question is really twofold. How do you expect anyone in Ottawa to take you seriously when you didn't have one second for anyone who raised the fiscal gap issue until about two weeks ago? How do you expect Paul Martin to take you seriously when he can read quote after quote where you and every member of your cabinet have criticized anyone who raised the issue of a fiscal gap in the past? How do you expect anyone to take you seriously when you were praising Paul Martin just three or four months ago, saying he was enlightened, saying he had put medicare on a sustainable course for the next generation, saying he had given Ontario \$2 billion more for health care?

Premier, where is your credibility? More importantly for Ontarians, where is your plan to keep your promises after Paul Martin told you to drop dead?

**Hon. Mr. McGuinty:** I am pleased once again to acknowledge the support of the member opposite. I know he doesn't want to admit that publicly, but he does in fact stand with us, because I know, in addition to the facts that I just referenced regarding the discrepancies in funding for immigration, that he does not support the fact that if Ontario were treated the same as the other

provinces, we would receive \$1.3 billion more on an annual basis for employment insurance. If we were treated the same as the other provinces when it came to the Canada health transfer and the Canada social transfer, we would receive another billion dollars on an annual basis that we could invest in our colleges, our universities, our health care and our other social programs. I know that the member opposite supports us in this, and that together we will continue to make the case before the federal government.

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#### MUNICIPAL FINANCES

**Mr. Tim Hudak (Erie–Lincoln):** Back to the Premier. Premier, yesterday, with your tail between your legs, you went to the ROMA conference and declared that Monday's misguided announcement by the Ministry of Municipal Affairs was null and void. Don't get me wrong; we're happy that you've backed down again. The problem is that you've created great confusion with municipalities across the province. Premier, will you pay the reconciliation bills for the municipalities for the year 2004?

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

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I thank the member for the question, because it gives me another opportunity to talk about the great conference that ROMA and the Good Roads people had here. It was so great to see 1,200 municipal leaders in our province get together to talk about the issues of the day.

Let me just make it clear. What was said yesterday was that the 2003 reconciliation would be done and that we would certainly take a look at any subsequent reconciliation or any outstanding bills that may be owing to municipalities as well.

We are extremely proud of the relationship that we have built up with our municipalities, and we look forward to working with them in partnership for many, many years to come, for the benefit of Ontario and, more importantly, for the benefit of the people of Ontario.

**Mr. Hudak:** While the minister may claim that he has respect for the municipalities, he certainly hasn't displayed it in his legislation, over and over again in bill after bill after bill, pulling more and more powers to your office or to the Office of the Premier—more and more of “Dalton knows best” overriding decisions of municipalities. The minister knows that to be true.

If you were truly a man of your word and respect municipalities of the province, you would say today, here and now, whether you're going to pay the reconciliation bills for 2004. Yes or no? Show your respect for municipalities and answer that simple question.

**Hon. Mr. Gerretsen:** It's passing strange that here we have a member who was a member of the former government that, with the downloading, probably did

more to destroy the municipalities of Ontario and the good work being done there on behalf of the people of Ontario than any government in the history of this province. We have been working diligently over the last 15 months to correct that imbalance, to correct that poor relationship that they built up, so we can once again provide the best services to the people of Ontario collectively through our provincial services and through municipal services.

We will be looking at it again, and the municipalities will be advised accordingly.

#### HEALTH RECORDS

**Ms. Andrea Horwath (Hamilton East):** My question is for the Minister of Health. Minister, I wanted to ask you about the confidential patient records that were stolen in Hamilton a couple of days ago. The Hamilton Spectator had a front-page story that exposed a very serious breach of confidentiality within your ministry. Niagara patients had their records stolen, and those records reveal communicable disease results from tests, including everything from HIV/AIDS to mumps to STDs.

What I'm wondering is, what kind of shop are you running? This breach, this careless handling of this information has meant that people have had their private information left around somewhere in our community. What do you say to the people whose tests have been stolen? What do you say to those people who are anxiously waiting to find out what's happening? Can I just get you to tell me exactly how many test results have gone missing? Do you know?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** If the honourable member wants to ask a good question, a good question would at least in some sense stick to the reality of the circumstance. You think it's a careless act that someone broke into a vehicle and stole things from it, that this is a sign of carelessness on the part of the ministry in some fashion?

We take this situation very seriously indeed. We're working closely with public health officials in Hamilton, with the Information and Privacy Commissioner, and using the legislation, the Personal Health Information Privacy Act that was passed by this Legislature, to move as promptly as we can, keeping in mind the necessity of being careful to make sure that any information we're communicating with individuals is accurate. This requires a trace back. Our capacity to do so is enhanced. But we're dealing with a fair bit of information, and we will work to apprise people of the appropriate information once we've ascertained that circumstance. We're doing this in a collaborative fashion, with prudence in mind and protection of information—

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

**Ms. Horwath:** Quite frankly, it sounds like the proper protocols aren't in place to deal with this kind of situation. Really what has happened is that these records were stolen from a van, apparently. Why were those

records even left sitting in a van to be stolen? So there is a problem with regard to the protocols for the protection of sensitive information.

I want to find out for sure, I want to be really clear, and I want to know, what are you going to do about the fact that people have their names, personal information and addresses and their health card numbers out there that are now vulnerable to personal identity theft and fraud? The bottom line is that it doesn't seem like this issue is being taken very seriously at all. There's no tracking system in place that I can figure out and, if there is, it certainly isn't expeditious enough to get this issue dealt with in a way that makes my community feel comfortable that it's being appropriately handled. It's a mess right now. How could you let this happen and what is the exact plan to make it not happen again?

**Hon. Mr. Smitherman:** The member in her question likes to talk about making her community feel secure and spends all of her time contributing to a sense of insecurity. She likes to suggest that using an insured courier service for the purposes of the collection of information like that and specimens is an inadequate procedure. The unfortunate reality is that a piece of human nature in an area meant that someone broke into a vehicle and stole the information. There's a significant amount of information, and before we go running around willy-nilly and calling people before we've confirmed the exact information flow, we're going to make sure we're dealing with each of these on an appropriate basis.

This is important information and we're working with public health officials and the Information and Privacy Commissioner to ensure that any person we're in communication with knows the exact circumstance related to their personal information. We're dealing with this as a priority and we're working with all of the appropriate partners to do so. I send a message to those people who have had their information stolen out of a vehicle: We're working very hard to make sure we deal with this in the most appropriate way, which is timely and efficiently and well.

#### IMMIGRATION POLICY

**Mr. Tony Ruprecht (Davenport):** I have a question for the Minister of Citizenship and Immigration. Minister, you know that I represent the riding of Davenport, and it has a very high concentration of immigrants and newcomers who want to go to school and who want jobs. In short, they want to integrate and be productive in Canada's society. I know that you, as minister, are trying to do the best you can with the monies allocated to you because you realize that the quicker they integrate, the quicker they are productive in society.

But yesterday I was really shocked and outraged at what happened federally. I must tell you that the government refused to contribute its fair share in providing funding to immigrants. We know and you know as well that Ontario is the golden goose for Canada. But yesterday I realized that they're beginning to wring our necks

and they're not feeding us. Could you please tell us why this federal government is failing new immigrants and newcomers?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'd like to thank the member for Davenport for his passion in this area over the years and for his support for new Canadians over the years. He's done a tremendous job in this Legislature.

Yesterday's federal budget did indeed fall far short of its responsibilities to new Canadians in Ontario. We have been negotiating in good faith, but we have received \$800 per immigrant while Quebec receives \$3,800 per immigrant. Yesterday's budget will increase Ontario's allocation by simply \$100. We will still be far short of what we need to integrate new Canadians in Ontario. This does nothing to bridge the \$23-billion gap that Ontario gives more than it receives from Ottawa. Sadly, the reality is that the budget did not address this gap, and we will continue to work with the federal government in good faith to address this gap.

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**Mr. Ruprecht:** As you went through the numbers, I realized how quickly the federal government has forgotten the tremendous contribution ethnocultural Canadians and newcomers have made to hold this country together. If it hadn't have been for them, today we would not have a country left.

Yesterday, it was abundantly clear that the federal government shirks its responsibility. It doesn't care about Ontario immigrants. I know that, for the people in my riding, what is needed is an immigration agreement between this government and the federal government that will deliver what's fair for Ontario. Consequently, we remain the only province in the country without an immigration agreement. That is a shame, that the federal government is not recognizing the importance of Ontario's immigrants on our national economy.

Could you please update us on how yesterday's federal budget will affect the status of these negotiations regarding a Canada-Ontario immigration agreement?

**Hon. Mrs. Bountrogianni:** Unlike former governments, we won't give up and leave the table. We will be there strongly and aggressively negotiating a contract with the federal government. We receive the majority of immigrants in Ontario, and large cities like Toronto receive the majority of those immigrants. Mayor Miller and I and the other mayors of Ontario have met with the federal ministers. I've met with three federal ministers of immigration up until this point, and they all agree that Ontario's economic engine depends on immigration. We will continue to negotiate in good faith very aggressively so that Ontario can get its fair share.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** The member from Burlington and the member from Trinity-Spadina, will you come order, please.

Minister.

**Hon. Mrs. Bountrogianni:** I have struck a chord there, Mr. Speaker. We won't take our toys and go home like little children, as the former government did. We will continue to negotiate aggressively with the federal government for a fair deal for Ontario.

#### GAMBLING

**Mr. Ted Arnott (Waterloo–Wellington):** In the absence of the Minister of Economic Development and Trade, I have a question for the Premier. Last week, the Minister of Economic Development and Trade announced that the province will waste \$400 million to entice more people to gamble at the Windsor casino, even though we know that almost 5% of Ontario's residents are addicted to gambling and that this will make their problems even worse.

This particular minister apparently wants to expand gambling in Ontario, and he made his announcement the day before the House resumed sitting, sidestepping the scrutiny of the Legislature at a time when the government is starving hospitals of the funding they need to serve patients, and just before the Premier went, hat in hand, crying poor to the federal government.

Will the Premier please explain the government's priorities? Why does the Windsor casino deserve that \$400 million more than Ontario's hospitals?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know that the member understands that sometimes you have to invest money in order to generate more money. The Ontario Lottery and Gaming Corp. generates \$2.1 billion on an annual basis. We are using those monies to enhance the quality of education, health care and other social services that we provide to all Ontarians.

More than that, if we compare and contrast our record against that government's record, we are investing, at the same time, more in health care, more in education and more through the OLGCA into expansion of conventions, for example. We're doing both at the same time. But when that member served in that former government, at the time that they invested to expand gambling in Ontario, they were also cutting investments in health care.

**Mr. Arnott:** In recent days, I've talked to scores of people on the main streets of communities like Arthur, Mount Forest, Hillsburgh and throughout Waterloo-Wellington. They think the Liberals have their priorities backwards, and they're right.

The Premier should know that I tabled Bill 95 on June 9, some eight months ago. If passed, this bill would put a complete moratorium on the expansion of gambling until a public inquiry is held to study the negative social impacts of excessive gambling. My bill is supported by the president of the Canada Safety Council, Émile Thérien, who sent his written endorsement to the Premier last month. This month, the Right Reverend Colin R. Johnson, bishop of Toronto for the Anglican Church of

Canada, wrote to the government in support of Bill 95 as well.

Will the Premier please inform the House of the government's position on Bill 95, and at the very least, will he assure us that the next time the government makes an announcement to expand gambling in the province, they'll have the courage to make in this Legislature?

**Hon. Mr. McGuinty:** Just so Ontarians and the member opposite are clear as to what we have done in contrast to what the former governments did, when the NDP first introduced gaming to Ontario, they cut from hospitals \$268 million in 1994, when Casino Windsor first started. There was an expansion of gaming under the Tories that happened at the same time as they cut spending. In fact, they cut \$557 million from hospitals in two years: 1996-97 and 1997-98. We are investing billions more in health care and education at the same time that we are investing, through the OLGCA, to ensure that we can generate more returns to put those again into health care and education. We are doing both at the same time.

#### HOSPITAL FUNDING

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Health. One year ago today, the exact date today, at the Economic Club of Toronto, you told Ontarians that your government would take action to put hospitals on a sound financial footing by covering the \$721 million in hospital cash pressures that had accumulated over the years due to hospital underfunding. In particular, you stated that "our government recognizes that hospitals are also sitting on \$721 million in cash pressures, accumulated over the past few years. Quite frankly, I am amazed that this had been allowed to go on for as long as it has."

One year later, it's not \$721 million; it's over \$1 billion, because \$300 million has been added to that pressure. Worse still, next year we expect that that will more than double. Mr. Minister, my question is, do you have a plan, and when will you address the serious financial problem that is destabilizing hospitals and their health care workers and hindering their ability to provide patient care?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The honourable member will know that our plan is being advanced, in large measure, on the \$1.7-billion investment that we've made in hospitals since taking office 16 or 17 months ago. Part and parcel of that is working with hospitals on balanced budget plans, which will see each of them come in balance by the end of fiscal year 2005-06. The reality is that we're at a point where more than half of Ontario's hospitals are in a circumstance that allows them a more stable foundation for moving forward. The member will also know from his work around here on financial matters that issues of the consolidated books of government and the impact from funding partners are something that this Legislature will have a chance to consider over the period of the next

few years. So I think that these things taken together do represent the very, very clear point, which is that we're working very hard to have all of our hospitals in balance by the end of fiscal 2005-06.

**Mr. Prue:** I'm not sure what the answer was, so I'm going to try it from a different angle. Mr. Minister, you know that hospitals are under tremendous cash pressure. Most hospitals have had to borrow hundreds of millions of dollars at the banks to make ends meet. They're paying very high rates of interest, and they are unable to balance their books—albeit some may be; most are not. Those hospitals, according to your own estimate on January 17, have had to lay off 757 nurses this year alone, and that's the reason you gave.

What guarantee can you give this House today that the 2005 Ontario budget will restore the financial health of hospitals by covering the full accumulated shortfall that hospitals have had to incur due to chronic underfunding of patient care services? Secondly, will you live up to your campaign promise to provide hospitals with adequate multi-funding to the end of this term?

**Hon. Mr. Smitherman:** I think that the honourable member, who has a hospital in his riding called Toronto East General, instead of talking in general terms about the plight of Ontario hospitals, might celebrate the fact that his hospital, in addition to receiving \$19 million in additional funding from our government, is a hospital that has a long history of being in balance. Further, this is part of an incredible \$345-million investment that our government has made in central Toronto health services alone since we came to office. This is especially astonishing, coming from an honourable member who's part of a party that, in their time in government, actually cut hospital funding by a quarter of a billion dollars.

He wants to talk about stable funding. Here's the promise that we hold: It is that we get our hospitals in stable operating position by the end of 2005-06. This is the number one priority as it relates to hospitals, and we're well on our way toward getting that done.

1510

SEXUAL ASSAULT CRISIS CENTRES  
CENTRES D'AIDE POUR VICTIMES  
D'AGRESSION SEXUELLE

**The Speaker (Hon. Alvin Curling):** New question. The member from Hamilton East.

**Ms. Judy Marsales (Hamilton West):** Hamilton West, but thank you, Mr. Speaker.

My question is directed to the Minister of Community and Social Services and minister responsible for women's issues. Minister Papatello, research shows that more than one third of women in Canada have experienced what is legally recognized to be sexual assault, and that young women under 25 are at the highest risk. It also shows that 80% of sexual assaults occur in the home. Sexual violence can devastate the lives of those it touches. Sexual assault against women is a serious crime,

and victims have a right to receive timely and sensitive treatment, as well as the support of their communities.

The Sexual Assault Centre for Hamilton and area and le Centre des femmes de Hamilton are in my riding of Hamilton West. These centres provide a critical community service for those women who experience this despicable abuse. Services that they provide include 24-hour crisis lines, supportive counselling, referrals to other community services, as well as court, police station and hospital accompaniment.

Today, Minister, you made an announcement that will finally see an increase in the funding to these essential services. Can you please tell the House what these sexual assault centres will see as a result of this morning's announcement?

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me begin by thanking the member from Hamilton West. This is a woman who is a super representative on all issues, but especially on women's issues. She has been a strong advocate for women in Hamilton, matched and rivalled only by our Minister of Children and Youth Services.

Today, Madeleine Meilleur, the minister for francophone affairs, and I had a wonderful opportunity to make a super announcement. This is a \$1.9-million enhancement to the sexual assault crisis centres in 36 centres across Ontario. It was a proud moment for us. These crisis centres have not seen a dime in the last 12 years, and we are proud to be part of a McGuinty government that is there to support women when they need support the most.

**Ms. Marsales:** Thank you, Minister Papatello. My supplementary actually is to Minister Meilleur, because I understand that you were not alone this morning for this announcement. The Honourable Madeleine Meilleur was there with some good news for Ontario's francophone communities.

Unfortunately, sexual assault touches all of Ontario's diverse communities. In the past, there has been a gap in funding for French-language services. This is simply unacceptable, and I'm proud that our government is taking the necessary steps to close this gap. Minister Meilleur, can you please share with this House how you are ensuring that the sexual assault centres in French-speaking communities and the important services that they provide for victims of assault in those communities are fairly treated?

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** Our government has made a firm commitment to improving access to French-language crisis intervention services through the implementation of the domestic violence action plan. Francophone sexual assault centres have been chronically underfunded.

Aujourd'hui, le gouvernement McGuinty a annoncé un montant de 1 \$ million du fonds des victimes de violence contre les femmes, du ministère du Procureur général, à la lutte contre la violence en milieu franco-

phone. Ce montant est divisé en deux parties : 500 000 \$ seront consacrés aux centres francophones pour atteindre un financement équitable en français, et un autre montant de 500 000 \$ aidera à combler les écarts qu'ils subissent dans les services offerts entre les centres francophones et anglophones de l'Ontario. Cette somme permet d'atteindre la parité du financement pour les centres francophone d'aide aux victimes d'agression sexuelle.

#### VETERANS' HOSPITAL CARE

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** To the Minister of Health: As a minister known to declare war, I question your respect for those who have gone to battle on our behalf.

Last week, the *Burford Times* printed an open letter from Helen Vanderlands of Harley. She reports that three young ladies from Holland training in Ontario hospitals told her, "The school children in the Netherlands take better care of the graves of the soldiers who gave their lives for this country than the government does to look after the wounded veterans."

Last month we asked for a full investigation into the death of a Canadian war vet in one of our province's veterans' hospitals. Minister, have you done this? Have you taken any action?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I've taken action, and the action is ongoing. I had an opportunity about a few weeks ago, and I will have another opportunity in a week or two, to meet with representatives from the Royal Canadian Legion who are concerned and who have expressed their concerns, not only to the government of Ontario, but also to the Department of Veterans Affairs because they have some significant responsibility around the care of veterans who are in our health care system. So we're working very co-operatively with the Royal Canadian Legion, which we feel is the appropriate step to take given their obvious capacities for advocacy on behalf of those.

I found the lead-in to your question rather offensive, I must say. The obvious reality is that my family, and I assume yours as well, sir, have people in it who fought and gave their lives, and in some cases their health, for our country. The freedoms they fought for are freedoms I celebrate every single day, and I'll put my record up against that of the honourable member in terms of working on behalf of those veterans.

**Mr. Barrett:** I agree that declaring war in this venue is confrontational, and I regret you did that toward my farmers.

We realize Ottawa is taking some action—you have some ongoing meetings or some meetings in the future—but I'm asking, when can we expect some action?

The letter I made reference to, Minister, I read to a meeting of the Army, Navy and Air Force Veterans, Ontario command, last weekend. One veteran grabbed the mike to demand, "I want something done about this immediately." Those are his words.

I appreciate that you and your staff are having some meetings. Veterans' hospitals are regulated by the Ontario Public Hospitals Act. Enforcing standards in these hospitals should be a provincial matter. I feel our veterans are being forgotten. Minister, when are you going to conduct a full investigation and take some action beyond some meetings or future meetings or ongoing meetings?

**Hon. Mr. Smitherman:** The strategy that is being developed is being developed hand in hand with the Royal Canadian Legion. The member, in his actual question, offers misinformation with respect to the administration of these facilities. It's not quite so clear as that. The federal government also has a role to play. If you look, as an example, at Sunnybrook, it's a long-term-care home operating as part of a public hospital, and the federal government clearly has a responsibility there.

I have a telephone call coming up this week with the federal minister. I have a subsequent meeting coming with the Royal Canadian Legion, and I think that if you speak to the legion, you'll hear first-hand from them that the way we left the meeting was that we were working toward the next meeting, with a view toward having a strategy that we would develop together. I was deferential to them, because their obvious capacity to advocate on behalf of these veterans and their knowledge of the system as it exists now are going to be very beneficial as we move forward together. We'll be doing that with the Royal Canadian Legion on behalf of these veterans. I believe that's the prudent action.

#### AUTISM

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Children and Youth Services. There is a continuing crisis in Ontario that affects hundreds of families whose children are struggling with autism. As you know and as you have stated, autism is on the rise in this province, and yet your government has chosen to do nothing. You and I both know that the waiting list for provincially funded IBI treatment exceeds 1,200 children. Only 500 children are currently receiving treatment. Families whose children are not moving up your waiting list for publicly funded, necessary treatment have been forced to do many things, including mortgaging their homes, for private care.

Today in the House, we host my constituent Michelle Quance and her four-and-a-half-year-old daughter Tennyson. Tennyson was diagnosed with autism last year. Minister, Mrs. Quance wants to know today if your ministry will provide her child with the treatment she needs before she turns six years old and is no longer eligible. Will you assure this family today, and the 1,200 others on the waiting list, that there is hope they will get the IBI treatment they desperately need?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for his question. I welcome the family to the Legislature, and the

young girl as well. This is a major challenge for our government. I admit that. You are wrong in one of your statistics. It was 1,200 on the waiting list, and we have decreased that waiting list to 800. I know even one child waiting on a wait list is too long, but we moving aggressively, I'd like to say to the honourable member, on reducing the wait list. We added \$10 million for supports for children under six so they can receive the IBI treatment they need and deserve. We've put in \$30 million for a school-based program so when the little one in the gallery is ready to go to school, she will have support throughout her school education. That's what was lacking in the system as well, as far as what the specialists were telling us.

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I thank the honourable member for his concern. I welcome the family and I give them my support for their journey ahead. I have worked with families in the past that have children with autism. They're beautiful, but there are challenges, I understand. I want to reassure the family that our government is working very aggressively to reduce the waiting list.

**Mr. Prue:** Your own Premier has so passionately stated many times that these waiting lists are alarming and unacceptable. Those are his words, not mine. When are you going to step up and do the right thing for autistic children and their families? The Quances have already mortgaged their home and their future. The community has held fundraisers to help provide IBI treatment for Tennyson and our local community newspaper continues to document your inaction. This family and many others need your commitment today. Share your plan for the expansion of IBI treatment with this House today, before it's too late for Tennyson and the 800 others you now tell us are on the list.

**Hon. Mrs. Bountrogianni:** Again, I thank the honourable member for giving me this particular case, and I would like you to bring this case to my office's attention as well. If the little one, Tennyson, is under six, she should be getting IBI therapy, and we will look into it.

On the provincial front, we are working very hard. As well, we'll be evaluating our program. We had a chair with my colleague from the Ministry of Training, Colleges and Universities to find out why there is such an increase of autism in Canada and the world and what better treatments we can have for children. We also agree with the Ontario Human Rights Commission that once a child is six and is ready to go to school, IBI is not appropriate for the education system. It's appropriate for a clinic setting—

**Mr. Cameron Jackson (Burlington):** That's not what they said.

**Hon. Mrs. Bountrogianni:** That's exactly what they said and that is why we are investing \$30 million for our school-based program.

## DETOX CENTRES

**Mrs. Donna H. Cansfield (Etobicoke Centre):** My question is for the Minister of Health. Withdrawal management services, actually known as detox centres, are across this province. They're a place for people who are struggling with drug and alcohol addiction as sort of a first-step opportunity for them to get some support. What's happened over the years is they were virtually abandoned by the two previous governments and they're suffering some very serious financial concerns. As a matter of fact, some of them are actually going to close for a short period of time, stop their services, in order to try to deal with this financial crunch. So I'm asking the minister if there is anything that he can do to help these folks out, because it is a serious problem in our society.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I would say that the member has hit the nail on the head with respect to the important role that these withdrawal management services or detox centres play, especially as a front line in terms of trying to assist people with addictions to deal with challenges they are forced to confront. It's true to say that over a period of time, these detox centres have had some very serious funding challenges, which has resulted in the need for an investment on the part of our government. I'm very pleased to say that tomorrow our government will be investing slightly more than \$2 million to shore up the capacities of our detox centres, to make sure they're able to operate on a year-round basis rather than with threatened closures. It's a first step in terms of working toward their stability, but I think it does represent an important step on our government's part to make sure that this key piece of the addictions puzzle is dealt with and that people have access to these front-line services.

**Mrs. Cansfield:** Obviously, the best would be if we didn't need them in the first place, to be honest with you. So what is it we can also do in terms of prevention around the issue of substance abuse, and is there anything that the minister has planned?

**Hon. Mr. Smitherman:** I think part and parcel of dealing with the challenge of addiction is having the resources available in the community to assist people with these challenges. I think we all know people in our community who have struggled with addictions and sometimes struggled with not necessarily having community-based resources to assist them. The hundreds of community-based addiction organizations across Ontario have seen but one very small base funding increase, astonishingly, since 1991 or 1992. We know that since 1997-98, they've seen a 61% increase in the demand for their services. I'm very pleased to say that tomorrow we'll be making an announcement for a further investment of approximately \$2 million to our community-based addiction treatment organizations, the second such investment in 12 long years.

## ACCESS TO DRUGS

**Mr. Cameron Jackson (Burlington):** I have a question for the Minister of Health. Yesterday in the House, I brought to the attention of all members the plight of a constituent of mine who requires medical treatment and has applied for a section 8 through her physician. She is an ODSP recipient as well, and her discretionary income at the end of each month is less than \$60.

Minister, we were very distressed to learn, when we contacted your Ministry of Health, and the department responsible for section 8 applications for these drugs, that they were unable to provide an answer as to the status of this application. The backlog was so severe that, at this point, they were only processing applications they'd received as of November 14 of last year.

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

**Mr. Jackson:** Minister, are you aware of this problem, and could you please tell us what you're doing to assist my constituent and, I'm led to believe, thousands of others who are waiting for approvals for section 8 applications?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** Since section 8s were instituted in the province of Ontario, I believe in 1995, they have grown 20-fold in terms of the number we're dealing with annually. This, of course, has created a pressure point within the ministry in terms of making sure there's a sufficient number of people to deal with these on a timely a basis as we would all wish. We're working very hard right now to allocate additional resources. In the meantime, we've constituted what I might characterize as a triage system, which does make sure that we're dealing on a priority basis with those section 8s which are particularly time-sensitive from the standpoint of patients.

I will not stand here and say that the standard we're meeting right now is an acceptable one, but I can confirm for the honourable member that I am aware of it, that we're working very hard to address it. I believe we will be able to achieve a more satisfactory benchmark as we move forward. But I can confirm, again for the honourable member that those most urgent cases are getting a very timely intervention. We can, and will, do better in terms of meeting a high standard for all of them.

**Mr. Jackson:** Minister, the information we're receiving is that there is a challenge in how to manage this program and that you are in the process now of trying to hire additional pharmacists who act as screeners to process the application. The problem is that everything that's come into your ministry is batched and date-sensitive, so there is no triage system. There is an effort currently under way to try and hire additional staff in order to deal with the backlog.

My concern is that my patient is being hospitalized and taking heavy doses of morphine daily in the absence of access to this medication. These are serious, health-compromising issues.

This is not a process that's able to triage until you can process. What are you doing to speed up the application, which normally takes six to eight weeks and is now on a backlog burner of five to six months?

**The Speaker:** Thank you.

**Mr. Jackson:** Could you please give us something more than a plan to implement a plan?

**Hon. Mr. Smitherman:** What I can confirm is what I said in the first answer, which is for clinically urgent requests we're meeting a much faster standard, approximately 72 hours. I can tell the honourable member that 70% of all the claims are being dealt with on a two-week basis, and we're working to allocate additional resources to make sure we're achieving a necessary high benchmark and standard on all of these cases.

There's a significant degree of work that is to be done, but 70% of all of the claims that are coming in are being dealt with in a two-week time frame. I can confirm for the honourable member what I said in my first answer; that is, for those clinically urgent requests, we're dealing with those in quite a timely manner.

## ROYAL ASSENT

## SANCTION ROYALE

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

**The Deputy Clerk (Ms. Deborah Deller):** The following is the title of the bill to which His Honour did assent:

Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.

1530

## PETITIONS

## PHYSIOTHERAPY SERVICES

**Mr. Ernie Hardeman (Oxford):** I have a petition to the Legislative Assembly of Ontario, signed by a great number of people in the province of Ontario.

"Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

"Whereas those who use physiotherapy services consider this an important part of their health care and

rely on these services, along with the OHIP funding, in order to function; and

“Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

“Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated.”

I sign this on behalf of my constituents, as I agree with it.

**Mr. Frank Klees (Oak Ridges):** “To the Legislative Assembly of Ontario:

“Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

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

“The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures.”

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

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario.

“Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

“Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

“Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

“Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated.”

I have also signed this.

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads:

“To the Legislative Assembly of Ontario:

“Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

“Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

“Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

“Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated.”

I sign my name in full support.

#### STUDENT SAFETY

**Mr. Frank Klees (Oak Ridges):** “To the Legislature of Ontario:

“Whereas the Ministry of Education has failed to ensure that students are protected from individuals whose past behaviours have directly harmed children; and

“Whereas the Ministry of Education has chosen to ignore the children’s aid society’s recommendation that certain individuals not work with children; and

“Whereas the introduction of a ‘volunteer’ into the school system must not be solely at the discretion of the principal; and

“Whereas the Liberal government promised to ensure that school boards provide strong local accountability and decision-making;

“We, the undersigned, petition the Legislative Assembly to amend the Education Act to place restrictions on the eligibility of persons who act as volunteers in schools, and to include as a formal requirement that volunteers be subject to the approval of the school board and parent council.”

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

#### PHYSIOTHERAPY SERVICES

**Mr. Ernie Hardeman (Oxford):** I have a petition here signed by a great number of constituents.

“To the Legislative Assembly of Ontario:

“Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

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

“The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assem-

bly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures.”

I present this on their behalf.

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** I have another petition to the Legislative Assembly of Ontario. It says:

“Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

“Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

“Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

“Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated.”

I’ve also signed this.

**Mr. Jerry J. Ouellette (Oshawa):** We continue to get a large number of these petitions. They come in on a regular basis. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

“Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

“Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

“Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated.”

I sign my name in full support.

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** It’s the “Save Huronia Regional Centre” petition:

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

“Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and economies of the local communities;

“Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

I’m pleased to sign my name to this as well.

1540

#### EYE EXAMINATIONS

**Mr. Frank Klees (Oak Ridges):** “To the Legislative Assembly of Ontario:

“Whereas the 2004 provincial budget was not clear on whether adult optometry patients who have or who are at risk for medical conditions such as diabetes, glaucoma, macular degeneration and clinically significant cataracts would continue to be covered through the Ontario health insurance plan; and

“Whereas Ontario’s optometrists strongly feel that Ontario seniors, those under 20 and those with chronic sight-threatening diseases must continue to receive primary eye care services directly from Ontario’s optometrists; and

“Whereas forcing patients to be referred to optometrists through their family physicians ignores the years of specialized training optometrists undertake to detect, diagnose and treat eye conditions; and

“Whereas almost 140 communities across the province have already been designated as underserved for family practitioners and the government’s approach will only exacerbate the problem unnecessarily;

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

“That the Ministry of Health and Long-Term Care immediately clarify that the eye examination services they provide to patients at risk for medical conditions will continue to be covered by OHIP and the coverage for these services is not dependent on a patient being referred to an optometrist by a family physician.”

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

### PHYSIOTHERAPY SERVICES

**Mr. Ernie Hardeman (Oxford):** As other members have said, there is a great number of these petitions. In fact, some of them have been coming in for months.

"To the Legislative Assembly of Ontario:

"Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

"Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

"Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated."

I affix my signature to the petition.

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have another petition. As Jerry Ouellette said, there are many of these coming in all the time.

"To the Legislative Assembly of Ontario:

"Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

"Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

"Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated."

I have also signed this.

**Mr. Jerry J. Ouellette (Oshawa):** Again, I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

"Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

"Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated."

I sign my name in full support.

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

"Whereas over 1.2 million people use physiotherapy services every year in the province of Ontario; and

"Whereas those who use physiotherapy services consider this an important part of their health care and rely on these services, along with the OHIP funding, in order to function; and

"Whereas the elimination or reduction of physiotherapy services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas eliminating or reducing OHIP coverage of physiotherapy services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: That the Parliament of Ontario does not delist physiotherapy services from the Ontario health insurance plan, and that assurance is given that funding for physiotherapy services not be reduced or eliminated."

I'm pleased to sign this petition.

## ORDERS OF THE DAY

### SPOUSAL RELATIONSHIPS STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES UNIONS CONJUGALES

Mr Bryant moved third reading of the following bill:

Bill 171, An Act to amend various statutes in respect of spousal relationships / Projet de loi 171, Loi modifiant diverses lois en ce qui concerne les unions conjugales.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I proudly move third reading of Bill 171, An Act to amend various statutes in respect of spousal relationships.

**The Speaker (Hon. Alvin Curling):** Further debate?

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** I'm proud to have the chance to debate a bill we have before the House that maybe not everybody is in favour of. But unfortunately, there are a lot of games being played in this House, and that's why there seem to be a lot of problems—there weren't too many petitions today.

There are a lot of people in Ontario who are against this bill, and there have been a lot of calls coming in to our office today. Hopefully there will be a recorded vote when we're done debate on third reading, because that's what the people of Ontario want. They want to know how their members are going to vote on this. It would be nice to see how the members on the Liberal side and the NDP side vote on this.

I certainly hope that when the debate—

*Interjection.*

**Mr. Murdoch:** Did you want to debate? The Minister of Health said he would like to debate, too. I'm looking forward to hearing the debate from the Minister of Health on third reading, because the minister—

*Interjections.*

**Mr. Murdoch:** Oh, and the Minister of Energy is going to debate with us too. It's really good that we're going to have some more people debate this. Is there anybody else over there who would like to debate this, or do you just want to sit back and let somebody run your lives for you?

There are two more over there, so I'm sure the debate will go on all afternoon; we've had a lot of them over there talking.

*Interjection.*

**Mr. Murdoch:** Did I hear the Minister of Health say something again? He seems to have a lot to say today. But that's fine; that's his privilege. That is what this House is about. We have the privilege to come here and debate bills and vote on them. Sometimes we even get a free vote. There are those who think a voice vote is a free vote, which it isn't. Some of us over here would like to see a vote that we get to record. That's a free vote. That's when you get to stand up and say how you vote for your constituents.

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Why don't you stand up, and we can do that?

**Mr. Murdoch:** Do I hear the member from Ancaster–Dundas say he wants to debate this too? I'm sure he'll be debating here today. We'll see if you stand up when we vote on third reading. Will that member stand up and say, "I want to have a recorded vote?" Will we see that member have true democracy in this House, or do we make deals in this House and we don't have true democracy any more and people don't get a chance to vote?

1550

There's Michael Bryant shaking his head. Do you not think we should have the right to say it in a free, recorded vote? Are you telling me you don't believe that's a right we should have over here, that we should not have the right to have a free vote, to stand up and say yea or nay and be recorded? Do you not feel that's right and fair and democratic? This is a government that said they were going to change democracy, that everybody in this House would have a chance to speak out, that everybody would have a chance to vote the way they felt they should vote. But today I hear that we may not get that chance. Surely the government of the day wouldn't want it on their shoulders that, "No, we took away democracy." I don't see you shaking your head any more over there—

**Hon. Mr. Bryant:** I wasn't shaking my head, Bill.

**Mr. Murdoch:** You weren't shaking your head. That's good, then. I'm glad about that. I'm sure you're going to stand up when we want a recorded vote and help us have a recorded vote. I'm going to challenge everybody in this House: If you want free, recorded votes like this government said they did, like a lot of other governments said they would, we would have free and recorded votes in this House.

You know, somehow we do that when we sit late. Isn't it funny? When we sit late, we have a recorded vote as to whether or not we should sit late. I've stood up for that, and I've seen all the NDP members stand up for that, so I'm sure the NDP members today are going to stand up when we want a recorded vote.

**Mr. Rosario Marchese (Trinity–Spadina):** If you're against it, you should stand up and have a vote.

**Mr. Murdoch:** That's right. There we are. I'm sure Mr. Marchese will stand up and have a recorded vote when it comes. I'll be looking for you to stand up in this House when the chance comes, when there is a vote. Maybe he doesn't believe in free votes; I don't know. But I do, and that's why I was sent here. I was sent here by the people to vote, and they want to know how I vote. If this House doesn't let every member in here vote freely on this issue, then democracy is lost. If we don't have enough people on this side to stand up, then the opposition isn't right. This is why we came here. We came here to vote on bills that the government puts in, and we have the right to stand up and say yea or nay.

I'd like a drink of water, if I could have one; I have to go on for another 54 minutes. It may take me that long before I get a drink of water; I hope not.

This bill has many fundamentals, and a lot of people debated it yesterday and got their points across. Today is third reading, and I know from the opposition, some of the things they said—some from the government are going to debate it today, because they were yelling at us when we got up, so I'm sure they're going to debate. I look forward to what they have to say.

But the main thing is that when we come to vote for this is, everybody here has a chance to say yea or nay, not this voice vote, as I believe the government has it. That is not a free vote. A free vote in this House is when

you can stand up and say, “I support it” or “I don’t support it.”

**Mr. John R. Baird (Nepean–Carleton):** You’re standing. Tell us what you think.

**Mr. Murdoch:** I’ve told you. I will be voting against this bill. I will debate it too, because it’s my right to come here and debate. I know there are some people in our party and some in the other two parties who don’t want that to happen. They don’t want us to stand up here and debate this. They’ve put pressure on some of our guys and said, “Oh, you can’t do that.” They didn’t even want us to put in petitions today, if you can believe that.

That’s not democracy, and this government said there would be more. I haven’t seen it yet. I’m sure they’re working on something in the backroom to come out with some more democracy. But if today they don’t give us a free vote, then I’ll tell you, this is a sad day for Ontario. It will be a sad day for Ontario if I don’t have the chance to stand up in here and say I’m opposed to this bill. I want to be able to vote, though, and have the vote recorded. The vote goes in Hansard and says yea or nay. I’m sure the House leader of this government—he’s been fair all along—will make sure that we on this side will get that chance to have that vote, that free vote and that recorded vote. That’s what counts. A recorded vote in this House is the only way people back home will know how we voted on this issue.

Again, it’s a very simple request to ask to be heard and to be able to vote the way you think the people who sent you here would vote. This is what I’m asking for: only the chance to get my vote recorded. I don’t think that should be a big deal in a House that’s supposed to be the democracy of Ontario, but if it isn’t, then I guess we’re in trouble in this country.

Mr. Speaker, I’m sure you would want your vote recorded, and you may even have to step out of the chair to be able to record that vote. I’m sure the people back in Barrie will want to know how you would vote on an issue like this, and they should have that right. That’s why democracy costs a lot of money: because people want the right to know how people in this House vote.

This is a good bill that the government likes. Some of us may not; even some people in the government may not want to vote for this bill. They should have the right to be able to say to the people back in their riding, “I didn’t vote for that,” or, “I did vote for it”—whatever they think they should do. I think there are a lot of Liberals over there who would like to vote on this, but they’re not going to give them the chance, if we don’t have a recorded vote. Because then your House leader and our House leader will say yea and nay, and the Speaker will say, “I think the yeas have it,” and that’s the end of it.

That’s not democracy. If you want democracy in this House, then this is where it should start today. Today we can start with a recorded vote that lets everybody who’s here today to vote have a chance to do that, or if you want a recorded vote, you can have it done on Monday, if that’s what you want to do. That’s fine, too. Then people can come back and vote their conscience. But if you put

this vote through without us having a recorded vote, then as far as I’m concerned, democracy is dead in Ontario, and the Liberals have let us down terribly—and some of the ones on our side also, who make some deals like this.

I’m looking forward to standing up here and saying no on this bill, which is my right. If I lose the bill, then life will go on. But it’s fair that I had a chance to say no. I am demanding that we should have that right. That’s why we were sent here. If we don’t get that right, then, as I said before, things have really gone wrong.

I don’t know whether there’s anybody else in our party—but surely I didn’t see everybody speak. I’m certainly willing to give up some of my time. As I say, I have 50 minutes. If I have to talk here for another 49 minutes, I’ll probably have to have a few more glasses of water. I don’t know if there are other people in our caucus who would like to get up and speak who didn’t have a chance yesterday.

*Interjection.*

**Mr. Murdoch:** Well, you had a chance yesterday, Mr. Bisson. Oh, you’re not pointing at me. Don’t point if you’re not pointing at me.

*Interjection.*

**Mr. Murdoch:** That’s all right; you have to go up there to talk.

**Mr. Gilles Bisson (Timmins–James Bay):** I like you, Bill. You’re a good guy.

**Mr. Murdoch:** I know you do, that’s fine, and you have a right to vote. Don’t you think I should have a right to vote?

**Mr. Bisson:** I think you should do anything you want.

**Mr. Murdoch:** You can help us have a recorded vote.

You’ve got the sword there; you have to get the sword.

Well, there’s a member of the New Democratic Party who says we should have the right to vote. I see the minister over there nodding his head. I’m sure that they would. I know Mr. Kormos wants us to have the right to vote. He believes that is a fundamental right of this House.

I’ve got somebody who’s sent me some speeches now. I’ll have to put my glasses on to read this to you.

There may be some Liberal members who want to vote against that. Did you ever think of that? I read in the paper where all the NDP and all the Conservatives are going to vote for this. Maybe that wasn’t right—there was no one in the paper who said that—but that was in our paper. It said that the Conservatives and the NDP were all going to vote for this. The NDP, I think, have made it quite clear that they’re going to vote for this, and that’s fair, but they should have a chance to record that so that people in their riding will understand this, will be able to look at that and say, “My member voted for this.” I wonder how the member from Niagara Falls on the Liberal side, he or she, would like to vote. Would the member from Thornhill, if they’re here, like to vote for this?

There’s the Minister of Agriculture. I’m sure he would like to vote for this, because he has a lot of people who

depend on him in rural Ontario. You know that, and you're doing your best, as far as I'm concerned, to help us out in rural Ontario. But you know something? Rural Ontario is about 90% against this bill. You represent a lot of farmers and they're looking for your leadership, but if they don't give you a vote, how are we going to know how you voted? If it's one of these voice votes that's supposed to be so democratic, how are we going to know that? So I would hope that the Minister of Agriculture has a chance to say no or yes for this vote. I would hope so.

1600

I'm sure the Minister of the Environment would like to have her say. I don't think she's had a chance to debate this. After I have my 47 minutes, there will be time for her to get up. The Ministry of the Environment represents a lot of rural people. Her area, her riding, is rural, and I'm sure she's done her own polling and knows what the people in her riding want. You should have a right to stand up and say this—not some voice vote that says yea or nay. You should have the right to stand up and go back home and say, “I voted for this,” or, “I voted against it.” If we don't get that right, then democracy isn't here.

I'm sure there are many more Liberals over there. Mr. Caplan, you met with a lot of people at ROMA. You did an excellent job. I commend you for that. So did the Minister of the Environment. She worked tirelessly down there. Now, though, you're going to come here, where you work, where you come and debate, and where you help people out, and you're not going to get a chance to vote for this. You say you'll vote for it—that's fine—but then, when it comes to the recording, that's where it counts. Hansard: Everybody replies, “What did it say in Hansard?” That's the law here. Hansard will tell you.

I understand there's a deal that says we're not going to get that chance. I know. Bad, eh? You're not going to be able to say to your people, “Yes, it's right there. I voted for it,” or against it, whatever you want to do. You say you're for it? That's fine. That's your privilege, and that's why we get elected. That's why we have democracy. But they're not going to give you that right in this House.

Mr. Phillips there is another fine man. I'm sure he'd like to have his say on this. He goes way back. He's been here for a long time, and I'm sure that he believes in democracy, or he wouldn't have gotten elected all the times that he got elected here. I'm sure that he would like to see himself on record as to how he voted in this. He must have opinions on it. I'm sure he does. He has opinions on most things. I don't always agree with his opinions—sometimes he's right; sometimes he's wrong—but he should have a chance to vote in this House, to vote and say yes or no to a recorded vote, a free recorded vote. That's what democracy is about: freedom. I would hope that Mr. Phillips gets that chance.

Mr. Ramsay is a northern member. I'm sure he would like to see how this vote goes.

**Hon. David Ramsay (Minister of Natural Resources):** I vote aye.

**Mr. Murdoch:** He's going to vote for it. I have to help him out, because they're not going to give him the chance to put it on the record. Now, do you call that democracy? I don't think he would call that democracy if he had a chance. He may get a chance to debate this after—I don't know—but we will give you that chance if you just stand up when we need someone to stand up over there. I don't know how many will be here—I'm not so sure—but I would think that you would want to have your name on the record as to how you voted, and you won't get that unless we have a recorded vote in this House.

There are many more over there. Looking at the Minister of Community Safety, the old Solicitor General, we used to call you—not you personally, but that's what we called it, “Solicitor General,” when Mr. Runciman was Solicitor General. I'm sure both of you guys would like to have your vote on this, but you're not going to get that chance. If this thing is swept under the rug with a yea and nay—“I believe the ayes have it”—then this bill goes away. That's what everybody wants it to do. If you have the fortitude to put a bill through, then let's stand up and say whether you support it or whether you don't. That's what I thought I got elected to do: come down here and say, “Yes, I think they've got a good bill,” or, “No, they don't.”

I can go back when the NDP were in government. They brought a bill and I ended up the only one on this side—we were on this side then—supporting your bill. It was a good bill. It had to do with labour laws. It gave autonomy here in Ontario, our local unions, some control over the unions in the States. I ended up voting with you. There was nobody else. That was my right. It was a recorded vote. I had a chance to stand up and say yes. Today, you're trying to take that away from us.

It's just too bad that the House comes to this, that we have to make deals, because what this is supposed to be about is that we have a government in power, and they're supposed to look at different laws and bring in laws that they think should be in Ontario. Then we have a chance to debate them, which we are doing today at third reading. I understand now that we weren't supposed to do this. But you know something? The House leaders never talked to me about this. I think he talked to a few others, but they never came to me. Isn't that funny, Garfield? They never came and sat down beside me. They didn't want us to do this. Where's the democracy there?

I must be getting a bit boring: Some people are leaving. But I'm sure they'll come back pretty quick if I quit talking. What do you think, Jerry?

I just think that this is not right and that we should have a chance. When we get elected, we go through the elections, and we all work hard to get elected. You go out there and you ask people to vote for you. You tell people that you'll come to Queen's Park and debate bills, you'll look at things that the government brings in, you'll decide what you think they want, and then you'll vote for them. As I see it, they don't want us to do that here any

more. They want to let two or three people make a deal, and we just get rid of it and get on to something else.

Well, you brought this up and, quite frankly, I think we're getting pretty lenient when we said, "You bring it in on a Tuesday, you get second on a Wednesday, and on the third we'll vote on it." That's being pretty fair, but let us vote the way we want to. Let us have a vote on it at least, if we're going to do that. Again, I guess that's not the way things work any more in the real world. We make deals and then we just push it through.

Maybe we should be using this time—and I think it would be much better—to discuss health issues. Our health care system certainly needs to be overhauled. Again, the government of the day decides that this bill is more important and will bring it in. I'm surprised that this bill outdid the pit bull. The pit bull is not here yet, as far as I understand. This bill got ahead of that, yet they're not going to let us vote on it.

I know there are many people out there, in my riding especially, who have phoned and said, "We want to know what our members are saying." We did have some calls from Barrie, calls from Orillia and a lot of calls from down in the Windsor area, saying, "We want to know how our members down here are going to speak on this or how they're going to vote at least. We may not hear them speak in the House, but a recorded vote goes in Hansard and the public of Ontario have a chance to look at that."

*Interjections.*

**Mr. Murdoch:** Maybe we will have five Tories, but this is debate time, is it not? Do we not debate third reading sometimes in here?

**Mr. Bisson:** As much as you want.

**Mr. Murdoch:** There you are. I knew that the NDP would be in favour of debate. That's good, and I hope that the member from Timmins has some good things to say. I'm sure that he'll want to show what his vote is going to be. Maybe he can stand up with us. The member from Timmins can certainly stand in his place and ask for a recorded vote. Hopefully, he will.

We are down to third reading of this bill and—

**Mr. David Zimmer (Willowdale):** There's 38 minutes to go.

**Mr. Murdoch:** I'm sure that you're going to speak on it for whatever time you'd like to speak on it. I noticed that you spoke yesterday on this and that you're going to support it, which is fine; that's your privilege. But don't you want to get your vote recorded? Don't you want the people in your riding to know how you voted on it? You obviously felt passionate about it. I heard you speak on it yesterday. I would assume that the member would want to have his name in Hansard, saying that he voted yes. But if you have a voice vote, that won't happen. You have to stand up and make sure that we don't have a voice vote then.

I can see that a lot of people over there seem to want to have their vote recorded. It will be interesting when you call for the ayes and nays. Will there be five who stand up in here? I certainly hope so, but maybe not.

Maybe democracy is dead in this House. Maybe it is. I guess we'll have to wait until the end of the debate, until you call the question, and then we'll find out whether democracy is dead in Ontario or not. We'll find out whether the Liberals said something and they meant it. There were a lot of things they said in the election and, unfortunately, they couldn't keep their promises. But one promise was that we would have democracy in this House; it would be different than before. Boy, it doesn't sound much different to me. We've gone through this before, so it certainly doesn't. But we'll see.

**1610**

I know the House leader of the government is not happy with me. That's unfortunate. There, he's smiling now. That's better. You didn't want this to happen and you thought you had a deal but, unfortunately, sometimes deals don't always go. Sometimes deals don't always happen.

I'm looking forward to the NDP certainly using their time in this debate. There were a lot of people on your side when I started who seemed to want to get in on my time, so I'm hoping that when their time comes, they take the time to do that. And you've never been lost for words, House leader, so I'm sure that when your time comes up you'll want to explain to us how we're going to have a recorded vote, a free recorded vote. I'll be looking forward to that.

I'm getting out of water, so I might need some more. I've got a bit of time. Make it two; might as well get two when you do this.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** You have half an hour to go.

**Mr. Murdoch:** Yes. We'll be able to talk about different members and how they want to vote. If we can't get it on the record on a free vote, maybe then we can get it in the House now. If someone over there wants to vote yes and they would like me to read it out, I certainly would. But do you know something? I think a lot of people don't want people to know how they vote. Did you ever think that maybe there's something underlying? What do you think, Mr. Ouellette? Maybe there's an underlying thing here: People don't want it known how they vote. How many members are there in the NDP now, and I can't believe they won't all stand up for a recorded vote. Pretty well every time we have a vote here the NDP stands up and wants a recorded vote because they want democracy. I may not agree with their type of democracy, but they want democracy. They want people to know how they voted because they believe in what they do.

Mr. Prue, I congratulate you on being one of the new Speakers. I know you'll be fair. I have no problem with that. I know you feel passionately about what you believe in in this House, and I also know you want your vote recorded. You want to be able to go home to your constituents and say, "I voted for that. I voted for that and it's right in Hansard; I can prove it." If you have one of these voice votes, like yesterday—it was pretty limp when the Speaker said, "All those in favour," and there were a whole lot of ayes, and "All those opposed," and

there were a whole lot of nays. But you know what the rule is around here: “The ayes have it,” and that was it. I think some people stood—

*Interjection.*

**Mr. Murdoch:** OK, you're telling me. I couldn't see that from the camera, but there were three people who stood up to want democracy—only three people. How many are there here—103? So 100 people in this House yesterday on second reading didn't care about democracy—didn't care.

*Interjection.*

**Mr. Murdoch:** Yes, that's what I said. So there were 100 people in this House who didn't care about democracy.

The member from Perth, I'm sure—and I did hear him speak but he never really said he was going to vote yes or no. He got on the record and I think—

*Interjection.*

**Mr. Murdoch:** Well, I couldn't tell from your speech how you were going to do that. That nice old lady didn't find out either—you know, the one you talked about at the fair. I listened to your speech. You want me to get on the record because you might not get a chance. He might not get a chance to get on the record. Did I hear a yea or a nay? I didn't hear a yea or a nay. Do you want this bill or not?

*Interjection.*

**Mr. Murdoch:** I heard your speech and you didn't really say. You didn't let us know.

Mrs. Van Bommel is from a rural riding and she stated that she was in favour of this bill. She came right out and said so. That's her privilege. That's in the debate. Now we'll go to the vote and we won't know how she voted. No one will know back home how she voted. We just won't know.

On our side of the House, I think four or five spoke. Don't roll your eyes. Maybe the member from Windsor will speak next. I'm sure she will. I was going to talk about some of the members on our side of the House who spoke yesterday and said they would or they wouldn't. I think we had one over here who said he would vote for this. I didn't hear any other people do that. That's his privilege. But we're not going to get a chance to get our vote on the record.

*Interjection.*

**Mr. Murdoch:** You got yours on yesterday, but on the debate. When that vote comes down and when it's a recorded vote, that's where you want to have your name, don't you? You want to be able to go home and say, “Look at page so and so of Hansard. It says yes or no, the way I voted,” and it's there. Without that, you're just going to say, “Well, a bunch of people yelled in the House and the Speaker thought the ayes had it, and that was it.”

Our member from Orillia is here. He came all the way down just to be here to vote. I'm sure you want to hear your name on the list. When they call the member from Simcoe North, “How do you vote?” you want to be able to say yes or no. That's why you drove down here to do

that. It would be an awful drive all the way down and then to have this voice vote and some say “aye” and some say “nay.” What are you going to do? It sounds like we're in a barn somehow and a bunch of horses are neighing.

**Mr. Bisson:** Neigh.

**Mr. Murdoch:** Yeah, there you are. The member from Timmins has it pretty good, but he's been here for a long time.

*Interjection.*

**Mr. Murdoch:** I know. You're looking at me. I've got half an hour yet.

*Interjection.*

**Mr. Murdoch:** I'm sure the NDP are going to take their 60 minutes—I'd hope—in democracy.

We're here again today debating Bill 171, An Act to amend various statutes in respect of spousal relationships. This was really important to the Liberals to get through, before they bring in their pit bull legislation, I guess. They did get their greenbelt legislation done today, which was one of their key legislations. I don't know whether it was that good or not. It was the Liberals', and they'll live and die with it. That's fine. We had a chance to vote against that. You know something? We stood over here and said no. We had a recorded vote on that bill.

What I'm saying is, we better have a recorded vote on this bill. We didn't even talk about that bill, whether it was recorded. You just let us have the recorded vote. I'm sure on this bill you will do that.

Mr. Speaker, I'm looking forward to—

**Mr. Peter Kormos (Niagara Centre):** Craitor will stand with you, Billy.

**Mr. Murdoch:** I hear the member down here from Welland that maybe—maybe he'll stand with me.

**Mr. Kormos:** Kim Craitor will.

**Mr. Murdoch:** I'm hoping some Liberals will. You'd think there would be a few Liberals who want some democracy, wouldn't you? You would think there would be at least one Liberal. We need maybe two. If we could have two Liberals just say, “Hey, I believe in democracy. I got elected. The people sent me here.” They're not jaded already. Surely there are some new people over there—that back row up there, surely you guys understand that. You got elected to come here to vote. You didn't get elected to come here to be told what to do. That's what's happening to you. It happens here all the time. Don't feel bad. The other governments weren't any better. You guys, wouldn't you like to be able to see on the record how you voted? I think you would. I would hope you would. I would hope you'd want to have some democracy in this place.

Again, I was talking about some of the members on this side. I know there are quite a few who would like to see their name there, but we'll find out when we come to it. I guess with me talking—I hope everybody's in the backrooms because quite a few have left. Sometimes you do a speech and you notice everybody at the back of the room is sort of yawning. I've often asked them, “Can you

hear me back there?" and they say no and everybody in the front rows went to the back. That's sort of like today. There are a few of them.

I'm proud that the House leaders are staying here. That's one thing; they're hanging around. I guess they're the ones who made this deal that we're not going to get a chance to have a true vote. I believe the NDP will probably say—hey, when you guys didn't have enough members, I tried to come to your rescue and help you out. You remember that? I know Mr. Prue remembers that quite well.

*Interjection.*

**Mr. Murdoch:** I don't think it's that bad. I think they appreciate the fact that I thought they should have status here. Now I'm saying we need your help. I can't convince enough in our party—oh, I've got another letter. Maybe it's telling me to be quiet. Oh, this is a story. This probably talks about the deal. Oh, oh, this is just a news flash: "Liberal MPP Kim Craitor (Niagara Falls) supports the section of the new bill which protects clergy from performing marriage ceremonies against their will, but doesn't support the rest of the legislation." Are you going to get a chance to vote on this, I wonder?

**1620**

Let's see what else is here: "Craitor said he will vote against the bill since it also redefines marriage.

"It's a shame the bill can't be split."

I agree with him on that. I agree, and it's too bad there aren't two bills here. If we had two bills, some of us over here could support part of it and some of us couldn't support the rest. That's a Liberal guy, and he's not going to get a chance. They're not going to get a chance to vote on this.

Listen to this now, if there's anybody near Niagara Falls: "The Niagara Falls MPP said he has heard from his constituents." That's good. They're listening. That's what you're supposed to do here. That's why they sent us here. They "don't support redefining marriage. He will cast his vote to reflect their will." Well, Mr. Duncan, do you hear that? That's one of your members wanting to vote now. I hope he's here to stand up and help us, or have you sent him home? Have you said, "No, you've got to go back to Niagara Falls. The Falls have gone dry," and sent him back? That's what happens around this place. It has happened too many times.

But there's somebody who wants the right to vote against this bill in your government.

**Mr. Kormos:** Then why doesn't he stand up, Billy?

**Mr. Murdoch:** Maybe he will, if he's here. Where does he sit? I don't know where he sits.

*Interjections.*

**Mr. Murdoch:** No, not me. They're not talking to me. I'm talking to you, Mr. Speaker. I'm talking about Kim Craitor. Where is he? Is he here yet? He might be out back. He'll be here. I wouldn't want to say that anybody isn't here. I would not do that. Everybody is here as much as they can be. Sometimes they can't be, and that's acceptable. He wants to vote against this.

Isn't this something? All you people listen to this, to your own person, to your own member: "That's who I am accountable to," said Craitor. "That's what democracy is all about." I'm in here talking about that now. You've got a Liberal telling me this. Are you going to listen? Well, I guess we're going to find out in another 24 minutes.

Now, the member from outside Sudbury is here—

**Ms. Shelley Martel (Nickel Belt):** Nickel Belt.

**Mr. Murdoch:** Nickel Belt, yes. Well, it's around Sudbury. I'm hoping you'll stand and support us for a free recorded vote. That's all we want. You can vote whatever way you feel is right, and that's why you're here.

**Ms. Martel:** I'm voting in favour. What are you doing, Bill?

**Mr. Murdoch:** I'm voting against it. If I get that chance, I'm going to vote against it. But will I get that chance? Unless democracy is here, I won't. I've always said that the NDP believes in democracy—in a different way than we do maybe, but they do believe in it. Do you not think you'll stand, then, and help us out on this? I'm looking for your help. When you needed help, I was there to try to help you people out, so I hope you'll come here and try to help us.

I see Lou Rinaldi coming in. How does he want to vote on this?

**Mr. Lou Rinaldi (Northumberland):** You'll have to wait.

**Mr. Murdoch:** Well, we're not going to find out, Lou. We may not find out how you want to vote on this if we don't get a recorded vote. Do you think it's going to be heard if you say yea or nay from way down in that corner? I don't care how you vote; that's your business.

*Interjection.*

**Mr. Murdoch:** You didn't have a vote yesterday. Now, the member—what's your riding?

**Mr. Rinaldi:** Northumberland.

**Mr. Murdoch:** Northumberland. The member from down there asks where I was yesterday. I wasn't here, but I watched it on TV. There was no vote here. It was a voice vote. I didn't hear you at all. I couldn't hear you, so I don't know how you're going to vote.

*Interjection.*

**Mr. Murdoch:** That may be so. I was trying to stick up for you, but if you don't want to be nice, then that's fine. I just want to know how you want to vote. If you don't care that you don't have a vote, that's fine. You can go back home and tell your people, "I don't care whether I get a vote or not. It doesn't matter." Maybe that's true in your party. Maybe it doesn't matter. Maybe the Liberals just say, "Go home and tell your people that somebody will look after you and don't worry about it." Do you not want to see your vote recorded? That's all we're asking.

As you say, the Minister of Health is here, and I'm sure I know how he's going to vote, and that's fair. That's his own business. But we're not going to know unless you have a recorded vote. I'm sure some of you

people over on the other side, and maybe some more here, will stand up and vote with us.

All we're asking you to do is stand up. Five people have to stand up, and we get a recorded vote. If some people have gone home because they couldn't stay and they thought this vote was going to be right away, then I'm sorry about that. But I think we have to have some democracy left in this place. We should have a right to express our feelings and we should have a right to vote.

If we're going to have a recorded vote, I have no problem leaving it until Monday. That's fine. That's what we do sometimes on Thursdays: We defer the vote until Monday. But I believe we should have a recorded vote. I want to know how everybody else is going to vote, and the people of Ontario want to know how you're going to vote.

So on this bill that they are bringing forward, which I think both parties have bent over backwards to allow to come through fairly fast—sometimes bills take months to get passed through this House. This bill has had three days, and can be passed in three days; fine. It's the prerogative of the government to do that if we agree. We agreed on that. But I certainly made no deals not to have the votes recorded. That's the thing that bothers me, and I wasn't even going to get a chance to tell you that.

Then we were told not to put in petitions because they wanted to get this over with. I'm surprised there were no petitions from the Liberals, and there weren't any from the NDP. I don't know what happened today. Michael Prue, what happened? You always have petitions.

**Mr. Michael Prue (Beaches–East York):** I didn't have any.

**Mr. Murdoch:** I could have given you one.

*Interjection.*

**Mr. Murdoch:** Well, yeah, a little late. I can't believe it. This is the first time, I think—I have been here 15 years—that I haven't seen a Liberal or an NDP have a petition in the House.

**Hon. Mr. Caplan:** Jim Bradley had one.

**Mr. Murdoch:** Well, yes, Jim always has one, but where's Jim? You sent him home. Jim's gone to St. Catharines with the guy from Niagara Falls. They've gone back home to check the Falls out.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** That's because the Premier is there tonight.

**Mr. Murdoch:** That's nice. George tells me that the Premier is there tonight. That's nice, George. But do you not think it's probably important to vote on this? I'm sure you think this is an important bill.

**Hon. Mr. Smitherman:** I was waiting for you to get around to—

**Mr. Murdoch:** We would do that if you can tell me you're going to have a recorded vote. I have no problem.

**Hon. Mr. Smitherman:** I'm with John Tory on this one.

**Mr. Murdoch:** That's fine. You can be. That's your privilege. If you want to think we shouldn't have the

right to vote in here, that's fine. The Minister of Health doesn't think we should vote. Well, I can't help that.

*Interjection.*

**Mr. Murdoch:** What's that guy up there saying now? I didn't hear you. I just didn't know whether you wanted to get your name on the record that you wanted to have a vote or not.

George, I always thought you would want democracy in the House. Why wouldn't you want us to have a vote? Why wouldn't you want to know how I was going to vote? I thought you were interested enough in things that go on around here that you would want to see how all the Tories, all the NDP and all the Liberals are going to vote. You'd think you would want to know that. But you don't know. Sure, you're going to yell; that doesn't mean a thing. I couldn't hear you yesterday. I wasn't here yesterday. Maybe you were.

**Hon. Mr. Smitherman:** That's all you've got—yelling.

**Mr. Murdoch:** Now he's saying that's all we've got. That's because you won't give us the freedom of a vote. Mr. Speaker, there you have the Minister of Health: He doesn't believe in democracy. I always thought he did. I thought the Minister of Health was trying to help out people with health problems. But now he's telling us he doesn't believe in that; he doesn't believe in having recorded votes.

**Hon. Mr. Smitherman:** Who has the worst voting record in the Legislature?

**Mr. Murdoch:** I have no idea. If you can prove that, then you go right ahead. I will look for that any time.

*Interjection:* We can prove it.

**Mr. Murdoch:** Oh, I'm sure. You look at everybody else's dirty laundry; you might as well be looking at mine, guys over there. You might as well. I'm sure that's what you've been doing every day. I knew you Liberals were up to something over there. You're looking at everybody's dirty laundry again. Way to go, George. You're just right in top form tonight, George. All we're asking over here is a chance to have a free, recorded vote, and then you get into the dirty laundry and everything else.

As I said, it's democracy we're asking for. I can't believe this.

Did you want some of my time, Mr. Baird, or not? If you're going to talk back and forth, if you want some of my time I'll certainly give you some of it, if that's what you want.

*Interjections.*

**Mr. Murdoch:** Well, no, I'll give it to—I'm not going to give him too much. Don't worry about that. I'll give him a little bit to wind up, because I'm sure he wants to say something. He's been itching there, and he's talking to George, so I'm sure he wants to.

1630

**Hon. Mr. Caplan:** Who is the whip over there, anyway?

**Mr. Murdoch:** Who's the Liberal over here?

**Hon. Mr. Caplan:** The whip.

**Mr. Murdoch:** Oh, the whip. The whip's here.

*Interjection.*

**Mr. Murdoch:** It doesn't matter where he is sitting. He's sitting here. He's in here, like your whip sitting there.

**Hon. Mr. Caplan:** I'm just asking.

**Mr. Murdoch:** Well, I'm sure if you ask the gentleman sitting beside you, he will tell you who the whip is on the Conservative side. And you know all the members are here when they can be. Some can't be at times, but most members are here when they can be.

*Interjection.*

**Mr. Murdoch:** Oh, now George is going to tell us he's not here when he doesn't want to be. I don't know about that guy. Every time you try to be nice to him, he gets mad.

**Hon. Mr. Smitherman:** I'm here quite a bit.

**Mr. Murdoch:** Nobody was talking about the minister, and he gets so upset. Maybe you're mad this isn't your bill. I don't know. It's Mr. Bryant's bill. He got to read it in.

As I say, we will vote on this bill, but we want a recorded vote. That's all we want. I don't see what's wrong with that. I think most of the people of Ontario can't see what's wrong with that: to have a recorded vote, a free recorded vote. That's what we're supposed to be: a free country.

If the Liberals want to take that bit of democracy away—I mean, you win all your votes. When do you lose one? You have the majority. You are the majority government, and we all realize that. We have a chance sometimes to say we don't agree with you but, in the end, you're going to win. So why should you prevent us from having a recorded vote?

**Hon. Mr. Smitherman:** Like Bill 5 in 1999?

**Mr. Murdoch:** I don't remember 1999. What's that one about, George?

**Interjection:** You were there.

**Mr. Murdoch:** I'm not saying I'm not, but when George gets his time to speak, and I'm sure he will debate, he will tell us about that bill. There's time coming up after I'm done. You'll get your chance over there as a member to speak, and you can tell us all about what bill that was, whatever bill it was.

*Interjection.*

**Mr. Murdoch:** Oh, I see. Hey, you might not know where I am, George. Maybe I'm looking after some other aspects of your other adopted part of the riding, but that wouldn't matter. He gets upset. He's sensitive, terribly sensitive. That's pretty rough for a Minister of Health to be that sensitive but, hey, whatever. We would all like to know how he's going to vote on this. He can say what he wants, but we won't know if we don't have a recorded vote. We just won't know. When I get down to about five or six minutes, I certainly will give—

**Interjection:** I want 12.

**Mr. Murdoch:** Oh, all right. I've got a gentleman here who wants some time to speak.

*Interjection.*

**Mr. Murdoch:** I hope so. They should be. This is democracy, isn't it?

**Interjection:** The press can hardly wait.

**Mr. Murdoch:** Well, they want to know how we vote. I'm sure the press wants to know this. Aren't they part of this? Maybe we should let them come down and tell us. I'm sure they want to know how everybody's going to vote on the Liberal side. I thought the press was part of democracy, but maybe it isn't any more. They don't want you to know how we vote, either. They certainly don't. Nobody here. Yesterday, three people said we want to know how we vote, and 100 said no. Isn't that democracy? I tell you.

Well, I'm going to let my two friends on this side here have a bit of time, and then we'll look for the debate from the NDP and then from the Liberals. Then we'll have our chance for a two-minute wrap up. Thank you.

**Mr. Jerry J. Ouellette (Oshawa):** Issues of conscience are very difficult for a lot of people to discuss. I have a difficult time, as I expressed in my comments yesterday, and I thank you for the opportunity to speak. When I was trying to prepare for the discussion yesterday—and I limited the amount of time that I tried to speak, because I'm somewhat passionate about this—I asked around on how and what I should talk about.

Each of us gains inspiration from different aspects of life. Sometimes, once in our life, it may have been a song—Stairway to Heaven, or now maybe it's Always and Forever—or for some, it could be through scripture and the beliefs in scripture, but it's that inspiration that sets us moving forward, that causes us to become members of a Legislature and, in our case, the provincial Legislature. It happens in so many ways, whether it's Humphrey Bogart putting out that cigarette and twisting his foot on it, and saying, "Play it again, Sam," it's that inspiration that makes the difference for all of us. It's the ability to stand up and speak and say our conscience.

In regard to Bill 171, I asked around, as I said, and when I asked my kids how I should speak and what I should speak about, my eight-year-old said, "Dad, why don't you talk about family?" At that, I remembered back in the very first caucus meeting in 1995, when we sat down and our leader at that time, the new Premier Mike Harris, stated to us, "What I want you to remember is one thing, and one thing very clearly: Family first, constituency second, and all other responsibilities after that."

When you look at that, my concern today is that the legislation that is going to be brought forward is going to substantially change what's going to take place in the view of the family. How will it change? Change is very different for many different people in many ways. Some will think positive and some will think negative. As I said, when dealing with issues of conscience, it's difficult for all to stand up and speak their mind.

I had a great-aunt who lived in Hearst, Ontario. Three generations ago, she had 26 kids. She delivered them all herself, except for the last one, where she had a midwife. Three generations later, we want it all. We want the new cars and the big houses. Believe me, my kids are just the

same. They've got the GameBoys and the PlayStations and all the other bells and whistles. We live in an era of fast food and immediate gratification. Our mindset is changing so quickly that it's actually so complicated that it takes a kid to figure it out sometimes.

My concern here is that the legislation, as I see it, is going to change the social, spiritual and sociological structure of what takes place in Ontario for generations to come. That's my belief. Bill 171 will effectively do that, I believe.

On whatever side of an issue we may be, we should all be given the ability to speak. Many have spoken here on all sides of this issue.

It has been said that we satisfy our endless needs and justify our bloody deeds, all in the name of destiny and all in the name of God. Many of us will look to this as not a starting and not an end, but a midpoint for things to come. It is also said that the trouble with normal is that it always gets worse.

With that, I know that one of my colleagues would like to make some comments, and I will be seated.

I will stand, as everybody knows my position on this issue.

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased today to make a few short comments on Bill 171, the Spousal Relationships Statute Law Amendment Act.

I'm someone who believes in the many traditional values and customs that we have in our country and our province; for example, the Queen and the royal family—I'm a strong supporter of the monarchy; the British parliamentary system and the electoral system that we have today; our provincial and federal emblems and slogans; the Lord's Prayer in this assembly; and all of the religious symbols in this magnificent building. And, of course, I believe in the traditional definition of marriage, that being a marriage between a man and a woman.

This is not to say that I do not respect the opinions of others in this House. We are all entitled to our opinions. Often, our opinions do not support what is law or what is determined by our judicial system.

My opinion is that marriage is a sacred institution. I simply do not believe that any relationship other than the union between a man and a woman can determine a true marriage. This is my opinion. I believe that the decisions of the court surrounding the definition of marriage do in fact undermine traditional family values.

In a democracy, we are still entitled to our beliefs; I hope everyone would respect that. I believe that Bill 171 further undermines traditional family values. For this reason, I will not support Bill 171.

As I said earlier, I believe in the traditional definition of marriage, that being a marriage between a man and a woman.

I appreciate the opportunity to speak to this today.

**1640**

**The Acting Speaker (Mr. Joseph N. Tascona):** Questions and comments?

**Mr. Bisson:** I want to quickly put on the record that I hear the arguments that my colleagues are making. I

respect that they have that view. They hold that view deeply, and I respect their particular point of view.

As I said yesterday, sometimes the voters are further ahead of us than we give them credit for. If you look at where society has come over the last 15, 20, 30 years, I think society has changed a great deal, to the extent that we look at this issue from a much different perspective.

What we also have to keep in mind—I think Mr. Kormos raised it quite well in the debate yesterday—is that if you look at what this particular bill does, it doesn't deal with the definition of marriage; it doesn't deal with any of that. We made a decision a couple of years back in order to deal with the issue of marriage in the province of Ontario. It was a bill that the Conservative government had brought forth that we voted for. We extended that right to individuals within Ontario. This Legislature did that at the time. I believe it was unanimous, if I remember correctly: Conservatives, New Democrats and Liberals stood together unanimously to give people of the same sex the ability to marry within Ontario. We did that unanimously, and if I remember correctly, there was not a divided vote on that particular issue. Every member had an opportunity to get up and divide. Some of the gentlemen who got up today and said, "You know, we should divide today," had an opportunity to do that when we originally extended the right to do this back some years ago.

So let's deal with this for what it is. This is in order to bring the statute into line with what the law already is. It doesn't deal with the extension of any rights. It doesn't deal with anything other than making sure that all of the acts within the province of Ontario comply with what is already in the bill, which is already the law.

**Mr. Ernie Hardeman (Oxford):** I want to make a couple of quick comments to the presentations made on this bill. I just want, I guess, to clarify. I had the opportunity to speak to this bill on second reading and put on the record that I will not be supporting this bill. Then, as I listened to the presentations, they're somehow inferring that when I say no, my vote doesn't count. I just wanted to point out that a voice vote is exactly the same as a recorded vote, only it is not written in the record that way. I just wanted to clarify that my non-support for this bill is unequivocal; I will not be supporting this bill.

**Mr. Prue:** Mr. Speaker, I felt that I should take at least the two minutes here today as I was in your chair yesterday afternoon when this was first debated and, of course, would not have an opportunity. As was said on that occasion by Mr. Kormos, the member from Niagara Centre, New Democrats will be supporting this bill. I will be supporting the bill, and I think all of us will be supporting the bill. Whether there is a recorded vote or not, there are eight people in this caucus who will be saying yes to Bill 171. We believe it is good law. We believe it is reinforced with the view of the courts, and we think that it is a provision of equality.

When I listened to the debates yesterday, there were some very good speeches that were made on both sides of the issue. Clearly, this House grants an opportunity for

every member to make his or her view known. If you choose not to speak, you can still say yes or no, but if you choose to speak, even if it's only in a two-minute question and comment, you have that opportunity to do so. You can say whether or not you are in agreement with the bill, in agreement with the previous speaker, whether you're going to support the bill or not support the bill. There was adequate time on the last occasion and today for literally every member to stand up at least for two minutes and say how they felt.

**Ms. Marilyn Churley (Toronto–Danforth):** And all three House leaders—

**Mr. Prue:** The House leaders sat down and they agreed that the provision would be that we would deal with it in this particular way. I am saddened that some members in some caucus do not feel that they were adequately consulted. I know we were consulted in our caucus. We had a unanimous decision, and we made it.

I look forward to the bill. I look forward to saying “aye,” or I look forward to standing in my place, whatever the decision of this House is. If five members choose to stand and ask for a recorded vote, those are the rules that we have adopted.

**The Acting Speaker:** Further questions and comments?

In reply, the Chair recognizes the member for Bruce–Grey–Owen Sound.

**Mr. Murdoch:** In my two minutes to wrap up, I find it disappointing that there are people who really don't think that the recorded vote is that important. Again, that's their privilege if they don't, and if they're satisfied with their voice vote, that's fine. I happen to be one who isn't. I think that the recorded vote is a very important thing here. A free vote is very important, and I call it a free recorded vote. I think that the voice vote is not a good way of doing things and that the proper way is the recorded vote, to make it quite sure that I'm opposed to this bill and will be voting against it.

One member mentioned that the courts ruled on this. I have a problem with the courts. I got elected. I've never known a judge yet who got elected in Canada. I think sometimes they—

*Interjection.*

**Mr. Murdoch:** Ontario especially. I don't know judges who get elected, so sometimes I think they make their own laws without consulting the people. Quite frankly, this might be one of them. So that doesn't hold a lot of water with me when someone gets up and says that the judge says we have to do it this way.

I'm looking forward to a recorded vote and, hopefully, there will be five people who will stand up at least—five more can stand up if they want—and that we get a recorded vote. It won't take that long. If it's time we're worried about, it doesn't take too much time to have some democracy in this House.

**The Acting Speaker:** Further debate?

**Mr. Frank Klees (Oak Ridges):** I spoke on this bill during second reading, so I won't take any more time with regard to the particulars of this bill, but I think it's

important that people who are observing this debate understand what this discussion has been about for the last hour. For many people here, this is inside baseball. What I think is important is that our constituents fully understand how the voting procedure in this place really works.

First of all, let me point out that there are only 25 members of the Liberal caucus in this place—25 out of the entire caucus. If you, sir, were to call this vote at this very moment, only 25 members of the Liberal caucus would have the opportunity to express—

**Interjection:** No, you have 30—

**Mr. Klees:** Not on a voice vote, they don't. I'm simply saying that I think it's unfortunate that people don't have the view that we have here in this place.

Here is how the voice vote works. The Speaker calls for the yeas and the nays, and, yes, individuals on both sides have an opportunity to then vote yea or nay. At that point in time, it's the Speaker who makes the decision as to who wins the vote. What will happen at that point, according to the rules of our place here, is that if at least five members of this House stand up, they then have the opportunity to have a recorded vote.

For those people who are watching this procedure, I ask you to consider this: Will there be five members of this Legislature who stand up and take the advantage of having a recorded vote? If there are, we will then have a recorded vote and, as a result of that, every member has the opportunity to stand in their place and, as Mr. Murdoch indicated earlier, in Hansard there will then be a permanent record of who voted yes and who voted no. Without that, we don't have a permanent record.

*Interjections.*

**Mr. Klees:** The Minister of Health was carping—

**Hon. Steve Peters (Minister of Agriculture and Food):** What happened in 1999?

**Mr. Klees:** The Minister of Agriculture is carping, “What happened in 1999?” And you're absolutely right. It was wrong—

*Interjections.*

**The Acting Speaker:** Mr. Klees, sit down. Minister of Agriculture, withdraw that now.

**Hon. Mr. Peters:** I withdraw my comment, Speaker.

**The Acting Speaker:** Either we're going to continue civilly here or not.

*Interjection.*

**The Acting Speaker:** What was that, Mr. Caplan? Do you want to withdraw that now?

*Interjection.*

**The Acting Speaker:** You call me partisan? It's your final warning.

The member for Oak Ridges.

1650

**Mr. Klees:** The Minister of Agriculture carps, “What happened in 1999?” Yes, I was the whip. That's right. What I'm saying in this place today is that it was wrong then and it's wrong now.

*Laughter.*

**Mr. Klees:** For the government House leader to laugh at me, and for the entire Liberal caucus to carp now when we're talking about what is in the best interest of the democratic process in this House—this comes from a Liberal Party that throughout the entire election campaign was advocating for more transparency in this place, for more openness in government. Now what we're simply asking them to do is to join with us, to have the courage simply to do one thing, and that is to allow people in this place to cast their vote in a way that would be recorded.

What are we hiding? What is the problem? Why, if they consider themselves so committed to this bill, will people not stand in their place and simply identify their vote in Hansard for everyone to see? People at home and people in the galleries must be asking themselves, "What is going on in this place?" What is wrong with this bill that you're not prepared to identify with it? What are we afraid of?

It's time that we match up with action—the Attorney General is saying yes; I assume he's agreeing with me. I assume he's willing to have a recorded vote. Is that correct? Will the Attorney General commit now that he will support a recorded vote? He's not prepared to answer that question. What is the Attorney General hiding?

I simply wanted people who are observing the proceedings here to understand what a recorded vote is and why it's appropriate to have it. I can't count the number of times, in the last couple of sessions of this Parliament, that we have had recorded votes simply to ensure that we sit evenings in this place. It's the NDP caucus on each and every occasion that has brought five members to their feet so that we would have the necessary bell for that vote. If it's important for us to have a recorded vote on whether we sit until 9:30 in this place, surely it's not too much for members to ask that we have a recorded vote for a piece of legislation that is historical.

I rest my case. I believe it's appropriate that we have a recorded vote. I will be one who will stand up and ask for the recorded vote. If I don't have four others stand with me, it won't happen.

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

**Mr. Marchese:** Just to remind some of the members, when we introduced Bill 167 here many, many years ago, it was a difficult issue then, and it continues to be an issue for many people, but the majority of New Democrats then supported Bill 167, and all New Democrats now support Bill 171.

We are not shy about our support for extending whatever rights need to be extended to gay men and women, because we believe it is the right thing to do.

I respect individuals like the member from Oak Ridges, who wants to have a recorded vote. I believe he's entitled to that. And I believe that individuals who oppose this bill should stand up and insist on a recorded vote, because that is your right. Anyone from the Liberal caucus who feels strongly about not supporting this bill,

should, because if that is what you want, I want to be up here standing in my place saying, "I support Bill 171."

I urge the Conservative members who feel strongly about this to stand up and have a recorded vote, and I urge Liberals who are opposed to this bill to stand up and insist on a recorded vote so that I can join you in making sure my vote in agreement with this bill is understood by my constituency and by the general public in Ontario. I don't think people should be discouraged in any way from feeling good about their positions.

I want to say to you, my friend from Oak Ridges, I respect your right to be able to have your view on the record and your vote on the record. I hope you will find enough members in your caucus and the Liberal caucus to support you.

**Ms. Churley:** I spoke to this yesterday and I just want to reiterate a point that was made by our critic in the area and by myself and others. The law in this province has been absolute on this since June 2003. What we are dealing with here today is not groundbreaking. It is the law.

The Halpern decision, as Mr. Kormos said yesterday, was made by a learned panel based on section 15 of the Charter of Rights and Freedoms. We're talking about the Charter of Rights here and a law that is already in place. This is not a groundbreaking decision we're making here. That decision has been made by the courts, and the Conservatives, who were in power at the time, didn't appeal that decision. That was your chance. Bill 171 simply permits the statutes of Ontario to reflect the law that's already in place. Some of you in the Tory party wish that it weren't in place. That's your right to wish that. But for heaven's sake, this is a tempest in a teapot today. You can, I suppose, stand five people up and force a vote. That's the law of this place. If you want to do that, God bless; do it.

I don't know what kind of mess it would create overall if these statutes weren't changed, but I've been urging the government for over a year now to move on this, and finally they're doing it. It is the law of the land. We have to change the statutes, and you guys agreed with it at the time. You have to change the statutes to make it work properly. That is all we are doing here today, so let us vote. Let us get on with this.

Thank you, Mr. Speaker, for this opportunity.

**Ms. Andrea Horwath (Hamilton East):** Unlike several people in this House this afternoon, I've never had the opportunity in any way to stand on this issue, and I thought it would be important for me to do so this afternoon.

I have to say, if there is one thing I've observed in what has happened, over the course of today particularly, it is how much this issue has become about something totally other than what it was supposed to be about. I find that extremely unfortunate. It's the bafflegab and the changing of priorities around here as to what's important and what isn't that often leave people shaking and scratching their heads, thinking, "What the heck are those guys talking about?"

The bottom line is, what we're talking about is what all of my colleagues in this caucus have already gotten up to speak about, and that is the fact that this is the right thing to do; it's necessary to do it; it's important to have it done. Everyone in our caucus thought that that was going to be simply done today, in a way that was quite expeditious. Unfortunately, that has not been the case. But that's OK, because it does give an opportunity for those of us who feel strongly about it one way or the other to get up and say a few words. So I'm proud to be able to do that right now in questions and comments.

I do have to say that I would agree particularly with what has been said by my colleague Rosario Marchese, in that it's really interesting how people use the blame game to try to get out of responsibilities, either for their own caucus or their own initiatives. The bottom line is that it's quite clear. Everybody knows what the rules are here. Everybody knows how you force a recorded vote, and everybody knows what size each caucus is. It's interesting how somehow it has become the responsibility of somebody, but never the people who are extremely concerned about making sure this becomes a recorded vote.

Quite frankly, I'm happy either way, but I do want to say for the record that I am in support of Bill 171 and look forward to us passing it one way or the other.

**Ms. Martel:** Let me say just this in the two minutes that I have: Look, I think we all need to recognize that what we're doing is putting something in place that has already been decided in the law.

**Mr. Marchese:** In 2003.

**Ms. Martel:** In 2003. So we're not giving any new rights to anybody. We are confirming rights that have already been granted by the court. That the debate has taken even this long is astounding to me. That the debate has taken the tone it has is kind of astounding to me as well.

God, when I think of people coming through the doors in our constituency office, this doesn't even rank in terms of what's important to people. I'd rather be here talking about what we're going to do to deal with the fact that the Family Responsibility Office is still the number one issue in my office or that we still have so many people who have to deal with workers' compensation, who think they aren't getting what they're entitled to. We still have ongoing problems with birth certificates. Frankly, for the people who come through the door in our office, this is what's important to them. These are things they are worried about. This is not on the radar screen for people at home, and it shouldn't be on the radar screen, because it's already the law.

That we had to spend even more than five minutes confirming what is already in the law is astounding to me. That there would be some members who would be opposing what has already been the law, which the former government did not challenge, is astonishing to me as well.

From my perspective, we are all in support. We are all here. This is not an issue. Let us move on to the issues that really impact on people's lives. I've got to think that most of you have the same kinds of people coming through the door with the same kinds of problems I've just raised.

Get on with it. This is the law. I am supporting the bill that puts that in place. There are no new rights being granted here. We should just vote in favour and be done with it.

**The Acting Speaker:** Reply?

**Mr. Klees:** I want to thank the member for Trinity-Spadina because he spoke eloquently about the fact that he respects my right to want my vote recorded, and I'm going to look to him to stand with me in requesting that vote. I also heard the same from the member from Hamilton East. I will be looking to other members in this House, be that Liberal, NDP and, yes, within my own caucus.

As an individual member of this Legislature, I would like the privilege and the right to have my vote recorded. I would look to colleagues in this place, regardless of their political affiliation, to help me achieve that.

With regard to the reasons why I oppose this bill, I refer members to page 5333 of yesterday's Hansard. I stated very clearly why I oppose this bill. I can tell you that there are many of my constituents who support me in that decision as well.

**The Acting Speaker:** Any further debate? Are there any other honourable members who wish to participate in the debate? Seeing none, Attorney General, any reply? No.

The Attorney General has moved third reading of Bill 171. Is it the pleasure of the House that the motion carry?

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

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

In my opinion, the ayes have it.

I declare the motion carried.

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

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move adjournment of the House.

**The Acting Speaker:** The House leader has moved adjournment of the House. All those in favour? Agreed.

This House stands adjourned until 1:30 next Monday.

*The House adjourned at 1704.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman  
Speaker / Président: Hon. / L'hon. Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma–Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration
Ancaster–Dundas– Flamborough–Aldershot	McMeekin, Ted (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Barrie–Simcoe–Bradford	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hastings–Frontenac–Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Beaches–East York / Beaches–York-Est	Prue, Michael (ND)	Huron–Bruce	Mitchell, Carol (L)
Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brampton West–Mississauga / Brampton-Ouest–Mississauga	Dhillon, Vic (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Brant	Levac, Dave (L)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Burlington	Jackson, Cameron (PC)	Lanark–Carleton	Sterling, Norman W. (PC)
Cambridge	Martiniuk, Gerry (PC)	Leeds–Grenville	Runciman, Robert W. (PC) Leader of the Opposition / chef de l'opposition
Chatham–Kent Essex	Hoy, Pat (L)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Davenport	Ruprecht, Tony (L)	London West / London-Ouest	<b>Bentley, Hon. / L'hon. Christopher</b> (L) Minister of Labour / ministre du Travail
Don Valley East / Don Valley-Est	<b>Caplan, Hon. / L'hon. David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London–Fanshawe	Ramal, Khalil (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Markham	Wong, Tony C. (L)
Dufferin–Peel– Wellington–Grey	Vacant	Mississauga Centre / Mississauga-Centre	<b>Takhar, Hon. / L'hon. Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Durham	O'Toole, John (PC)	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Eglinton–Lawrence	Colle, Mike (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Elgin–Middlesex–London	<b>Peters, Hon. / L'hon. Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Erie–Lincoln	Hudak, Tim (PC)	Nepean–Carleton	Baird, John R. (PC)
Essex	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Donna H. (L)	Niagara Falls	Craitor, Kim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Nickel Belt	Martel, Shelley (ND)
Etobicoke–Lakeshore	Broten, Laurel C. (L)	Nipissing	Smith, Monique M. (L)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Northumberland	Rinaldi, Lou (L)
Guelph–Wellington	Sandals, Liz (L)	Oak Ridges	Klees, Frank (PC)
Haldimand–Norfolk–Brant	Barrett, Toby (PC)	Oakville	Flynn, Kevin Daniel (L)
Haliburton–Victoria–Brook	Scott, Laurie (PC)	Oshawa	Ouellette, Jerry J. (PC)
Halton	Chudleigh, Ted (PC)		
Hamilton East / Hamilton-Est	Horwath, Andrea (ND)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thornhill	Racco, Mario G. (L)
Ottawa–Orléans	McNeely, Phil (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Oxford	Hardeman, Ernie (PC)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Parkdale–High Park	<b>Kennedy, Hon. / L'hon. Gerard</b> (L) Minister of Education / ministre de l'Éducation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound–Muskoka	Miller, Norm (PC)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Perth–Middlesex	Wilkinson, John (L)	Toronto–Danforth	Churley, Marilyn (ND)
Peterborough	Leal, Jeff (L)	Trinity–Spadina	Marchese, Rosario (ND)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg</b> (L) Minister of Finance / ministre des Finances
Prince Edward–Hastings	Parsons, Ernie (L)	Waterloo–Wellington	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
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Sarnia–Lambton	Di Cocco, Caroline (L)	Willowdale	Zimmer, David (L)
Sault Ste. Marie	Oraziotti, David (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
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Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York South–Weston / York-Sud–Weston	<b>Cordiano, Hon. / L'hon. Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough–Rouge River	<b>Curling, Hon. / L'hon. Alvin</b> (L) Speaker / Président	York West / York-Ouest	Sergio, Mario (L)
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

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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