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**Journal
des débats
(Hansard)**

Wednesday 16 February 2005

Mercredi 16 février 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 February 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 février 2005

The House met at 1845.

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

Resuming the debate adjourned on February 15, 2005, on the motion for second reading 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 / 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.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? Just to explain, Mr. Chudleigh was last and he's not here, so we just move on.

Mr. Toby Barrett (Haldimand–Norfolk–Brant): On a point of order, Speaker: I spoke for 40 minutes yesterday afternoon as well and I shared my time with Mr. Chudleigh. I was anticipating some two-minute responses.

The Deputy Speaker: Your anticipation was unwarranted. We move on. Further debate?

Ms. Shelley Martel (Nickel Belt): I'm going to be doing the leadoff for the NDP tonight, and I'm not sharing my time with anyone. You can all settle in for the next hour because I will be doing this leadoff by myself.

I want to begin by saying that in Ontario in 2005, I think it is a minority, and that minority is getting smaller and smaller, who doesn't accept the fact or support the notion of banning smoking both in workplaces and public places. That's why I think many municipalities have already moved on this issue and brought in bylaws to reflect that sentiment in their own communities.

For example, in my municipality, in the city of greater Sudbury, the community went smoke-free beginning in May 2003 and the full implementation of that bylaw came into effect June 1, 2004. I should say that I was at Tom Davies Square, which is the seat of our municipal

government, in May 2003 on the day the bylaw went into effect and spoke in support of the bylaw and those many groups who had brought it forward, who had come to council, who had gone through the debates and who had gotten to a position where this was going forward in our community.

In some ways, this bill really does represent the provincial government catching up on a debate that has gone on in a number of communities already and also catching up on a number of actions that many municipalities have already taken to ensure that both workplaces in a municipality and public places in that municipality are smoke-free. What the bill obviously does is to ensure that anyone who is left behind will now be under that umbrella by May 2006, a uniform law to replace what has been a patchwork of many municipalities passing their own municipal bylaws to get to a smoke-free environment.

Smoking is a health issue. There is just overwhelming research and evidence to demonstrate the link between tobacco and disease, the link between tobacco consumption and disease which leads to death, or second-hand smoke which is leading to disease and/or death as well. For me, this debate tonight is not about those links. As far as I'm concerned, frankly the debate and that research is overwhelming and the debate around those links is long over, and I'm not even going to focus on that tonight.

What I do want to focus on is the fact that as the provincial government moves to a place where many municipalities have already gone, I think that does present challenges, and we can either, as a body, reinforce and make those challenges even worse, or we can do what we can through the legislation to try to minimize those challenges. I certainly hope we are going to be doing the latter. I want to talk about some of the challenges, which from my perspective include the following.

1850

The challenge for people to quit smoking: Just because we pass a ban doesn't make it easier for any number of people to quit. I think we need to recognize that. I heard some comments yesterday by the Liberals saying, "Having this ban is going to move people there." I'm sorry. If it was that easy, people would have moved there a long time ago. I know far too many people who have tried any number of alternatives to quit smoking and haven't been able to do that. So we need to recognize that the mere implementation of a ban in workplaces and public places is not, in and of itself, going to allow people to quit smoking. My question for the government will

be, what are you prepared to do to support people who are trying to quit?

The second challenge that I see is for farm families who are involved in tobacco production, who are already facing a very difficult time and whose difficulties are going to increase with the passage of the bill—because clearly, as this goes forward, and if the government supports people, you will see tobacco consumption decline. This is a real challenge for those families. I don't think it's all that easy to diversify into another crop, and I want to talk a little bit about that and about how the government needs to be positive in working with farm families to try to move them out of production—working positively not only in the short term, but with a long-term strategy as well.

Third, I think there is a challenge for a number of operators who did spend money to create a designated smoking room to be in compliance with the municipal bylaw that is still in effect in that municipality. Hamilton is one, for example.

Ms. Marilyn Churley (Toronto–Danforth): Toronto.

Ms. Martel: Toronto is another one. There's a large number of municipalities, Burlington and others, with fairly significant populations where business owners made a decision, based on the bylaw that was going into effect, that they would spend money to create a designated smoking area, knowing full well that it was going to be phased out when the 100% ban came into effect, but believing they would have two or three years to recoup those losses. I do think that in those communities where people are in compliance now with the municipal bylaw and are seeing that being changed because of a provincial bylaw that is going to supersede the municipal bylaw, we need to think about what we do for those people.

I also want to focus on what the Liberals promised in the election with respect to an overall tobacco strategy, because the bill we are dealing with is one aspect of what the Liberals promised. I had certainly hoped that the whole piece would come forward at the time this legislation was coming forward, and that hasn't happened. I want to go through what some of the commitments were, and to essentially say to the government members, where is the rest of the package that is really necessary to come forward if indeed we are going to treat smoking as a health issue and we are going to move to a place where we support and encourage more and more people to quit?

On that note, let me begin by looking at one piece in the legislation where I hope the government is going to make a change. That has to do with how we handle private in-home nurseries. It's very clear that under the current Tobacco Control Act passed by our government in 1994, daycare facilities are facilities where smoking is prohibited, and that remains in effect in the legislation before us. One of the changes that the government is proposing to make comes in subsection 9(2), where it says, "No person shall smoke or hold lighted tobacco in the following places or areas." Number 5 says, "A place where private-home daycare is provided within the

meaning of the Day Nurseries Act, during the time that daycare is provided."

I want to just say a little bit about that. The critical factor here is "during the time that daycare is provided," meaning during that time of day when children are in the home where there is licensed daycare. For daycare to be licensed, there have to be more than five children, and you have to apply for a permit—previously to the Ministry of Community and Social Services, now to the Ministry of Children and Youth Services—to get a licence. You are regulated; there are inspections. There are rules that you have to follow to comply.

I like to think that when you are licensed, you are providing good-quality daycare, which is what we want for all our families and all Ontario children. But I can't believe the government is only concerned about kids and smoking in that portion of time when kids are actually in the home. What it essentially means is that the operator of that in-home facility could be smoking up to five minutes before the kids arrive, put the cigarette out the moment the kids arrive at the door, can't smoke during the rest of the day but can continue at night, so that you don't really have a home environment where the smoke ever leaves.

I've got a friend who is a physician in Ottawa who sent me a little note about this and said, "It reminds me of having an ink stain, for example, in a bath tub. You can let it stay there during the day. You can try to drain it, at a certain time of the day or night, but frankly it still stays on the walls and it still stays in the environment." It's the same with smoke. It doesn't leave that environment for those kids just because someone quit smoking five minutes before the kids show up on the scene.

If you're really concerned about a quality air environment in quality daycare for our kids, then you really should be saying, "If you are an operator who wants to be licensed by the ministry, then you can't have smoking in that home, period." That's it. Not smoking when they kids aren't there; a smoking ban, period.

What I found interesting is the difference between how the government is treating children and how the government would treat workers who are coming in for home care. The section on home care says essentially that a home care worker can refuse to provide a home care service in a home if that individual is smoking when he or she arrives on the premise. I agree with that. But it seems to me that we need to take that additional protection to ensure that kids who are there seven or eight hours of the day, not just a single hour, are protected all during that time. They can't be protected if operators are going to be smoking just before the kids arrive and then continue to smoke long after the children leave. That is just not a quality air environment for those kids. I think if you really want to get serious about protecting those kids in those areas where we can protect them, and we can where daycare is regulated through the Ministry of Children and Youth Services, then you need to take that extra step and say, "Anybody who is going to be licensed cannot be smoking on those premises at all—period—

any time of the day or night. If you don't want to abide by that, then you don't get licensed." That is the beginning of the end of it. We can't do anything about smoking where there are kids in daycare where there are only three or four kids in a home being looked after by a caregiver. We certainly can do something for those facilities that we license and I think we should be doing the maximum.

I wanted to refer to something that the minister said yesterday afternoon in his remarks, when he was talking about this bill and its development. He said very clearly that the ministry consulted with various experts and stakeholders during the development of the bill. He referenced very specifically a number of men and women who are convenience store owners and who would have some difficulty with this legislation and the consultations that took place with them. He also referenced aboriginal people and discussions that took place with native leadership around what could or couldn't be done on reserves, because of course reserves are federally regulated, and chiefs and councils make their own bylaws on reserve, but what mechanisms there were for people to work together.

He didn't talk about Legions and I do want to talk about Legions. I think the government could have given the Legion leadership the time of day in order to go through this issue. This doesn't affect the Legions in my community. When the bylaw was passed in our community in 2003, it also applied to Legions, so I say this from a community where there already is a ban in Legions.

I have some correspondence here that came from Ontario Command. The first letter that was sent to this government about this issue of smoking and whether or not smoking could be exempt in the club rooms of the branches was December 5, 2003, a letter addressed to Dalton McGuinty from Erl Kish, who is the president of Ontario Command. He points out the Legion membership, their concern about a no-smoking bylaw, their request that the government consider allowing smoking in the club room where members are, also pointing out that some municipalities have exempted Legions as private clubs so that this was permitted. At the end, "I am very willing to attend any meetings that may require further explanation and look forward to your reply at your earliest convenience." That's the first letter, December 5, 2003.

1900

The Premier's office responded January 30, 2004. Here's what they said to Mr. Kish, signed by Dalton McGuinty:

"Thank you for your letter regarding tobacco control in Ontario. The views of you and your members are important to me.

"Our veterans have contributed so much to the development of our society and for your sacrifices I am deeply grateful. As your newly elected government, my colleagues and I are committed to remaining sensitive to issues that are important to you, your families and our province.

"I appreciate the issue you raised. As it would best be addressed by the Honourable George Smitherman, Minister of Health and Long-Term Care, I have passed along a copy of your correspondence to him so he can respond directly.

"Thank you again for your comments. Your informed input is always welcome."

That was January 30, 2004.

Now, the minister's office finally responded June 9, 2004. This was a letter sent to Mr. Kish by Charles Beer, who was executive assistant at the time, to Mr. Kish. It's five months later, after the letter's been referred from the Premier's office:

"Dear Mr. Kish:

"I am responding to your letter to Premier Dalton McGuinty about our government's planned provincial no-smoking legislation, which was forwarded to the Minister of Health and Long-Term Care.

"I appreciate your concern on behalf of Canada's veterans and your request for an exemption under the new legislation for the members' lounges in Legion halls in the province.

"The details of the legislation are being developed and we appreciate receiving your views during this process. Your comments have been noted and shared with ministry staff working on the proposed legislation. As well, there will be additional opportunities for public input during this process.

"Thank you for writing."

August 18, 2004, Mr. Kish writes again on behalf of Ontario Command and says very clearly: "I would be most willing to meet with you at your earliest convenience to discuss this matter. Please contact me at your convenience." This is a letter dated August 18, 2004, to the Minister of Health. No reply.

The next thing that happens is the legislation is introduced and, clearly, Legions are not going to be exempt; they are going to be part of a smoke-free workplace.

The point I want to make is this: The minister and his colleagues found time to consult face to face with people who own convenience stores, as well they should. The minister and his staff, or his staff, found the time to consult directly with aboriginal leadership, as well they should. You know what? Why couldn't the minister and/or his staff spend a few minutes talking to the Legion, Ontario Command, about this issue, even if it was going to be to say, "Look, we appreciate your concerns, but we have made a decision that every workplace in the province is going to be part of the law and a club room in many Legions is a workplace because there is someone behind the bar selling alcohol and other things. So as much as we appreciate your concern, this is our decision." How come the government couldn't even do just that? I don't understand this.

Like I say, it doesn't impact on our Legions because our Legions were already part of the bylaw, and so for the last 18 months there hasn't been smoking in Legions in the city of greater Sudbury. But I know there are a number of municipalities where exemptions were made. I

know there are a number of Legions that built outdoor patios, for example, to comply with a municipal bylaw. I regret that the government couldn't give the time of day to the Royal Canadian Legion, Ontario Command, even for the government to explain its position, hear the concerns and then make a decision. I just think that was a silly thing for you not to do.

When I heard the list of groups the minister said they consulted with yesterday, I just wonder why it didn't strike him that this might be a group that some particular attention could be paid to, given the sacrifice that veterans have made on our behalf. Obviously, it's too late to do much of anything now because Ontario Command wasn't consulted and a decision has been made. I respect the decision the government has made, but I just think that you really missed the boat in terms of not ensuring that there was at least some follow-up, especially after there were repeated requests for a meeting that seem to have just been ignored.

I want to take some time to look at the Liberal commitments on tobacco control. I think it's worth putting into the record what the Liberals promised in the last election with respect to tobacco control, because the legislation that we're dealing with tonight is certainly a part of it. But there were some other commitments made, and I thought it would have made sense for the government to come forward with them at the same time they were bringing forward this legislation. So I want to spend some time looking at the commitments that were made and where the government seems to be in dealing with the commitments.

This is from a backgrounder that was given to the Ontario Campaign for Action on Tobacco in early 2003. They were given, both early in 2003 and then again during the election campaign, campaign documents and background material with costing attached to the commitments.

The first one has to do with cigarette tax increases. The Ontario Liberal policy that was articulated is: "Increase cigarette taxes by \$10 a carton to bring us up to the Canadian average. This increase would bring in approximately \$750 million in revenue for health care"—I stress the words "for health care." This was part of the backgrounder that was released to the media.

Let's take a look at those tobacco increases so far. There was an increase in the tobacco tax just prior to the 2004 budget. It was an increase of \$2.50 a carton. The estimated increase at the time was about \$90 million. In fact, the Ministry of Finance confirmed for us last week that the revenue that came in from that tax increase actually turned out to be \$110 million. That's the first tax increase.

The second tax increase in tobacco came in the 2004 budget, where the tobacco tax was increased by another \$2.50 a carton. The projected revenue from that change in tax is about \$110 million again.

In January 2005, there was a third increase of \$1.25 a carton. The Ministry of Finance confirmed for us last week that they estimate that the new revenue to come in with that change will be about \$52 million.

In essence, we're looking at about \$272 million in new revenue coming into Ontario with these three tax increases.

Mr. John R. Baird (Nepean–Carleton): How much did they spend on compensation for farmers?

Ms. Martel: I'm going to get to that.

I raise a couple of questions. I'm looking at the Liberal backgrounder that says that this is going to bring us revenue for health care. If you look at the release for the third tax increase on January 18, it says, "As part of its Smoke-Free Ontario campaign, the Ontario government will increase tobacco taxes by \$1.25 per carton as of midnight tonight, Finance Minister Greg Sorbara announced today." I ask you this question: Since this money was supposed to be used for health care, did you see a dedicated fund set up so that these tax increases in tobacco—

Mr. Baird: I brought in an amendment, and they voted against it.

The Deputy Speaker: The member for Nepean–Carleton isn't in his seat, and he's out of order.

Ms. Martel: —could go into a dedicated fund for health care? I haven't seen that. I'm waiting for that. I'm looking forward to it. As you read the election promise from the Liberals, you would anticipate that that's where the money is going to go—not just the \$272 million in new revenues that's coming in now, but the bulk of the \$750 million that's going to come into the province when you move to a \$10 tax on a carton. But I haven't seen any dedicated fund for this tobacco tax money to go into, to ensure that money goes to health care.

I haven't seen any of that money targeted to deal with the government's commitment to have \$50 million for farmers who are feeling the effects of downsizing in tobacco production. That was a commitment as well. I haven't seen any of that money go there.

I haven't seen any of the money go to a number of the activities that the government said they were going to bring in as part of their overall tobacco strategy.

So I say tonight, you've had three increases in provincial taxes alone on tobacco. You are raising \$272 million as a result of those three tobacco tax increases. It seems to me that the government has more than enough money to pay out the \$50 million that it promised tobacco farmers and to make good on a number of the commitments it made to those smokers who are looking for help from this government to quit. You've got more—more, more, more—than enough money to do all that.

1910

I guess the question that needs to be raised tonight with the government is, why is it that you choose not to commit that money to health care, like you promised you were going to in a dedicated fund, or why are you not making good on those election promises you made with respect to both farm families and people who are trying to quit. I put that out there to the government because there is certainly more than enough money to do it. The

question is, why haven't you been committed so far to doing that?

That's what the government talked about in terms of the increase in tobacco taxes and where the money was supposed to be going. The government also said that they were going to "launch a massive anti-smoking media campaign by youth and for youth ... launch an enhanced mass media and public education program to prevent young people from starting to smoke and to encourage those who smoke to quit. Youth themselves will play a key role in developing new media and public education strategies."

I have been trying to find out just how much the media campaign that is underway by youth has actually cost—the stupid.ca campaign—because the Liberals actually promised \$31 million a year for a youth mass media campaign; \$31 million. In the first year of the tobacco strategy, the government was going to commit \$31 million to a youth mass media campaign.

I am all for trying to ensure that young people don't start smoking. I'm absolutely in favour of that. My only question is, how much is the current campaign really costing the government, and is it anywhere near the \$31 million that the government actually promised before the election? I think there's probably a pretty significant gap between the amount of money the government is putting out in the current campaign, called stupid.ca, and the amount of money they actually promised. I hope that somebody tonight in the room is going to tell me exactly how much money is being spent on that campaign so we can know what the difference is, and maybe we can get some idea about what else the government is going to do to deal with youth in terms of the promises they made.

The government also promised that they were going to give support for smokers to try to get people to quit. They said the following in a backgrounder: "A comprehensive smoking strategy cannot ignore those people who are addicted to cigarette use. As cigarette use becomes a less-normal or desirable practice, addicted smokers need to know that they will not be left isolated and without support. Effective cessation strategies include brief advice from medical providers, counselling and drug therapy." I agree with that. I am in favour of that. The ban alone is not going to allow people to stop smoking. We really need to be proactive in our support for people who want to quit. How much money did the government promise in year one, which is this year, in their tobacco control strategy to aid smokers in quitting? They promised a total of \$46.5 million in the first year to help people quit. Here is the breakdown: telephone-based cessation programs, \$3 million a year; promotion and supportive primary care cessation counselling, \$3 million a year; primary care cessation services, including counselling, \$12.5 million a year; smoking cessation medication subsidization, \$25 million a year. That's this year, year one of this strategy.

How much has the government actually allocated to support people who are trying to quit? Well, we do know that the government has put \$1.5 million into an adver-

tising campaign to encourage people to use the Smokers' Helpline. On January 19, the Minister of Health launched a province-wide print advertising campaign to promote the Smokers' Helpline—the cost of those ads, \$1.5 million—to motivate smokers to quit by directing them to call the Smokers' Helpline if they need help. Callers to the helpline receive smoking cessation advice, self-help materials, support and referral.

It's important to note that the Smokers' Helpline was already in existence and has already been funded by a number of governments. So the next question is, how much additional funding was provided to the Canadian Cancer Society, Ontario division, to support increased efforts in this regard? Well, they got \$250,000 in new funding to extend the hours that the Smokers' Helpline is open.

I have no problem with that. I don't. But I've got to ask you to compare that commitment to help people to stop smoking—a commitment of \$1.5 million for ads, and an additional \$250,000 to increase the hours of service offered by Canadian Cancer Society staff and volunteers on the helpline—to the amount of money that the government promised in year one. That amount of money, I remind you, was \$46.5 million. For telephone-based cessation programs alone, it was \$3 million. Well, we haven't even hit that, and we're pretty close to ending year one of the tobacco strategy.

I say this to the government because there are other organizations who have been involved in helping people try to quit. We searched the government Web site to see if, as part of its commitment of \$3 million, perhaps the government was also funding other organizations that were really going to aid and assist people who want to quit smoking.

We know, for example, that the Lung Association has a Clear the Air campaign. We couldn't see anything on the government Web site to point out they might have received some additional money, as promised by the government, to help people quit.

We looked at the Heart and Stroke Foundation, because they run a media campaign as well to encourage people to quit smoking, but we couldn't see additional government money to the Heart and Stroke Foundation to help them out in their particular efforts.

We know as well that there is a program called the clinical tobacco intervention program. It is run jointly by the Ontario Medical Association, the Ontario Dental Association and the Ontario Pharmacy Association. We looked on the government Web site to see if perhaps that program had received some additional funding from this government to help people who want to quit, and we didn't see anything there either.

The best we could find in terms of the government actually meeting some of its commitment with respect to allocating money to help people quit was an allocation of \$1.5 million for ads and another \$250,000 to increase the hours that the cancer society operates the Smokers' Helpline.

From my perspective, that falls far, far short of the commitment the government made for year one of its

tobacco strategy, and it falls far short at a time when the government is bringing in about \$272 million in new revenue through its tobacco taxes, which were supposed to be used for health care. That's a significant shortfall and says to me that the money that's coming in as revenue from tobacco tax is not really going to health care; it's going right into the consolidated revenue fund to pay for other expenditures by this government, and those don't seem to include health care.

Now, let me look at the smoking cessation medication subsidization, because the government promised that in year one it would spend \$25 million in this area to subsidize medication to help people to quit. You know what? We haven't seen any government announcement with respect to this government doing anything to assist people who need help with medication costs to quit.

There are, it is true, a number of people who might be fortunate enough to be in a workplace where the employer might subsidize some of those costs. There's a lot of people who are hanging out there who don't have any coverage from any source for some of these therapies, which can be quite costly. Where is the government commitment? Where is the government money?

Let me read into the record an e-mail we got—actually, it was sent to the Minister of Health, and we got a copy of it—from somebody who is trying to quit, asking, "Where is the help?" It was sent January 30 to the Minister of Health. It says the following:

"Recently, the Ontario government has been trying to get people to quit smoking by raising the cost of cigarettes. First of all, I would like to say that if you're going to raise the price of tobacco to get people to quit, you should do it by more than 13 cents a pack. To be honest, it looks more like a cash grab than a motivation to get people to quit. What I really want to know is this: If smokers are more of a burden on the health system as a result of our medical problems throughout our lives, then why are smoking cessation products not provided as part of OHIP? I am 22 years old and have tried to quit smoking several times. I do not have any additional health care coverage and I can't afford the patch. I want to quit smoking, but for me it's really hard. I don't have any extra money at the end of the month" to make those choices.

1920

That's just one letter that I've seen a copy of from someone who is trying to quit, who says, and rightly so, "Where is the government support for me and others like me who are on a low income, who don't have coverage through our employer to cover some of this?" Even with a lot of the insurance plans, there are limitations both in terms of caps and timelines on people who are trying to quit smoking. Where is the money that the government promised to help people like John Alexander of Hamilton, Ontario, who is 22 years old, who is addicted and who wants to quit smoking? Where is the help for him and many others like him?

If you look at the cost of some of these therapies, they are really expensive. I thought the government was going

to allocate these funds because they recognized how expensive some of these therapies are. I don't pretend to have intimate knowledge of these things, but we did take a look at some of the things the government could do, for example, if they wanted to really help people. As I said, the cost for some of these interventions can be pretty expensive for a number of people, especially if you're on a fixed or a low income or your employer doesn't have any coverage. For example, if you look at nicotine replacement therapies like the patch or gum, the patch itself, if you buy it over the counter, is about \$30. The gum purchased over the counter—and there are different brands—is \$20 to \$40. You can't take that just once, of course. If you look at some of the most effective strategies and how long it will take, you've got to be using these replacement therapies several weeks to several months. That's a very serious investment, both in time and self-discipline, but frankly in financial cost, for someone who is trying to quit.

Another product that has been used by a number of people is called Zyban, which was approved by Health Canada in 1998. It is a non-nicotine-based medication for quitting smoking. It's also the only government-approved stop-smoking aid in pill form. In our calls to pharmacies today, we were told that 60 tablets of Zyban cost about \$73.32, but you're not going to get away with just the 60 over the time that you try and quit. You have to make an investment of seven to 12 weeks after the day you actually quit and 14 to 17 days before you make that decision to quit. So you're talking a significant commitment of anywhere up to 14 weeks, so that cost of Zyban is probably double. For a lot of people, that's just not an option anymore. They don't have that kind of cash at the end of the day to purchase that medication at their pharmacy.

You could look at other interventions as well, and I don't know why the government hasn't done this. Any number of people who are very serious look at hypnosis or acupuncture. Some of the costs that we found out about today with respect to hypnosis are anywhere from \$50 to \$90 per session, which is a major commitment, or for acupuncture, the whole therapy or whole regime around acupuncture is anywhere from \$200 to \$400. I've got to tell you, a lot of folks out there who really do want to quit are not in the ballpark when it comes to being able to afford those kinds of coverages.

I thought, when the government talked about allocating \$25 million a year to subsidize medication to help people quit, that they were talking about some of these therapies and interventions. But year one of the tobacco strategy is almost over and there hasn't been any allocation—not \$25 million, not \$1 million, not a penny—to subsidize medications that would really help people quit. I don't know why the government hasn't brought that forward, especially in light of the bill that's before us tonight.

But it's not just the medication. There are any number of other interventions the government could cover if they really wanted to do that as well. There are lots of com-

munities out there that have put together, for people who are trying to quit, a full compilation of all the programs, agencies, physicians, reference material and stuff on-line that people could access if they are going to try to quit.

We just pulled off the Internet today a document that was prepared by the Windsor-Essex County Health Unit in 2003. In their executive summary it says very clearly: "The purpose of the guide is to provide you or someone you know with a starting point to get help. We have included a wide variety of aids, programs and procedures, because experience has shown there is no single form of help that works with everyone. We leave it to you to use your best judgment and experience when deciding which method might work in your case."

It goes on to a very extensive listing of everything that could be available to people who live in the Windsor area—both in Windsor and in Detroit, Michigan—to try and help them: acupuncture, aversion therapy, cigarette substitutes, computer-based resources, counselling services—group, one-on-one, telephone counselling—self-directed programs, drugs and nicotine replacement therapy, employee programs, relevant health care agencies in Windsor and Essex that help people trying to quit, help lines, herbal therapy, hypnosis, laser therapy, media resources, naturopathic resources and even school programs. That's just from one district health unit.

The reason I raise this is if the government is looking for something they can fund in order to help people quit, they don't have to go very far. This is one public health unit. These are the resources that are available. I suspect if you went through those resources, you'd find there isn't very much government money in any of them, that the agencies and employers are funding this themselves, that there are private practitioners who are offering something, but that something is too expensive for too many people to actually access. I thought this was the kind of thing the government was talking about when they promised to spend \$25 million to subsidize medication or therapies to help people quit.

The point I want to make is that there is no limit and no end to both the medication that the government could be subsidizing to help people quit and the agencies, resources and groups that the government could help fund to help people quit. The real question is why, after promising \$25 million in this area, you haven't spent a penny to help people to quit.

I repeat what I said at the beginning: The ban that comes forward in this legislation is not, in and of itself, going to help people quit. There are any number of people who want to, who have tried all sorts of interventions, who would like to try all sorts of interventions but can't afford them, who won't be able to quit without government support. You should have been bringing in this support at the same time as you were bringing forward this bill. The question is, why haven't you?

I want to move on to the next commitment that was made, which was a significant one, to farm families involved in tobacco production. Here is what the Liberal Party said in its background document with respect to its tobacco control:

"Ontario Liberals understand that government must have a responsible policy when it comes to the economic impact anti-smoking initiatives have on the areas where tobacco growing is a major contributor to the local economy. Our community transition fund will help tobacco farmers find an orderly exit from the tobacco industry and allow them to pursue other agricultural opportunities. Ontario Liberals understand that as long as tobacco use remains legal in Ontario, there will be a market for an Ontario product, but as consumption declines, the economic impacts on communities and individuals cannot be ignored. We understand that the dependence on the tobacco crop and the jobs it creates in certain regions of Ontario is strong, and this transition must be done in an economically viable way."

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Here is the Liberal policy articulated in the election period. I'm quoting again:

"We will establish a community transition fund as the provincial government's initial commitment to the first phase of a strategy to allow farmers to use their land differently. We will work to secure the support of the federal government to be a partner in this investment into communities that rely on tobacco production.

"As part of our commitment to research and marketing Ontario's agriculture and agrifood products, we will implement a second phase of this strategy to help find viable alternative crops and uses for the land currently used to grow tobacco. Implementation must be gradual after extensive consultation, in order to ensure the health and success of our entire agricultural industry."

So the commitment in the election was for a phase 1 and a phase 2, was to get the federal government involved, and the amount dedicated to the community transition fund, as proposed by the Liberals, was a \$50 million, one-time investment. I see that \$50-million, one-time investment as a response to phase 1, short-term assistance, with a second allocation coming in phase 2, as you really try to help farm families involved in tobacco production move to something else.

Now, how much money has been allocated to farm families to date by this government? How much money has been allocated to the community transition fund? The answer is, not a penny, not a dime, not a cent, not a dollar. Nothing has been allocated to meet this election commitment.

What is very clear is that farm families involved in tobacco production have already seen really serious problems in their industry and have been lobbying the government for some time to do something in response to the decline of their industry.

This was a letter sent to a number of ministers on December 4, and I want to read some of this into the record. It's from the Ontario Flue-Cured Tobacco Growers' Marketing Board. It reads as follows:

"Dear Minister:

"I am writing today to brief you about the crisis facing Ontario tobacco farmers, and to forward you our

proposals for short-term action to alleviate the hardship that is facing them.

"Our board represents approximately 1,000 farm families throughout 12 counties primarily in southwestern Ontario. Tobacco farming sustains nearly 7,000 full-time equivalent jobs in Ontario and nearly \$500 million in direct, indirect and value-added economic activity....

"We have been working to encourage the province of Ontario and the federal government to provide transitional assistance for tobacco farmers since 2002. In May of 2004, the federal government announced a three-part plan to help tobacco farmers: financial assistance for farmers for whom tobacco growing is no longer viable; skills and development tools for the industry; and a commitment to monitor imports of foreign-produced tobacco to identify changing trends in international tobacco marketing.

"Federal Agriculture and Agri-Food Minister Andy Mitchell recently reaffirmed the federal commitment and has set aside \$67.1 million for a tobacco adjustment assistance program.

"In the 2003 election campaign, your party"—the Liberal Party—"committed \$50 million in its election platform to '...establish a community transition fund ... with increased tobacco tax revenue, to help farmers move away from growing tobacco.'

"Unfortunately, and despite recent announcements of a series of anti-tobacco measures, including higher taxes, that commitment has yet to be fulfilled.

"At the same time, the Quebec government has announced its plan to participate in funding exiting tobacco farmers. Quebec has committed \$10 million to retire tobacco-specific farm equipment from its 56 tobacco farmers as its contribution to the federal buyout program. After this year, it is unlikely that Quebec will produce any tobacco at all.

"The federal government is proposing to run a quota buyout program and, in the interest of fairness, it is intending to pay the same quota price to both Quebec and Ontario farmers.

"The net result of this scenario is that Quebec-based producers stand to benefit from the federal-provincial cost-sharing ... but Ontario farmers will not, under current conditions....

"In recent days we have met with a number of your colleagues to explain our predicament. Until the provincial government announces its intentions, the federal program that has already been announced and is ready to be implemented is being stalled. We are now turning to you to seek your active support. We are asking you to support three main principles and actions:

"(1) an acknowledgment that help is urgently needed for Ontario tobacco producers;

"(2) equitable treatment for Ontario producers in the form of a payment to retire tobacco-specific equipment, as is being done in Quebec;

"(3) the commencement of discussions on how longer-term solutions can be developed for exiting tobacco farmers using increasing tobacco tax revenues."

The farm families in Ontario who are involved in tobacco production have heard nothing from this government: nothing with respect to this letter of December 4, nothing with respect to the commitment the government made during the election campaign—and I assume any number of farmers voted for the Liberals because of that election campaign. They have heard nothing from your government about this community transition fund, about phase 1, about phase 2 or about any involvement from your government in bringing the feds on board or in having a longer-term strategy developed to try to move people out of tobacco production. And they've heard nothing from you at a time when tobacco revenue, after three tax increases, stands at \$272 million—the same tobacco tax revenue that was supposed to be used to support a \$50-million transition fund to help farm families involved in tobacco production.

Where's the money? Where's your commitment? What are you going to do for the 1,000 farm families involved in tobacco production and the 7,000 farm workers who are primarily employed full-time in this industry? Where's your commitment? You've got the money. What are you doing to respond to the promise that you made in the last election to help people exit this industry?

You see, it's going to be a real challenge for people to move out of tobacco production. I just want to give you one example of an individual who agreed that I could use his information. John Dumanski—I hope I've got that right—is a tobacco farmer who did try to move to an alternative crop. He tried to work in soya beans. The cost of his production was \$6.85 a bushel; he's getting \$6.15 in sales. So he's producing soya beans and he has a loss every time he does that. That's clearly not an alternative market that he wants to stay in very long. He also tried cucumber production. For the last two years, he has been growing cucumbers and selling them to a major food organization that I will not name because I'm not sure he wanted me to do that. He has just been told that he has lost that contract with that company because they are looking for cheaper imports of cucumbers from somewhere else.

This is someone who has tried to use his land in two different areas of production, having a loss in the first one and completely cut out now in the second one, because the supplier is going to bring in cheaper imports from somewhere else. I think that is a situation happening to many farmers involved in tobacco production.

You have a short-term fund which they need now to deal with their short-term problems, but you've got to make a commitment to a longer-term strategy to help all of these farm families move to something else. And it's going to be a longer-term strategy, because that move is not going to be easy.

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We haven't seen anything with respect to a government commitment to the longer-term strategy. We

haven't seen anything with respect to the 50 million bucks that your government promised during the election when you were out looking for votes among Ontario farmers. I again remind people in the government who are here tonight, it's not like you don't have the money; you sure do. You've got a lot of money and more to make this happen. You need to be responding now to the crises for these farm families.

I just want to add up what the pre-election commitments were and what the government's actually spending on tobacco this year. I talked about the number of commitments they made with respect to a media campaign, with respect to smoking cessation programs, with respect to the community transition fund. Do you know that during the election the government promised it would spend \$140 million in the first year to implement its tobacco control strategy and \$90 million in the second year? That's additional new dollars.

Right now, the revenue coming in from tobacco tax is probably in the order—well, if I don't even count the last one, it's \$110 million and \$110 million, so it's about \$220 million. I won't even consider the last tax increase—\$220 million. How much was actually allocated in the budget for the government's tobacco strategy this fiscal year, 2004-05? The answer is \$31 million; \$31 million was the sum total of money that the governmental allocated to its tobacco control strategy in fiscal 2004-05, after promising \$140 million in year one and \$90 million in year two and after bringing in at least \$220 million in the tax increase before the 2004 budget and the tobacco tax increase listed in the 2004 budget.

I say again it's not a question of money. It certainly is a question of whether or not you're going to live up to the commitments you made with respect to those people who want to quit and farm families who need your support, and I'm wondering when the government is going to do that.

The last issue I want to deal with has to do with those businesses who complied with smoking bylaws in their own communities, smoking bylaws that are now in effect, who made an investment in designated smoking rooms and made that decision based on the time frame they thought they had as a result of the municipal bylaw and who are now going experience some substantial change and I think substantial hardship because of the legislation we are bringing forward.

Let me just give you one example. This is a letter that was written December 15, 2004, by Judy Hill, who is the owner of Taps Tavern and Eatery in Hamilton, Ontario. It says the following:

"As a bar owner, I would like to speak for others in my situation. June 2004, I followed the municipal laws and put a designated smoking room in my establishment. After taking many factors into consideration, such as cost, feasibility, customer demand and competition, I went forward with the DSR. I am now legally following every step the bylaw stated, entitling me usage until May 31, 2008...."

"What will happen to my investment in this room? I can justify spending that large amount and consider it an

investment when I look at it over a four-year period"—to recover the cost—"but how can any form of government expect me to justify"—and recover—"that cost over seven to eight months"—it's a little longer, because the government wants to bring this in May 31, so 15 months—"especially after following the laws to the letter to implement it? Who will compensate me for the loss?"

I was at the press conference when this bill was announced. In response to media questions, the minister rejected any notion of compensation for those established owners who did modify their establishments to create designated smoking rooms, who are now in compliance with those same laws and who spent, in some cases, considerable amounts of money to create those rooms, believing that as a result of the bylaw they would have time to recoup those costs.

We are talking about people who are complying with the current law and who now see the current law being changed by a provincial law which does have a financial impact on their businesses. If you thought that the cost of your changes was going to be recovered over a four-year period and now you're finding out that it's going to be over a 15-month period, I suspect there are any number of establishments out there, and owners of those establishments, who are looking at a serious financial loss and staring that in the face. I think that will be a difficult challenge for a number of people in those communities where a 100% ban is not in effect.

I think the government should think about this matter again, because the government has provided compensation in the past to owners of businesses who have been affected by provincial law. It happened under the Conservative government in February 1999, when the former Conservative government decided that it would ban the spring bear hunt. They did that while many of the people who run tourist operations in northern Ontario were actually in the US at trade shows, taking money from people who were going to come to their establishment to be a part of the hunt.

Both opposition parties at that time, New Democrats and Liberals, were very clear that because the government had cut the livelihood out from under any number of tourist operators, the government of the day should compensate those tourist operators who were affected. The government of the day did that. There were lots of complaints raised about the nature of the package and how extensive it was, but the fact of the matter is, that government at that time did put forward a compensation package to assist those who had been directly affected by a change in provincial policy that had directly affected their livelihood.

I think the government should consider that precedent. We're not talking about the entire loss of livelihood for a number of these owners. I'm not even suggesting that. I am suggesting you take a serious look at the costs that they incurred and will not be able to recover because of the shorter time frame now involved, as this provincial law to ban smoking supersedes the municipal law that was in place at the time they made that investment deci-

sion. I think that would be the right thing to do, because otherwise any number of people will find themselves in a serious financial position that they shouldn't have to be in.

Let me just conclude by saying this is a health issue. The research is overwhelmingly clear. I didn't debate the research tonight because for me there is no question about the links between tobacco use and addiction and premature death. But I do want to say that the government should realize all of the other commitments it made with respect to the tobacco strategy, and they should be doing that at the same time this bill moves forward.

The Deputy Speaker: Questions and comments?

Mr. Phil McNeely (Ottawa–Orléans): The member for Nickel Belt dealt with those who are hopelessly hooked on cigarettes and with transitional funding for producers and other important issues. In the two minutes I have, I would like to deal with the youth in our communities.

Last Thursday I had a visit from 15 students from three high schools in Ottawa–Orléans: Lester B. Pearson, St. Peter's and Gloucester High School. These young people had a total of 2,447 postcards which were sent to our government. They were brought into my riding office, and they read: "I support a smoke-free Ontario in 2005. The rest of Ontario deserves clean air, just like Ottawa. J'appuie un Ontario sans fumée en 2005. Le reste de l'Ontario a le droit à l'air pur, tout comme Ottawa."

These young people were asking us to ban displays of tobacco in retail stores. That was the main message that they gave to me. The Tobacco Control Statute Law Amendment Act, 2005, would not permit the countertop display of tobacco products in retail stores. It would not allow a display of tobacco products that permits the handling of tobacco products by the purchaser. It also would not allow the display of products or material promoting tobacco except in accordance with the regulations.

Why are those three so important to these young people? Studies have shown that the point-of-purchase displays increase average tobacco sales by 12% to 28%. Saskatchewan had the same ban in their legislation, and the Supreme Court overturned it, but on January 19, 2005, the Supreme Court of Canada upheld the Saskatchewan law to ban displays of tobacco and found that the law was not in conflict with the federal Tobacco Control Act. There are several countries who already have this legislation: Iceland, Ireland, Australia and New Zealand. I ask you to support—

The Deputy Speaker: Thank you. The member from Haldimand–Norfolk–Brant.

Mr. Barrett: This debate on Smoke-Free Ontario is valuable. People are beginning to see and better understand where the Liberals are coming from, and the opposition's position with respect to farmer compensation and offered solutions around ventilated designated smoking rooms, for example, and now, of course, what I consider the thoughtful analysis of this legislation by the NDP, the

member for Nickel Belt. Again, as with yesterday, the NDP joined the PCs in asking why this government has broken its promise with respect to compensation for Ontario's farmers—I see at least 15 farmers in the members' gallery this evening—and also raised the issue of compensation for the hospitality industry.

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In addition to explaining and discussing the plight of farmers, the member addressed other issues: convenience stores, native reserves, restaurants, as we've mentioned, and Royal Canadian Legion halls and the complete lack of consultation with our veterans.

As we know, this government has declared war on tobacco and it has declared war on the families, the businesses that rely on tobacco for their livelihood—again, bars, restaurants, bingos, casinos. These people didn't ask for this war; war has been declared. This is serious. Reluctantly, these groups are now being forced to mobilize for war, not with guns, but with briefcases, as they have explained to me; with their tractors on the 401 and soon, coming to this precinct, to the Legislative Assembly. Stay tuned, in particular, members opposite. People are mobilizing and will descend on Queen's Park March 2 and March 9.

Ms. Churley: I'm pleased to spend a couple of minutes responding to my colleague from Nickel Belt, the NDP health critic and mother of two young children. I would suspect that most, if not all, parents today, unlike perhaps when we were growing up in our generation, where adults actually smoked around us, have come to the conclusion that smoking is bad. We certainly don't want our children, pure and simple, to smoke or be in a room where people have been smoking.

I am glad Ms. Martel brought up the issue around private daycare. It's absolutely critical. I don't think anybody, even people who still want to smoke or can't quit or whatever, would disagree with that premise. Where there are children—if there is a child care centre in a private home—there should be no smoking within that home. All the evidence is clear now, particularly for children who are suffering from asthma and other respiratory diseases, it can linger in the air for a very long time. So that is a no-brainer.

I too want to talk for a couple of minutes about the farmers who are with us today. I just went through the greenbelt public hearings. We are finding out more and more about the social determinants of health, and more and more governments are starting to act on those, bringing in laws, which generally I think everybody supports, making it harder and harder for people to smoke. Most people want to quit and that's why it's important that the resources are provided from the government to help those people who do want to quit. As to the farmers, they have been caught up in these changes in terms of the greenbelt and our need to stop urban sprawl. They've been caught up in our need to curtail tobacco sales and they do need some help and assistance from this government in both of those areas.

Mr. Peter Fonseca (Mississauga East): This is legislation that we should all be proud of: building a healthier

Ontario. The one fact is that smoking kills. It kills 16,000 Ontarians every year. Over 40 people a day here in Ontario die from the harmful effects of tobacco smoking.

The member for Nickel Belt spoke eloquently about this legislation and mentioned many of the different stakeholders that will be impacted by this legislation. I could tell the member for Nickel Belt that, charged by the minister, I have been asked to meet with all those stakeholders. I have met with restaurateurs, bars, entertainment venue owners, bingo halls, casinos, hotels, the farmers, Legions. I have met with all stakeholders. Tens and tens of stakeholders have come through my door. It has been an open-door policy, and I look forward to this bill going to committee and being able to meet with more stakeholders across the province.

I could say that when we met with the Legions and with the different stakeholders—there are many Legions across this province that have asked us to please make sure this legislation will encompass Legion halls. I've spoken to the member for London West, who has brought that forward to my table, and also the member for Niagara Falls. Both their Legions have asked that this legislation make sure that Legions are also going to be smoke-free.

Within this legislation, much has been done around prevention, through our Smokers' Helpline, through working with the OMA, the Ontario Pharmacists' Association and the Ontario Dental Association, all working in partnership to make sure we have a healthier Ontario. This is something we all should be proud of.

The Deputy Speaker: The member for Nickel Belt has two minutes to reply.

Ms. Martel: I thank the members for Ottawa–Orléans, Haldimand–Norfolk–Brant, Toronto–Danforth and Mississauga East for their responses.

I think I'll just go back to where I started at the beginning. In Ontario in 2005, really, it's a minority of people who do not accept or do not want to support the fact that smoking should be banned in workplaces and public places. It's a minority, and that minority is getting smaller and smaller. I think the government is right now, frankly, catching up to a number of municipalities that have already recognized that, that have had that debate and have moved to action to implement those activities that would put in place a 100% ban. I talked about my own municipality, which as early as May 2003 was implementing smoke-free workplaces and public places.

I think where we are right now, as the government catches up on this issue, is at a position where we need to recognize that it is going to be a challenge. As I said earlier, we can either be a part of minimizing that challenge for a number of groups or we can just make that challenge even worse. It is my hope that we are going to be in a position where we try to minimize those challenges as much as possible.

Having a ban in and of itself is not going to help people quit. The government needs to bring forward the money it promised to help people who want to quit. We promised significant amounts of money; virtually none of it has come forward. You need to do that.

You need to respond to the commitment you made to farm families in Ontario who are involved in tobacco production. This is a group that's already in crisis and has been for some time. You made a specific commitment; live up to it. I've asked you to consider those people who, in good faith, paid for designated smoking rooms, and look at compensation. You need to do that. You have more than enough money through the three tobacco tax increases to implement what you promised. I urge you to do that.

The Deputy Speaker: Further debate?

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): I will be sharing my time with the member from Etobicoke Centre.

Interjection.

Mr. McMeekin: Well, there you go.

There are a lot of stats one could get into, but I want to take a little different approach. John F. Kennedy, when he was elected to the White House, the first day he was in office, was asked what his biggest surprise was. He said, "The biggest surprise I had when I got into office was that things were actually just as bad as I said they were." I think as we talk about resourcing various programs, we need to keep that in mind. We have come into some pretty interesting times.

I'm not going to quote the 16,000 deaths per year or the \$1.7 billion in direct health costs. I don't want to go there. I don't want to talk about our threefold objective being prevention, cessation and protection. I don't want to talk about young people in particular and the concerns I have as the parent of three teenaged girls, trying to discourage them from starting to smoke, and others who have started quitting. I don't want to talk about any of those things tonight.

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What I want to do is share a little story with you, and it's a true story. I'm a very lucky man, unlike my father, who died in 2004 of lung cancer from smoking. One of the last things he said to me before he died was he wished he'd quit smoking 40 years ago. By the way, I want to say to my good friends in the Legion out there that my dad picked up the habit of smoking when he went overseas as a 16-year-old. It was the federal government that was sending these cigarettes over to him—free cigarettes. Maybe there ought to be some consideration of a class action suit of some sort with respect to that, because I think it played a significant role in my father's addiction—and perhaps not mirroring everything my father would like, my sister, a 30-year smoker, also died of lung cancer.

I said I was the lucky one; I want to explain that. I quit smoking when I was eight. It's a true story. I used to steal my mom's cigarettes. I used to hide them in the basement, under the wooden veranda. I'd go down and smoke about two packs a week. My mom discovered that she was missing her cigarettes. It's true. She didn't take me aside or get Dad to give me a licking or anything like that. She set up a medical appointment with old Dr. Harvey on Ottawa Street North in Hamilton. I was down

there at Dr. Harvey's office with my mom, and Dr. Harvey said, "Mary, I wonder if you'd leave me alone with little Teddy for a minute." I hated when she called me "little Teddy." She said, "Oh, doctor, is something the matter?" She went out looking very worried, and I was scared. He listened to my chest—it's a true story—and he said, "Little Teddy, you've been smoking, haven't you?" I said, "Oh, Dr. Harvey, how can you tell?" He said, "Well, I can hear it in your chest." He said, "Let's see"—he had one of those watches with the dates—"today is Tuesday. If you don't quit, you'll be dead by Friday." I never smoked again in my life.

I don't know if Dr. Harvey received OHIP payment for that call. I don't know how that piece of ancient history would rate today in terms of medical practice. But I've got to tell you, he was the best damned family physician an 8-year-old kid could have had. He did more for me in those few moments—and when I was 23 and in university, I went back and said, "Is Dr. Harvey here?" "Yes. Who is it?" "Just tell him that little Teddy's here." I went in and I thanked him, because I've never smoked a day again. That was great medical practice, and it took some courage. If he did that today, he might be sued for some kind of bad practice.

Hon. David Ramsay (Minister of Natural Resources): Did he give you any new advice?

Mr. McMeekin: Do you know what? He was an example to me as a kid. Maybe that was part of why I ran for office and as a 29-year-old sponsored the first anti-second-hand-smoke legislation in Hamilton. It was immediately thrown out of court. Maybe that's why I got involved in the Lung Association and tried to do something to fight emphysema and asthma back in those days—real killers.

Maybe today I can just pause, remembering him and others who have courageously exemplified the kind of leadership that has been so desperately needed in this province for so many years and that has been so lacking for so many years from the parties on the other side of the House. I just want to say thanks to the Dr. Harveys of the world, the people who cared, the pioneers who are out there fighting on this public health issue.

I believe this is probably the single most important initiative our government has taken since we've been elected. I'm proud to stand in my place and remember some of the saints who went before us.

The Deputy Speaker: Further debate?

Mrs. Donna H. Cansfield (Etobicoke Centre): I am pleased to be able to stand with my colleague.

I would, in fact, like to speak about the youth. I know that the vast majority of people in Ontario abhor smoking. The fact of the matter is that it is a majority. Unfortunately, the vast majority of our youth are looking toward smoking, and it's something, especially with young women, that we need to deal with.

I'd like to draw some attention to the Florida Truth campaign. It's a preventive type of campaign that was put in place by the Florida state government, and one of the reasons why was—and I don't think our nation is

particularly different from theirs—that 36% of the children in the United States smoke. That's up one third from 1991. When they looked at the statistics as to why, they found that presentation, displays and encouragement through advertisements were part of the reason why children were encouraged to participate in smoking. I don't think that's any different here for our children. I think they are susceptible to the same type of advertising, the same types of displays, and certainly can succumb to the same kind of encouragement to smoke.

Interestingly enough, when they did some work they discovered, when they asked the students, that over 70% of middle-school students, those in grades 6, 7 and 8, had tried smoking. Of those, they estimate that probably somewhere around 32% to 33% would continue to smoke. So they actually went to the teens themselves and talked to them about what it was they needed to do to get them to think differently about smoking. Their success is that in two years it dropped from 18.5% to 8.6% for the younger children, and from 27.4% to 20.9% for the older students. This Florida Truth campaign actually engaged the students themselves in how they could make a difference with their peers in encouraging them to stop smoking.

Part of it, of course, is an attitude. Once you get hooked on cigarettes, it's very hard to stop. If you're obsessive in that behaviour, you have to think about what other types of behaviours students are obsessive with. The encouragement to continue smoking, because it is a lifestyle, whether we care to admit it or not—it actually kills our children or it produces low birth weights in the children the young women have. It's something we need to consider seriously, and the idea of prevention makes far more sense to me. That's part of what this bill can actually do.

When you sit down and talk to the youth and you ask them, they'll tell you that a lot of them aren't sure why they smoke. They're not sure why they really got into the habit of smoking except that their friends do it. So using that same understanding and premise, you can say, "Well, what about those who don't smoke? How could you encourage those peers not to smoke? What is it you need to do? What kinds of campaigns do you need to be put in place?"

Fortunately, Florida won a landmark \$13-billion settlement from the tobacco companies, of which \$200 million had to be put into this type of program. But I think what's really important is that instead of taking an adult perspective on how to initiate this type of program, they actually sat down with the teens themselves and said, "Why do you smoke? What do we need to do to help you make it a deterrent?" whether it be a strong marketing campaign around the buttons, the involvement, the peer pressure, the peer involvement. All of these things took place and the results were absolutely dramatic. The truth of the matter is that during the campaign's first year they made a significant inroad on what kind of difference it made to these young children, and ultimately to the lives they will live as adults.

If any of you have ever been with someone who has emphysema, then you know it's not anything you would wish on anyone. The idea of prevention is so critical in our thinking. It's not once they're hooked; it's to not get them hooked to begin with and what we can do to make a difference in that way. I agree with the Florida Department of State: You sit down and you talk to the teenagers themselves, engage them in that discussion and find out where the rubber hits the road for them, and what we can do to help them stop something that many of them say they don't wish to do in the first place.

The Deputy Speaker: Questions and comments?

Mr. Barrett: In response, again, to the ongoing dialogue from this government on Bill 164, this is a bill, in my opinion, very similar to a number of other pieces of legislation that we'll be debating in this special February sitting of the House. Obviously, I think of the pit bull legislation. I'm sure that for many people in the general populace it seemed like a good idea at the time. Hearings were held, dog owners, veterinary associations, the Ontario Society for the Prevention of Cruelty to Animals, university professors and other experts came forward. I didn't hear an expert come forward in favour of eliminating or killing off that type of dog in Ontario. It seemed good at the time and turned out not to be such a great idea.

2010

Also during this February sitting, it's projected that we will be debating the greenbelt legislation, also known as the green botch. As a goal, it seemed like an admirable one at the time, but this government is unable to pull it off. I attended a meeting up in Caledon East, and I can tell there's going to be trouble when I see red flashing lights outside of a government-sponsored consultation process. I walked inside and there were five OPP officers. It didn't work out.

I raise the question, how is this initiative going to work out? It's taken off in a rather confrontational mode, from a confrontational cabinet minister who, on behalf of this particular Ontario government, has declared war on sectors of the Ontario population: those who are associated with tobacco. How is this going to work out in the end? That's my question.

Ms. Churley: I'm pleased to be able to take a couple of minutes to respond to some of the Liberals' comments. I certainly will be speaking to this bill; I think I'm going to close off the debate tonight. One of the—

Interjection: In favour?

Ms. Churley: Of course, in favour; absolutely in favour. As I said earlier, I don't believe that anybody in this place—I'd be surprised—is in opposition to this bill. But we will continue to point out the flaws in the bill, particularly around—I just have all these letters, for instance, from some of the Legions in my riding and Mr. Prue's riding. They are very, very concerned. They are saying that some of the bingo halls and Legions, particularly the Legions, feel they haven't been consulted. I know you said you did. Some have already agreed that they want to be a smoke-free environment, but there are

others who haven't. At the very least, you need to sit down with them and hear them, and I hope you're going to do more of that.

The other thing I will be reiterating later is, as Ms. Martel pointed out, that we understand from the Ministry of Finance that there is \$272 million in new revenue this year from the carton increase, which we all supported for a variety of reasons. But most of that money is going into general revenue; it's not going into—

Mr. Baird: It's not going into health care or agriculture.

Ms. Churley: It's not going into agriculture. The farmers who are sitting here tonight—and I will be talking about that later. As I said earlier, when you start trying to deal with the social determinants of health, you have to put the money into help those who are impacted by it, and you're not doing that.

Hon. Jim Watson (Minister of Consumer and Business Services): I'm very pleased to rise to speak on this debate. I think that once this debate is over, it will prove to be one of the most proud pieces of legislation that this assembly has passed.

I come from the city of Ottawa. The city of Ottawa passed a comprehensive smoking bylaw that did a number of things. It levelled the playing field throughout the city of Ottawa, which was important. Secondly, it did not cause undue hardship to the hospitality industry. In fact, over 180 new establishments have opened since; a net increase of 180 establishments.

I happen to have the pleasure of being the president of the Canadian Tourism Commission, and I have seen worldwide bans on smoking in Ireland, New York and California, great hospitality centres, and it hasn't harmed. Dr. Rob Cushman, chief medical officer of health in the city of Ottawa, states, "The smoke-free act will prove as worthy as clean-water legislation was 100 years ago and the introduction of the polio vaccine was 50 years ago. This is good, solid public health."

I remember when the debate was going on about Smoke-Free Ottawa, I was explaining to my niece, Olivia, at the time. I said, "You know, several years ago you used to be able to smoke in an airplane," and she looked at me like I had three heads. She said, "How could you possibly have been allowed to smoke in an airplane?" Twenty years from now, we will be going through the same discussion with young people, when people will look at us and say, "Did you actually allow smoking in restaurants when people were eating their meals?"

Mr. Baird: When you were mayor—

The Deputy Speaker: The member for Nepean-Carleton, you'll get your chance.

Hon. Mr. Watson: I am proud of my record as mayor of Ottawa, when we had one of the most comprehensive smoking bylaws, and it was strengthened by the new council. I proudly support this legislation because it's the right thing to do for the health of the people of Ontario.

The Deputy Speaker: Questions or comments?

Mr. Baird: I disagree with the two members who spoke.

The Deputy Speaker: For the final summation, member for Ancaster–Dundas–Flamborough–Aldershot.

Mr. McMeekin: Thank you, member for Nepean–Carleton, for that insightful intervention. I would like to thank the members for Haldimand–Norfolk–Brant, Toronto–Danforth and Ottawa West–Nepean for their—

Mr. Baird: What about me?

Mr. McMeekin: I thanked you. You were first because your intervention was so particularly insightful, whatever it was.

There is an age-old admonition. It's been around since long before the time of Christ, if you want. It's that you don't poison your neighbour's well. I suppose if we pushed out of that, we have public health laws in place in restaurants so that you don't poison your customers' food: Wash your hands. You know what? We're finally at that place and space in our history, thank goodness, when we're beginning to understand that while you may choose to poison yourself, you can't choose to poison the air that somebody else breathes. It's no longer tolerable. In 1978, 1979, when we fought that fight, it was tolerable, I suppose. But there has been a sea change now. That's certainly where we're at.

We're not declaring a war on farmers. In fact, I agree with those who made the observation that we need to come to the table with some assistance. That's part of our platform and I look forward to that happening.

That having been said, we also need to move forward. We know first-hand that second-hand smoke in bingo halls, casinos, bars, restaurants and places where people work, public places, is a threat to employees and is costing human life, and that's what this law is all about. We're not declaring war on anybody. We're declaring peace. We want to see peace.

The Deputy Speaker: Further debate.

Mr. Baird: Thank you very much, Speaker. I know you've been awaiting this with great interest. Before I start my remarks, I'd like to introduce in the staff gallery Regan P. Watts, who is with us tonight, known affectionately around Queen's Park and our caucus as the dapper staffer. Regan is here, if you'd just put your hand up to say hello to everyone.

Hon. James J. Bradley (Minister of Tourism and Recreation): Is Guy Giorno here?

Mr. Baird: Guy Giorno, I say to the Minister of Tourism, is not here, but John Tory is our new leader and he was chief of staff to the Premier. So who knows, in 20 or 30 years, Guy Giorno could be the incoming Premier, much like John Tory.

I'm pleased to have the opportunity to speak to Bill 164, and I did want to preface my remarks. There are some folks in my constituency who support this bill and I would be dishonest if I didn't put their concerns. I would suggest to the member for Ottawa West–Nepean, I'm certainly of late much better acquainted with his riding than he is with mine, so I'll speak for folks there. But a lot of people do support this. Maureen Tourangeau, who lives in Ottawa West–Nepean, is a big worker at the cancer society and she supports it.

Hon. Mr. Watson: A good Tory.

Mr. Baird: A good Tory, like the member for Ottawa West–Nepean used to be. So I'll put that on the record.

I'm a non-smoker. I would prefer to socialize in a non-smoking place, but that's my personal choice, to choose to go into a place that is smoking or non-smoking.

2020

Interjection.

Mr. Baird: Listen, I say to the member for Ottawa West–Nepean. He might learn something. The good God gave you two ears and one mouth.

Ms. Churley: I think he gave him two mouths and one ear.

Mr. Baird: That could be the case.

This makes me think back to when the Dalton McGuinty government ran these TV ads saying, "I will not raise your taxes." I got a copy of it after the election and there was no little asterisk saying, "Except if you're a smoker." They didn't put that. If you check page 87, subsection (b), chapter 38 of their second campaign platform, I think they might have mentioned it. I didn't get one of those in my mailbox and they didn't spend \$4 million on TV ads about that.

So they raised taxes on tobacco, and I thought, "You know what they are going to do with that money? They're going to put it into a segregated fund." So I went to the finance committee that debated this government's tax grab and said, "Of course, you'll want to put this in a segregated fund to support health care, to support cancer care, to support cancer treatment, perhaps to support smoking cessation activities, perhaps to meet your commitment and your promise to provide transitional support for tobacco farmers," and they said no, they'd just put it in the main kitty and hope for the best. I thought, "Well, when the budget comes out, they'll segregate these hundreds of millions of dollars in new funds, and they'll tell us where they're spending it to meet their promise to tobacco farmers."

I say to the folks who are here from tobacco country, why should Dalton McGuinty keep his promise to you, when he doesn't keep it to anyone else? Do you expect these Liberals to give you people special treatment? He broke his promise to working families, to middle-class taxpayers, to small business people, to young children with autism, to education workers, to nurses. Why should he treat you in the farm community any differently? He doesn't. He treats the agricultural industry much the same as he treats everyone else: He has broken his promise to them.

So they voted against the Conservative motion to have a segregated fund and they just put it in the main kitty, and of course it has disappeared.

This government certainly has no recognition of the important role that agriculture plays in the Ontario economy. Agriculture is the backbone of the Ontario economy. I have to be honest; I don't have tobacco farmers in my constituency. I do have a lot of dairy producers and I do have folks with cash crops, whether it be corn or soybeans. We have a lot of dairy producers in Nepean–

Carleton. There are a few dairy producers actually in Ottawa West–Nepean.

Hon. Mr. Watson: One.

Mr. Baird: One in Ottawa West–Nepean.

Regardless, this government, on policy initiative after policy initiative, has been not just anti-agriculture but anti-rural-Ontario. They don't seem to ever put a priority—someone said, "Why are they so anti-rural-Ontario?" I explained that the previous Conservative government, in its last few months in office, had one full minister from Toronto. This government has eight. It's a government by, for and all about Toronto. This government forgets that rural Ontario has an important role to play in the Ontario economy and should have a stronger voice in the Ontario cabinet to fight for their interests.

I want to talk about liberty, about the right to choose. Some people in this House—

Hon. Mr. Watson: How much money from PUBCO?

Mr. Baird: I don't think I ever received any. I might, but if I have, I don't remember.

This government is pro-choice as long as it's their choice. It's pro their choice. I think people should be allowed to make up their own minds. We are all grownups. Big boys and big girls can make decisions for themselves. What we see in so many of this government's policies is that it's all about Big Brother. It's all about the nanny state. Children will be frisked going into schools, to find out if they brought any gummi bears into the school.

Mr. Barrett: Snickers bars.

Mr. Baird: We'll have to have X-ray scanners to make sure there are no Snickers bars making it into our schools. They tried to ban sushi and say to people that raw fish hasn't been cooked—big surprise: Raw fish is raw. I'm a big enough boy to make decisions for myself, just as customers of the sushi chefs selling their fine wares on Toronto's Danforth are big enough to make up their own minds with respect to that.

Hon. Mr. Watson: Where are the sushi bars in Nepean–Carleton?

Mr. Baird: They sell sushi in Nepean–Carleton at the Loblaws in Bells Corners, I say to the member for Ottawa West–Nepean.

What about freedom? What about the inherent right of people to make decisions for themselves? There is an establishment here in Toronto that just put in \$100,000 to be compliant with the law; a small businessman: 100,000 bucks, a glassed-in room, a completely new ventilation and sound system. No staff are allowed into the room, so it's just clients who choose to go in there. You have to go out to buy your drink. You have to go out to speak to staff. Staff aren't in there, and that's not good enough for this government. It's \$100,000 of someone else's money that's down the drain because this government thinks that is a public place. Well, it's not a public place; it's private.

If you want to ban smoking on the sidewalk, that's one issue. If you want to ban it in a public place, like the Ontario Legislature, it's another. But just do two things. Keep your cabinet ministers from smoking in the opposition lounge. The first day this House came back

after the last election, our then House leader, Bob Runciman, had to get up on a point of privilege because Liberal ministers were smoking in the opposition lounge. When our staff complained, they wouldn't put their cigarettes out. For a Liberal government to come in and bring in this bill, when they used to smoke in the backroom, it's one rule for everyone else and another rule for the ruling class.

Mr. Barrett: It's hypocritical.

Mr. Baird: It's hypocritical. There is no one who is a stronger voice for rural Ontario than the member for Halimand–Norfolk–Brant, my friend Toby Barrett. He will stand up and speak his mind, with no fear. He is not part of the politically correct crowd in the Liberal benches. He is not afraid to stand up for his constituents and for their interests.

Mr. Barrett: I'm not a Liberal.

Mr. Baird: He's not a Liberal. I'm going to confess I don't always agree with him; I normally agree with the member, but I admire his tenacity. He never, ever shirks from his responsibility of representing his constituency, and that's why he's been rewarded with three elections to this place and has done so well.

This whole notion that a private restaurant or a private establishment is somehow a public place is a bunch of baloney. A restaurant is not a public place; it's a private establishment. I checked the Charter of Rights and Freedoms, and there is no part of the charter that says you have a right to go to Kelsey's. There is no law that says you have a right to go to East Side Mario's. If they don't have a non-smoking section that you're satisfied with, don't go there. It's pro-choice. Make up your own mind. In Bells Corners—

Interjection.

Mr. Baird: If they have a separately ventilated smoking room where staff are not allowed, it's not a problem. But apparently that's not enough. It's separately ventilated.

Mr. Barrett: It's never enough.

Mr. Baird: It's never enough.

I want to tell the member for Ottawa West–Nepean about Charlie Kouri. Charlie Kouri ran a pharmacy in Bells Corners. He's retired now, so it's closed. He ran the Lynwood IDA. In the late 1980s he made a conscious decision, of his own volition, to stop selling cigarettes. There wasn't a law at that time forcing him to do so. He made a proactive decision himself that he didn't want to do it. Good for Charlie Kouri. He didn't need Big Brother to tell him to do it. There were plenty of Tim Hortons establishments in Nepean that made the choice on their own, without the law, without Big Brother, without the government telling them what to do, and I applaud those measures. Good for them. People in a free market have the opportunity to support that or not support that. But if this bill passes, I hope the Liberal ministers will stop smoking in the opposition lounge, because it's very, very hypocritical.

2030

This won't have an effect on Ottawa, because it's already had an effect, but there's a restaurant in the

southern part of my riding just outside of Burritts Rapids, about 100 metres inside the city of Ottawa, and they're not allowed to smoke. They've lost business because people go to Kemptville, 200 metres the other way, to smoke there.

I checked out this bill. I looked at it. There's nothing here regulating smoking in bars in Hull. That's only two seconds away in Ottawa. There's nothing in this about no smoking at the casinos in Detroit. There are two or three casinos there, member for Erie-Lincoln?

Mr. Tim Hudak (Erie-Lincoln): There are three in Detroit.

Mr. Baird: There are three in Detroit. They're not covered by this.

Interjection.

Mr. Baird: Well, people are not going to walk across the street to go there. They're going to take their money and they're going to go to the Hull casino, and they're going to expand the hospital in Quebec and not in Ontario because Quebec is going to get all the winnings from the Hull casino. The Rideau Carleton Raceway has had its revenues depressed considerably because of the city of Ottawa's initiative. That means less money for Ottawa city council, less money for their waste and wild spending down there, less money for the cuckoo choo-choo, the member for Ottawa West-Nepean's name for the public transit system. He convinced me how crazy that cuckoo choo-choo is, that rapid light rail transit project that Bob Chiarelli—I went to a fundraiser for Jim Watson. It was his 10th anniversary. A few Conservatives did go, because nine and a half years of those 10 years were spent as a Conservative. So I went—

Ms. Churley: Was he a Conservative?

Mr. Baird: Please. My best canvasser door to door.

Hon. Mr. Bradley: John, you were a Liberal.

Mr. Baird: I've been called many things. No one's ever called me that.

Anyway, I went to his thing, and Bob Chiarelli—I mean, people weren't shocked to see a former Conservative minister at this Liberal fundraiser; they were shocked to see Bob Chiarelli, because Bob Chiarelli and my friend Monsieur Watson over there don't get along too well. I don't blame him. My money is with Watson. I look forward to next week debating the Ottawa bilingualism bill. There must have been a big fight in the Liberal cabinet, and my buddy Jimmy must have won, because the bill is pretty meaningless. To say it's emasculated would be a understatement. It's a meaningless bill. The member for Ottawa West-Nepean obviously won the power struggle in the Liberal cabinet. Good for him for that.

Mr. Hudak: Who took him on? Whom did he beat?

Mr. Baird: He beat Madeleine Meilleur.

Anyway, there's another issue I want to bring up. I talked about the casinos. Sandra Pupatello, I've been reading in the Windsor papers, has been talking and is very concerned about what this is going to do to casinos and the Windsor economy. I don't blame Sandra Pupatello. Too bad she wasn't successful in fighting her

own government on this. I just say to the Liberal members, who is going to go to this swanky, five-star hotel that you're spending all this money on in Windsor? I'll bet the unemployed nurses will go.

Mr. Hudak: To the casino in Hull?

Mr. Baird: No, to the casino in Windsor. When the nurses are unemployed, they will probably go to the casino in Windsor, won't they, member for Toronto-Danforth? There are nurses being fired and let go by this government, and the swanky, five-star hotel—

Hon. Mr. Watson: Can we have a tribute to Ernie Eves, now that he's gone?

Mr. Baird: I'll pay tribute to Ernie. I have a huge amount of respect for Ernie. Ernie has done a tremendous amount. Ernie Hardeman has fought for tobacco farmers from Tillsonburg and in Oxford county. I should mention the good work that Ernie Hardeman has done too. He has done a lot of work on this issue and has been lock, stock and barrel with my friend from Norfolk. I went down to the member for Norfolk's riding and saw a lot of the tobacco farms. He had me at the power plant there.

Mr. Barrett: As Minister of Energy.

Mr. Baird: When I was Minister of Energy. I don't know if you know this, but the member for Norfolk fought for major investments in pollution abatement at the Nanticoke power plant, SCRs at the Nanticoke power plant. I'm willing to bet money. The Liberals promised they were going to close that in 2007. How much money do you want to bet that that thing will be up and running in 2010? There's not a hope in the world that that thing will be closed by 2010. Thank goodness they didn't make my friend Bradley here the Minister of the Environment, because he would never have allowed for that. He would have already crossed the floor to join John Tory.

Brad Duguid is here. Brad Duguid was a big fan of John Tory. He saw a lot of John Tory, even before I did.

Hon. Mr. Watson: That was when Tory was a Liberal.

Mr. Baird: Tory was always a Tory. Don't you talk about people crossing the floor. A lot of people can talk about that but not my friend from Ottawa West-Nepean. Ottawa West-Nepean is a great riding. I used to represent half of Ottawa West-Nepean.

Ms. Churley: Were you a Liberal or a Tory then?

Mr. Baird: I was a Tory, a Mike Harris Tory.

Anyway, I wanted to raise another issue which is of huge concern. My friend from Ottawa-Orléans is here. We were at the Royal Canadian Legion in Greely, and we placed a wreath together. Folks at the Royal Canadian Legion in Greely talked to me about what effect the smoking ban would have at the Royal Canadian Legion, on the vets who fought for freedom, who fought for liberty, who fought so that we could live in a democracy where we could make choices for ourselves. What happens to our veterans and to those members of the Royal Canadian Legion? There is a lot of pressure. I'm an associate member of the Royal Canadian Legion, branch 593, in Bells Corners. What is going to happen to these Legions across Ontario when this law comes into

effect? They are already struggling to keep memberships open. I don't know why we wouldn't put forward an exemption in this legislation for the Royal Canadian Legion.

Is the member from Norfolk listening? Could we put forward an amendment to allow freedom of choice for our veterans and call it the liberty clause? The liberty amendment—that's what we'll call it. The dapper staffer here. He is nodding his head. We're going to call it the liberty amendment, to allow Legions—

Interjection: Those who fought for freedom.

Mr. Baird: Those who fought for freedom should continue to have that freedom.

We had the Minister of Health here yesterday quoting Fidel Castro as a reason to support this bill—a brutal dictator. You were here. Some of you were here yesterday. He quoted Fidel Castro.

Hon. Mr. Bradley: How many Tories went to Cuba this year?

Mr. Baird: The Cuba trip was cancelled. The attempt of the Minister of Health to snuggle up to a ruthless dictator is unfortunate and is unbelievable.

I will be voting against this bill. I'm pro-choice.

The Deputy Speaker: Questions and comments?

Ms. Churley: About the only thing that I think my friend Mr. Baird said that made any sense whatsoever is that Tories and Liberals are interchangeable.

Mr. Baird: Don't say that.

Ms. Churley: It's true, because there is a whole lot of bantering, "Oh, he used to be a Liberal. A Tory then and now he's a Liberal."

Mr. Baird: He used to be a New Democrat. What about him?

Ms. Churley: That's true. What happened to you?

Anyway, John, have you ever been in one of those so-called separate rooms, even if they are ventilated?

Mr. Baird: No, because I don't go in there.

Ms. Churley: Well, let me tell you, they are awful. You're talking about choice. To the workers who might have to go in there—

Mr. Baird: They don't go in there.

Ms. Churley: And you know why. Nobody should be in there, because everybody who smokes all go into one little room. Remember when they first stopped allowing smoking on trains? Do you recall that? They allowed one car where you could go to smoke, so everybody else who smoked, who sat in other parts of the train, would go into this one car to smoke. I remember going in that car, and I swear I nearly fell over because everybody—

Mr. Baird: Why did you go in there? Did you smoke?

Ms. Churley: Do you know what? I had to go through the pain of smoking.

Mr. Baird: She smokes and—

Ms. Churley: Yes, at that time. And this is what this is all about. It is really tough to stop smoking. That's why we were counting on you, John, to support the New Democrats on this, to support some of the farmers on this, who, whether they support this legislation or not, see the writing on the wall and are calling on the opposition

to call on these guys to give them the money they need to survive this. You hardly said a word about that, and that's what this is all about tonight. What planet are you from, John? Which generation are you from? I can't believe that you're not supporting this legislation. You should be standing up and fighting for help for these guys, not trying to stop this.

I'm out of time. I'll continue later.

2040

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): I certainly enjoyed the last 20-odd minutes. Normally, we get to respond to the speaker, but I must say that it was such a passing reference to Bill 164 that I'm not going to be terribly tempted to even try to do that.

I have to say, though, that some of the banter is interesting here, from Liberals who used to be Tories—and obviously that was a good decision—and even some Liberals who used to be NDPers—and that was a good decision. The only thing we don't have around here any more is a lot of Tories who are employed in this place, and that was a good decision by millions of Ontarians just over a year ago.

This debate is one that's really just a small step in a long series of processes and one that will have an effect. I think each of us has our own history and our own kinds of experiences. I have to say that mine probably goes back to about 1955, believe it or not. That was some 50 years ago. Both of my parents were smokers—like others who may be in this room who had one or more parents who were smokers. My parents would have folks over on a Friday or Saturday night, and they'd play some cards and have a couple of drinks and smoke away for the evening and dirty up the ashtrays. As part of my chores as a kid, my job the next day was to clean up and do the dishes. I can still smell the smoke on my hands from the ashes in the ashtrays. So it's part of a long, long road.

I had a former life just prior to this as a municipal politician. I recall that in the mid-1980s, we banned smoking from town hall and went through cessation programs. In the early part of the 1990s, with a new city hall and new community facilities, we banned smoking in those facilities, save and except when there were licensed events—and that has been removed now. As recently as a couple of years ago, across the region of Durham, we went through much of the type of debate we're going through here to deal with smoking in public places.

This is one more step, ideally, in a long process that will change the culture of the province in regard to smoking.

Mr. Barrett: The member for Nepean–Carleton does not disappoint. He's a former finance critic and a friend of the farmer, in my view. As the former finance critic, he knows the difference between a tax and a Liberal money grab, in this case.

There's an expression that came from a now Liberal cabinet minister: "Raising tobacco taxes does not encourage the majority of smokers to quit."

Mr. Baird: Who said that?

Mr. Barrett: That came from the junior health minister in training, Steve Peters. That was in March 2003. We found this in the *Sentinel Review*. They used Steve Peters's words in an editorial. It originally came from a Steve Peters news release. This is Steve Peters in opposition: "What this government has failed to understand is that taxes are not an effective tool in reducing tobacco consumption."

He also states, "Ceasing production in Ontario does not reduce consumption. Taxes do not make people healthier or safer."

This came from a now Liberal government cabinet minister, and it suggests to me again—I know the word "hypocrisy" came up several times in the presentation from the member from Nepean-Carleton.

The Deputy Speaker: Let's be careful when we bring it up.

Mr. Barrett: Let's refer to it as mendacity. You create a smoke-free Ontario to appease the antis, but you refuse to declare tobacco an illegal product, and your palm is still greased—\$8 billion a year right across the Dominion of Canada. That's called having your cake and eating it too. I don't consider that ethical. I consider that show-and-sham politics.

The Deputy Speaker: I think we should be careful of the words, no matter how they're used.

Ms. Martel: I wasn't here in the chamber to hear the comments of the member for Nepean-Carleton. It sounds like that was probably a good thing. We agreed to disagree on a number of things when he was minister and I was his critic, and most of that hasn't changed now. So let me say what I think he should have said and should have tried to think about.

The evidence about smoking and the links between tobacco and addiction, tobacco and disease, and tobacco and premature death is just overwhelming. That's a given. And when you talk about choice, I'm not denying people who want to continue to smoke to do that in their own homes. That's their business. But there is a significant difference, and I think that's reflected in the population now, that people believe that choice is restricted to your home and that in workplaces in the province and in public spaces you just can't be allowed to do that any more, because the evidence, particularly around second-hand smoke and its implications, is overwhelming as well.

Many municipalities have come to that conclusion already. That's happened in Ottawa as well. Frankly, we are catching up to where I think the majority of the population is, which is to recognize and accept and support that the writing is on the wall and that choice for smokers really is limited to your home. Other people shouldn't have to be impacted by second-hand smoke, either in the workplace or in public places. I just think that's the overwhelming view of the majority in the province. I say that in view of the many municipalities that have declared 100% smoke-free bylaws, and the government is in fact catching up to that reality now.

The Deputy Speaker: The member for Nepean-Carleton has two minutes.

Mr. Baird: I want to thank the members from Toronto-Danforth, Pickering-Ajax-Uxbridge, Haldimand-Norfolk-Brant and Nickel Belt.

I say to the member for Nickel Belt, cancer is a significant concern for all of us. I think we've all lost loved ones to that terrible disease. If this government was really serious about that, they would put the money from the increased tobacco taxes into smoking cessation activities, which they haven't made any significant move on. That causes me great concern. I guess we disagree on what the definition of a public place is. The member for Pickering-Ajax-Uxbridge talked about the town hall—no problem. That's a public place. I support that. But a Legion or a restaurant, of course, is a private place, not a public place.

The member for Toronto-Danforth talked about the need for transitional support for tobacco farmers. I agree. I'm totally on board. I support that. I think it's important. The member from Haldimand-Norfolk-Brant has said on occasion that the less tobacco that is grown here in Ontario, the more they import tobacco, which may contain pesticides and may not be produced in a particularly environmentally friendly fashion. I listen to the member from Norfolk when he talks. I learn from him. That's certainly the case. We obviously want to ensure that we don't just have worse environmental practices from another jurisdiction, even pesticide-laden tobacco, creeping into the marketplace here.

The member for Norfolk also talked about our friend Steve Peters. Wasn't he booed out of an agricultural meeting in his own—

Mr. Barrett: In his first month as ag minister.

Mr. Baird: His first month as ag minister. As my friend from St. Catharines used to say, it's time for a shuffle over there.

The Deputy Speaker: Further debate?

Ms. Churley: Thank you for this opportunity to put my comments on the record on this very important bill before us tonight.

Mr. Mario Sergio (York West): How long are you going to be?

Ms. Churley: Twenty minutes, I believe. Yes. I have 20 minutes.

I know that Ms. Martel, our critic on health care, put generally the New Democratic position on the record earlier this evening, because we are all supporting this legislation for all the obvious reasons that Ms. Martel gave earlier. Of course, she didn't, for obvious reasons, go into a lot about the health issues around smoking. What we now know is truly terrifying, and nobody can deny that.

2050

I find it really interesting to listen to Mr. Baird, who spoke a little earlier. I must say, he was entertaining. He livened the place up, and that's always a good thing at night. But I was surprised at his definition of "choice." I could get into a whole other discussion around that—I won't this evening, but I could—around a Conservative definition of "choice," depending on what the issue is, if

you know what I mean, in a whole bunch of areas. That's very dangerous territory to get into in this particular area, but I know some people think this way.

Let's address it for a moment. Do you remember—I think one of the Liberal members raised it earlier, and I do; I'm old enough to remember very well—when people smoked in movie theatres, even when they had kids there? I mentioned trains earlier, and airplanes. It was just taken for granted. You could be choking to death. People smoked in cars with the windows rolled up. Unfortunately, some people still do, with kids in the car. We didn't know any better.

Then, slowly over time, the evidence started to come in, the just absolute evidence now about cancer and heart disease and all kinds of illnesses that come as a result of smoking and second-hand smoke, and not only the huge, huge, cost to our economy and our health care system but also the huge emotional and human cost as a result of second-hand smoking, of people dying and becoming very ill from emphysema and various other illnesses. So we all know that.

The challenge for the past number of years, as different sides of this issue have been duking it out, has been very difficult. It is challenging because, as I mentioned a couple of times earlier, as we have more and more growing evidence about the social determinants of health, it takes a while before legislators can come together with those impacted and try to work out a solution. The way it came about, at least here in Toronto in my area, is that people were very, very angry about this, especially the bar and restaurant owners, when the city of Toronto first brought it in, I believe in the 1990s, but East York and all of the other areas around the old city of Toronto hadn't. No doubt about it: People who smoked went across the street into East York and were going to the bars there. There were some really serious economic issues for those who couldn't allow smoking and those who could. That's why I so strongly support a level playing field, because as I said earlier, there are those who get caught in the crossfire when we try as a society to deal with these kinds of health issues.

One of the things I just want to read into the record a little bit, because I think it's relevant—and I say this to some of the bar and restaurant owners who continue to be concerned about losing revenue because they have no choice any more, as Mr. Baird would put it. They can't allow smoking in their facilities.

By the way, I agree with the comments made by the member for Nickel Belt. We've talked, we've met with some of the restaurant and bar owners around the province and the GTA. Michael Prue, Andrea Horwath, Rosario Marchese and I have met, and we have discussed some of the issues around that. It's interesting. Some of the bar owners said they've already recouped the money that they've spent to build these special ventilated rooms, and some haven't. I think it's because, through no fault of their own, they were told by the city of Toronto and Hamilton and wherever that they could build these things up to a certain period of time, and they invested. This is

not talking about speculative compensation or anything like that; it's just talking about, like with the good example of the spring bear hunt, trying to—because they got caught in the crossfire.

I wanted to read a little bit from the Sunday New York Times, which if I have time—it's very thick—I like to read. An article caught my eye a couple of weeks ago. It was in the Sunday New York Times. Back in 2002, the city council, under Mayor Michael Bloomberg, eliminated smoking from all indoor public places. I'm going to read a little bit about what happened as a result of that. I'm reading directly from the story:

"Few opponents were more fiercely outspoken than James McBratney, president of the Staten Island Restaurant and Tavern Association.

"He frequently ripped Mr. Bloomberg as a billionaire dictator with a prohibitionist streak that would undo small businesses like his bar and his restaurant. Visions of customers streaming to the legally smoke-filled pubs of New Jersey kept him awake at night.

"Asked last week what he thought of the now two-year-old ban, Mr. McBratney sounded changed. 'I have to admit,' he said sheepishly, 'I've seen no falloff in business in either establishment.' He went on to describe what he once considered unimaginable: Customers actually seem to like it, and so does he.

"By many predictions, the smoking ban, which went into effect on March 30, 2003, was to be the beginning of the end of the city's reputation as the capital of grit."

A little later on, it mentions some of the issues and some of the problems, but overall, they say, "Clearly employment is up in New York City going into 2005 or the end of 2004 compared with the year the smoking ban went into effect." They say that's partly because of a better economy, but they believe this had something to do with it.

There's one other piece from this I want to read to you, because I find it amusing:

"Jason Sitek, 31, said he had similarly begun to enjoy the ban"—this is a smoker—"even if smoke-free bars subtract from what he used to think a New York City bar should be. 'The whole nature of New York City and the bar is you can go into a smoky atmosphere,' he said. 'It's like Disney World now.'

"Still, he said, smoke-free bars have their advantages. 'You realize you stop stinking, you don't smell like an ashtray,' he said on Tuesday night as he smoked outside Spike Hill, a bar in the Williamsburg section of Brooklyn.

"The temperature was hovering near 30 degrees, but down the street, in front of Rosemary's Greenpoint Tavern, Brian Rennie, 23, said he did not mind that he was forced outdoors to smoke. 'I like going outside,' he said. 'I like to get fresh air.'"

Another guy said, "'There's a secondary scene now outside of bars—a smoker's scene.' He added: 'You can meet a girl out here. Strike up a conversation.'"

I'm probably going to get calls tomorrow from angry people who are forced outside to smoke in the cold. But I

find it very educational to look at other jurisdictions that have gone through this and to see that even the people who were the angriest at the mayor at that time are now sheepishly saying, "Look, we were wrong."

I say this not to say "I told you so" or anything like that, because I understand the concerns of the bar and restaurant owners. They have a living to make, they have families to support, and these kinds of changes are quite rightly of concern. That's why it's important to look at the studies, to look at experiences in other areas and see that overall it's worked very well and business has not suffered.

The level playing field is a huge part of that. In New York, they had the same concerns about New Jersey that were raised about Hull versus Ottawa, and it didn't hurt them. Now, I'm sure there are others who would tell me—if anybody from New York is watching this tonight, feel free to phone me and let me know if it didn't work for you.

I'm just reading some of this into the record so those in the bar and restaurant industry who have concerns will see that in other jurisdictions, the fear was there and it just didn't come to pass.

There's another thing that I've mentioned earlier, and it's really critical that we talk about it tonight; that is, the lack of support for the farmers who are being put out of business. It's been raised by several tonight, including my colleague from Nickel Belt. She raised the fact—and I mentioned it earlier too—about the amount of money, that only \$31 million has been spent on the so-called tobacco strategy.

This is a government that promised in its campaign document to bring in a strategy that would involve a huge amount of money being put into programs to help people quit, and that hasn't been done to any great extent, and also to come forward with a strategy for farmers to help them during the transition period. Some people wonder, well, who am I, as a downtown Toronto member, to talk about the plight of farmers? What do I know?

2100

I can tell you this. I'm from Newfoundland and Labrador. My parents are from Newfoundland. No, we weren't farmers, but they were fisherpeople. They were fishers. The fish disappeared in Newfoundland. I watched the devastation of the communities in Newfoundland as the fish disappeared. The farmers in Ontario now are trying to warn all levels of government that they are in dire crisis and the family farm is disappearing, that they can't support it any more and it's not sustainable, for all kinds of reasons. It reminds me of the same experience Newfoundlanders had in terms of warning government that they were in crisis. They were noticing something. They were the people on the ground—in this case, on the ocean—noticing that there was a problem. Nobody listened. The government of the day in Ottawa didn't listen and their own government didn't listen. The fish disappeared in that economy. We all know about the flag flap recently, and perhaps now there is an opportunity for Newfoundland to do some catching up. But I watched the

devastation of that industry, and we don't want to see the devastation of the family farm here in the same way we watched the devastation of the fishing economy in Newfoundland. It is not a pretty picture.

These farmers—not just the tobacco farmers. We're talking about a particular issue tonight that is directly affecting them, but there are other issues affecting them that they've written to the minister and the Premier about.

I just spent some time, because I'm a supporter of some greenbelt—not the greenbelt that the government is bringing forward. I want to support it, but in fact that greenbelt is very flawed. We really need to be saving more, and there is going to be leapfrog development. A lot of prime farmland, in fact, as the Christian Farmers told us in the hearings, has been left out of the greenbelt and, in some cases, farmland that's not as good is in. So there's leapfrog development that's going to go ahead, and it's not going to stop urban sprawl—there are all kinds of problems. But I support preserving farmland, and I believe that farmers do too. There were some accusations that they were in it for the money, and I suppose, yes, in some cases there was talk of speculative compensation, which I don't support. I've been upfront about that. The government could go bankrupt.

But what I do support is having transition funds put in place and other farm aid programs to help keep farms and farming viable in this province. We've heard a lot about free trade and low commodity prices and BSE since Walkerton. I have been a huge proponent, as you know—you will remember, when the Tories were in government after Walkerton happened, I brought forward my own Safe Drinking Water Act. It almost passed, but the government brought in their own. But just think about all of the new environmental programs that have come in since Walkerton, new, complicated and expensive programs that farmers have to comply with over a period of time, without the supports there to help them do it, without the supports to transition them into complying with the Nutrient Management Act, complying with the Safe Drinking Water Act, complying with the new rules coming in around the greenbelt and all the Places to Grow. Many things are happening that impact very much on our farmers.

I think the lesson to learn from tonight—what we should and need to be talking about—is the Liberal government keeping its promise to the farmers during the election campaign. They're here tonight, and I would say, in looking at some of them, that they may not support all my views, nor I theirs, on some of these issues. But I think we're of one mind when it comes to the legislation we're speaking about tonight and the greenbelt legislation and some of the other legislation coming in that impacts on them: that you cannot do it in isolation. It's being piled on and piled on and piled on, and you wonder why some farmers are so vehemently opposed to the greenbelt. Well, I don't think they're opposed to the greenbelt per se. If anybody wants to save farmland in this province, it's the farmers. I heard a lot, particularly

from the family farms, saying, “We’re not going to be able to sustain the family farm much longer. We want to, but all this new legislation is actually going to put us out of business.”

So when you pile it all on—and we’re talking specifically tonight about the tobacco farmers. I’m focused on that because I just spent so much time listening to farmers around the greenbelt, and it enabled me to hear an awful lot about some of the other issues impacting them. With or without the greenbelt, these problems exist.

What I want to hear tonight from the government, because we can all—except for the Tories, some of whom I hope are going to support this. There must be some who recognize that there’s no debate any more about the health risks associated with smoking. That debate really is over. I think we can all put that on the table. I don’t think even the Tories are arguing that. They’re arguing that you should have the choice to smoke yourself to death or to cause second-hand smoke around other people. That’s another argument.

But if we set the table with the knowledge that this is going to happen, it is happening—put that aside and say, “OK, who’s being impacted the most by this?” We’ve talked about hotels, bars and restaurants, and there are some issues there that I identified and the member from Nickel Belt identified. There’s the issue of private daycares in houses. I’ve got to be honest with you. My perspective on smoking around kids is that if I could, I’d ban smoking around kids in private homes. I know I can’t, but I beg people not to smoke around their children in closed places or at all. That’s the second one.

There’s the issue around the Legions, that are feeling very hard done by by this. I know the government is very aware of it. There have been letters written to the Minister of Health and to the government demanding meetings. They’re feeling slighted that they’re not being listened to. Some of them built those special ventilated rooms. They don’t have much money. The Legions are disappearing as the veterans are getting older and they’re very concerned about the impact on the sustainability of their Legions. Some of them did spend the money on these ventilated rooms and they want to be able to talk to the government about how to deal with that. I think they deserve the respect from the government to be able to sit down and talk about the impacts this particular piece of legislation is having on them.

I want to see the government not only keep its commitment in the election campaign to put the money—the taxes have risen drastically. We supported that, but we were expecting that money to go into programs to help farmers during the transition, and we haven’t seen that. You have the money. You absolutely have the money. We know that raising the taxes, making them more expensive, actually cuts down on smoking, and that’s good. But the other reason we supported it is so that the government would have that money coming into its coffers so there’d be no excuse not to put those programs in place to support the farmers.

That is my main plea to the government tonight: put those transitional funds into programs to help farmers survive this transition.

The Deputy Speaker: Questions and comments?

Mrs. Liz Sandals (Guelph–Wellington): I’m pleased to respond to the comments from the member for Toronto–Danforth, my son’s new MPP, because he just moved to her riding.

Ms. Churley: Oh, really? He is?

Mrs. Sandals: Yes, so he’s now yours. He can keep an eye on you too, as I do from the rear here.

But I actually wanted to comment more on some of the other remarks that I’ve heard tonight. The remark from the member for Haldimand–Norfolk–Brant that the government has declared war seemed to me quite confrontational. I think of this as a case of the government pursuing good public health policy. It’s interesting, if we look at what we’re doing here. We’re saying that in public places and in workplaces you cannot smoke, because it is a danger to other people’s health. We’re not interfering with what people can do in their own home, but we are saying that when you’re interfering with someone else’s health, then there will be a prohibition in smoking.

2110

Guelph, the city that I come from, has had that sort of ban for years. We’ve heard a lot tonight about the negative impact on bar owners and entertainment and that sort of thing. Well, we’ve had a ban in place for years and years and years, and the biggest complaint in Guelph is that there are too many people in the bars in downtown Guelph at night. So you would be hard pressed, when we’ve had a ban on smoking in bars for quite some number of years, to say that the bars are going broke in Guelph.

We’ve also heard a lot about the issue of the Legion. I’d like to quickly tell you what happened in Guelph. In Guelph, the provincial offences court was being held in the Legion because the local courthouse is overcrowded. The Legion lost that contract because of second-hand smoke, so in fact the Legion lost revenue.

Mr. Hudak: I’m pleased to rise in the debate. While I always enjoy the presentations of my colleagues from Toronto–Danforth and Nickel Belt and of course the outstanding work by my colleague from Haldimand–Norfolk–Brant, what I’ve heard tonight from the government benches is a bit disappointing. In almost all the speeches, they wrap themselves in the public health flag and try to claim some higher ground, but they’re not addressing some of the issues that the opposition have brought forward.

One of the salient examples is that the government had promised in its campaign platform that if it raised taxes on tobacco products, it would reinvest \$50 million in transition for tobacco farmers. My understanding from the debate tonight is that about \$272 million has been raised by the government in a massive tax grab—just one of many massive tax grabs, but on tobacco alone some \$272 million—but dime one has not been allocated

toward tobacco farmers as was promised. If there is some honesty from the government benches, just say you're not going to do it, or if you are going to do it and you'd like to see it, say it should happen. I say to my colleagues opposite, one, two three of you coming alongside and saying, "You know what? We should keep that promise," can have an impact on the health minister, can have an impact on the Minister of Finance and can help start addressing some of the real concerns that farmers and taxpayers have about this legislation. So address the issue and please tell us, yes, you support the assistance to farmers or you don't.

We hear that things are going to boom in the hospitality industry. Well, then, at the very least, because we hear from the hospitality sector that they are concerned, give us some sort of measurement mechanism, and if the industry is impacted significantly, then why don't you offer some form of compensation or help to that sector? Coming from the Niagara region, we are very concerned about the impact on the tourism industry, the casinos, the bingo parlours and the racetracks that this legislation may impose. We have seen no plan to assist that hospitality sector, particularly in the border areas.

Ms. Martel: I appreciate the remarks that were made by my colleague from Toronto—Danforth. Because she talked about compensation, it's worth putting on the record again, from my perspective, the commitments that were made and the price tags attached to that and the revenue that actually is coming in to the government, which would more than cover the cost of the commitments that were made with respect to tobacco control initiatives.

The government promised during the election that in the first year of its tobacco strategy, it would invest 140 million new dollars. That would include \$31 million for a youth mass media campaign, \$12.5 million a year for smoke-free public and workplaces, \$46.5 million for smoking cessation programs and \$50 million as a one-time community transition fund to help farm families move out of the production of tobacco. In year one, the total was \$140 million in new investment and in year two, \$90 million. Let's take a look at what happened. Exclude for a moment the \$12.5 million that was allocated for this bill, because the bill is not in effect, and I appreciate that. The government still should have been committing \$127.5 million in the first year for its tobacco strategy. The allocation for 2004-05 for tobacco strategy was \$31 million, when the promise was \$127.5 million.

How much revenue has the government taken in? In the first tax increase, November 2003, \$110 million in new revenue; in May 24 in the budget, another \$110 million in new revenue; in January 2005, another \$52 million in new revenue. Even if you don't count the January increase, the two other tax increases have brought you \$220 million, more than enough money to compensate farm families, more than enough money to help people who want to quit, more than enough money to live up to your campaign promises. I urge you to do that as this bill moves forward.

Mr. Bob Delaney (Mississauga West): I ask members to imagine that somebody walks into their constituency office and says they have a proposal for a new product to market. Now, the product is going to kill 16,000 of its users every year, and that's just in Ontario. It's going to cost the provincial treasury billions of dollars in direct health care costs and cost employers billions more in lost productivity and absenteeism. This new product could cause addiction and substance abuse problems in upwards of two million people in Ontario. It will rob families of mothers and fathers before their time. It will end working careers prematurely and even kill people who suffer second-hand exposure.

If this scenario were at the end of this century—most or all of that century of course under capable and sensible Liberal management, by the way—rather than at the beginning of it, people would say, "You're just bringing up that tired old tobacco argument again. Tobacco hasn't been used in decades." As a bill that constitutes part of the end-game, as the expression goes in chess, as that end-game proceeds to completion, we look back at other struggles similarly fought. A century ago the issue was universal suffrage, and people were passionate in their assertions, one way or the other, as to whether women were persons. Women are persons. Tobacco use is deadly. Bill 164's great strength is that it gets on with the job.

The thing that makes Bill 164 well worth supporting, and one of the reasons I support it, is that Bill 164 says that it is now a default that you don't smoke rather than a default as to whether you do. Bill 164's time has long since come. We've known about the hazards of tobacco for decades. Let's get on with the job.

The Deputy Speaker: Member for Toronto—Danforth, you have two minutes.

Ms. Churley: I'd to thank the members from Guelph, Erie, Nickel Belt and Mississauga West for their comments. I just want to say this: As we stand up, and in some cases rather piously, those who never smoked or those who have kicked the habit through a lot of struggle like I did—I think all of our caucus is smoke-free; I know some of us have struggled and managed to butt out—we must not take it for granted that this is easy for people. It is a very serious addiction. It's all very well for us to stand up here and perhaps be pious and make fun of some of them and talk about the stink, and I had a good laugh over the story in the New York Times, but the reality is that it's a serious addiction.

As we talk about our support for this bill, we are not going to forget that the money is not there, as promised, to help support those who need to quit. Ms. Martel read into the record earlier a letter from a young man who doesn't make very much money and is totally addicted. He knows it's wrong and he shouldn't be wasting his money on it, but he's addicted. He can't afford to go and buy that patch or to get some of the aids that I was able to use to help me quit, and some of the colleagues I have and friends who have managed to quit. I'm watching some friends struggle now. It's very difficult. We are

very proud of all the people who manage to take this challenge on and quit.

Some people have a harder time than others and some people need that extra help in order to quit. One of the huge flaws in the legislation we're talking about tonight—and I want to hear the Liberals talk about that, because they're talking about the need to quit and the health impacts, but not about the programs that are needed to help people quit.

2120

The Deputy Speaker: Further debate?

Mr. Mario G. Racco (Thornhill): It's a pleasure for me to speak in favour of Bill 164. I go back to 10 or 15 years ago, as a councillor in the city of Vaughan, when Vaughan was a leader in the anti-smoking battle. I remember how many comments we were getting in those days from people telling us that terrible things would happen if the city proceeded with the anti-smoking bylaw. The pressure was such that some changes were made. Then the region of York came into the picture with the same type of bylaw. Again, significant pressure took place. The arguments were that if the region were the only one with such a tough law, people from the region would go elsewhere to entertain themselves and, therefore, it would be an economic loss to the region of York. I'm very pleased that the Minister of Health has understood that it was necessary in Ontario that we implement a new bill that deals with smoking.

Mr. Speaker, I should say that I will share my time with my colleague Mario Sergio.

In regard to Bill 164, I want to make clear that this bill will be finalized, will be implemented at the end of May 2006. For those people who have been suggesting that significant difficulty will be placed on restaurants, Legions and other businesses, I think it's important to stress that it will take more than an additional year before the bill will come into effect. Surely there will be enough time for these businesses to make the adjustments that in their opinion are necessary. In fact, we have been discussing this matter, as I said, at least in the case of the city of Vaughan, for probably 15 years. So the community was aware of what would happen one day. Therefore, I don't see the difficulty for the people of Ontario to adjust to such a change.

I should also stress that it's my understanding that over 80% of us, Ontarians, do not smoke, and that of those 20% of Ontarians who do smoke, almost 70% or even 80% of those 20% are prepared to make adjustments to their smoking habits. In fact, I know a number of people who live in my area who smoke outside, who do not smoke inside. So whether it's 10 or 11 o'clock at night, whether it's hot or snowing out, I still see some of my neighbours smoking outside. That is because they understand that smoking is a terrible thing and they are trying their best to make sure their loved ones are not affected.

If that is the objective, then how can we allow employees, people who are trying to make a living, to work in restaurants or in places where today smoking is

allowed? Surely one of the jobs that elected people in office have is the care of those individuals who need a job and cannot afford to say, "No, we don't want to work if there is smoking." Therefore, it's our job, our duty, as elected people, to introduce legislation to help those individuals who need a job and wouldn't be able to have a job unless we intervened.

It's so important that the health of our constituents, our health, be respected and not be allowed to be affected in a negative way. I think the minister has done what other ministers should have done many years ago. I'm very pleased about that. I'm also very pleased about making sure that there would be a nine-metre ban around hospital doorways. I'm a non-smoker. When I used to go to my office in Vaughan, one of the biggest challenges was to go through the main door, because unfortunately a number of employees would stand outside the entrance smoking. For those of us who don't smoke, it's significantly bad. We have to run because of the discomfort. We have to run to enter an office because there are so many people who normally sit or stand outside and smoke. Surely it's time for us to move on.

Let me give a couple of statistics. Tobacco is the number one killer in Ontario. It kills 44 people a day. It also costs us \$1.7 billion a year in treating tobacco-related illnesses. Our anti-smoking strategy is the toughest one in North America, and I'm proud of it.

Mr. Sergio: I'd like to add my comments on the bill in front of us tonight. Of course I will be supporting it as well. I'm pleased to see that most of the speakers support the bill as it is in front of us. I'm pleased to see the support of the NDP and, of course, the Conservatives. They tend to play soft politics, I have to say, with a very important health issue.

The bill distinguishes itself in a very distinctive manner, if I can put it that way, because it's not the money that is received from the income from tobacco smokers and it's not the politics of it; it's a very serious issue and the argument of the day is that it's health care, that it's what it's costing Ontarians at the end of the day in terms of health care, health care costs and so forth.

I have to tell you that in my riding I am somewhat fortunate to have Apotex, which is perhaps Canada's, if not the world's, largest producer of drugs, especially multiple types of drugs. They have a huge campus in my area and they have thousands of employees. As a matter of fact, they are enlarging out of my area now. They are in Etobicoke, throughout Canada and in many parts of the world. They are less than a mile from my constituency office. I often drive either to or from my office and see this big sign on their property next to the sidewalk, saying, "Smoking kills." I don't get any pleasure when I see workers puffing and marching up and down the sidewalk in summer and winter. I feel kind of compassionate toward those smokers, because I know it's not easy to alleviate that habit, and I have to say it's a terrible habit. I say good for Apotex because it's sending a very strong message to its employees and the public. On a daily basis thousands of cars go by those factories, and at

the same time it's sending a very strong message to the workers themselves.

I laud the government for introducing this bill. The opposition says, why at this particular time? There is never an easy or a preferred time. I think it's time we deal with the issue. We are not the first ones. We are not the only ones. Over the years, we've had many governments, federal, provincial, municipal, introducing their own brand of law, their own stringent or not-so-stringent laws, but they were all aimed at the cause, trying to control smoking.

I think we have to laud our government's efforts, not only for introducing this legislation and saying, "Hey, folks, it's about time we quit," but we are giving people a choice. We're not saying, "We are going to force you to quit smoking." I think we want to send a very strong message that, indeed, on top of how we feel individually with respect to this terrible habit—the nuisance, the

smell—it is costing you and me and everybody else billions of dollars that we could spend in other places. And it's costing thousands and thousands of lives annually.

I know that it's a wonderful issue. We all want to have our say. Time is short. I can see that somebody is saying, "Time, time, time." But I hope that at the end of the day, when we take into consideration all the facts, both sides of the House can say, "Yes, I think we have to give in. It's another 20% minority that we are trying protect. I think it's the 80% of the population that we're trying to take into consideration, and the health of 100% of Ontarians." So I hope that, at the end, we can all support this legislation.

The Deputy Speaker: Thank you very much. It being 9:30 of the clock, this House is adjourned until 10 o'clock Thursday morning, February 17.

The House adjourned at 2130.

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CONTENTS

Wednesday 16 February 2005

SECOND READINGS

Tobacco Control Statute Law

Amendment Act, 2005,	
Bill 164, <i>Mr. Smitherman</i>	
Mr. Barrett.....	5143, 5152, 5155, 5159
Ms. Martel.....	5143, 5153, 5160, 5164
Mr. McNeely.....	5152
Ms. Churley.....	5152, 5155, 5159, 5160, 5164
Mr. Fonseca.....	5152
Mr. McMeekin	5153, 5156
Mrs. Cansfield.....	5154
Mr. Watson.....	5155
Mr. Baird.....	5155, 5156, 5160
Mr. Arthurs.....	5159
Mrs. Sandals.....	5163
Mr. Hudak	5163
Mr. Delaney.....	5164
Mr. Racco.....	5165
Mr. Sergio	5165
Debate deemed adjourned	5166

TABLE DES MATIÈRES

Mercredi 16 février 2005

DEUXIÈME LECTURE

Loi de 2005 modifiant des lois en ce qui a trait à la réglementation de l'usage du tabac, projet de loi 164, <i>M. Smitherman</i>	
Débat présumé ajourné.....	5166