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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 15 February 2005

Mardi 15 février 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 February 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 février 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

GREENBELT LEGISLATION

Mr. Tim Hudak (Erie–Lincoln): Members of the opposition and the general public, concerned citizens, are getting increasingly upset with the lack of science and the government's failure to produce the environmental science used to set the greenbelt boundaries as part of their greenbelt legislation. In fact, you wonder why they've set aside and are stopping urban sprawl in Beaverton, stopping a Tim Hortons in Brock, but leaving wide-open sprawl all the way up to Barrie, making that long snake of traffic up the 400 even longer.

Group after group at the committee hearings told the McGuinty Liberal government to put the science out for the public for their purview, for their inspection, but they have yet to do so. They want to see the LEAR studies, the wetland studies that inform the decisions in the greenbotch plan. But, sadly, there's a growing realization that these decisions are based on political science by the Liberal campaign team and not at all on environmental science.

To give the government its due, the one LEAR study I did receive, the agricultural study, was for Ottawa-Carleton—far, far away from the greenbelt area, but at least they came forward with a LEAR study for Ottawa-Carleton.

And worse comes to worst: When we did a freedom of information request, an FOI, for the science behind the plan, they said, "You have to fork over \$1,400 to pay for the science." Taxpayers can't afford that. The government is hiding the lack of science behind this plan. Shame on them. Put it out in the public for public review.

TSUNAMI RELIEF

Mr. Lorenzo Berardinetti (Scarborough Southwest): I rise today to say a word of thanks to those in my riding of Scarborough Southwest and all of Ontario who assisted in the relief effort for South Asian countries affected by the tragic tsunami.

My riding and all of Scarborough is home to a significant population of South Asian immigrants. Even though they now call Ontario and Canada their home, they still maintain strong connections to their roots, and

in a time of desperate need they have come together to assist those affected by the tragedy. Truckloads of clothes and goods have been collected and transported overseas. Thousands of dollars in contributions, which have been matched by our federal government, have been made to aid agencies working hard to this day, and our own government provided an immediate infusion of \$5 million to the relief effort.

All this generosity and sacrifice is a testament to how well our province values, nurtures and draws strength from our diversity. Diversity is our province's greatest strength, and, as our Premier says, Ontario is a demonstration project for the world.

Again, Mr. Speaker, I would like to thank those in my riding and those across the province who have contributed in any way to the tsunami relief effort.

COMMUNITY SAFETY

Mr. Garfield Dunlop (Simcoe North): I stand in the House today to raise an important issue: the lack of attention by the McGuinty Liberals to community safety since their election in October 2003. Bills have been introduced by Minister Kwinter—

Interjection.

Mr. Dunlop: Very similar to agriculture, the lack of attention.

But none of these bills have been passed. None of these bills have received even one second of debate time in the Ontario Legislature: 17 months, and not one second of debate. As community safety and corrections critic, I look forward to the opportunity to debate Bill 110, Bill 128 and Bill 159, but I don't think the government has any idea whatsoever of bringing this forward.

Announcements have been made by Monte Kwinter, but almost every one of these announcements is what I like to call a zero-dollar announcement: It involves no money whatsoever, but it sounds good. Take, for example, the Premier's announcement back in October. That's the one about adding 1,000 new police officers. Not only is there no dollar amount in it; there's no mention of when we'll see even one of these new officers on the street. It appears that the McGuinty government has written off both the policing and firefighting communities, choosing instead to focus on areas like bringing your own wine to restaurants.

Minister Kwinter's stalling tactics are starting to wear thin on the stakeholders for which he is responsible. These people are tired of being stuck at the back of the

bus when it comes to the priorities of the McGuinty government. So now that the House is back in session, let's hear some law-and-order bills debated, and let's hear some real announcements, like adding the 1,000 new police officers that this government promised in their election platform.

TSUNAMI RELIEF

Mr. Kim Craitor (Niagara Falls): I am pleased to bring to the attention of this House the excellent work of the Lord Mayor of Niagara-on-the-Lake, Gary Burrows, through the community's annual Lord Mayor's fundraising dinner. Over the last 10 years, this event has raised over one quarter of a million dollars to support such diverse groups as the Theatre Beyond Words, the Niagara-on-the-Lake Historical Society, the Royal Canadian Legion, their new community arena and many more projects.

This year's project that they are working on is in support of Niagara College students' efforts to showcase the college's school of hospitality and tourism as they reach out to help the tourist area of Sri Lanka recover from the disastrous Christmas tsunami. The college's project involves sending a team of students to participate in the rebuilding of two communities and their tourism infrastructure. With extensive experience and expertise in international development projects, Niagara College is uniquely equipped to assist victims of this catastrophic event. The students will assist with hotel reconstruction, tourism development and environmental reconstruction plans.

I'm asking this House to join with me in wishing Lord Mayor Gary Burrows and the students of Niagara College, under the leadership of its energetic president, Dan Patterson, much success in this exciting venture.

HOSPITAL FUNDING

Mr. Gerry Martiniuk (Cambridge): A catastrophe has hit my fast-growing riding of Cambridge: The new wing and expansion of Cambridge Memorial Hospital has again been postponed by the McGuinty government. This project was approved back in 2002, and the good people of Cambridge and the region of Waterloo have already contributed their share of the project. The money is in the bank.

It is increasingly obvious that the McGuinty government has no health plan and that the expansion of Cambridge Memorial Hospital and about 35 other hospital capital projects around Ontario will be postponed indefinitely.

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The impact is severe. Our hospital is fast becoming crowded with the ever-expanding population. This means poor service. The lack of an expanded hospital will make it increasingly difficult to attract new doctors to our city, compounding the severe shortage we have now.

We now know that this government is spending new health tax dollars and federal funds in non-health areas,

contrary to its promises. I want to know when this project will proceed and will fight for the new wing and expansion of Cambridge Memorial Hospital. This is what Cambridge deserves and this is what we were promised.

I demand that the McGuinty government re-examine its priorities and put health care at the top of its list. Premier McGuinty, do the right thing: Keep your promises and restore capital funding for our hospitals in Ontario.

CHINESE NEW YEAR

Ms. Marilyn Churley (Toronto–Danforth): As our Chinese community celebrates the beginning of the year 4702 of the lunar calendar, on behalf of the New Democratic Party I'd like to extend our warmest wishes to our friends in the Chinese community for a happy, healthy and prosperous Year of the Rooster and to the many other cultures who are also celebrating their lunar new year at this time.

I am proud to represent a riding with a strong Chinese presence. I'm also honoured to be invited year after year to celebrate the new year together with my friends and neighbours at WoodGreen community centre; Eastview Neighbourhood Community Centre; SEAS Centre; the Chinese Chamber of Commerce, East Toronto; other associations in the greater Chinese community; and the seniors at Frances Beavis Manor, WoodGreen Seniors' Residence, Ray McCleary Towers, Greenwood Towers and Blair Court.

As the community celebrates its heritage and culture, we too have the opportunity and pleasure to celebrate the diversity and recognize the achievements of the community.

The Year of the Rooster signifies a year of spirit and vigour. The sign of the rooster indicates a person who is hard-working, confident and unwavering. This year, the roosters and the community can really crow about their accomplishments.

To all our friends who celebrate the lunar new year:
Gong Hay Fat Choy.

Remarks in other Asian languages.

Happy New Year.

HEALTH CARE

Ms. Laurel C. Broten (Etobicoke–Lakeshore): Our government is concerned about better health care, and we continue to take steps to achieve shorter wait times for key services and more access for primary health care. Preventing illness and promoting wellness is key to keeping Ontarians productive workers and active citizens.

As part of our plan, we recently invested dollars to provide better patient care. We're improving patient care and employee health and safety by investing over \$340 million for new and upgraded medical equipment in hospitals and long-term-care homes. The residents in my riding of Etobicoke–Lakeshore are benefiting from these dollars.

In Etobicoke–Lakeshore, the Ivan Franko Home is receiving \$93,500, and \$50,700 is going to Garden Court Nursing Home. This investment will mean that the residents of Etobicoke will have better access to the equipment they need and the care they deserve. Facilities like Westburn Manor, which received over \$200,000, will now have the funding they desperately need for diagnostic medical equipment, new lifts and education initiatives.

Recently, I had the opportunity to visit Ivan Franko Home, the Garden Court Nursing Home and Westburn Manor, and I know that these additional resources will be put to great use to improve and expand the care residents receive.

Deana Bennett, the administrator for Garden Court Nursing Home, had this to say: “We are very excited about this announcement. This funding will directly improve the quality of life for our residents.” I could not agree more.

HOSPITAL FUNDING

Mr. Jeff Leal (Peterborough): The culture in our hospitals is changing, with hospitals making a concerted effort to find efficiencies and, for the first time, looking at administrative, non-clinical cuts before simply slashing nursing jobs.

Government is doing things differently as well, for the first time encouraging and rewarding efficiency instead of simply propping up an unsustainable system. Our bridge strategy will help reward and encourage innovation and efficiency and also address the needs of small rural hospitals. The steps we’ve taken have lowered the hospital cost curve, and we’ll continue to work to lower it further.

This process will stabilize the system and lead to predictable multi-year funding of the type that hospitals both need and have requested.

Our government has supported the Peterborough Regional Health Centre and we’ll continue to work with them, with over \$21 million invested in the Peterborough area. We have committed to providing over \$176 million toward building their new 500-bed facility. We have provided \$15.6 million to the hospital, since forming government, for nurses, new equipment and increases to base funding.

Today, there’s a story in the Peterborough Examiner about how the CCAC and the hospital are working together to increase access to home care for patients who are recovering from joint replacements. This reduces the stress on hospitals and allows them to focus on what they do best.

There are also new opportunities for family health teams and other health care initiatives in Peterborough to help ease the doctor shortage. With all the different parts of the system working together, the future is looking brighter and brighter indeed for health care in Peterborough, not the sorry Tory version of running health care in Ontario like the 407: a big rip-off.

LEADER OF THE OPPOSITION

Mr. Brad Duguid (Scarborough Centre): I’d like to say something about John Tory’s hidden health care agenda. Mr. Tory has criticized our plan to improve public, universally accessible health care for all Ontarians. But when questioned about his health care plan, Tory is “short on concrete alternatives.”

Interjections.

The Speaker (Hon. Alvin Curling): You had your chance to say your statement. Could I hear the member for Scarborough Centre?

Mr. Duguid: John Tory criticized our plan to improve public, universally accessible health care for all Ontarians. But when questioned about his health care plan, Tory is “short on concrete alternatives.” This is according to the Guelph Mercury.

The Guelph Mercury went on to say, “When reminded of specific Conservative policies under his predecessors Mike Harris and Ernie Eves, his stock answer was, ‘I wasn’t part of the decision-making in the past.’”

What a copout. He seems to have missed the fact that health care suffered its steepest decline on his party’s watch.

Tory does have one thing in mind, however, and we all know what it is. He wants a for-profit, privatized, two-tier health care system. When he spoke to the Registered Nurses Association of Ontario, Tory said this: “On the particular issue of non-governmental sector involvement in health care, I am aware of your position of being in favour of non-profit health care, and this may be an area where we agree to disagree.”

Can you believe that? I read that correctly. John Tory wants more for-profit health care, more privatized health care. It’s coming out bit by bit in what he says. We’re paying attention, the people of Ontario are paying attention, and we’re not going to let him—

The Speaker: Thank you.

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr. Speaker: Given that there has been no by-election called, I’d like to ask for unanimous consent to—

The Speaker: That’s not a point of order.

VISITOR

The Speaker (Hon. Alvin Curling): We have with us in the gallery today Mr. Murad Velshi, a former member of provincial Parliament representing the riding of Don Mills. He was in the 34th Parliament. Let’s join in welcoming him this afternoon.

RESIGNATION OF MEMBER FOR DUFFERIN–PEEL–WELLINGTON–GREY

The Speaker (Hon. Alvin Curling): I beg to inform the House that during the adjournment a vacancy has occurred in the membership of the House by reason of the resignation of Ernie Eves as member for the electoral

district of Dufferin–Peel–Wellington–Grey, effective February 1, 2005.

Interjections.

The Speaker: Order. Could I have some order, please?

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SPEAKER'S RULING

The Speaker (Hon. Alvin Curling): On December 16, 2004, the member for Whitby–Ajax, Mr. Flaherty, rose on a question of privilege to allege that ministry political staff had made unauthorized audio tapings of briefings given by civil servants to opposition members and their staff. The member claimed that the actions amounted to a breach of the privileges of individual members and of the House and that they also amounted to a contempt of the House. The member for Erie–Lincoln, Mr. Hudak, the member for Burlington, Mr. Jackson, the member for Niagara Centre, Mr. Kormos, the member for Toronto–Danforth, Ms. Churley, and the member for Timmins–James Bay, Mr. Bisson, also spoke on the matter.

According to the member for Whitby–Ajax and the member for Erie–Lincoln, the taping of the briefings they attended was conducted openly. According to the member for Burlington, the taping of the briefing he attended was conducted without his knowledge or consent.

The government House leader, Mr. Duncan, and the Minister of Finance, Mr. Sorbara, responded to the allegations.

I've had an opportunity to review the Hansard for December 16 as well as the assembly's precedents and the relevant parliamentary authorities.

Members made submissions on various legal matters, on access to information, on freedom of speech, on intimidation and obstruction, and on the authority and dignity of the House and its members. I shall address each issue in turn.

First, with respect to the legal issues, the member for Whitby–Ajax indicated that section 184 of the federal Criminal Code "has prohibitions with respect to tape recording and other interception of private communications..." In addition, the member for Burlington indicated that the Speaker should examine certain ministry legal opinions that would assist the Speaker in making a ruling on the question of privilege.

In response, I have to say that the Speaker cannot deal with legal issues in a ruling or give legal advice concerning the laws of Canada; courts are better equipped to address such matters. For examples of the many Speakers' rulings that stand as authority for this proposition, I refer members to rulings by Speaker Stockwell on January 28, 1997—at page 6538 of the Hansard for that day—and again on February 26, 1997—at pages 510 and 511 of the Journals for that day—and a ruling by Speaker Carr on April 30, 2001—at page 36 of the Journals for that day. Speakers have avoided addressing legal issues in rulings. It follows, therefore, that examining legal

opinions is not necessary in order to determine whether a prima facie case of privilege has been established.

The second issue raised by the question of privilege deals with members' access to government information that is provided by the civil service. Various members indicated that they have a right to such information and that the government cannot specify how civil service briefings are to be provided to members.

Let me begin my response to this submission by indicating that there are two kinds of parliamentary privilege. There is a set of individual privileges; for example, freedom of speech and freedom from arrest in civil actions. There is another set of collective privileges that belong to the House as a whole; for example, the power to discipline, the regulation of its own internal affairs, and the right to institute inquiries.

Marleau and Montpetit's House of Commons Procedure and Practice states at page 71 that "the rights, privileges and immunities of individual members of the House are finite, that is to say, they can be enumerated but not extended except by statute or, in some cases, by constitutional amendment, and can be examined by the courts." In other words, the Speaker cannot create a brand new privilege where none now exists.

My review of our precedents and the parliamentary authorities suggests that there is no discrete category of parliamentary privilege that accords to members a right to information from the government or civil servants. I note, for example, that at page 427 of the Journals for December 13, 2000, Speaker Carr ruled on a question of privilege dealing with allegedly intimidating information on a government Web site, as follows:

"The right of members to government information is limited to what the standing orders provide. The standing orders do not provide members with a right to information, reliable or otherwise, from a government Web site."

I do not want to leave the impression that members cannot access information. On the contrary, the standing orders give members certain rights to seek and receive information, and the Speaker has the duty to uphold those rights as a matter of order. However, an entitlement to a ministry briefing is not one of these rights.

This brings me to the third issue, freedom of speech, which is related to the previous issue because, according to various members, their right to government information is a component of members' freedom of speech. On this issue, the member for Burlington said the following:

"My freedom of speech, my voice in Parliament, and, by extension, the voice of my constituents on the floor of this Legislature is predicated on my ability and my right to access information that the government is obliged under the law to share, and public servants take an oath in order to uphold that."

In response, let me say that members of this House do enjoy freedom of speech, which is often said to be the most important of members' individual privileges. House of Commons Procedure and Practice states, page 74, that "freedom of speech permits members to speak freely in

the chamber during a sitting or in committees during meetings while enjoying complete immunity from prosecution for any comment they might make.”

The same text indicates at page 71 that “privilege does not exist ‘at large’ but applies only in context, which usually means within the confines of the parliamentary precinct and a ‘proceeding in Parliament.’”

In the case at hand, the briefings did not revolve around words spoken by members in the House or in one of its committees. The briefings, then, are not parliamentary events capable of being protected by the privilege of freedom of speech. For this, let me add that members were able to exercise their freedom of speech and hold the government to account on this incident because, in the question period that followed immediately after the question of privilege on this incident, they were able to place oral questions about the very same subject matter.

The fourth issue raised in the question of privilege deals with the allegation that the taping of the briefings amounted to an attempt to intimidate and obstruct members and the civil service. In response, let me say that the obstruction and intimidation of members in the exercise of their parliamentary duties is a matter of contempt. Erskine May states at page 128 of the 23rd edition the following:

“Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent of the offence.”

House of Commons Procedure and Practice states at page 84 that “Speakers have consistently upheld the right of the House to the services of its members free from intimidation, obstruction and interference,” and that, quoting a ruling by Speaker Lamoureux, “parliamentary privilege includes the right of a member to discharge his responsibilities as a member of the House free from threats or attempts at intimidation.”

The same authority at page 84 refers to a 1986 ruling by Speaker Bosley of the Canadian House of Commons, where he indicates that for there to be a prima facie case, “the threat or attempt at intimidation cannot be hypothetical, but must be real or have occurred.”

1400

It also indicates at pages 91 and 92 as follows: “In some cases where prima facie privilege has not been found, the rulings have focused on whether or not the parliamentary duties of the member were directly involved. While frequently noting that members raising such matters might have legitimate complaints, Speakers have regularly concluded that members have not been prevented from performing their parliamentary duties.”

In our own assembly, I note that on June 19, 2001, Speaker Carr made the following ruling dealing with freedom of information requests by opposition members: “I understand that the member for Niagara Centre and the

member for Elgin–Middlesex–London contended that their effectiveness as members of provincial Parliament was being compromised by delays in receiving information that they had requested from the government. However, it is very clear to me that the government’s management process on contentious issues did not obstruct the members in their strictly parliamentary duties in this chamber.”

Thus, while I do agree that ministry briefings enable members to carry out their parliamentary duties in this House and its committees, the tenor of the authorities I have just referred to suggests that the briefings themselves do not amount to a parliamentary proceeding.

Furthermore, in respect of the alleged conduct in the case at hand, the member for Erie–Lincoln made a helpful reference to a 1984 ruling from the Canadian House of Commons. In that case, Speaker Francis had ruled that a prima facie case was established when a member alleged that his office had received threats and insults in an abusive telephone call from an employee of a crown corporation, because the member had not pre-cleared with the employee an oral question that he had placed to a government minister on the previous day. In the case at hand, however, no member alleges that this kind of threatening language was uttered. I note that the member for Erie–Lincoln refers to the taping as an “implied threat”; he also indicates that at one of the briefings a tape recorder was turned off when objection was taken to its use. In other words, there does not appear to have been a real, overt or demonstrated threat.

As for the allegation that civil servants were being intimidated or obstructed, there is no evidence to support the allegation. In any event, while there are rare circumstances when civil servants are entitled to the protection of parliamentary privilege, for example, when testifying before a committee of the House, such circumstances do not exist in the case at hand.

The fifth and final issue, raised by the member for Burlington and the member for Niagara Centre, was that the taping of the briefing was inherently offensive to the authority and dignity of the House and its members.

In response, let me first refer to the applicable authorities. House of Commons Procedure and Practice states at page 52 as follows: “Any conduct which offends the authority or dignity of the House, even though no breach of any specific privilege may have been committed, is referred to as a contempt of the House. Contempt may be an act or an omission; it does not have to actually obstruct or impede the House or a member, it merely has to have the tendency to produce such results.”

In addition, Maingot’s Parliamentary Privilege in Canada states, at page 250 of the second edition, the following: “There are actions that, while not directly in a physical way obstructing the House of Commons or the member, nevertheless obstruct the House in the performance of its functions by diminishing the respect due it. As in the case of a court of law, the House of Commons is entitled to the utmost respect....”

In the case at hand, given that the briefings were not parliamentary events, a prima facie case of contempt of

the House on the basis that the tapings were an offence to the inherent authority and dignity of the House is not established.

Although I find that neither a prima facie case of privilege nor a prima facie case of contempt has been established, I do not want to leave the impression that the government of the day should do as it pleases when it comes to providing information to members of this House. The government is entitled to establish reasonable ground rules for briefings that it sponsors or provides. In some instances, Speakers of this assembly have not intervened when a member has complained about the denial of access to government information or about the government's imposition of certain conditions concerning a briefing. In other instances, however, Speakers have stated that the member who raised the matter had a grievance or complaint of which the government should take note.

I am inclined to take the latter approach in the case at hand. When it comes to electronically recording information, members, like most people, have a heightened sense of awareness or concern because of the purposes to which the recording could be used. In retrospect, it would have been prudent for the government to predict or better address the concerns of members attending the briefings. In any event, it is unlikely that there will be another occasion on which similar concerns will be raised, because the Premier has indicated that the practice of taping briefings given to opposition members is not acceptable and that it will be discontinued.

In closing, I thank the member for Whitby-Ajax, the member for Erie-Lincoln, the member for Burlington, the member for Niagara Centre, the government House leader, the Minister of Finance, the member for Toronto-Danforth and the member for Timmins-James Bay for their thoughtful and helpful submissions on this matter. Thank you.

Mr. Dave Levac (Brant): Mr. Speaker, on a point of order: In an unusual moment, I'd like to welcome, in the east gallery, the president of the—

The Speaker: Order. I suggested before the adjournment of the House that those who want to introduce anyone should pass it through the Speaker. I'd much prefer that.

Ms. Marilyn Churley (Toronto-Danforth): Mr. Speaker, on a point of order: I just have a quick question for you. Has your clock been cleaned in the interim?

The Speaker: Thanks for your observation. It has been cleaned and repaired.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Alvin Curling): I beg to inform the House that during the adjournment the Clerk received the report on intended appointments dated January 11,

2005, from the standing committee on government agencies, pursuant to standing order 106(e)9.

The report is deemed to be adopted by the House.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

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

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 132, An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act / *Projet de loi 132, Loi modifiant la Loi sur la responsabilité des propriétaires de chiens pour accroître la sécurité publique relativement aux chiens, y compris les pit-bulls, et apportant des modifications connexes à la Loi sur les animaux destinés à la recherche.*

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

All those in favour, please say "aye."

All those against, say "nay."

I think the ayes have it.

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

The division bells rang from 1410 to 1415.

The Speaker: Mr. Delaney has moved the adoption of Bill 132. Will all those in favour please rise one at a time to be identified by the Clerk.

Ayes

Arthurs, Wayne	Flynn, Kevin Daniel	Phillips, Gerry
Bartolucci, Rick	Fonseca, Peter	Pupatello, Sandra
Bentley, Christopher	Gerretsen, John	Qaadri, Shafiq
Berardinetti, Lorenzo	Gravelle, Michael	Racco, Mario G.
Bountrogianni, Marie	Hoy, Pat	Ramal, Khalil
Bradley, James J.	Jeffrey, Linda	Ramsay, David
Broten, Laurel C.	Kular, Kuldip	Rinaldi, Lou
Brown, Michael A.	Lalonde, Jean-Marc	Ruprecht, Tony
Brownell, Jim	Leal, Jeff	Sandals, Liz
Bryant, Michael	Levac, Dave	Smith, Monique
Cansfield, Donna H.	Marsales, Judy	Smitherman, George
Caplan, David	Matthews, Deborah	Sorbara, Gregory S.
Chambers, Mary Anne V.	McMeekin, Ted	Takhar, Harinder S.
Colle, Mike	McNeely, Phil	Van Bommel, Maria
Cordiano, Joseph	Meilleur, Madeleine	Watson, Jim
Crozier, Bruce	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wong, Tony C.
Dhillon, Vic	Oraziotti, David	Wynne, Kathleen O.
Dombrowsky, Leona	Parsons, Ernie	Zimmer, David
Duguid, Brad	Patten, Richard	
Duncan, Dwight	Peters, Steve	

The Speaker: All those against, please rise one at a time to be identified by the Clerk.

Nays

Baird, John R.	Hudak, Tim	Ouellette, Jerry J.
Barrett, Toby	Klees, Frank	Prue, Michael
Bisson, Gilles	Kormos, Peter	Scott, Laurie
Chudleigh, Ted	Marchese, Rosario	Tascona, Joseph N.
Churley, Marilyn	Martel, Shelley	Wilson, Jim
Dunlop, Garfield	Martiniuk, Gerry	Witmer, Elizabeth
Flaherty, Jim	Miller, Norm	Yakubski, John
Hardeman, Ernie	Munro, Julia	
Horwath, Andrea	O'Toole, John	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 61; the nays are 25.

The Speaker: I declare the motion carried. The bill is therefore ordered for third reading.

STANDING COMMITTEE ON GENERAL GOVERNMENT

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

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

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): Shall the report be received and adopted? Agreed. The bill is therefore ordered for third reading.

MOTIONS

COMMITTEE SITTINGS

Hon. Dwight Duncan (Minister of Energy, Government House Leader): Mr. Speaker, I seek unanimous consent to put forward a motion without notice regarding committees.

The Speaker (Hon. Alvin Curling): Do we have unanimous consent to put forward this motion? Agreed.

Hon. Mr. Duncan: I move that notwithstanding the order of the House dated Thursday, June 17, 2004, regarding the schedule for committee meetings, the standing committee on public accounts may meet at the call of the Chair on Thursday, February 17, Thursday, February 24, and Thursday, March 3, 2005.

The Speaker: Mr. Duncan moves that notwithstanding the order of the House dated Thursday, June 17, 2004, regarding the schedule for committee meetings, the standing committee on public accounts may meet at the call of the Chair on Thursday, February 17, Thursday, February 24, and Thursday, March 3, 2005.

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

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Dwight Duncan (Minister of Energy, Government House Leader): Mr. Speaker, I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Alvin Curling): Is there unanimous consent for the member to put forward—agreed? The government House leader.

Hon. Mr. Duncan: I move that Mr. Racco and Mr. Wong exchange places in order of precedence such that Mr. Racco assumes ballot item 72 and Mr. Wong assumes ballot item 50.

The Speaker: Mr. Duncan moves that notwithstanding standing order 96 (d)—

Interjections: Dispense.

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

HOUSE SITTINGS

Hon. Dwight Duncan (Minister of Energy, Government House Leader): Mr. Speaker, I move that pursuant to standing order 9 (c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, February 15, 2005, and Wednesday, February 16, 2005, for the purpose of considering government business.

The Speaker (Hon. Alvin Curling): Mr. Duncan has moved government notice of motion 299. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

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

The division bells rang from 1423 to 1428.

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

Ayes

Arthurs, Wayne	Fonseca, Peter	Parsons, Ernie
Baird, John R.	Gerretsen, John	Patten, Richard
Barrett, Toby	Gravelle, Michael	Peters, Steve
Bartolucci, Rick	Hardeman, Ernie	Phillips, Gerry
Bentley, Christopher	Hoy, Pat	Pupatello, Sandra
Berardinetti, Lorenzo	Hudak, Tim	Qaadri, Shafiq
Bountrogianni, Marie	Jeffrey, Linda	Racco, Mario G.
Bradley, James J.	Kennedy, Gerard	Ramal, Khalil
Brotten, Laurel C.	Klees, Frank	Ramsay, David
Brown, Michael A.	Kular, Kuldeep	Rinaldi, Lou
Brownell, Jim	Kwinter, Monte	Ruprecht, Tony
Bryant, Michael	Lalonde, Jean-Marc	Sandals, Liz
Cansfield, Donna H.	Leal, Jeff	Scott, Laurie
Caplan, David	Levac, Dave	Smith, Monique
Chambers, Mary Anne V.	Marsales, Judy	Smitherman, George
Chudleigh, Ted	Martiniuk, Gerry	Sorbara, Gregory S.
Colle, Mike	Matthews, Deborah	Takhar, Harinder S.
Cordiano, Joseph	McMeekin, Ted	Tascona, Joseph N.
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dhillon, Vic	Miller, Norm	Wilkinson, John
Di Cocco, Caroline	Milloy, John	Wilson, Jim
Dombrowsky, Leona	Mitchell, Carol	Witmer, Elizabeth
Duguid, Brad	Mossop, Jennifer F.	Wong, Tony C.
Duncan, Dwight	Munro, Julia	Wynne, Kathleen O.
Dunlop, Garfield	O'Toole, John	Zimmer, David
Flaherty, Jim	Oraziotti, David	
Flynn, Kevin Daniel	Ouellette, Jerry J.	

The Speaker: All those against, please rise one at a time.

Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Hampton, Howard	Marchese, Rosario	
Horwath, Andrea	Martel, Shelley	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 82; the nays are 7.

The Speaker: I declare the motion carried.

MINISTER'S LETTER

Mr. Frank Klees (Oak Ridges): On a point of privilege, Mr. Speaker: I brought to your attention a point of privilege on the last day before the House rose, and I'd like to present my arguments at this point in time. I rise, pursuant to standing order 21, on a point of privilege, as I mentioned, with respect to which I gave notice in writing earlier today and brought to your attention on the last day of the last session. You may recall that I raised this matter and indicated that I would file the necessary documents regarding a contempt of this Legislature by the Minister of Education.

I quote from the 22nd edition of Erskine May, which explains the concept of contempt in the following terms: On page 108, Erskine May indicates, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence. It is therefore impossible to list every act which might be considered to amount to a contempt, the power to punish for such an offence being of its nature discretionary."

It goes on, on page 117, to state, "Indignities offered to the House by words spoken or writings published reflecting on its character or proceedings have been" constantly "punished by both the Lords and the Commons upon the principle that such acts tend to obstruct the Houses in the performance of their functions by diminishing the respect due to them."

On page 120, we read, "Other acts besides words spoken or writings published reflecting upon either House or its proceedings which, though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts."

I offer a further definition of contempt from Marleau, edition 2000, in the House of Commons Procedure and Practice. It states, "Any conduct which offends the authority or dignity of the House, even though no breach of any specific privilege may have been committed, is referred to as a contempt...."

On November 29, 2004, the Minister of Education wrote a letter addressed to school board chairs and directors and sent copies of that letter to members of the Ontario Teachers' Federation. In that letter, he stated that the government will fund salary increases for all education workers "of 2% for 2004-05, 2% for 2005-06

and, for four-year agreements, 2.5% in 2006-07 and 3% in 2007-08."

Further, in the same letter, the minister states that the boards would be guaranteed multi-year funding "once they enter into either a two- or four-year agreement."

On December 7, 2004, the Minister of Education held a press conference. He issued a press release at that time to publicly announce the new set of guidelines that had been outlined to school boards and unions across the province a week previously.

This was raised during question period in the Legislature on December 15, 2004. The Minister of Education was at that time asked how he could outline the government's plan in a written letter and a public announcement without, at the very least, first introducing legislation that would in fact permit those actions.

On December 16, 2004, the Minister of Education, apparently realizing that he had shown disrespect for members of the Legislature and the legislative and democratic process, introduced Bill 167. That was the act to repeal and re-enact section 277.11 of the Education Act.

That announcement was brought forward in such a way as to lead the public, and the stakeholders to whom it was directed, into believing that all that was required was a minor regulatory change, or in fact that the government was already acting with the necessary legislative authority, which would allow school boards to begin negotiating four-year contracts with their local unions. It also led the public and the stakeholders to believe that the government could simply dictate the salary increases for each of the four years.

Whether or not the government indeed has the authority to overrule and interfere with the collective bargaining process is a debate for another day. I do note that the OSSTF has taken exception to this action and has filed a labour board complaint against this minister as directly interfering with the bargaining process.

Speaker, I submit to you that these actions constitute a matter of contempt of the Legislature. It occurs in two separate and distinct ways, and we ask the Speaker to rule on both.

First, the minister anticipated legislation that had not yet been introduced to the House, and he presumed that when introduced, it would in fact be approved by the Legislature.

Second, the minister anticipated the budget and presumed that the budgetary measures required to fund his announcement—which upon further calculation would amount to in excess of \$1 billion over and above the current education budget, to fund the announcement that he made.

The government cannot in fact fund four-year contracts because section 277.11 of the Education Act states very clearly that collective agreements shall be for a term of three years. We can only conclude, therefore, that in making his announcement on December 7, 2004, the minister was in fact aware that existing legislation precludes the very negotiations that he directed the school boards and the unions to undertake. Nevertheless, he

chose to ignore that legislation until the 16th day of December, when he finally introduced Bill 167.

While government announcements on legislative activity regularly occur on the day that legislation is introduced, this was a full nine days from the date of the public announcement and 17 days from the date on the letter to the school boards and to the teachers' federations.

In fact, previous Speakers have ruled that announcements may indeed take place outside the Legislature. On February 1, 1983, Speaker Turner stated, "Although it is a courtesy to the assembly for a minister to release information in the assembly before releasing it to the press or the public, it is not a breach of the privilege ... of the assembly if this does not happen."

1440

One would think that Speaker Turner at that time could not have conceived of an occasion where the minister would contact stakeholder groups 17 days in advance and make a ministerial announcement nine days in advance of the introduction of enabling legislation.

The language of Minister Kennedy's announcement is specific. It does not contain a qualifying or conditional statement such as, "If passed, the legislation will allow," but states unequivocally that the government "will fund." That's a direct quote from his letter. The contempt by this minister, I submit, is that he presupposed legislation that had not even been introduced to the House for full debate and he presumed that honourable members here would approve the legislation. In fact, he rushed the legislation into the House to avoid a contempt motion, as he was advised by the official opposition on the previous day that his actions and statements could not be achieved under the current, existing legislation.

Had the legislation been introduced on December 7, the minister would be in contempt, because his announcement still presupposed and presumed the passage of the legislation. His letter to the boards of education dated November 30, 2004, instructing the boards and federations to proceed is full indication of this. The minister presupposes and prejudices the results of the Legislature by his actions.

Other Speakers have ruled that contempt of the Legislature occurred in similar circumstances. Speaker Fraser, on September 25, 1989, chastised the government over advertising that presupposed the passage of the GST. He stated:

"This advertisement may not be a contempt of the House in the narrow confines of a procedural definition, but it is, in my opinion, ill conceived and it does a great disservice to the great traditions of this place. If we do not preserve these great traditions, our freedoms are at peril and our conventions become a mockery. I insist, and I believe that I am supported by the majority of moderate and responsible members on both sides of the House, that this ad is objectionable and should never be repeated."

On March 28, 1994, Speaker Warner, in the Legislative Assembly of Ontario, stated:

"On Monday of last week, the member for Nepean (Mr Daigeler) rose in the House on a question of privilege concerning an advertisement that had appeared in certain newspapers in the Ottawa-Carleton area." These advertisements were about Bill 77, which was before the House at that time at first reading—"remarks which can be interpreted as suggesting that the bill would become law by a specified time even though the bill had only received first reading."

Mr. Warner goes on to say that he had reviewed the ad that appeared on February 8, 1994, in the issue of the Ottawa Citizen in light of parliamentary authorities. He then refers to Speaker Fraser and states the following:

"In the course of ruling that there was no case for breach of privilege or for contempt, Speaker Fraser of the House of Commons found that the advertisements" that were referred to in the federal House "were essentially informational in nature and that there was no intention to infringe the privileges of the House."

He states finally: "In view of these rulings and ... careful consideration of the present circumstances, I find that a prima facie case has not been made out.

"However, I want to say to the minister that this action has come very close to contempt, and in the future the minister should exercise more caution and exhibit greater respect for the proprieties of this House."

Finally, Speaker Stockwell, in Hansard, Legislative Assembly of Ontario, January 22, 1997, when presented with a very similar situation, ruled on his concern related to wording of government documents, stating as follows:

"I am very concerned by the ministry pamphlet, which was worded more definitely than the commercial and the press release. To name but a few examples, the brochure claims that 'new city wards will be created,' that 'work on building the new city will start in 1997,' and that 'the new city of Toronto will reduce the number of municipal politicians.'"

Speaker Stockwell's concerns are the same as mine, as I raise this point of contempt. He goes on to state in his ruling:

"How is one to interpret such unqualified claims? In my opinion, they convey the impression that the passage of the requisite legislation was not necessary or was a foregone conclusion, or that the assembly and the Legislature had a pro forma, tangential, even inferior role in the legislative and lawmaking process, and in doing so, they appear to diminish the respect that is due to this House. I would not have come to this view had these claims or proposals—and that is all they are—been qualified by a statement that they would only become law if and when the Legislature gave its stamp of approval to them..."

"Considering the fact that Speaker Warner issued this very stern warning to the very ministry that I am dealing with today," Speaker Stockwell goes on to say, "I would consider this ministry to have been given fair warning.

"It is not enough for yet another Speaker to issue yet another warning or caution in circumstances where the wording and circulation of the pamphlet appear on their

face to cross the line. I say in all candour that a reader of that document could be left with an incorrect impression about how parliamentary democracy works in Ontario, an impression that undermines respect for our parliamentary institutions.

“For these reasons, I find that a prima facie case of contempt has been established.”

The November 29 letter written by the minister to the boards of education does not state that the legislation, if passed, will provide for four-year collective agreements. The letter states, under the heading of “Multi-Year Funding Guarantee,” “We want to make clear that multi-year funding is guaranteed at the above levels to all boards once they enter into either a two- or four-year agreement.”

Under a further subheading, entitled “Stability Terms,” the minister advises that “the government intends to introduce legislation to change existing mandated three-year terms to two- and four-year terms for all teacher agreements.”

Nowhere in this letter telling the boards to begin working on four-year collective agreements does it state that the enabling legislation, if passed—nowhere is there that qualification. It says simply that the government will introduce legislation. It gives no timetable for such an introduction and certainly gives no indication that it must be approved by this Legislature. It counsels school boards to begin negotiations in contravention of the Education Act which was in force at the time the minister wrote the letter and is still in force today.

Mr. Speaker, I submit to you that when you consider the actions of the Minister of Education in the matter before you, you must find that his actions have similarly undermined respect for the role of honourable members in this House and have indeed left the public and stakeholders of the ministry confused about how parliamentary democracy works.

The second contempt by this minister occurs when he announces future spending by this government. I quote from his letter to the school boards and directors of education dated November 29, 2004: “2% for 2005-06 and for four-year agreements, 2.5% in 2006-07 and 3% in 2007-08.”

The letter goes on to say that “funding is guaranteed at the above levels to all boards, once they enter into either a two- or four-year agreement.”

The minister is anticipating future budgets not yet introduced or even contemplated until the spring of 2005. Recently the Minister of Finance himself said that he would not speculate on what is in the budget when asked if he would raise taxes. How, then, can this minister not only speculate but guarantee specific funding to school boards?

The precedent for this is the Carr ruling against the government of the day for presenting its entire budget outside the Legislature and in advance of tabling of same. While this is not a budget, it is a future budget item and the parallel is exactly the same.

1450

Legislatures have long held the privilege of reviewing and debating all government expenditures and revenues, and they expect it. The tradition goes back centuries where the crown appears before the Commons to beg leave for the raising of taxes and expenditures in the person of the minister of the crown.

Speaker Carr stated on May 4, in a ruling citing many references, “Ontarians are rather fond of their traditional parliamentary institutions and parliamentary processes, and they want greater deference to be shown towards the traditional parliamentary forum in which public policies are proposed, debated and voted on.... A mature parliamentary democracy is not a docile, esoteric or one-way communications vehicle; it is a dynamic, interactive and representative institution that allows the government of the day to propose and defend its policies—financial and otherwise. It also allows the opposition to scrutinize and hold the government to account for those policies. It is an open, working and relevant system of scrutiny and accountability. If any members of this House have a problem with the concept of parliamentary democracy, then they have some serious explaining to do.”

Finally, in coming to his ruling, Speaker Carr poses several questions, one of which stands out and is particularly apt in this case: “If left unchallenged, will this incident not embolden future governments to create parallel, extra-parliamentary processes for other kinds of events that traditionally occur in the House?”

He then wonders to what extent the process undermines “the representative, scrutiny and accountability functions of Parliament.”

In his response to Speaker Carr’s ruling and speaking in the ensuing debate in this House, the current Minister of Education, who was then the education critic, stated the following: “Why is this room at all special? Why do the people who come here have any rights on behalf of the rest of the people of Ontario? Why do we have people who arrive in pointed hats and a Speaker sitting in a chair? Because there is something in this room that is bigger than our individual concerns, the political parties that employ us, the petty agendas we sometimes can fall prey to. That’s this place.” He goes on in the course of his remarks to state how important this place is, and the procedures and the rights of individuals to have an opportunity to vote on these issues.

The minute that we make light of this place, the minute that a minister of the crown presumes the actions of the Legislature, that is the point at which we not only lose the respect of our constituents who have sent us here to do the business of government, but we undermine the very premise of this place.

Speaker, I would ask you to consider seriously the matters that I have put before you and to rule in favour of the argument that I make that will in fact establish and re-establish the important role that we, as legislators, have in this place and that will ensure that no ministers of the crown of any government would ever conduct themselves the way this minister has done.

The Speaker (Hon. Alvin Curling): On the same point, the government House leader.

Hon. Dwight Duncan (Minister of Energy, Government House Leader): Thank you, Mr. Speaker. I've had the opportunity over the recess to review the appropriate correspondence and I would like to address the member's point of privilege at some length today, to ensure that you have a number of other rulings in your possession and have all of the information that will be important to your decision.

I would, first of all, like to address the correspondence in question, which I have reviewed at great length. I'd like to suggest, Mr. Speaker, that the purpose of the letter is very clear in its intent from the beginning. It states, "I am pleased to write to you today to convey information about ways the ministry wants to bring more support and more clarity to school board spending decisions in this school year." The letter goes on to say—and I think this is important to note, as the member did note—"As you know, since coming to office, our government has increased education funding by \$1.1 billion."

The Speaker: Order. I'd just like the member to respond to the point of privilege. It's not a speech to the audience here. Could you please—

Hon. Mr. Duncan: This goes to the intent of the letter and the wording in the letter, because the member raised in his point the conditional nature of the verbs that he alleges weren't used. In fact, a number of conditional verbs and the conditional tense were used throughout the letter. So I will go on to refer to the other ones, then.

Again, "the ministry wants to bring more support and more clarity to school board spending decisions in this school year and beyond." Again, the letter uses words like "intends," "proposes," "wants," and concludes by expressing the minister's hope for feedback. We want feedback to these items and to these initiatives. The tone is certainly not definitive, and it neither indicates a presumption of passage, nor does it dismiss the Legislature's superior role.

Further, the target audience for this correspondence is limited to the stakeholders who would be affected by this legislation, not the general public. Stakeholders need not only to be consulted, but also to be made aware of the proposed changes.

I refer to Speaker Carr's ruling on September 25, 2000, and let me begin again by giving context to that particular ruling. The then assistant Deputy Minister of Education sent out a memorandum to directors of education across the province on a bill that was currently before a standing committee of the Legislature. It was argued that the terminology used in the memo was definitive on the outcome of the bill in committee and in the House.

Mr. Speaker Carr ruled that it did not constitute a prima facie case of contempt or a violation of members' privileges on three grounds: First, he ruled that the audience was not, strictly speaking, a public one, which is the same as the current case we are now considering. Secondly, he ruled that the group involved needed to

commence plans to implement the proposed changes, even if only on a contingency basis. Finally, Mr. Speaker Carr ruled that the Ministry of Education was obliged to share proposed changes with their partners in education to ensure that prudent planning would take place. I believe the same logic applied to that ruling should apply to this situation.

Next, I refer you to a ruling in the House of Commons on October 10, 1989, concerning government advertising that suggested certain fiscal measures, which had yet to be passed by the House, would become law. Speaker Fraser of the House of Commons found that the advertisements were essentially informational in nature and that there was no intention to infringe on the privileges of the House. I would submit that the correspondence in question was informational in nature, too. This government consults, this government is transparent, this government wants to work with the people in the education sector, unlike previous governments.

Further, I refer to Speaker Carr's ruling on June 25, 2001. In this case, a private member issued a press release which advised his intention to introduce a bill. It was argued the release implied not only that the bill had already been introduced, but also that the bill was law and binding on the government. Speaker Carr ruled that in no way was the ability of members to continue debate on the issue affected.

Speaker, I see no basis for the member's point of privilege. The tone of the correspondence does not presume the passage of the legislation, but instead seeks feedback and allows for planning. As illustrated in numerous precedents, in no way are the members' privileges compromised. This point of privilege, in our view, was an inappropriate use of the Legislature's time today.

The Speaker: Thank you. Further response on the same point of privilege?

Hon. Gerard Kennedy (Minister of Education): On the same point of privilege, Mr. Speaker: I appreciate very much the contribution from the learned House leader on the points of process, and I would add only two small points of relevant context, which would be that, in the Ministry of Education, there is ample precedent for giving boards an indication ahead of time of where funding is coming from. For example, the previous government made promises both through the budget and subsequent communications for three-year funding, and all our government has done is express an intent based on the budget, and at the time of the budget we had already made this indication. In fact, if you look at the budget tables, it supports multi-year funding to different ministries, including the Ministry of Education. I would submit that that should be separated out from any note of complaint from the member opposite.

1500

Further, I would just note that the previous government did set a term in legislation for contracts, but I would just ask you to be aware that the term has a certain application. In other words, it does not apply to all the contents of the contract, and the labour act and other

pieces of legislation actually supersede anything that is in the Education Act having to do with that. So in fact boards are required to enter into terms that last for three years, but the actual contents don't have to match those three-year terms. All I'm saying to you is that the audience for this particular communication, information about the government's intent, was aware of those kinds of sophisticated elements and it would put all of the information in context.

Finally, I would just say that there have been a number of occasions when the member opposite has been trying to impute motive or assign motive for various actions. All I would say is that our motive was very clear, and expressed in the communications that we intended to introduce on the appropriate legislation. We did that; we did exactly what we said we would do in that respect, and we are contributing thereby to the better functioning of education and labour peace in that sector.

The Speaker: I want to thank the member from Oak Ridges for giving me notice of the point of privilege. I'll take this under consideration and get back to you. I want to thank the Minister of Education and also the government House leader for their contribution toward this. I will get back to you as soon as possible on this matter.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: I'm seeking unanimous consent that, notwithstanding the standing orders, there be one hour dedicated to question period today.

The Speaker: You're raising a point of order—*Interjection.*

The Speaker: Order—and I'm trying to address it. Do we have unanimous consent for the extension of time?
I heard a no.

STATEMENTS BY THE MINISTRY AND RESPONSES

ACCESS TO HEALTH CARE

Hon. George Smitherman (Minister of Health and Long-Term Care): I'm delighted today to rise in this chamber to talk about some of the important steps we're taking to improve access to quality health care for all Ontarians.

Health care is of course a priority for this government, as it is a priority for all Ontarians. In the past 15 months or so, we've taken great strides in transforming a system that has been badly neglected and mismanaged under the Tories. The health care system we inherited did not have enough doctors or nurses. Wait times were long, and getting longer. Equipment was too old. As a result, Ontarians did not have access to the level and quality of care that is theirs by right of citizenship in this province. We're changing that.

My colleagues have heard me speak many times about the need to drive health care into the community, to

improve the front-line primary care that is the key to a high-quality, sustainable health care system, and we have made unprecedented investments in community-based health care in order to relieve the pressures on our hospitals, freeing them up to provide the kind of acute care they alone can. These investments are also ensuring that wherever possible, patients receive the care where they need it most: closer to their communities and their homes.

Today I had the pleasure of announcing another investment that will help to accomplish those things. We're investing \$1.6 million to provide our 49 community health centres across Ontario with new diagnostic equipment, everything from examination tables to electrocardiograms. The funding comes from the diagnostic and medical equipment fund that was made available to Ontario as part of the 2003-04 federal, provincial and territorial agreements. As members are well aware, Premier McGuinty was instrumental in negotiating the second of those at the 2004 first ministers' meeting.

Community health centres perform a unique and critically important function in our health care system. They offer services to people who otherwise might have difficulty receiving health care, people who face barriers such as language, culture, physical disabilities, homelessness, poverty or geographic isolation. CHCs feature doctors, nurses, nurse practitioners, social workers and other health care professionals working together as a team, because health care, that most human of endeavours, is best when it's delivered by a team.

CHCs represent the kind of approach that we are expanding upon throughout Ontario, a new model called family health teams. The investment I am announcing today will help equip these teams with the tools they need to continue to offer the very best health care services to Ontario communities. This is just the latest in a series of investments we've been making, designed to improve Ontarians' access to health care by ensuring that our front-line professionals have the most up-to-date, modern technology so that they can deliver the best possible care.

Earlier this month, we announced more than \$120 million to reduce wait times by increasing the number of MRIs and CT scans, cardiac diagnostic procedures and cancer radiation treatments. In all, as a result of that investment, we are delivering 119,865 additional critical procedures. With the combination of these new MRIs that we brought to hospitals, the hours that we expanded at existing MRIs and the upgraded MRIs we announced a few weeks ago, our government has increased access to MRI services in this province by 19.3%. A week later, we announced another investment of \$340 million in new and upgraded medical equipment for hospitals and long-term-care homes—and some of those went to Trinity-Spadina—everything from patient lifts to X-ray machines to whirlpool baths. I'm sure it will interest my colleagues to know that our investments this year represent the single largest investment in diagnostic and medical equipment in this country's history.

We're acting to ensure that Ontarians receive the care that they need in the right place, in a timely manner, and that modern, up-to-date therapy, services and equipment are on hand for the proper delivery of that care. We are acting, and we are going to continue to act. In the weeks to come, we will be announcing further investments in medical equipment at the community level.

Now, the common theme running through all of these announcements is improved access to the best possible care in our hospitals and in our communities. Ontarians should not have to wait too long for the health care services that they need, and when they receive those services, they should have the confidence that they're getting the very best. This is, quite simply, our government's plan for health care, and with every new investment, with every progressive initiative, we are moving to improve health care services for the 12 million Ontarians we're proud to serve.

FOOD SAFETY

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

As you know, the McGuinty government is committed to protecting the health and safety of Ontario's citizens. Food safety is, and will continue to be, one of our number one priorities. That's why we brought meat inspectors back into the public service. That's why we introduced a new health and safety system for small and medium-sized food processors. That's why we commissioned Justice Roland Haines to conduct a review of Ontario's meat inspection system in January 2004. Justice Haines's extensive work culminated in a report that was submitted in July of last year, and we are committed to acting on his recommendations.

So I am pleased to announce that last week we took another step to better protect Ontarians' health by proclaiming the Food Safety and Quality Act and promulgating a new, stronger meat safety regulation under the act. By doing this, we have fulfilled Justice Haines's very first recommendation and responded to several others. The Food Safety and Quality Act is enabling legislation that enhances the provincial government's capacity to maintain high standards of food safety, protect consumer health and, most importantly, increase the marketability of Ontario products.

1510

This government has acted to proclaim this regulation, and it will give substance to the new regulation. The previous government did not see the importance of making this happen.

As recommended by Justice Haines, the new meat inspection regulation is strengthened, broader in scope than the previous legislation, and is harmonized with national standards.

The regulation will be phased in to ensure that the requirements protect public health and safety; that means providing information and training to the industry regarding its responsibilities and making sure that the government has enough fully trained staff.

We will be consulting with the health, animal welfare, environment, meat industry, and agri-food sectors.

We are providing over \$25 million in transitional funds, over three years, for the meat industry to assist processors in meeting the requirements of the new regulation.

We want to ensure that the meat industry is provided with enough time and support to be able to comply with the regulation without unnecessary disruption. By June 1, 2005, provincially licensed abattoirs and large free-standing meat processors will be subject to the new regulation. All free-standing meat processors will need to comply by October 1, 2006.

The people of Ontario will benefit from new, stronger meat safety standards. They will rest assured that the meat they eat is safe. Ontario's meat industry will also benefit from the new regulation, as consumer confidence in their products is strengthened.

As Justice Haines indicated, Ontario has a good food safety system. We are committed to making it a world-class system.

ACCESS TO HEALTH CARE

Mr. John R. Baird (Nepean-Carleton): When I heard that the Minister of Health was coming into the House to make a statement, I was encouraged. I thought he would be standing in his place and talking about a solution to the crisis in Ontario for a number of patients with Fabry disease. In Ottawa, we have a very serious case where a woman is in dire circumstances. She has missed two treatments now. I thought the minister would be standing in his place in this House and would be doing the right thing.

Enzyme replacement therapy was first promised to patients by the minister last summer. Coverage is provided in 40 other countries, including the United States, but is not here in Ontario, where it should be recognized as a life-saving treatment. This life-saving treatment is no longer being provided to patients. There's one patient in the west end of the city of Ottawa who is now at risk of stroke and kidney failure, and she's not the only one. Literally tens of thousands of people in Ottawa are now responding to this woman's plight. CFRA radio has made this a huge priority.

I want to give notice to this minister that Conservatives in this Parliament will be fighting on behalf of the patient in Ottawa and patients right across Ontario. He was warned for months and months that it would be this way by Elizabeth Witmer, who raised this issue time and time again. Unfortunately, it's getting worse, not better.

I would have thought the Minister of Health would have been rising to apologize for what he is doing to nurses in the province of Ontario.

Look at what the Ontario Nurses' Association has to say about this government: "The McGuinty government has done a 180-degree turn from its stated commitment during the election to protect patient care and hire 8,000

full-time ... nurses.” Who said that? The president of the Ontario Nurses’ Association.

She says that “Nurses believe they are being used as pawns” by this government. “They no longer believe this government is committed to restoring nursing care, protecting patients and making positive changes in nurses’ working lives.” What does the Ontario Nurses’ Association say? They say, “Layoffs will deeply affect patient care.”

When this minister was questioned about the 2,000 nurses who were going to be laid off, he simply said, “Oh, it’s only 757 nurses who will be laid off.” That’s a shame.

Ontario nurses, Ontario Conservatives and Ontario patients want to know where the \$9.5 billion in missing money from their new health tax and from the federal government are going.

FOOD SAFETY

Mr. Ernie Hardeman (Oxford): I’d like to commend the Minister of Agriculture and Food for announcing that he is going to do something to help reassure the consumers of Ontario about the quality of our food and to make food even safer in the province, and I think all of us in this Legislature and in fact all of the people in the province would support that.

I was a little concerned with his announcement. He didn’t include anything about the fact I mentioned to him before Christmas as to what he was going to do if there is a work stoppage in the civil service and we no longer have inspectors in our abattoirs. I thought he would have an announcement to tell us what he was going to do with that. But I think what’s more important is that he doesn’t seem to realize that there is a problem in agriculture in rural Ontario that he wants to hide from. In fact, I noticed he’s changed his looks so he can travel incognito in our communities. The farmers have taken to the streets because of the problems that exist in agriculture.

The minister made an announcement this morning in a little shop where ground beef was selling for \$5.29 a pound. The farmer is getting somewhere around \$1.50 for that same meat and all the rest is going into the system, but the farmers can’t pay their bills. In the past, we’ve had governments that supported the agricultural community by putting safety nets in place and sending cheques to the farmers. This minister keeps making announcements but doesn’t send the cheques. A lot of the people in my community are waiting for their CAIS payment for 2003. Here they are, looking at trying to plant their crops for 2005; they can’t do it.

Another sector of our agricultural community is the tobacco industry, which the minister personally represents. We have the tobacco farmers in our gallery again today to try and impress on the minister that something needs to be done. The minister stood in front of 900 tobacco farmers and said, “We’re going to increase taxes, but because of that impact, we will also put in a \$50-million transition fund. We are already planning that fund

and, as soon as we get it in place, we will give you the money.” That was over a year ago, and so far, nothing for those tobacco farmers. They can’t wait any more. They need your help now, Minister. Come forward. Stand up in front of the tobacco farmers and tell them the money is coming to match the federal money, so we can get back in business with tobacco farming.

ACCESS TO HEALTH CARE

Ms. Shelley Martel (Nickel Belt): I am pleased to respond on behalf of the NDP to the statement by the Minister of Health. The minister said in his press release, “Community health centres perform a unique and critically important function in our health care system.” I wonder why he was at Regent Park Community Health Centre this morning and didn’t announce a major expansion of community health centres in Ontario as the way to really push primary health care reform.

I don’t understand why this government continues to refuse to look at CHCs as a positive model to bring more doctors and health care professionals into the health care system to provide primary health care to Ontarians who need it. We know that community health centres are a proven model. They’ve been in existence in Ontario for over 30 years. I was pleased to be part of a government that created 23 new community health centres and 10 Aboriginal community health centres when we were the government, as a sign of the commitment by New Democrats to community health centres.

We know that community health centres are effective at recruiting and retaining not only doctors but other health care providers, that coverage 24/7 is provided, that everybody is paid a salary, that not only is treatment provided, but also promotion of wellness and illness prevention. Those are the kinds of things we want to be promoting in Ontario.

CHCs are an effective model. The Ministry of Health’s own internal review of CHCs three years ago proved that. I say to the Liberals, for goodness’ sake, stop stalling. Use CHCs as a model for primary health care reform, fund an expansion of community health centres, and do it now.

With respect to the money for diagnostic medical equipment for CHCs, for long-term-care homes and for hospitals, of course this is federal money from the diagnostic and medical equipment fund, and I sure hope this government is passing it along to those institutions in Ontario that are supposed to receive it from the federal government. I would expect this government to be doing that.

Speaking of federal money, I sponsored an interesting press conference yesterday by ONA, and the president of ONA, Linda Haslam-Stroud, said this about the government yesterday: “On January 17, the government told Ontarians they can expect 757 nurses to be laid off this year and possibly thousands more next year, as hospitals struggle to balance their books by March 2006. Nurses feel betrayed by this government,” said the president of

ONA. She went on to say that it's very clear that these positions are not administrative positions, that the 757 jobs to be lost include nurses who provide psychiatric care, work in the emergency department, in obstetrical care and in cardiac care as well. She also said very clearly that there aren't jobs for these nurses in the community, there aren't agencies in the community hiring, and the gap between the pay in institutions and the community is so great that nurses leaving institutions aren't going to go work in the community sector; neither will new grads.

1520

The most important point had to do with money—federal money. ONA made it clear yesterday that there is more than enough money to avoid any nursing layoffs and, indeed, there's more than enough money for the government to actually live up to its promise to hire 8,000 new full-time nurses in the province of Ontario. They released information yesterday that makes it very clear that this fiscal year alone, 2004-05, the shortfall between the amount of health spending announced by the government and what the government actually took in in new money from the federal government and from the health tax is \$1.7 billion, and it will be \$1.7 billion next year as well. In fact, over its four-year mandate, this government will announce, or has announced, an increase in health care funding of about \$10.5 billion, but they're actually taking in, between the new health tax and the new federal money, \$20 billion. Where is that \$9.5 billion going? It isn't going to health care.

So I say in conclusion, this government should be hiring, not firing, nurses. You've got the money to do it. Stop the layoffs now. Actually show us your plan to create 8,000 new full-time nursing positions in Ontario.

FOOD SAFETY

Mr. Howard Hampton (Kenora–Rainy River): I briefly want to respond to the Minister of Agriculture, Food and Rural Affairs. I want to say to the minister, at a time when farmers are going out of business, you should be worried about how many of them are going to be around to have their meat inspected. Farmers want to know, where is the investment strategy for the farming community, for the rural community, from the McGuinty government?

The Speaker (Hon. Alvin Curling): It's time for oral questions.

ORAL QUESTIONS

GOVERNMENT'S AGENDA

Mr. Robert W. Runciman (Leader of the Opposition): It's good to see you again, Mr. Speaker. I can tell you, the official opposition was looking forward to a productive session; however, it's been two months since

we last met and, unfortunately, things haven't changed much. The government's priorities are still opposite to what they said they would do and what the people of Ontario want from their government. So here we are, set to debate your so-called priorities: film censorship, a ban on pit bulls that experts say won't work, and your greenbotched proposal that would bankrupt farmers. You also spent considerable time this winter talking about the need for a new flower to represent Ontario and announced just yesterday that you're spending \$400 million on Sandra Pupatello's pet project, a new hotel in Windsor. Yet, at the same time, we see hospitals being forced to close beds and cut programs. We see you wasting \$91 million to fire close to 1,000 nurses. We see an ongoing fight with our doctors and no sign of resolution. In short, there's chaos in our health system. You have no plan to deal with it, so you talk about film censorship and provincial logos. Premier—

The Speaker (Hon. Alvin Curling): Thank you. Premier?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): Speaker, let me say that it's great to be back. Let me say, as well, that I'm grateful for the opportunity to remind members opposite and the good people of Ontario, whom we have the privilege of serving, about some of the things we have done to date.

With respect to education, thus far we've hired 1,100 new teachers; we have smaller classes in over 1,300 elementary schools; and we have trained 16,000 lead teachers with special skills in literacy and numeracy.

In health care, we shortly will have our first 45 new family health teams ready to be announced; we have 21,000 more Ontarians receiving home care; and shortly, we'll have more than 2,000 new front-line staff for long-term-care homes and restored standards to be present there.

The member opposite apparently has some objection to us making the kind of investment that will ensure we can make still more revenue for investment in further health care and education to the benefit of Ontarians. If the member opposite stands against more investment in health—

The Speaker: Supplementary.

Mr. Runciman: Unfortunately for the people of Ontario, they need better health care, not better hotel room service. It's becoming clear that—

Interjections.

The Speaker: We just started the first question period, and I would like the ministers to come to order so I can hear the Leader of the Opposition put his question.

Mr. Runciman: The government has no plan at all when it comes to health care. You flowed bailout money to hospitals after saying there would be no more bailouts. You spent \$91 million to fire almost 1,000 nurses after you said you'd hire 8,000. You issued an ultimatum to doctors to accept your deal or else, and backed down and said you would renegotiate. Now you're at it again, saying you'll stumble ahead with or without the support of doctors.

Hospitals have been ordered to cut \$170 million from budgets and programs, and yet you announce \$400 million for a posh hotel in a Liberal riding. Your lack of a plan for health care is putting patient care at risk. Why did you order hospitals to cut programs and beds while funding beds for a swanky, five-star hotel? Why are you putting pork-barrel politics ahead of the well-being of our health care system?

Hon. Mr. McGuinty: You know, the member opposite knows full well—

Mr. Rosario Marchese (Trinity–Spadina): Or ought to know, right?

Hon. Mr. McGuinty: —or ought to know that the Ontario Lottery and Gaming Corp. generates some \$2-billion-plus that we can invest in health care and education. This is an additional investment in that revenue-generating mechanism. That's all this is.

With respect to what we're doing in our hospitals, I know the member opposite will want to be able to remind Ontarians that, thus far, we have added 1,700 more cancer surgeries, 1,680 more hip and knee replacement surgeries and 2,000 more cataract surgeries; we've invested \$120 million to replace old MRI and CT machines; and we've expanded existing hours for over 119,000 more procedures. That's just some of the progress we're making when it comes to improving health care for Ontarians.

Mr. Runciman: The Premier has become the Amelia Earhart of Ontario politics, constantly changing direction but never finding land.

Premier, unfortunately your misplaced priorities aren't confined to health care. Yesterday, your Ministry of Finance released Ontario's third-quarter financial update. You now admit that this year's deficit may be triple what you estimated, up to \$6 billion. In last year's budget, you counted revenues for this year that you won't actually receive until 2048. It may be time for Accounting 101 here. That kind of murky accounting may have worked at Royal Technologies, but it doesn't wash when you're managing the finances of the province.

Today's media is reporting that you're using your \$6-billion deficit as proof of Ontario's need for more federal funding. Premier, it's clear you have no plan for managing Ontario's books and no plan for dealing with the chaos you're creating in the health care system. Can you tell Ontarians how you plan to balance the books of the province and end the chaos in the health care system? Where is the plan?

Hon. Mr. McGuinty: Just to give you some sense of the kinds of investments we've made so far when it comes to our hospitals: \$385 million to balance the 2003-04 budgets, \$469 million in new funding for 2004-05, \$200 million in one-time transition funding, \$60 million for capital repairs made to our hospitals and \$50 million to create new full-time positions for nurses in Ontario hospitals.

I contrast that with the Tory record. They cut hospital funding by \$557 million over two years, they closed 28 hospitals, they closed 5,000 beds, and they spent \$400

million to fire thousands of nurses and then spent hundreds of millions more trying to lure them back to the province of Ontario. When it comes to health care, I'll put our record against the previous government's any day.

1530

HEALTH CARE FUNDING

Mr. John R. Baird (Nepean–Carleton): To the Premier: The reality is, it has become clearer and clearer every day that you have no plan for health care in the province of Ontario. You used to say that nurses were the cornerstone of our health care system. You made so many trips to the Ontario Nurses' Association conferences and repeated your promise to hire 8,000 more nurses. All that changed just a couple of weeks ago. Your Minister of Health issued a press release announcing that he was giving the hospitals in Ontario \$91 million to help lay off 757 nurses. Your own minister has admitted this is how many nurses it would be.

Premier, do you know what nurses in Ontario are starting to call you? They're starting to call you Premier Pink Slip. That's the reality. Can you explain to me how firing 757 nurses will help you keep your promise to hire 8,000 new nurses?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I'm delighted to get the question, of course, just to put a few facts on the table, because they are important to hear from time to time. We have funded 3,052 new full-time nursing positions since we got the job. In addition, there are at present—and the minister, I know, will want to say more about this shortly—400 nursing positions being advertised in Ontario, some 200 of those in our hospitals. The Ottawa Hospital is looking for 41 new nurses; the London Health Sciences Centre, 12; the University Health Network, 11; St. Joe's, nine; Grand River, six; Mount Sinai, five; Sunnybrook, five; Cambridge, four; and on and on. There are good opportunities for nurses in Ontario. We are investing heavily to ensure that hospitals can in fact hire nurses, and I'm proud to say that, so far, we have funded 3,052 new full-time nursing positions in Ontario.

Mr. Baird: Premier, the people of Ontario have a choice in who they can believe. They can believe this Premier or they can believe the Ontario Nurses' Association when they say that the McGuinty government has done a 180-degree turn from its stated commitment during the election campaign. This is what nurses in Ontario are saying about you and your government.

Last week, for the first time in more than 20 years, a group of doctors walked off the job, resulting in surgeries for hundreds of patients right across Ontario being cancelled. You knew that was going to take place for more than four weeks, yet you did nothing to stop it. At the centre of this dispute was inaction and the ongoing negotiations between your government and the Ontario Medical Association. They wanted a simple signal that you and your government took their concerns seriously.

Instead, they got nothing: not a phone call, not an e-mail, just silence. Your inaction was clear proof that you have no plan to deal with the doctors and doctor shortages in Ontario.

Premier, why did you personally sit by and do nothing when this crisis happened last Friday?

Hon. Mr. McGuinty: Speaker, I know the minister would like to get in on this.

Hon. George Smitherman (Minister of Health and Long-Term Care): My honourable friend asked the question whether the people of Ontario should believe the ONA or the government. I leave that to the people of Ontario, but what they sure aren't going to do is believe this party and their reprehensible record on health care in the province of Ontario. The gall of the honourable member to stand up as part of a party that when they were in government, for hospitals alone, cut funding by \$557 million, eliminating 6,279 nursing positions.

What have we done: 664 nurses in large hospitals and 538 in small and medium hospitals; 600 new nurses in long-term-care homes; 250 new nurses in home care and community mental health; 1,000 new full-time positions for new grads to give them the experience on the front line; \$60 million recently for 11,000 new bed lifts; accountability agreements, where nurses sign off on what hospitals say about how those funds are invested; hospitals moving toward 70% full-time; double the number of nurse practitioners; clinical simulation equipment in—

The Speaker: Thank you. Final supplementary.

Mr. Baird: I notice, with two months to think about answers to these questions, the Premier ducked and dodged the question. Premier, I want to come back to you. You are the leader of the government. Again, you have no plan to resolve the dispute with our doctors and no plan to deal with the fiscal crisis that you and your bully health care minister dealt to our hospitals. Hospitals in Ontario will end this year with a \$330-million deficit. Do you know what they're starting to call these hospital deficits? They're starting to call them "Dalton deficits."

You said at the beginning of this year that hospitals would not be allowed to run deficits, and you said you wouldn't give any more bailouts—your words, Premier, not mine. You've waffled on both counts. Just yesterday came the news that your government will be spending \$400 million on a swanky, five-star hotel in Windsor.

The Speaker: Question?

Mr. Baird: You and your government personally approved \$170 million in cuts to hospitals this year. I have a question to which I want a direct answer from this Premier: How many nurses will you have to fire—

The Speaker: Thank you. The Minister of Health.

Hon. Mr Smitherman: I'm pleased to remind the honourable member that, to this point, our government has created and funded 3,052 new opportunities for nurses in the province of Ontario, in contrast to that government's record, which is well known.

He asked about hospitals. We have invested, since we came to government, 1.712 billion additional new dollars just in the Ontario hospital system, as part of a \$2.8-

billion investment in health care this year, money for wait times to reduce the challenges that Ontarians face and hundreds of millions of dollars to update the quality of equipment in Ontario's hospitals.

The honourable member talks about anaesthetists. He suggests, along with his party leader, that Ontario abandon the decades-old history of negotiating with the OMA, instead beginning bilateral relationships with each of the 56 groups that are members of the Ontario Medical Association. This is his approach, after he said—

The Speaker: New question. The leader of the third party.

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. You've now been in government going into a second year. You promised that you would properly and adequately fund our hospitals. You promised to hire 8,000 new additional nurses. You promised that you would not make any further cuts to OHIP-insured health care services. But you've broken all of those promises. When are the people of Ontario actually going to see the improvements to health care that you promised so often?

Hon. Mr. McGuinty: I provided a list just a few minutes ago, and I'm pleased to add to that. We continue to do much to improve the quality of health care available for all Ontarians. For example, this year we have 81,268 additional CT scans. We've invested \$107 million to reduce wait times in cardiac care, cancer care, MRIs, hip and knee surgeries and cataract surgeries. We have doubled the number of spots for international medical graduates. We've created a free vaccination program for children in the province of Ontario, covering things that were never covered in the past. We're proceeding to build a new medical school in northern Ontario—I'm sure the member opposite will want to support us in that regard. I have much to add, and look forward to hearing from the member opposite.

Mr. Hampton: Those are oft-repeated promises, but they are not the reality that people are seeing in their communities. Hospitals have said it very clearly: Instead of hiring new additional nurses, you're forcing them to lay off 757 full-time nurses. At a time when Ontario ranks third from the bottom in terms of nurses per capita, the McGuinty government is going to lay off more nurses. The president of the Ontario Nurses' Association said it clearly: "Ontario nurses have lost confidence in the McGuinty government's commitment to restore nursing and protect patients," and she goes on, "Next year, the layoffs at hospitals will result in more than 8,700 nurses and health care providers getting the pink slip."

The Speaker: Question?

Mr. Hampton: People voted for health care change. When are they going to see the positive changes you promised? When are they going to see the McGuinty government's health care plan?

1540

Hon. Mr. McGuinty: Again, on the matter of nurses, we're pleased to have been able to fund 3,052 new full-time nursing positions.

Mr. Hampton: Where are they?

Hon. Mr. McGuinty: The member opposite asks, "Where are they?" To provide some more details, 664 of those are in large hospitals; 538 are in small and medium hospitals; 600 are in long-term-care homes; 250 are in home care and community health positions. We've also invested another \$60 million for 11,000 bed lifts in hospitals and long-term-care homes to improve the working conditions for nurses. I want to remind the member opposite, the leader of the NDP, that on his watch they let go some 3,800 nurses. We've only been on the job one year and we've funded 3,052 new full-time positions. We're proud of our record.

Mr. Hampton: Premier, here's what a so-called health expert had to say about nurses: "Nurses are the heart of health care." "You can't deliver good health care in Ontario when there aren't nurses around to provide the care." "Let no one ever suggest that a nurse in a hospital is redundant. Let no one ever suggest that a nurse in a hospital is anything but precious." Who said that? Dalton McGuinty. And now Dalton McGuinty is ushering 757 nurses out the door, saying they're redundant.

Premier, all the promises you've just recited aren't happening in communities. Communities aren't seeing new nurses; they're seeing existing nurses laid off. They aren't seeing more services, they aren't seeing more physicians; they're seeing more cuts. Forget the promises, Premier. When are the people of Ontario actually going to see a health care plan that delivers some of the things you promised over and over again?

Hon. Mr. McGuinty: Well, I don't know whom the member opposite is speaking to. Maybe he should contact a few hospitals, whether the large ones or the small ones, or long-term-care homes or community mental health institutions, because we have funded, as I said, some 3,052 new full-time nursing positions. In fact, as I said earlier, there are all kinds of hospitals right now that are advertising for new nursing positions.

For the first time in a long time, nurses are being attracted to Ontario. I was in Windsor recently and had the opportunity to meet with nurses we had repatriated from the US, because there are good working conditions here, supported by investments we're making in things like lifts that reduce the physical wear and tear on our nurses. So contrary to what the member opposite would have us believe, this government is supporting nurses. We are investing in more full-time nursing positions, and we're investing in the kinds of equipment that enable them to do their job in a safer manner.

HOSPITAL FUNDING

Mr. Howard Hampton (Kenora-Rainy River): To the Premier: Premier, maybe you should look at what's happening in actual communities. Let's take Jeff Leal, the MPP for Peterborough. Last week in Peterborough, while the hospital there was warehousing seriously ill patients on stretchers in the hallway, 75 staff, including nurses, paramedical care and diagnostic care providers,

were handed pink slips. The hospital's chief doctor, Dr. Alan Thompson, said, "Patient care will suffer. These cuts to nursing staff represent service cuts. There's just no doubt about it: To try and portray them as otherwise is wrong."

Premier, you have the money to fix the problems you're creating. When is your government going to provide a health care plan for Peterborough that doesn't result in more nurse layoffs?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I am really pleased to speak to this issue in particular. I've had an opportunity to speak with the MPP for this community, who has been relentless in terms of advancing the cause of his constituents, particularly when it comes to health care. I look forward to visiting that community this Friday.

We are proud that we've invested so far \$15.6 million more in the Peterborough regional hospital. We're also very proud that, working with this member, we have committed to building a new hospital in that community to meet the needs of that community and ensuring that we can make the investments that are essential so the people of Peterborough have access to the good kinds of quality care which they deserve.

Mr. Hampton: The only thing the people of Peterborough are wondering is, where will the nurses be to staff the hospital?

I want to ask a question on behalf of David Oraziotti, the MPP for Sault Ste. Marie, because at Sault Area Hospital, 24 registered nurses and 12 registered practical nurses are being sent out the door. Glenda Hubley, who represents the nurses, says, "In the end, who suffers? The patient suffers. If there aren't enough nurses, who's going to care for patients?"

Premier, the hospital patients of Ontario are losing patience with you. You promised that hospitals would be adequately and properly funded. You promised 8,000 new additional nurses, not 757 nurses going out the door. You have the money: \$2.5 billion of new additional money from your health tax; over \$2 billion in dedicated new federal health care money. Where's the health care plan for Sault Ste. Marie, other than cutting more nurses?

Hon. Mr. McGuinty: Again, I want to take the opportunity to commend the MPP from Sault Ste. Marie, who has been working exceptionally hard on behalf of his constituents. As a result of his efforts, we have invested an additional \$11 million in the hospital there. We've also invested \$21 million more in the Algoma district for health care purposes. We will continue to make these investments on an ongoing basis.

The member opposite knows full well that we didn't get all that money at once. I think he has some basic understanding of the nature of the challenge connected with ever-growing health care delivery services, but we will continue to manage these in a way that is effective and responsible, but also in a way that improves the quality of services that we're delivering on our front lines.

Mr. Hampton: I'm sure the nurses who are going out the door in Sault Ste. Marie will take solace in that, that somehow you claim to be spending more money, but more nurses are going out the door.

Let me ask, on behalf of Pat Hoy, the MPP for Chatham–Kent–Essex, because the Chatham–Kent Health Alliance is laying off 18 nurses, and there are dozens of other hospitals in Ontario doing the same: You promised that you were going to be the health care fixer. But what patients are seeing and what communities are seeing are more cuts, more nurses going out the door, more cuts to OHIP services.

Premier, you've been handed more federal money for health care than probably any other government in the last 10 or 15 years in Ontario. You've implemented a new health care tax that will bring in \$2.5 billion. Where is the McGuinty government plan to fulfill your promises on health care and stop the cuts, stop the layoff of nurses?

Hon. Mr. McGuinty: Let me say that because of the efforts of the member for Chatham–Kent–Essex, we've invested an additional \$16 million in the hospital in Chatham. Also, in the county, we've invested an additional \$14 million.

I think that this is what it really comes down to: In our first 17 or 18 months on the job, we have funded 3,052 new full-time nursing positions. When the member opposite was in government, they laid off 3,800 nurses. I can't think of anything that is more stark in terms of a comparison, in terms of where we want to go and in terms of where that former government went.

The Speaker: New question.

1550

Mr. Jim Flaherty (Whitby–Ajax): My question is for the Premier. You promised not to raise taxes and then brought in the largest tax hike in the history of the province of Ontario. You said it was for health care, and I think people reasonably anticipated in Ontario if they paid more tax that they would receive more services in health care.

The standing committee on finance and economic affairs of this assembly heard testimony in January, at pre-budget hearings, including in Whitby. We heard from the chair of Lakeridge Health about it being a multi-site hospital with four main sites and 21 satellite sites now serving more than half a million people in Durham region, which is growing rapidly. She said that they received only \$357,500 in one-time funding for the year ending March 31, 2005. She said, "Compared to our combined \$42.5-million deficit, it's like giving a heart attack patient a Band-Aid and declaring him cured."

Your committees have recommended multi-site funding be a variable that increases funding for such hospitals. I'm asking you whether you will follow the recommendation of the policy and planning committee to the Ministry of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I'm happy to respond to the hon-

ourable member that in the days since our party came to office, Lakeridge Health has been the beneficiary of almost \$14 million in additional funding and that Durham region, of course, through a variety of investments, has benefited to the tune of about \$12 million further.

On the issue of multi-site funding, I can confirm two things for the honourable member that show considerable progress on the work of the JPPC. The recent allocation of resources on the diagnostic medical equipment fund in fact ensures that multi-site hospitals in places like Picton and also Port Perry, as the honourable members mention, receive a portion of funding that is disproportionately large. Similarly, on announcements of funding in the future, we're going to work hard to address what has been a regrettable circumstance as a result of your party's initiatives under health services restructuring. That has been the evolution to the larger sites in those multi-sites. We believe in the small ones; it's incredibly important that they be strong for local communities. I'm happy to work with the honourable member to provide further evidence of progress in this area.

The Speaker: Supplementary.

Mr. John O'Toole (Durham): To you as well, Premier: As the member for Whitby–Ajax said, you promised during the election to make health care service available to people closer to their homes. We also heard at the hearings, as Mr. Flaherty mentioned, that you would address the issue of multi-site funding, as well as the chronic underfunding to the Lakeridge site over the years. It was noted some years ago.

I am putting to you a question today. You have met with Anne Wright and Marilyn Pearce, who is the mayor of Scugog. They've made their presentations to you. They're requesting that multi-site funding be specifically addressed by the minister and/or your Minister of Finance during the upcoming budget. I look forward to your answer in respect to appropriate funding for Lakeridge Health and all multi-site facilities in Ontario.

Hon. Mr. Smitherman: I'd like to acknowledge the honourable member's candour in acknowledging chronic underfunding. He points to this as the circumstances there.

I want to say, to the issue he raises with Mayor Pearce, that I in fact put her in touch with other leaders of municipalities that are also struggling, as the smaller part of multi-sites. I put her in touch with the mayor of Georgetown. I put her in touch with the folks in Wallaceburg, who have been experiencing some concerns about their much-cherished Sydenham hospital.

I can confirm for the honourable member, as I did in the earlier answer, we started to make progress on the issue of making sure that the smaller sites in multi-site hospital networks are strong. We believe in them fundamentally. We have more progress to make and I'll be happy to do that, alongside the honourable member.

FOREST INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): My question is to the Premier. You should be aware that the

forest industry sector in Ontario is facing real difficulties. Last year, you announced a \$500-million special automotive fund to sustain jobs in the auto sector. In December, your government announced enhanced tax incentives to keep the television and film production industry in the Toronto area. You've said that these are necessary to sustain jobs. I accept that.

The forest industry is second only to the auto sector in terms of its contribution to Ontario's balance of payments. It's that important. Yet so far, you've completely ignored that industry. If it's important to have an investment strategy for the auto sector and it's important to have an investment strategy to sustain jobs in the television and film industry, where is the investment strategy for the forest industry and forest industry jobs, when they're facing perhaps the greatest difficulty?

Hon. David Ramsay (Minister of Natural Resources):

To answer directly to the member, the member knows that we've been very much aware of the challenges that have been faced by the forest sector. That's why, in November of last year, I appointed a minister's council on forest sector competitiveness. This is comprised of labour leaders, municipal leaders and the CEOs of the major companies that do business in northern Ontario to come together and to bring a plan to government here as to how we can help that sector. We are working hand in hand. They've had several of their meetings now. I would expect by late April, we will have a complete report from this council.

Mr. Hampton: Jobs are already disappearing, and many of these companies have come here to Toronto to tell you that your government's policy of constantly forcing up the price of electricity has forced many of them to cut operations and is going to force more of them to cut operations and cut jobs.

The representative from Bowater told you that clearly at the Bill 100 hearings. He said jobs were leaving already, and more were going to leave. It's happened in Cornwall, where Domtar has cut 390 jobs and may cut 400 more. It's happened in Dryden, Opasatika, Hearst, Chapleau, Smooth Rock Falls, and now in Thunder Bay and in Kenora, another 700 direct jobs are at risk of being shut down.

I say to the Premier again, where's the investment strategy for the forest industry sector? All you're doing so far is forcing up electricity prices and killing more jobs. Where is the investment strategy? If it's good for the auto sector, if it's good for the film and television sector, if it's good for the casino in Windsor, where is it for the—

The Speaker (Hon. Alvin Curling): Minister?

Hon. Mr. Ramsay: The member needs to know that the member from Thunder Bay—Atikokan and the Premier and myself met with Arnold Nemirow, the CEO of the Bowater corporation, to deal with these very issues, because we know there's a challenge out there, and we accept that.

We're prepared, the Premier is prepared, to work closely with the industry to make sure that we overcome

these challenges, because we want to see a strong and viable and sustainable forest industry for northern Ontario and across this province, and we're working up to that challenge.

GREENBELT LEGISLATION

Ms. Deborah Matthews (London North Centre):

My question is for the Minister of Municipal Affairs and Housing. Minister, our government has made an historic commitment to establish a permanent greenbelt in the Golden Horseshoe. I know you and other members of the government have been working hard over the break to ensure that the greenbelt dream becomes a reality, a legacy that we can be proud to leave to future generations. Minister, would you be good enough to provide us with an update on the progress you have made with this plan that will improve the quality of life for Ontarians for years to come?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): Our government is extremely proud of the work that we have done with respect to the greenbelt. We're doing what no other government has done. By the end of this process, we hope to add an extra million acres of land to permanent protection; that will create a total protection of 1.8 million acres.

We've taken our time to get both the mapping and the enabling legislation right. We have held four meetings of the standing committee. I have met with municipal leadership from throughout the entire greenbelt proposed area, including all their planning officials as well. I know that at the ending of this process, we will end up with a greenbelt that we can be proud of for generations to come, not only for now, but for many, many years to come.

Ms. Matthews: Minister, we know that the call for a greenbelt in the Golden Horseshoe has been a long time coming. History has shown us that without a real plan for managing growth and preserving green spaces, what we're left with is urban sprawl, gridlock and poor air and water quality. Sadly, we've also seen some of our most valuable farmland turned into subdivisions, forever removed from agricultural viability as a result of poor planning.

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Hon. Mr. Gerretsen: I can assure you that our greenbelt plan is based on good science and good planning. It has been developed through a combination of technical, scientific and land use planning analysis to make sure that we will get the protection of the greenbelt correct. It builds on the work that was done previously with respect to the Niagara Escarpment and the Oak Ridges moraine plan. It's built on a natural heritage system and on the LEAR system, a land evaluation system that has been developed through the Ministry of Agriculture. Every bit of the greenbelt can be justified on a scientific basis, and we are extremely proud of the work that this government has done in that regard.

ROYAL ASSENT
SANCTION ROYALE

The Speaker (Hon. Alvin Curling): It being 4 o'clock, pursuant to standing order 30(b), I am now required to call orders of the day. However, 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 certain bills in his office.

The Clerk-at-the-Table (Ms. Lisa Freedman): The following are the titles of the bills to which His Honour did assent:

Bill 17, An Act to amend the Executive Council Act / Projet de loi 17, Loi modifiant la Loi sur le Conseil exécutif.

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

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

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

Bill 106, An Act to implement Budget measures / Projet de loi 106, Loi mettant en oeuvre certaines mesures budgétaires.

Bill 124, An Act to amend the Health Protection and Promotion Act / Projet de loi 124, Loi modifiant la Loi sur la protection et la promotion de la santé.

Bill 149, An Act to implement 2004 Budget measures, enact the Northern Ontario Grow Bonds Corporation Act, 2004 and amend various Acts / Projet de loi 149, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2004, édictant la Loi de 2004 sur la Société d'émission d'obligations de développement du Nord de l'Ontario et modifiant diverses lois.

Bill 160, An Act to authorize the expenditure of certain amounts for the fiscal year ending March 31, 2005 / Projet de loi 160, Loi autorisant l'utilisation de certaines sommes pour l'exercice se terminant le 31 mars 2005.

ORDERS OF THE DAY

TOBACCO CONTROL STATUTE LAW
AMENDMENT ACT, 2005
LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI A TRAIT
À LA RÉGLEMENTATION
DE L'USAGE DU TABAC

Mr Smitherman moved second reading of the following bill:

Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts / Projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.

Interjections.

The Speaker (Hon. Alvin Curling): Mr Smitherman, could you just wait a moment until members have settled a bit? Could I ask the members if they're having a discussion, especially the ministers, to have it outside?

Hon. George Smitherman (Minister of Health and Long-Term Care): Mr. Speaker, I'd like to note that I'll be sharing my time with the member for London North Centre, the member for Mississauga West, the member for Etobicoke-Lakeshore and the member for Mississauga East.

It's a great privilege for me to rise in this chamber today to speak to a piece of legislation that is fundamental to the work we're doing in health care. The Smoke-Free Ontario Act is a bill I'm extremely proud of. I think we all should be. It is bold, it is forward-looking and it is, frankly, overdue.

Since we introduced the Smoke-Free Ontario Act in December of last year, there has been a great deal of public comment on this issue, and I'm delighted that the overwhelming majority of Ontarians support what we are doing. Ontarians want us to move forward on the issue of tobacco control, and we are doing just that.

Our objectives are threefold: prevention, cessation and protection. We want to prevent young people from taking up the tobacco habit, we want to provide help, encouragement and support to those smokers who want to quit, and we want to protect non-smokers from the deadly effects of second-hand smoke.

This bill, the Smoke-Free Ontario Act, is the cornerstone of our protection efforts. Let me share with you why this protection effort is so important.

Two months ago, on December 15, we introduced the Smoke-Free Ontario Act. During the press conference that took place that day, I stood beside a woman named Suzanne La Chapelle. Suzanne worked as a bartender for more than 20 years and was exposed to second-hand smoke every day. Now, she suffers from an irreversible lung disease. Every day she fights for breath. Even playing with her kids is a struggle. I'm thinking of Suzanne today, Mr. Speaker.

Most members of this chamber, as well as most Ontarians, are familiar with the key elements of this piece of legislation:

Second-hand smoke in bingo halls, casinos, bars and restaurants is a deadly threat to the employees, like Suzanne, who work in those establishments. This bill, if passed, will put an end to that.

Smoking in workplaces creates a work environment that nobody in this province should be exposed to. This bill, if passed, will put an end to that.

Smoking in elevators or laundry rooms forces non-smokers to breathe poisonous air. This bill, if passed, will put an end to that.

Cigarette displays in stores targeted at kids are an insidious form of advertising. This bill, if passed, will put an end to that.

As I said a moment ago, I'm extremely proud of the objectives behind this bill. I'm also proud of the specifics. We spent a great deal of time drafting this piece of legislation, consulting with various experts and stakeholders and meeting with groups that had input and advice to contribute. My parliamentary assistant, the member from Mississauga East, played a central role in this process, demonstrating enormous creativity, attention to detail and determination. We also researched what was being done in other jurisdictions, across North America and around the world, and we thought very carefully about how to achieve our objectives in a way that was fair and reasonable.

An important part of this process was sitting down with groups like the men and women who operate Ontario's convenience stores and finding ways to work together with them. We also spent a great deal of time working with Aboriginal leaders from across Ontario to share our goals. They know how serious a problem tobacco is in our Aboriginal communities, and I'm very proud of the fact that our efforts are paying off. In order to succeed in the battle against tobacco, we need allies, not adversaries.

This is a bill that is firm, but it is fair. We do not go out of our way to penalize smokers, nor do we impose harsh or arbitrary targets or penalties. In fact, when one looks at our efforts in context, they're extremely reasonable.

Yes, there are those who have spoken out against this bill. Some members of Legions have expressed their unhappiness, but the fact remains that a majority of veterans, like some who have written to me, not unlike the huge majority of Ontarians, do not smoke. In fact, the president of the Royal Canadian Legion Ontario command, Erl Kish, was quoted recently as saying that only about 10% or 15% of the 165,000 members across this province's 422 branches are smokers. I believe that all Ontarians deserve the same protection. I will not be party to anything that treats our veterans as second-class citizens or gives them second-class protection from second-hand smoke.

Some bar and restaurant owners have expressed their concerns about loss of business, but the facts do not support them. There's no need for guesswork, because the evidence is absolutely clear from New York City, from Ottawa, from Ireland, from countless other places. Think about it: If more than 80% of the population doesn't smoke, how can a measure that makes bars and restaurants more appealing to a vast majority of patrons be a threat?

Some people have argued that we're doing too much, too fast, that we're going too far, that we're swimming against the tide. Again, the evidence simply doesn't

support them. An objective and thorough look at the evidence demonstrates that what we're doing here in Ontario is entirely consistent with a much broader, worldwide effort to eradicate the extraordinary harm caused by tobacco industry products.

Let me take a moment to share with the House some news from other jurisdictions. Last month, Italy enacted a tough smoking ban, prohibiting smoking in bars, restaurants, offices and other public spaces. According to polls in that country, 83% of Italians support the move. Quebec is heading toward a total ban on smoking in restaurants, bars, bingo halls and casinos because, in the words of my colleague the Minister of Health in Quebec, "The days of smoking in public places are coming to an end." In England, a white paper on public health set out to make most enclosed public areas, including offices and factories, smoke-free.

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Earlier this month, Cuba—Cuba—banned smoking in public places and banned the sale of cigarettes in stores within 100 metres of schools. This is a country with twice our smoking rate and for whom tobacco is a crucial export, and even they are now clamping down.

I don't often have the opportunity to quote Fidel Castro, but I have to agree with him when he said—

Interjection.

Hon. Mr. Smitherman: He's not even in his seat, Mr. Speaker.

The Acting Speaker (Mr. Ted Arnott): I would ask the members of the opposition to allow the Minister of Health to make his remarks.

Hon. Mr. Smitherman: I have to agree with Mr. Castro when he said this: "The best thing to do with cigars is give them to your enemy."

So the answer is that we are not charting a new and different course. The anti-tobacco movement is not the crusade of a small group of activists. It represents the broad mainstream of public opinion here in Ontario and all around the world.

While I'm certain that the path we've chosen is the right one, I also know that there are still some areas where work remains to be done, so I welcome the debate which is about to begin. I'm anxious to hear from members from every part of this province, because this is an issue that affects every community in this province. I'm also looking forward to hearing from the people of Ontario as we move forward with this piece of legislation.

This government's anti-tobacco strategy, taken in its entirety, is the toughest, most far-reaching and most comprehensive anywhere in North America. This bill, the Smoke-Free Ontario Act, is the backbone of our strategy.

As I said earlier, our goals are clear. Tobacco is the number one killer, the number one cause of preventable death in the province of Ontario. We've all heard the numbers, and they are sobering: 16,000 deaths a year; at least \$1.7 billion in direct health care costs. But this isn't about numbers; it's not about dollars. It's about im-

proving lives, and it is about saving lives. It's about keeping our families together.

Let's come down from our high-level vantage point for just a moment. Instead of 16,000 deaths, let's think for just one moment about one death: the death of a parent, or a spouse, the death of a close friend, or the death of a child. Every death rips apart a family and sends shock waves through a community. Every death deprives a child of a mother or an uncle or a teacher or a friend. Every single death initiates a cycle of grief and leaves an open wound. Now multiply that by 16,000, then contemplate the fact that each and every one of these 16,000 annual deaths can be prevented. That's what this is all about.

For too long now, the forces behind the tobacco industry have had an easy ride. For too long we've looked away or come up with weak rationalizations as to why tobacco had to be tolerated. For too long we've backed down from tough decisions and decisive action. But we say, no more.

Tobacco clogs our hospitals; it damages our economy; it ruins lives. This bill, together with our comprehensive anti-tobacco strategy, will help put an end to this.

I'm extremely pleased and proud to have this opportunity to speak on this bill. I invite all members of this Legislature to join with me and our government in support of this landmark piece of legislation.

We stand here as a government and as a people committed to enhancing the quality of life and the health of the people of the province of Ontario.

As we're back here in the middle of February, in a session that starts earlier than ever, as a hard-working government putting forward a piece of legislation that has the potential to eliminate the number one cause of preventable death in the province of Ontario, today I can think of no better reason to be working harder than ever on behalf of the health of the people of Ontario than bringing an end to second-hand smoke.

Ms. Deborah Matthews (London North Centre): I am delighted to rise in support of this very important piece of legislation. It's a piece of legislation that keeps our promise to make all workplaces and public places smoke-free by the year 2007. In fact, we will exceed that promise; we will be smoke-free by 2006.

Smoking is the number one preventable cause of premature death and illness in Ontario. Think about that for a minute: the number one preventable cause of premature death and illness. This legislation, if passed, will go a long way to addressing that cause of death.

I'm going to talk about the second-hand smoke aspect of this legislation. I think it's important to know that second-hand smoke, far from being benign or not harmful, in fact contains over 4,000 chemicals, of which 50 are suspected or known carcinogens. Second-hand smoke kills.

This bill is important because it levels the playing field. I come from London. London enacted smoke-free workplace legislation bylaws several years ago. I'm going to talk about that in a little bit. One of the biggest

problems the city of London had when it tried to implement the bylaws was that it created an uneven playing field. Communities just outside of London were permitted smoking, whereas those inside the city boundaries did not.

This level playing field is an important principle in drafting the bill. We wanted to create a level playing field. I'm going to talk about three ways in which this legislation levels the playing field. The first one is that there are no exemptions in this bill. The second one is that there is no staggered implementation of this bill. The third part of the level playing field I'm going to talk about is that it's a level playing field across Ontario, in every municipality.

This bill will apply to legions, to private clubs, to offices, to factories, to bars, to restaurants. This applies to all workplaces. One hundred per cent smoke-free means just that: 100% smoke-free. We are not going to entertain exemptions to that. Once you create the exemption, you open the floodgates.

Many people have argued persuasively, have argued creatively, that their particular establishment deserves some sort of exemption.

Mr. John R. Baird (Nepean-Carleton): You're exempting motel rooms.

Ms. Matthews: The member opposite wants it more restrictive.

None of these arguments for exemption are as compelling as the argument that workers have the right to work in a smoke-free environment. We are not regulating smoking in homes; we are regulating smoking in workplaces, and when workers come into those places, they are entitled to work in a smoke-free environment, and this legislation protects them.

We've also heard compelling arguments about staggering implementation dates. I was speaking to someone not very long ago, a fellow who has quite a charming little pub in the city of Toronto, who spent a lot of money putting in a designated smoking room. He pleaded with me to voice his concerns that he should have more time to pay off that expense. Well, in fact, we're not going to stagger implementation. We have extended the date of implementation quite far out: May 31, 2006. We've given that much warning to establishments so they can plan for a smoke-free workplace.

Again, once you open the floodgates on exemptions and staggering implementation, it just opens the floodgates. We are going 100% smoke-free on May 31, 2006. If bingo halls are granted a longer phase-in period, how can we say no to casinos? If we allow casinos, why not racetracks? What about people in border communities? What about legions? What about private clubs?

There are many establishments that will make an argument for a longer phase-in period. We're not prepared to do that. We are going to stick with one date at which Ontario will celebrate being smoke-free.

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The third aspect I'm going to talk about is that this removes the patchwork quilt we have across Ontario

now. Currently you can have a restaurant on one side of the street operating under one set of laws, and on the other side of the street a restaurant is under an entirely different set of laws relating to smoking. It is an unfair playing field and we're going to rectify that with this legislation.

London, as I mentioned, went smoke-free several years ago. I'd like to take this opportunity to congratulate the members of city council at that time, and I would like to congratulate our medical officer of health, Dr. Graham Pollett, for the leadership they showed on this issue. I can assure you, it was not easy for them. There was tremendous opposition to the bylaw in London when it came in, a bylaw that is substantially the same as the one proposed in this legislation. There was a coalition of restaurant owners whose biggest and most compelling argument was that it created an uneven playing field, that establishments just outside the city limits would have a competitive advantage. This legislation addresses that concern entirely.

I was delighted that London held firm. They went with a bylaw that has now been in effect for long enough that we don't even think about it any more. The sky has not fallen the way many predicted it would. Restaurants have not closed as a result of this. In fact, it has been great for the deck and patio business. They've sprung up all over London.

Londoners now are disgusted when they walk into a bar or restaurant in another city that does allow smoking. We're actually reminded that, just like we now find it unthinkable, not too long ago people smoked in airplanes. It wasn't too long ago. We will all probably remember being in airplanes where smoking was allowed. It wasn't very long ago that people could sit at their desk and smoke—

Mr. Baird: I don't remember.

Ms. Matthews: Maybe you don't remember. I sure do. People sat at their desk, blowing smoke around for anybody in the vicinity to breathe. It's unthinkable. That was the case not very long ago. In the future, people will look back and say, "Can you believe, in 2005, there were actually restaurants where food was served that allowed smoking?" We will move quickly and easily to this new set of laws. We will shake our heads in disbelief at the notion that some people had to work in environments in which they breathed second-hand smoke.

I spoke to Dr. Graham Pollett this afternoon as I was preparing for this speech. He asked me to convey to this Legislature that he supports Premier McGuinty, Minister Smitherman and the Ontario government all the way on this piece of legislation. London, he said, is a perfect example of the successful implementation of a 100% ban on designated smoking rooms.

He recalled that at the time of the fight on the London bylaw, some members of the food and beverage industry were supportive. They knew their establishments would be more palatable to the majority who do not smoke. But others launched a strong opposition campaign to influence public opinion. They claimed it would kill their

businesses. Well, it did not kill their businesses. Today, things are going extremely well. Businesses survived and indeed flourished. Many people I have talked to talk about the pleasure they have in going out to bars and restaurants and not coming back smelling just terrible, the way you smell if you've been in a smoky place. In London, smokers have accepted this change. They understand the need to protect non-smokers.

I think it's important to remember that this legislation really is not about smelling nice when you come home from a bar; this legislation is about protecting workers from second-hand smoke. This legislation creates a level playing field. It's a level playing field on which no establishment will have an exemption. This legislation will provide for a 100% smoke-free Ontario. It's tremendously progressive. I'm very proud of it. It will be a level playing field in that there will be no staggered implementation dates. A smoke-free Ontario will be a reality on May 31, 2006. All establishments will be smoke free on that date. Every worker can go to work on June 1, 2006, knowing that they will not have to breathe second-hand smoke. It's a level playing field, from municipality to municipality. The patchwork quilt will be gone. Workers across Ontario will enjoy the same right to work in a smoke-free environment.

I'm very proud of this legislation, I'm delighted to support it and I'm proud that London led the way, in a lot of ways, that we saw the value of this kind of legislation many years ago, that we did lead on this and that we are living proof that the sky will not fall when we move to a smoke-free Ontario.

Mr. Bob Delaney (Mississauga West): As I stand to support the Minister of Health and Long-Term Care in his Bill 164, the Tobacco Control Statute Law Amendment Act, I look around here and make three observations:

(1) There are no ashtrays on the desks in the legislative chamber. The long-serving icon of Ontario's parliamentarians, the member from St. Catharines, told me a short time ago that he can't recall there ever having been any. There is no smoking allowed here, and we know from the experience of those now serving here that smoking is unacceptable behaviour here.

(2) There are no spittoons in any public place I can recall in my lifetime. Chewing and spitting tobacco is no longer socially acceptable in any public place.

(3) Though our members in this House sit a ceremonial two swordlengths apart, none but the Sergeant at Arms actually carries swords or, for that matter, any weapon mightier than the pen.

As our concept of a civilized society evolves, in Ontario and elsewhere in the world, behaviour that's unhealthy, behaviour that's dangerous or possibly harmful to others, falls into disrepute and becomes, over time, socially unacceptable. So let it be with smoking.

Bill 164 is a landmark step toward taking the single largest preventable cause of death and serious sickness in our society, tobacco smoking, and moving it a quantum leap closer to being universally unacceptable. Bill 164, in

essence, turns the tables on smoking. Before Bill 164, one could sum up the regulations governing smoking by saying that unless a policy or a law or a rule or a prohibition said you couldn't smoke, you could. After passage of Bill 164, however, unless an exception to the norm specifically states that you can smoke in an enclosed public place, you can't. It's a paradigm shift that recognizes, finally, that the great majority of the population not only does not smoke, they find the presence of smoke in their environment offensive and unwelcome and dangerous. Though tobacco remains a legal product, its use harms both the user and those in proximity where tobacco is used. Tobacco smoking in Ontario has, most people hope, taken a big step toward extinction.

I'd like to address two points in the balance of my remarks: point-of-sale displays and the market challenge to the hospitality trade after the passage of Bill 164. The annual barometer that measures the value of access to the inside of an open human mind is the cost of a 30-second television spot on the Super Bowl each year. A 30-second spot on the Super Bowl cost \$2.4 million in 2005, or about \$80,000 per second. In 1967, the year of Super Bowl I, the same spot cost \$42,000, or \$1,400 per second. That's a 57-fold increase. Access to an open human mind predisposed to consider a product purchase is a precious and expensive commodity.

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Why is tobacco advertising banned? Because it's effective. It induces people to smoke. It prompts people to start smoking and induces them to keep smoking. Tobacco advertising is banned by federal statute, and the use of tobacco has fallen year after year. Here in Ontario, we have proposed to ban the display of the product and to do our part to push the desire to purchase tobacco products further from the top of the mind.

How important is this access to the minds of purchasers of tobacco merchants? According to the Canadian Cancer Society, tobacco companies spent some \$88 million on payments to retailers in 2003 to display their products, or somewhere between \$1,500 and \$9,000 per retailer per year, depending on volume of sales and location.

Outside Canada, Iceland, Ireland, Australia, New Zealand and the United Kingdom have banned or restricted tobacco product displays or are considering doing so. Tobacco use kills people. Displaying the product induces people to buy it. That's why banning the display of tobacco products will help make Ontario a healthier place to live.

Ontario's hospitality industry is going to be smoke-free within just more than a year. That alone is welcome news for the 80% of our residents and visitors who would like to stop in to a lounge and enjoy a drink. For young people, it means they'll be able to go to a club and dance to their favourite brand of ear-pounding music without needing to fill their lungs with harmful, perhaps lethal, tobacco smoke.

I know many people who share my own feelings on going into a club. I enjoy the company, I enjoy the

ambiance of the establishment and the pleasure of sharing a drink. But I hate the smell of tobacco smoke; I really and truly hate it. I hate having to go home and have everything I'm wearing go to the cleaners or into the wash. Taking a shower after coming home from a lounge or a club is nice, but needing to do so to clear my lungs and clear my skin and clear my hair of the stench of tobacco smoke is enough—more than enough—to keep people like me and millions of others like me out of the clubs, lounges and other establishments where tobacco smoking is allowed.

For the hospitality industry, this is the time to look at their business plans. The market is changing, and the business opportunity for operators in the hospitality business is to shift from serving a declining segment of the market—less than 20% now—and to attract and serve a segment of the market that is 80% and growing. Gone will be the patchwork quilt of local and municipal regulations where smoking or designated smoking rooms are legal in one community but not in another.

For the hospitality industry, Bill 164 has, as my colleague the member for London North Centre stated, served an essential business need: It has helped to level the playing field; it has made the market a bit more fair. Of Ontario's 446 municipalities, 252 already have some form of smoke-free bylaw and 180 of those mandate completely smoke-free workplaces and public places.

It's not like the inexorable decline of smoking and the acceptability of smoking in Ontario's public places are today's or yesterday's news or even last year's news. For 40 years, North Americans have known that tobacco smoke is harmful. The writing has been on the wall worldwide for more than two generations.

Smoke-free clubs, bars and restaurants are healthier places for the people who work in them. That means cost savings to owners and operators from reduced employee turnover and absenteeism. That means more business from the 80% of Ontarians and our visitors who don't now smoke. Smoke-free clubs, bars and restaurants are healthier, cleaner and more inviting places for people who avoid like the plague places where smoking is permitted.

Bill 164 has pointed facility owners toward a market that has quadrupled the size of any smoking segment they may now serve. A smoke-free Ontario is an idea whose time has not only come; it is overdue. For facility owners, it is the market opportunity of a lifetime. Ontarians support it, and so do I.

Ms. Laurel C. Broten (Etobicoke–Lakeshore): I am pleased to stand in support of Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts. In short form, it is called the Smoke-Free Ontario Act.

This piece of legislation is a critical part of our government's plan to ensure that Ontarians are the healthiest they can be, to be a government that not only treats the sick but encourages and promotes wellness. The need for Ontario to have a comprehensive anti-tobacco strategy is

something we talked about with Ontarians during the election campaign in the fall of 2003, and a plan for a comprehensive anti-tobacco strategy is what the Minister of Health delivered to this Legislature.

As the minister has previously stated, our government's anti-tobacco strategy is based on three pillars—protection, prevention and cessation—with the cornerstone being our commitment to make all workplaces and enclosed public spaces in Ontario 100% smoke-free.

There is no doubt that we have already come a long way in terms of ensuring Ontarians are protected from the deadly effects of cigarette smoke. Today, most of us could not imagine someone smoking while they sat through university lectures, at their desk in the workplace or on an airplane or bus, but 20 years ago these things were commonplace and Ontarians were exposed to smoke without recourse and without regard for their health and well-being as they went about their daily lives.

The Smoke-Free Ontario Act, if passed, will protect all Ontarians from the deadly effects of cigarette smoke in their workplace or in an enclosed public space. It will modernize and clarify the existing patchwork of municipal bylaws and will have no exceptions—all to ensure that no restaurant workers, blackjack dealers, bartenders, truck drivers or home care workers will be compelled to accept deadly second-hand smoke as a condition of employment.

If passed, this legislation would ensure that Ontarians who don't want to be exposed to cigarette smoke won't have to be—not at a casino, at a baseball game, at a concert or at a bar. We are not telling Ontarians that they cannot smoke in their own homes or in outdoor public spaces, but we are taking steps to protect the 80% of Ontarians who do not smoke from the deadly effects of other people's tobacco smoke.

Why are we concerned about second-hand smoke? Because exposure to second-hand tobacco smoke is linked to heart disease, lung cancer and nasal sinus cancer; because exposure to second-hand tobacco smoke can have serious effects on children and is linked to lower birth weights, sudden infant death syndrome, bronchitis, pneumonia, fetal growth impairment and increased rates of asthma and other respiratory tract problems; and finally, because a report released by the Ontario Medical Association in February 2003 estimates that 2,600 Ontarians die from being exposed to second-hand smoke. That report calls for provincial action to eliminate exposure to second-hand smoke.

So, you might ask, who supports this legislation? Well, Ontario doctors, the Lung Association and the Cancer Society. I want to share with this House a little bit about what they have to say. The Ontario Medical Association supports the legislation: "We are very pleased with this government's decision to make Ontario smoke-free," said Mr. Ted Boadway, executive director of the OMA. "This is the first time government has taken such strong action to combat second-hand smoke, we are not only protecting workers and the public in Ontario, but we are leading the way with smoke-free legislation.... If

passed, these new laws will keep people safer from diseases brought on by smoking. Lives will be saved and Ontarians will be healthier."

When it comes to tobacco control, the government of Ontario has a concrete plan to successfully tackle the negative effects of tobacco use in the province.

The Lung Association "has been advocating for tobacco policy reform for many years and is delighted the government is fulfilling its election campaign promise....

"A smoke-free Ontario with no exceptions and no option for ventilation will improve Ontarians' respiratory health and decrease the frequency of asthma attacks and prevalence of diseases such as chronic obstructive pulmonary disease (COPD)

"This new legislation is a step in the right direction. The government's real test will now be to commit to tobacco control in the long run," stated Alan McFarlane.... "This would include significant funding for tobacco control activities."

1640

From the Canadian Cancer Society:

"This proposed legislation is great news," says Peter Goodhand, CEO, Canadian Cancer Society, Ontario division. "We've been working towards this for a long time. The government has shown that it is committed to a healthy Ontario." ...

"Finally, now everyone across Ontario will be protected from second-hand smoke.... A 100% smoke-free law will save lives."

To ensure compliance, we will dedicate the necessary resources to enforce this new proposed legislation when it comes into effect. This anti-smoking strategy, taken as a whole, is the toughest, most comprehensive and far-reaching in North America.

Why do we need to do this? Because tobacco is the number one killer in Ontario. It's the number one preventable cause of death, killing more people than AIDS, traffic accidents and alcohol combined. It kills more than 16,000 Ontarians each year.

And more than just the human toll, tobacco also takes a horrible economic toll. Ontario spends more than \$1.7 billion a year treating tobacco-related illness, \$2.6 billion is lost in productivity, and it accounts for 500,000 hospital stays each year.

Because of this devastation on lives, families and our economy, we cannot stand idly by. I am proud to be part of a government that is taking up the challenge to protect and strengthen the health of all Ontarians.

Je suis très fière d'être membre d'un gouvernement qui veut protéger la santé des Ontariennes et des Ontariens en proposant une loi anti-tabac, parce que l'usage du tabac et l'exposition à la fumée secondaire est la cause de décès la plus évitable en Ontario.

Nous avons promis d'éliminer la fumée dans tous les lieux de travail et espaces publics fermés de l'Ontario. La loi que nous déposons donnera suite à cet engagement et attaquera la principale cause de décès et de maladie dans cette province.

La loi interdirait l'usage du tabac dans tous les lieux de travail et espaces publics fermés qui ne sont pas principalement des lieux de résidence, à compter du 31 mai 2006. Cela comprendrait les restaurants, les établissements licenciés, les écoles, les clubs privés, les établissements de santé, les stades sportifs, les lieux de divertissement, les véhicules de travail et les bureaux et édifices du gouvernement.

Il s'agit d'un projet législatif équitable et équilibré qui nous aidera dans la poursuite du but absolument indispensable d'Ontariennes et d'Ontariens en meilleure santé. Pour cette raison, nous entendons être très fermes dans la mise en œuvre de cette nouvelle loi.

Nous avons une obligation de protéger et de maintenir la santé des Ontariennes et des Ontariens, et je suis très fier de faire partie d'un gouvernement qui prend cette responsabilité très sérieusement, qui s'engage et qui fait de l'action.

Alors, avec ça je vais laisser la parole à mon ami et pour enfin dire que je suis très fier de supporter ce projet de loi 164. Merci beaucoup.

Mr. Peter Fonseca (Mississauga East): I'm very proud of the opportunity to rise today to be able to share this time with the Minister of Health and Long-Term Care to discuss what is truly a landmark bill, the Smoke-Free Ontario Act.

As well, I'd like to thank my colleagues from London North Centre, Mississauga West and Etobicoke-Lakeshore for bringing forward their stories and their commitment to this act.

It's a bill of which I'm so very proud, of which we should all be so very proud, proud because of the hard work that so many have put into it. Some of those are with us here in the galleries today. But I am even more proud of the fact that this bill, if passed, will protect the health and lives of all Ontarians.

I'm pleased to report to you that since the minister first presented this bill late last year, I've had the opportunity to hear from many groups and individuals, and what they are telling us is so very encouraging. Ontarians are excited that this government is moving forward with its promised anti-smoking legislation.

There is no mistaking the fact that this bill is the right thing to do. I am sure that by now we all know the numbers: 16,000 deaths each year in the province of Ontario related to smoking; direct health care costs of some \$1.6 billion annually; another \$2.7 billion annually in lost productivity.

Admittedly, the very few opponents to this bill have claimed their own numbers, but these have been based on fiction rather than on fact. They claim the loss of jobs among those in the hospitality sector. They say the bars and restaurants will be forced to close if the government moves forward with this legislation.

Here are the real facts. The city of New York has seen a growth in the hospitality sector of almost 11,000 new jobs created and an increase of 8.7% in business since its smoking ban was implemented in March 2003.

Furthermore, I am also happy to report that according to the city of Ottawa's financial reports, over 181 new and expanded bars and restaurants have opened since the city's smoke-free bylaws were enacted in September 2001. The hospitality sector has clearly adapted and continues to expand. Those who would say that bars and restaurants will lose business have failed to appreciate that a vibrant and confident group of entrepreneurs operate our hospitality sector. But these are merely numbers.

Some 16,000 lives are lost every year, over 40 people per day. They're not just numbers; they're parents and spouses, children and friends, real people. Theirs are the only numbers that count. They are the reason that we must move forward with this bill. The Smoke-Free Ontario Act is not about villainizing or punishing smokers. We fully understand the grip that this highly addictive product holds over those it has, and we also understand that while many smokers wish to quit, others do not. They have made the choice to smoke. But the bill was, and is, intended to protect the over 80% of all Ontarians who have chosen not to smoke.

I am sure that everyone here today has heard of Heather Crowe, the waitress who, while never having smoked in her life, is a woman dying of inoperable cancer, the type that primarily affects smokers. Her story was made famous by a series of television and radio ads that warned of the dangers of second-hand smoke. As heart-wrenching as it is, her story is not unique. Thousands of Ontarians are afflicted by asthma, COPD and even cancer, due in large part to their exposure to second-hand smoke. This bill, if passed, will ensure that there will never be another Heather Crowe in Ontario.

In addition, the Smoke-Free Ontario Act would see the end of cigarette displays designed to market to and target our youth with tobacco products. Convenience store owners and gas bars have become dependent on the revenue generated by these displays. We've worked closely with the owners of these businesses in the past to ensure that tobacco products stay out of the hands of minors. I assure you that we will continue to work with them as this bill moves forward.

We're not the only jurisdiction to recognize the dangers of smoking and the harmful effects of second-hand smoke. As both the minister and myself have already had the opportunity to point out, there are jurisdictions that have enjoyed smoke-free workplaces for several years now. This government has had the benefit of learning from the experience of those cities. The ministry and its staff have carefully studied what others have done and extracted best practices from smoke-free jurisdictions around the world.

I am confident that this bill, a balanced one, is both strong and firm, yet compassionate and fair. As I have already mentioned, this bill is based on sound science and best practices.

1650

While I am confident that we have presented this House a bill that incorporates many of the concerns and

recommendations of the numerous groups, associations and individuals who came before us as we drafted this legislation, I still look forward to the opportunity to hear from my fellow members in this House. As the minister said, the effects of smoking do not differentiate between rich, poor, race, religion, sex or geography. I also look forward to the opportunity of hearing from Ontarians during public hearings, to allow them to voice their opinions, their concerns and their comments on the Smoke-Free Ontario Act.

I'd like to share some of the things that have already been said so far with respect to the Smoke-Free Ontario Act.

Dr. Ted Boadway, executive director of the Ontario Medical Association, said, "If passed, these new laws will keep people safer from diseases brought on by smoking. Lives will be saved and Ontarians will be healthier," and that, "When it comes to tobacco control, the government of Ontario has a concrete plan to successfully tackle the negative effects of tobacco use in the province."

Dr. Robert Cushman, chief medical officer of health for the city of Ottawa, states, "This smoke-free act will prove as worthy as clean water legislation was 100 years ago, and as the introduction of the polio vaccine was 50 years ago. This is good, solid public health."

Charles Fox, regional chief for Ontario: "I understand the application of this legislation is going to be challenging. But I am here as regional chief to give my support in terms of applying this piece of legislation into our communities," and, "Certainly, I, as regional chief, am looking forward to the development of a protocol with this government to look at the application of this piece of legislation for our communities."

Finally, the very reason for our government's commitment and passion to push forward this bill, as the Minister of Health and Long-Term Care mentioned, is Suzanne La Chapelle, former bartender for 20 years, now living with an irreversible lung disease after being exposed to second-hand smoke every day.

She has said: "I am so truly grateful to the government of Ontario for taking this important step in tobacco control to protect all of us."

We, as a government—indeed, all of us in this House—have a responsibility to protect Ontarians from the deadly effects of tobacco and second-hand smoke. We have a responsibility to our youth to protect them from the marketing efforts of big tobacco, to ensure that they do not become trapped by tobacco's addictive nature. We can no longer stand idly by on the issue of tobacco. By the day's end, another 44 Ontarians will have lost their battle with tobacco. We cannot afford to lose this battle, for their sake and for the sake of our children.

Within this legislation it says that all enclosed workplaces and public places will be smoke-free. I've seen a number of studies where it shows that this will definitely protect all Ontarians in enclosed places and it will also help smokers. As different bylaws and legislation have

come through the years, they have shown that when smokers are not able to smoke in the workplace and are restricted from smoking in different places, they do—and I'm talking about smokers—smoke less. And when smokers smoke less, that allows them to take that next step toward stopping smoking.

If you speak to smokers—and we have spoken to many smokers across the province—many will tell you that these barriers, even though they do smoke, are great, because they are helping them in something they want to do. We know that there is a huge percentage of smokers who are looking to stop smoking. We've taken many measures to help them along that road. We want to support them and encourage them in what is a very difficult decision. We've done that by implementing different tools. There is a smokers' helpline. Many smokers who are ready to take that next step call the smokers' helpline, where they can get help in terms of setting up a buddy system with a friend to help them stop smoking, and looking at different ways of substituting that negative habit of smoking with something that is positive. Those smokers' helplines are staffed by professionals who can take smokers through a number of steps and give them the tips and tools and encouragement to help them stop smoking.

We've also supported the Quit Smoking contest, which is launched every year in January, and in March a winner is chosen. That contest works as an incentive. As we know, many smokers pick the New Year as a time to make that resolution because they want to stop smoking. This Quit Smoking contest gives them the incentive to do it, and gives them tips and tools. This year, the incentive is a Ford Mustang. Every year, they put their name in a pool—they sign up on-line—and join with a buddy. They put their name in a pool to stop smoking, and if they stop smoking over that two-month period, which we know will create a good habit for them to stop smoking, they have the opportunity and chance of winning a car. Last year, I believe 17,000 people across the province signed up for that contest. Many have stopped smoking for the rest of their lives. So it has made a huge difference, and that has saved many lives.

When it comes to businesses—I have met with many businesses; many in the hospitality sector, but in all sectors across the province—the majority will tell you, "We want a fair playing field." There has been a patchwork of bylaws across this province. Some jurisdictions have really made inroads in terms of their smoke-free legislation, as we mentioned—Ottawa, London and Kitchener—but others have not taken those necessary steps for the health of our province. This legislation is really about creating a healthy Ontario. I've met with many of these different businesses, and they have said that many were not even able to put in a DSR, or designated smoking room, because of the configuration of the business; where they were located in a building couldn't be adapted to one of these. But next door, they'd have a competitor with an unfair advantage who would have a DSR. Also, many of those DSRs were only feasible for

some of the medium- and larger-sized businesses, and many mom-and-pop types of businesses were not able to compete.

This legislation will give them a fair playing field. As we know, on May 31, 2006, World No Tobacco Day, if this legislation is passed, we will have a fair playing field for businesses across this province, taking the onus off municipalities, something that I feel this level of government should have done a long time ago and that was not done by the previous government.

Dr. Sheela Basrur has been fighting the good fight for a long time, first as the chief medical officer for the city of Toronto and now as the chief medical officer of the province of Ontario. She has looked at all best practices from Florida to California, to what's happening in Ireland and in all jurisdictions, and we have made this legislation one that is comprehensive. It is not one that, as some of my colleagues have said, will be characterized by exemptions. It has happened too often in the past that exemption after exemption has watered down legislation. This is legislation that is going to really be landmark legislation for Ontario, to help Ontario on its way to becoming a healthier province and making Ontarians healthier.

1700

We know that big tobacco preys on our youth. The youth voice often is not heard in the province; it's just not heard at times in government. We wanted to make sure that the youth were heard, that the youth had resources to deliver their message to their peers. A youth tobacco team was set up that discussed among themselves, with resources, how best they could communicate to their colleagues in terms of getting the message across to not smoke, to not even try smoking or experiment with smoking. We know that those who experiment may continue to smoke. For a lot of youth, when they find themselves trapped and addicted to this product, you'll often hear this story, "I'll quit later," but they never do. It is so difficult because it is so addictive.

What this youth group said was, "We've got to create something so fantastic, so creative, so innovative, that other youth will get the message." They came up with a campaign called—you may have seen it in your movie theatres—stupid.ca. Where does this stupid.ca come from? The stupid.ca was that once youth, any Ontarian, know all the facts about tobacco—the 4,000 chemicals, the carcinogenic chemicals that are in tobacco; the manipulative practices of big tobacco to get them to start smoking; the amount it's going to cost them over a lifetime in terms of the thousands of dollars they will lose, and their health along the way—they would not make that stupid decision to start. So once you know the facts, you know it's a stupid decision to start smoking. That's where that campaign came from, and they were so very proud.

Mr. Speaker, you may have been in a movie theatre and seen the ad come up. I've sat in the theatre eating some popcorn—

Mr. Garfield Dunlop (Simcoe North): That's bad for you too, that popcorn.

Mr. Fonseca: —nonbattered, just regular popcorn; a good carbohydrate—and sitting next to me will be different people, and they will be talking about the ad. They'll go, "Why is that girl holding a metal rod in the middle of a lightning storm?" And they'll go, "Oh, that's because it's a terrible decision to do that, but it's also a terrible decision to start smoking." Those ads have gone over so well that actually they are winning many awards. They have been seen as cutting edge, and they have made a difference with youth because they relate to youth.

Once again, this is legislation that we should all be proud of, that we should all embrace. It's about a healthier Ontario, healthier Ontarians, and saving lives.

Mr. Speaker, thank you very much. Everybody, I encourage you, those who do smoke, to try and take that step toward stopping smoking and making Ontario a healthier place.

The Acting Speaker: Questions and comments.

Mr. Dunlop: I'm pleased to respond to some of the comments made. First of all, let me point out that I've never smoked and never intend to smoke. I can tell you that one thing I believe in is the strength of our rural economy. I know this government has turned their backs on farmers; they've turned their backs on rural Ontario. That's very clear with that. What I didn't hear any of the speakers use was one word, the word "compensation." You want a smoke-free Ontario, with all your government advertising and partisan advertising: We've already seen that. But what I haven't seen is, how are they going to compensate the people they're trying to destroy in business? I haven't seen that. I haven't heard one of the speakers—I think there were six speakers or five speakers on behalf of the government. No one used the word "compensation." We're talking about people who have legitimately entered business for many, many decades—in fact, maybe close to 100 years in some cases—people who have been tobacco farmers and have five and six generations. They've had millions of dollars invested in some of these businesses, and this government wants a smoke-free Ontario and wants to drive these people out of business. I think that if you're going to make a smoke-free Ontario, you have to use one word, and that's the word "compensation." If you're going to allow money for enforcement, if you're going to allow money for government advertising in theatres and newspapers, then there had better be government advertising for compensating the tobacco farmers in this province. I think that is only fair.

We've seen so many cases where the Minister of Agriculture has not stood up for the farmers. I can tell you, there's a deer and elk farm in my riding where he and the Minister of Natural Resources have let them down severely, and here we go again: no compensation then and no compensation again in this legislation. You should be ashamed of yourselves, the way you're treating rural Ontario citizens.

Interruption.

The Acting Speaker: I would have to caution our friends in the gallery that it's totally inappropriate for you to applaud, as much as you may agree with some of the statements that are being made, and I would ask you not to do so.

We'll continue with questions and comments.

Ms. Shelley Martel (Nickel Belt): I will have more to say about this legislation tomorrow night when I do the leadoff for our party, but I just wanted to say a couple of things today. I have tended to look at this legislation in a broader context, and that is with respect to the commitments this government made during the election campaign with respect to its overall tobacco strategy. I see this as one piece of a number of things which the government promised that I thought were going to come together in order to deal with tobacco.

If I go back to the commitments the government made, I see very clearly a commitment for \$31 million a year for a youth mass media campaign. I see \$46.5 million to be set aside for smoking cessation programs, a big chunk of that to particularly subsidize medication for those who are trying to quit and have been unable to. I see very clearly in the Liberal commitments a community transition fund, a \$50-million one-time fund to help those communities make the transition from tobacco growing to some other kind of economy. It was very clear in the Liberal election policy that not only would the Ontario Liberal Party put \$50 million on the table, but they would also put pressure on the federal government to be a part of that transition.

It's not as if the government doesn't have the money to do all these things. We've had three increases in tobacco since just prior to the 2004 budget, and the new revenue coming in totals \$272 million. None of that has been targeted or dedicated either to cessation programs or to deal with the government's commitments around the farming community. I really hoped I would hear talk about those commitments today, and I didn't. I hope, as this debate continues, some member of the government is going to speak to those issues.

Mr. Kevin Daniel Flynn (Oakville): It's a pleasure to join the debate today on the smoke-free Ontario act. It seems to me that some members would like to think this is about the right to smoke or about the right to grow tobacco, and it isn't about any of those things. I think, in general, you'd be blind if you didn't realize that our society and most western societies are moving toward a smoke-free society; there's no doubt about that. I don't think anybody could argue with that. What it's about is the right of people in Ontario to not be affected by the second-hand smoke of others. If you look at other jurisdictions around the world, around our country, around our continent even, you'll see that the writing is on the wall. With the evidence we have now on the harm that is caused by tobacco smoke, it's in society's best interest that we begin the move to a smoke-free society.

1710

I've had to deal with this issue prior to being a member of provincial Parliament. I've had to deal with

this issue at the local level. We had a patchwork of bylaws, where at one point there were stricter bylaws in Mississauga, stricter bylaws in Oakville and stricter bylaws in Burlington from time to time, and they changed. The municipalities clearly asked the previous government to level the playing field, when you were the government, which you probably won't see for some time.

Medical officers of health in this province agree that we're moving in the right direction.

Interjections.

The Acting Speaker: Member for Oakville, will you pause for a second?

I'd ask the opposition members to please allow the member for Oakville to make his two-minute comment.

The member for Oakville.

Mr. Flynn: I've made my point. I think I upset them, and that's why I stood up.

The Acting Speaker: Further questions and comments?

Mr. Jim Wilson (Simcoe-Grey): I noticed that the Liberal member for Etobicoke-Lakeshore quoted a number of people in the anti-smoking campaign. She failed to quote her own constituent, Mr. Robert Bortlisz, from Stogies H.Q. Cigar Club, 9 Advance Road, Etobicoke, who wrote her a letter on January 18 and sent a copy to me. She apparently hasn't even bothered to respond to this poor fellow's letter. He's a tobacconist.

He says, "There are a handful of tobacconists in Ontario whose primary income is derived from the legitimate sale of tobacco products and related incidentals.

"We have been under relentless attack in the last few years, and this is our sole source of income. The real 'tobacconists' do not sell to minors and the majority of our business is in cigars and pipe tobacco (not cigarettes).

"What has happened to us, we feel is a form of 'expropriation without compensation.'" My colleagues have mentioned that with respect to tobacco farmers.

"Our business has been severely eroded by the fact that the last two rounds of tobacco tax increases did little more than to convince our clients that grey- and black-market purchases are justifiable (cutting deeply into tax revenues).

"While we account for a small percentage of overall tobacco sales in Ontario, we do account for the largest proportion of tobacco tax revenues. However, due to the high taxes, our gross profit margin is extremely small."

He goes on to ask his MPP to put an exception for tobacconist shops in this proposed legislation, as Manitoba has done. The exact wording of the exemption is as follows:

"The proprietor of a tobacconist shop and his or her employees and customers may smoke in a tobacconist shop to test or sample a product if the shop

"(a) is fully enclosed by floor-to-ceiling walls, a ceiling and doors that separate it physically from any adjacent area in which smoking is prohibited by this act; and

“(b) has a separate ventilation system if the shop is first opened for business after this section comes into force.”

This particular frustrated Ontarian has written to me because his own MPP has failed to respond in any—

The Acting Speaker: One of the government members has two minutes to reply.

Mr. Fonseca: I'd like to thank my colleagues here in the House from Nickel Belt, Simcoe–Grey, Simcoe North, and my seatmate here from Oakville. What we fail to mention here is that big tobacco and this industry have been preying on the lives of Ontarians for too long. They have preyed on our kids and our youth, and now it's time for them to take their dirty hands off our kids and our youth. Big tobacco should compensate all the people whose lives they've destroyed and continue to destroy in this province: the fathers, mothers, sons and daughters whom they've taken away from all of us. That's who should be compensating Ontarians.

Yesterday I had the opportunity to visit Canadian Martyrs, a school in my riding. I was talking to an assembly of young Ontarians, and I said, “Do you know what we do at Queen's Park? Do you know some of the laws that we bring forward? What are some of the things that you would like to see?” The first answer that came out was, “We want to see people stop smoking.”

Well, that's what we're doing with this legislation. We're helping Ontarians to not suffer from second-hand smoke. We're also helping Ontarians, through prevention and protection, to take that step toward stopping to smoke.

Over 80% of Ontarians don't smoke today; there are about 20% who do. Many would like to take that giant step, and this will help.

The Acting Speaker: Further debate?

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I'm here today to speak out against this particular piece of legislation, Bill 164, and its attempt to make Ontario smoke-free. I'll be sharing my time with the member from Halton.

What I just said probably comes as no surprise. I do represent the majority of Ontario's tobacco farmers, many of whom are here today in the visitors' gallery, on both sides, and in the members' gallery. I'm pleased we have representatives here from both the tobacco marketing board and a newly formed group, Tobacco Farmers in Crisis.

However, my opposition to this bill comes not so much from my admiration and my respect for families who continue to grow tobacco—and I do remind the House that it's a legal product. My opposition to the bill has more to do with the fact that there are alternatives. There are alternative solutions. There are other models working elsewhere in other jurisdictions, models that this government refuses to pay any attention to.

By ramming this through, I put that this government shows disrespect not only for farmers but for members of our veterans' associations and Legions, the hospitality industry, the corner store industry and many of their

employees and customers. All of these sectors are suffering.

On December 15, just before we rose for Christmas, without any consultation, this government forged ahead with the McGuinty war on tobacco by introducing this particular piece of legislation. It's a bill that may appear heroic to those catching a teaser on the 6 o'clock news or skimming the headlines in a major paper. However, once you scratch below the surface, it's clear the bill is another fine example of what I describe as show and sham. We all know that this government's interest of late comes down to one thing: taxes and boosting revenue for pet projects. We have a gang here. They are addicted. They are addicted to lining the coffers at the expense of hard-working Ontarians.

I feel that a 100% smoking ban is short-sighted. There is an alternative. It's one that creates jobs and protects the livelihoods of those who already have jobs in the hospitality industry, which is one of Ontario's largest employers. The alternative: ventilation. Ventilation accommodates those who do smoke, and it accommodates those who do not smoke. On behalf of what I consider an already reeling hospitality industry, for example, I call on the Minister of Health to hold a similar summit to protect jobs. On behalf of hard-working tobacco farmers in the House here today, I demand that war reparations be paid from this government, compensation—a word we finally heard in the eleventh hour from the speakers across the House—for those farmers suffering the collateral damage from Mr. McGuinty's declared war on tobacco.

A smoking ban in the city of Toronto has been in place since June of last year. Businesses are reporting they're experiencing a 30% loss in business. A Toronto Sun article on October 3, 2004, quoted Shoeless Joe's franchise co-owner Siva Balakaran as saying, “It was immediately a 30% loss (after the smoking bylaw). Now, with no hockey it will drop down to 40%.” Mr. Balakaran went on to say that he feels customers should be able to choose for themselves. It's simple: If you want to go to a smoking establishment, that's your choice. For non-smokers, they too can choose whether or not they want to frequent a smoking or a non-smoking establishment.

The proposed legislation is not only going to hurt restaurants, bars, taverns, pubs and also farmers, as I've indicated—the farmers in my riding of Haldimand–Norfolk–Brant, Oxford county, Elgin county and elsewhere—Legions and veterans' halls across the province; as well, there's evidence of charity casinos, bingos and corner stores.

1720

With respect to our farmers, we all know—and I appreciate the NDP raising this issue as well—that this government promised tobacco farmers \$50 million in its 2003 campaign and this \$50 million was slotted into the health section of their platform. Again, perhaps in true Liberal fashion, Bill 164 has ignored that promise. That was a year and a half ago. Farmers are in much more

serious financial trouble now than they were a year and a half ago. Things have changed. Tobacco farmers feel abandoned by the members opposite. They certainly have no help and certainly not a keen ear from their Minister of Agriculture, a cabinet minister now dubbed the "health minister in training." If your aim is to put farmers out of business, then at least as a government provide a dignified severance package, one that will allow them to pay off the banks, invest in retraining and get on with their own lives.

Transiting to another crop, which has been suggested by this government, is not easy. How do 1,000 tobacco farmers transit to other crops without stepping on the toes of other Ontario farmers? I think of fruits and vegetables over-saturating their markets.

I attend many farm meetings this time of year. When I go to tobacco meetings, they seem to range from 600 people up to 1,700 people in one very large room because of the crisis in the industry. Last week, a group that I mentioned, Tobacco Farmers in Crisis, provided some background information on what's going on in the United States and how they are helping their farmers who are being put out of business. Both industry and governments recently announced a package to assist growers in the rationalization of their industry. It uses 2002 as the base year for calculations. In the United States, they have come up with \$9.6 billion for their tobacco farmers. That's US dollars. In flue-cured tobacco—this is the type of tobacco we grow in Ontario—the total share is \$5.8 billion, again in US dollars, to be disseminated over 10 years, again, for US farmers.

In the United States, the objective here is not to eliminate tobacco production, but to move abruptly to a lower-cost, improved quality product and a free market system with no price support programs. The US objective is to compensate the grower for loss of equity. In the future, there will be no production restrictions or safety net supports.

How would this apply to Ontario? Tobacco Farmers in Crisis have crunched some figures here, again, based on the 2002 crop. The US 2002 crop came in at about 655 million pounds. Ontario's 2002 crop—the figure I have here is about 108 million pounds. When you work this out, believe it or not, the Ontario equivalent, if they had something similar to their competitors across the border, would be in the order of \$1.1 billion.

That sounds like an awful lot of money. Bear in mind that every single year this government, plus other provinces and the federal government, accrue well in excess of \$8 billion just in taxation on this particular product. That's a \$1.1-billion figure, not a hit in one year. It would be amortized or depreciated out over 10, perhaps 20 years, again depending on market conditions, depending on how many farmers this particular government would continue to force out. Again, that figure is a far cry from the as yet unfulfilled promise, a total of \$120 million for commitments from both the federal and provincial governments in this country.

Prior to November 11, Premier McGuinty encouraged all Ontarians to honour and remember those who served

our country, and I question how this government can justify telling men and women who fought for our freedom in the Second World War that they can no longer enjoy a legal product. In my opinion, they've earned the right to light up in their own club, their own Legion, their own veterans' association. It was obviously OK then for our forces to smoke government-supplied cigarettes while they were overseas. Therefore, why is it not OK to do it now in their own halls?

Corner stores have been mentioned today, and corner stores know full well that this legislation, coupled with the three tobacco tax increases under this regime—the tax on a carton of smokes now is something like \$54; not on native reserves, I might add. Fifty-four dollars just to cover the tax, just to start. The result: We're seeing a continued increase—we see in Toronto an increase in convenience store robberies, burglaries, violence and, in some cases, fatalities at the convenience stores.

Liberal tobacco policy is obviously a dangerous policy for people. I think of my discussions with members of OKBA, the Ontarian Korean Businessmen's Association, who operate so many of these corner stores, stores that are open very late in the evening. I've had meetings with a group that has organized bingo halls in the province of Ontario, and again, I hope this government is meeting with these people.

For example, there are about 200 groups in Ontario that share \$7 million every year just from the bingo halls in Hamilton. Now, it's no secret that many bingo players are smokers. Once a smoking ban is implemented, these folks will head elsewhere. They may head across the border. They may head to native reserves to continue playing bingo.

You know, the real downer in this whole situation with respect to the bingo halls is that we would see so many sport associations for young people, religious and cultural, community service associations, and poverty relief organizations suffer as a result of a smoke-free Ontario that will invariably close down a lot of bingo halls. When one bingo hall closes, roughly 40 charities suffer and ultimately lose much of their operating funds. By the same token, a closed legion is no longer there to support its community either.

With respect to restaurants, over the past few years those in the business have sunk hundreds of thousands of dollars into designated smoking rooms—DSRs, as they are known. Even with the implementation of a designated smoking room, many establishments have lost money. Now this government is saying they have no regard for the time and money that has been put into these special areas—in many cases, up to \$100,000—to build a separate, ventilated smoking area. To add insult to injury, the Ontario Liberals really don't give two hoots that it's now going to cost these same people somewhere in the order of \$20,000 to tear down these designated smoking rooms.

I raise the question—and it's been raised before—is this government purposefully trying to put people out of business? You say your province-wide smoking ban is

about health. Again, consider the stressed-out needs of people and employees who are trying to make ends meet, stressed-out single moms who have lost or may lose that waitressing job, the physical and mental health concerns associated with the stress of losing your business, losing your job, losing your farm. I would invite any member here to come down and talk with some of the farmers in Brant county, Oxford county, Norfolk and Elgin, many who are on the verge of bankruptcy.

1730

Going back to the Toronto Sun, Siva Balakaran, in this article, describes this government as “screwing small businesses” out of survival.

In May of last year, an independent study conducted for the Fair Air Association clearly indicated that smoking bans would severely damage Quebec’s hospitality industry. The research, carried out by Northstar Research Partners, confirmed what the industry has known for a long time: Smokers are better for the hospitality business than non-smokers. According to the results, smokers currently frequent bars and pubs 50% more than non-smokers. This legislation does not plan for that. As with most bills that have been rammed through this House, you have your sights set on appeasing one or two groups—clearly the anti-tobacco activists. As a result, you either can’t see or you refuse to see not only the impact on business; you refuse to deliberate or even consider any alternatives. There are alternatives to such a blanket edict. There is an alternative that does create jobs and protects the livelihood of those who are already working in the hospitality industry, and this alternative accommodates both those who wish to avoid tobacco smoke and those who choose to smoke. That alternative, again, is the continued use of designated smoking rooms and the continued installation and maintenance of ventilation equipment.

Once again, the anti-tobacco lobby has done a fine job of bending the truth, if you will, on this matter of ventilation. Lobbyists tend to use scare tactics instead of sound science to attract media attention. Research does show that proper ventilation projects do protect workers from environmental contaminants such as tobacco smoke.

Just like their Liberal friends across the way, the anti-tobacco lobby has reversed their position in Toronto. There has been a flip-flop on the designated smoking room issue. In fact, in 1999, the Ontario Campaign for Action on Tobacco endorsed a bylaw that allowed for designated smoking rooms. Then, at, I guess in their view, the most politically advantageous time, they changed their minds. Now they’re against it.

To address employees entering designated smoking rooms, I feel it should be voluntary, or we could look to legislation that exists in British Columbia that limits an employee’s time spent in a designated smoking room to 20% of their shift.

Again, groups like the Fair Air Association, hotels, restaurants, bars and pubs don’t want to work against the government. In fact, they would much rather work with

the members across the way. But again, are the members across the way able to listen and work with these people?

Ottawa was mentioned earlier. Ottawa implemented non-smoking August 1, 2001. Since that time, roughly 60 bars and pubs out of the 200 in Ottawa closed their doors. Similarly, since the smoking ban in New York City—that was in March of last year—owners and managers of bars say business is down about 40%. They are laying off hundreds of employees. In British Columbia, in that initial 100% smoking ban bylaw, the initial initiative, the impact in the first 80 days saw losses in the ballpark of \$8 million and 800 people laid off. More recently, and actually in good time, smarter heads prevailed in British Columbia and that issue has been rectified with the kind of alternative I was talking about earlier.

I understand casinos in Las Vegas, for example, have been warned they are next on the agenda of a very well organized anti-smoking lobby. Again, lost jobs and lost revenue would be the result. Smokers will go elsewhere to gamble, to shop and to spend money. The gaming industry has been dealing with smoking and ventilation issues for many years. The antis claim that smoking bans have not had a negative effect on casino business. I would like to see some Ontario research on this issue. I would put it forward to this government to come up with some facts.

Casinos in the state of Delaware have been under a smoking ban since 2002. They’ve seen customers flock to native casinos or casinos in nearby states that allow smoking. A recent air quality study at the Bellagio resort in Las Vegas, a resort with a ventilation system, found that casino employees breathed the equivalent of smoking one or two cigarettes a year. Obviously the air within this casino is cleaner than the air outside. We know, for example, that in the mining industry, ventilation protects miners a mile or more underground from chemicals. Why would this not be an option for this government with respect to allowing smoking in those licensed establishments that wish to cater to customers who like to have a cigarette or a cigar? Is this about protecting customers from the nuisance, for some, of second-hand smoke, or are we looking at an across-the-board vendetta against the legal use of tobacco?

I guess my question is, can this government guarantee bar owners, pub owners and restaurant owners that anti-smokers are going to come forward and spend more time in their establishments once they are forced to go smoke-free? I don’t think it’s going to happen. I guarantee it’s not going to happen. I refer again to the independent study: Almost 70% of non-smokers surveyed said that a smoking ban would have no impact on the frequency of their visits to bars and pubs.

In a Windsor Star article last November, Linda Kramer, who owns the Meadows Roadhouse in Essex county, describes the economic situation of her establishment after a smoking bylaw was implemented. “It’s devastating,” Kramer says. She goes on to say business dropped 53%—that was in one month. She lost her Sunday afternoon NASCAR crowd. The restaurant used to be full; now she has two people for NASCAR races.

Banning smoking in bars, pubs and restaurants across Ontario is not going to force people to permanently butt out. What it will do, however, is force them to stay home and smoke. Again, studies from the Brewers of Ontario tell us that people stay home and smoke in front of their children, quite possibly in an unventilated environment.

There are so many pieces of evidence. Again, I'll make reference to a quote from Karen Bodirsky with respect to the layoffs predicted in the industry: "It's an open and shut case," she says. "If you shut down smoking, you shut down small business. If you open up to ventilation, you open doors for small business across the province."

I made mention of the dire straits our tobacco farmers have found themselves in, particularly over the last several years. As an MPP for tobacco country, I reiterate that a promise of \$50 million was made by this particular government. That was a year and a half ago. The time has long passed. There was a promise made by your federal cousins to cough up \$71 million in assistance. This came from former ag minister Bob Speller. I don't see anything about this in this legislation or in any of the discussions. I have heard nary a word about this in any of the questions that both MPP Ernie Hardeman and I have put forward to the Premier and to the finance minister in this Legislature—questions that were often bounced over to the ag minister, who really had nothing more to say than to give us a lecture on smoking. Tobacco farmers are growing tired. They're tired of seeing the dodging of questions on where the money is. They are going broke, as we all know. They are desperate.

On the issue of collateral damage—and I'm going to turn this over to my colleague from Halton very soon—I suggest that as a primary industry, farming in much of southwestern Ontario has always had, and continues to have, a beneficial effect on the rest of the economy.

1740

There is a gentlemen here today in the members' gallery, Mark Bannister, with Tobacco Farmers in Crisis. He did a presentation last week to 600 farmers, and he just read out some headlines from the local Delhi News-Record. Delhi is a tobacco town. They just lost their last new car dealership over the last few years. This town has now lost all three of its new car dealerships. Here are some of the headlines: "Growing Angry—Farmers Show Their Frustration with Blockades," "Delhi Dodge Mum on Future," "We are at War," "It's About More Than Smoking," "Civil Disobedience is not the Answer," "ATV Stolen from Garage," "Help Crime Stoppers Solve Tobacco Theft," "Tobacco Stolen in Pine Grove." As Mr. Bannister indicated, this was just one edition of a great small town newspaper in Delhi, just down the road from Tillsonburg.

Delhi Dodge just recently closed. I think that's a measure; that's the real world. I would invite anyone here to come down to Delhi or Tillsonburg, or to other tobacco towns like Ohsweken or Caledonia, and take a look for yourself.

Mr. Ted Chudleigh (Halton): Well, here we are. I thank the member for Haldimand–Norfolk–Brant for

leading off. Bill 164 is an interesting bill because it's a nanny bill, part of the nanny state: Big Brother knows what's best for us; this government knows what's best for us, knows what we should do. It knows what we should do with our spare time. It knows that we should eat sushi that is only frozen, or is it that we should eat sushi that's only fresh? Maybe now we can eat sushi however we want it. This government knows best and will tell us whether we can eat sushi or not. I think the last time they came out with something it was that now we can eat sushi again. Personally, I don't think it's any of their business. I think most people in Ontario are big enough to make up their own minds about what they want to do.

The other thing they like to do is tell us what kind of pets we should have, whether we should have pit bulls or some other kind of pet. When the minister led off this afternoon on this bill, he talked about the smoking ban that Italy has just introduced. Well, in Italy they have banned 70 different breeds of dogs. Is that what we want in Ontario? Do Ontarians need to be guided as to which dogs they can have? Bill 164 is telling us what we can do, and maybe it's a prelude to banning another 69 breeds of dogs, and pit bulls are just a start. Being a Big Brother, it's important that this government has to look after Ontarians, who can't make up their own minds about these things.

Remember, about pit bulls, that a dog is born and raised by an individual, raised by an owner. If that owner creates a pit bull that is a danger to society, then that owner should pay the price, not the pit bull, not the dog. The perpetrators, I would submit, are two-legged perpetrators, not four-legged perpetrators.

Bill 164, the Tobacco Control Statute Law Amendment Act, 2005: Here we are in February 2005 and Ontarians are very concerned. They're concerned about their health care. They're concerned about their doctors, who are going on rotating strikes. They're concerned about going to the hospital and not being able to get service. They're concerned about their hospitals being underfunded. They're concerned about nurses. They were promised there were going to be 8,000 new nurses hired in Ontario. The latest they've heard is there are almost 800 nurses, 750-odd, being fired. Ontarians are very concerned about these things, along with education. But are we debating these issues? No. We are here debating Bill 164. We're looking for a resolution to Bill 164, a bill that basically abuses farmers.

This government loves to pick on farmers. I don't know what the farmers did to them, but they must have done something really bad, because this smoking ban directly affects tobacco growers, and nothing in this bill—nothing, not one thing in this bill—will help Ontario's gentlemen of the soil. Not one thing will help them get over the hump of what this bill is going to do to their livelihood as they produce this legal product in Ontario. This is only one bill of a long list of bills this government introduced that tend to abuse farmers.

The greenbelt regulations: Now, there's a beaut. When a peace of legislation is introduced in this House, you ask

maybe three questions concerning where this bill is. First of all you might ask yourself, is this bill right? Is it the right thing to do? The second question you might ask yourself is, is it just? Is it just to Ontario? Is it reasonable? Is it fair? The third thing you might ask yourself is, is it in the public interest? On occasion, you get politicians who will play with politics and play with public opinions, and the greenbelt legislation is one of those bills, like perhaps Bill 164 is as well.

Is it right? Well, I don't think very many people would argue against the preservation of green space in our society today. The preservation of green space is a good thing. Is it right? Yes, it probably is right. Is it just? Well, now the cheese starts to bind a bit. Is it just? Who's going to pay for it? Where are the costs going to come from? Who's going to be put out by this bill? Well, the people who own the land are going to shoulder the vast amount of the costs of this bill. Their lands are being restricted. So a minority of people in our society are being charged the costs for the greenbelt, and that is patently unfair. Farmers are being asked to shoulder the burden of the costs of the greenbelt legislation, as they are with Bill 164, and that is patently unfair. If society in Ontario believes that these things are right and in the public interest, then they have a moral commitment to pay for the people who are going to shoulder the costs. Those people who are shouldering the costs in both of these issues are farmers in Ontario, and that is unfair.

It's difficult: When you start picking on a minority, you've got to be pretty careful, because every one of us is in a minority of some sort. The next minority that a government might want to pick on might be one that affects you. So you want to be pretty careful about what minority you're going to pick on and support through that process.

Another group of farmers, the horse farmers—there are a lot of horse farmers in the larger GTA, as there are all across Ontario. I believe I have more horses in Halton than there are in any other riding or district in Ontario. It might be the horse capital. A lot of those are racing horses, but there are also a lot of saddle horses and riding horses. One of the problems with horse farms is that as soon as you try to do a little more to create some economic activity on the farm, and of course the government is always encouraging you to do these things, right away they increase your taxes. If you're going to improve yourself in one fashion, you're going to take one step forward, and in the horse area you can very easily take two steps back with the increase in the cost of taxes that are being foisted upon you. So how do you get ahead when you're on the farm and you're following the advice of government as to what they want to do, and really all they're trying to do is increase the revenue they can get out of any particular area?

1750

Another area, in the last three years, really, that the farmers have had a tremendous problem with is the ban on exporting cattle to the United States. The government was very slow to react, with a very inadequate response.

There has been no comprehensive plan for long-term agricultural viability coming out of this government or coming out of the federal government. That is the difficulty with farming in this country. Farming has always been the second-largest industry in this province. It is an important industry. It finances a tremendous amount of economic activity across the province. Not to have a viable economic plan for agriculture is really disgusting, both at this level and at the federal level.

Now that we're discussing Bill 164, this very important piece of legislation to the people of Ontario—it's certainly very important to the farmers of Ontario; I'm not sure how important it is to the people of Ontario. You wonder what the farmers did to make this government so upset.

I apologize for my voice. Excuse me; I've had a rather bad cold for the last couple of days, and it seems to be catching up to me.

You wonder what the farmers have done to upset this government. If you look at the results of the last election, the Liberals seem to have gotten their fair share of Liberal votes. Farmers are certainly hard-working citizens in Ontario. Why have they become the whipping boys of this government, the whipping boys of the greenbelt legislation, the whipping boys of the tobacco—

Interjection: Scapegoats.

Mr. Chudleigh: —scapegoats, who are not receiving any compensation for any of these government regulations that keep coming down one after the other?

I wonder if I might suggest to the government that a day of hearings on this bill might be very worthwhile. Sometimes the government gets detached from the people that it is supposed to represent. Perhaps a day of hearings on this bill that could be held in Delhi or Tillsonburg would tend to reconnect this government with the people of those regions who are dealing with growing tobacco. That would allow them to get a sense of how the people in that area feel about these regulations.

Interjection: They haven't consulted at all on this.

Mr. Chudleigh: No, they haven't consulted on this bill, and there is no plan to, apparently. But I think it would be a wonderful idea if this government would consult with the people of the tobacco-growing areas—I would recommend Tillsonburg or Delhi—to bring them a true feeling of how this bill is being looked at in the country.

The other part to this bill that is interesting is that yesterday the government announced an expansion of the Windsor casino, a \$400-million expansion. That casino, which depends on—80% of its customers are from the Detroit area, the United States. Many of them, of course, are smokers, as a lot of people in the United States are. When they come to the casino in Windsor, they're going to find that they can no longer smoke in that casino.

That might put in question the \$400-million investment. If that were my money, and perhaps if it were some of your money that you were investing in that kind of thing, you might have pause: Do I want to invest \$400

million into a facility where 80% of my customers have an alternative, that they can go somewhere else and gamble? There are casinos in Detroit; there are casinos in other areas not too far from there where they could gamble. You may find that that \$400 million of our money—that's our taxpayers' money that we're investing—might not be a very wise investment at all, coupled with the fact that getting across the border in Windsor is a huge problem. Trucks in Windsor can wait four or six hours for a crossing into the United States, or from the United States into Canada. Those wait times are horrendous, and of course the economic impact of that is tremendous as well.

You can't get across the border, plus you can't smoke when you get here. I don't know; I think that \$400 million might be in jeopardy. I certainly wouldn't want to be making that investment with my money as a taxpayer in Ontario. Perhaps I could take my share of that \$400 million and put that someplace else. Maybe I could hire half a nurse or something with my portion.

The Detroit border is the most active economic border in the world. It has the highest trade balance of any border point anywhere else in the world, and although there are tunnels and bridges and ferries and rail facilities going across, it is disgusting to this province's economic future that that border crossing can take four to six hours for freight to cross it.

We've often heard the fact that from Toronto—or from Cornwall, for that matter, or the Quebec border—there are 14 traffic lights between there and Miami, Florida, or Texas, for that matter. There are 14 traffic lights, and those traffic lights are all in Windsor.

The events of 9/11 were horrendous, of course. During the aftermath of that, there was a lot of movement to fix the border problems, not only in Windsor, but also in the rest of Ontario and Canada. A lot of those issues have calmed down; they have fallen by the wayside. That's too bad because those are economic issues we should be addressing. We should be talking about those in this House today. But no, we're talking about Bill 164, a bill that is going to beat up on farmers, as opposed to creating economic activity by making the border crossing areas of

this province more fluid and better for business that will create jobs and economic activity in this great province.

Speaking of the Windsor border, before I leave that subject, the Schwartz report is an excellent report commissioned by the city of Windsor. It looked at all the border crossing areas and how they could be improved, and it did so in a sequential way. Some of them could be improved in six months, and some of them could be improved in a year or two years, depending on what the investments are. This government, rather than investing \$400 million in the Windsor casino, would do very well to look at the Schwartz report and consider the economic activity that would be developed out of that report and that investment, as opposed to beating up farmers at every turn they take.

The other area that is very difficult in Bill 164 is the effect it is going to have on the small retailers in Ontario. Whether it be a small retailer or whether it be a small businessman who is a farmer in the province, this government seems to like to put the pressure on these areas. Small businessmen are going to have to cover all the displays, and they're going to have to turn their back on their customers when they come in to buy a product. All of those things are going to create problems for retailers.

I don't think the government has thought this through in the way in which they should in bringing in this bill. I would recommend this government take a step back, have some hearings on this bill, do a little more research on the economic impact this bill is going to have in the province of Ontario, and have another go at it.

I don't think anyone is opposed to reducing smoking in the province of Ontario; it's how you go about it and it's how you compensate the people who are directly affected by it. That's the fairness of the issue and that's what this government should look at.

Is that a good time to break, Mr. Speaker?

The Acting Speaker: It is. Well done.

It being 6 o'clock, this House stands adjourned until later on this evening at quarter to 7.

The House adjourned at 1800.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Arnott, Ted (PC)	Waterloo–Wellington	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Ajax–Uxbridge	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Baird, John R. (PC)	Nepean–Carleton	Opposition house leader / chef parlementaire de l'opposition
Barrett, Toby (PC)	Haldimand–Norfolk–Brant	Deputy Opposition whip / whip adjoint de l'opposition
Bartolucci, Hon. / L'hon. Rick (L)	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Bentley, Hon. / L'hon. Christopher (L)	London West / London-Ouest	Minister of Labour / ministre du Travail
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Bisson, Gilles (ND)	Timmins–James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Boutrogianni, Hon. / L'hon. Marie (L)	Hamilton Mountain	Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Bradley, Hon. / L'hon. James J. (L)	St. Catharines	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
Broten, Laurel C. (L)	Etobicoke–Lakeshore	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
Brown, Michael A. (L)	Algoma–Manitoulin	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Brownell, Jim (L)	Stormont–Dundas– Charlottenburgh	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Bryant, Hon. / L'hon. Michael (L)	St. Paul's	Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique
Cansfield, Donna H. (L)	Etobicoke Centre / Etobicoke-Centre	Parliamentary assistant to the Minister of Energy / adjointe parlementaire au ministre de l'Énergie
Caplan, Hon. / L'hon. David (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint
Chambers, Hon. / L'hon. Mary Anne V. (L)	Scarborough East / Scarborough-Est	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Chudleigh, Ted (PC)	Halton	Deputy Opposition whip / whip adjoint de l'opposition
Churley, Marilyn (ND)	Toronto–Danforth	Deputy New Democratic Party House leader / leader parlementaire adjoint du Nouveau Parti démocratique
Colle, Mike (L)	Eglinton–Lawrence	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Cordiano, Hon. / L'hon. Joseph (L)	York South–Weston / York-Sud–Weston	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Craiton, Kim (L)	Niagara Falls	

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Crozier, Bruce (L)	Essex	Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative
Curling, Hon. / L'hon. Alvin (L)	Scarborough–Rouge River	Speaker / Président
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	
Dhillon, Vic (L)	Brampton West–Mississauga / Brampton-Ouest–Mississauga	
Di Cocco, Caroline (L)	Sarnia–Lambton	Parliamentary assistant to the Minister of Children and Youth Services / adjointe parlementaire à la ministre des Services à l'enfance et à la jeunesse
Dombrowsky, Hon. / L'hon. Leona (L)	Hastings–Frontenac–Lennox and Addington	Minister of the Environment / ministre de l'Environnement
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Urban) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Secteur urbain)
Duncan, Hon. / L'hon. Dwight (L)	Windsor–St. Clair	Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	Chief opposition whip / whip en chef de l'opposition
Flaherty, Jim (PC)	Whitby–Ajax	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Gerretsen, Hon. / L'hon. John (L)	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Gravelle, Michael (L)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham–Kent Essex	
Hudak, Tim (PC)	Erie–Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	
Kennedy, Hon. / L'hon. Gerard (L)	Parkdale–High Park	Minister of Education / ministre de l'Éducation
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton–Springdale	Parliamentary assistant to the minister responsible for democratic renewal / adjoint parlementaire au ministre responsable du Renouveau démocratique
Kwinter, Hon. / L'hon. Monte (L)	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Leal, Jeff (L)	Peterborough	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
Marchese, Rosario (ND)	Trinity–Spadina	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Marsales, Judy (L)	Hamilton West / Hamilton-Ouest	
Martel, Shelley (ND)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire à la ministre des Services sociaux et communautaires
Mauro, Bill (L)	Thunder Bay–Atikokan	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
McGuinty, Hon. / L'hon. Dalton (L)	Ottawa South / Ottawa-Sud	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
McMeekin, Ted (L)	Ancaster–Dundas– Flamborough–Aldershot	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
McNeely, Phil (L)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (L)	Ottawa–Vanier	Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	Deputy opposition House leader / leader parlementaire adjoint de l'opposition
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire au ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron–Bruce	Parliamentary assistant to the Minister of Agriculture and Food / adjointe parlementaire au ministre de l'Agriculture et de l'Alimentation
Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture / adjointe parlementaire à la ministre de la Culture
Munro, Julia (PC)	York North / York-Nord	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	Parliamentary assistant to the Minister of Education / adjoint parlementaire au ministre de l'Éducation
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward–Hastings	Parliamentary assistant to the Minister of Community and Social Services (Disabilities) / adjoint parlementaire à la ministre des Services sociaux et communautaires (Personnes handicapées)
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Minister of Economic Development and Trade (innovation) / adjoint parlementaire au ministre du Développement économique et du Commerce (Innovation)
Peters, Hon. / L'hon. Steve (L)	Elgin–Middlesex–London	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs
Phillips, Hon. / L'hon. Gerry (L)	Scarborough–Agincourt	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Prue, Michael (ND)	Beaches–East York / Beaches–York-Est	Deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Pupatello, Hon. / L'hon. Sandra (L)	Windsor West / Windsor-Ouest	Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Racco, Mario G. (L)	Thornhill	
Ramal, Khalil (L)	London–Fanshawe	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire à la ministre des Affaires civiques et de l'Immigration
Ramsay, Hon. / L'hon. David (L)	Timiskaming–Cochrane	Minister of Natural Resources / ministre des Richesses naturelles

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjoint parlementaire au ministre du Renouvellement de l'infrastructure publique
Runciman, Robert W. (PC)	Leeds–Grenville	Leader of the Opposition / chef de l'opposition
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph–Wellington	Parliamentary assistant to the Minister of Community Safety and Correctional Services / adjointe parlementaire au ministre de la Sécurité communautaire et des Services correctionnels
Scott, Laurie (PC)	Haliburton–Victoria–Brock	
Sergio, Mario (L)	York West / York-Ouest	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées
Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
Smitherman, Hon. / L'hon. George (L)	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Sorbara, Hon. / L'hon. Greg (L)	Vaughan–King–Aurora	Minister of Finance / ministre des Finances
Sterling, Norman W. (PC)	Lanark–Carleton	
Takhar, Hon. / L'hon. Harinder S. (L)	Mississauga Centre / Mississauga-Centre	Minister of Transportation / ministre des Transports
Tascona, Joseph N. (PC)	Barrie–Simcoe–Bradford	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Rural) / adjointe parlementaire au ministre des Affaires municipales et du Logement (Secteur rural)
Watson, Hon. / L'hon. Jim (L)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Wilkinson, John (L)	Perth–Middlesex	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Wilson, Jim (PC)	Simcoe–Grey	
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wong, Tony C. (L)	Markham	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Wynne, Kathleen O. (L)	Don Valley West / Don Valley-Ouest	Parliamentary assistant to the Minister of Education / adjointe parlementaire au ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (L)	Willowdale	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général
Vacant	Dufferin–Peel–Wellington–Grey	

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Mario G. Racco, Khalil Ramal, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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