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of Ontario**

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**Official Report
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(Hansard)**

Monday 21 February 2005

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des débats
(Hansard)**

Lundi 21 février 2005

Speaker
Honourable Alvin Curling

Clerk
Claude L. DesRosiers

Président
L'honorable Alvin Curling

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 21 February 2005

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 21 février 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

DURHAM CHILDREN'S AID SOCIETY

Mr. Jerry J. Ouellette (Oshawa): It is with great pride that I rise today to congratulate the Durham Children's Aid Society on 100 years of success. The Durham CAS has been protecting children in my riding and community since 1905. They are responsible for providing child protection services to children under the age of 16 and their families who live in the region of Durham.

The Durham CAS has a mission to keep children and youth safe from harm and to create stability and permanence in their lives. The vision of the CAS is for all children and youth to live in safe, healthy, caring and stable environments where they can reach their full potential. The CAS has maintained this way of thinking for the past 100 years, and has helped thousands of children and families improve their lives and situations. The dedication and devotion demonstrated, and carried on through several generations by the volunteers and staff of the Durham Children's Aid Society, is a testament to the kind of community found in the region of Durham.

The Durham CAS was started in the spring of 1905, when a group of concerned citizens in the city of Oshawa decided to form an organization to help children who had been abused and neglected. This caring and concern still resonates in my riding to this day, 100 years later.

Again, congratulations to the Durham Children's Aid Society on a tremendous record of success spanning a century.

ONTARIO HERITAGE WEEK

Mr. John Wilkinson (Perth–Middlesex): Today, National Heritage Day, is the start of Ontario's 21st Heritage Week. It's a time not only to celebrate Ontario's diverse cultural heritage, but also to recognize the work of heritage organizations and volunteers throughout the province in preserving Ontario's historic sites and places. The theme of this year's week is Ontario's Heritage: Our Shared Legacy.

My constituents in Perth-Middlesex have a wonderful heritage to be proud of. Famous actors have graced the stage of the Stratford Festival since 1953. The late, great NHL hockey player Howie Morenz was born in Mitchell and played his formative hockey in both Mitchell and Stratford. Andrew Edward McKeever of Elma township served on the Western Front and shot down 30 enemy aircraft during World War I. As a result, he earned the Military Cross and bar and the Distinguished Service Order. Timothy Eaton, the namesake of Eaton's department stores, operated his first drygoods business in St. Marys, Ontario, from 1860 to 1868. Lucan is famous the world over as the site of the Black Donnellys tragedy and also as a terminus of the Underground Railroad.

Together, these events and figures have contributed to the history that is Ontario's rich cultural heritage. Each riding has a unique history and its own story to tell. I encourage all members during this week to promote awareness of heritage resources and heritage-related issues within their communities in order to preserve Ontario's heritage for future generations.

RURAL ONTARIO

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): Yesterday marked the beginning of the annual Rural Ontario Municipal Association and Ontario Good Roads Association conference. I want to welcome all municipal officials here for their meetings this week.

The message I've been hearing from municipal leaders is simply this: The McGuinty Liberals have turned their backs on rural Ontario. The government promised action, yet has delivered nothing to resolve the municipal concerns with regard to the community reinvestment fund. The government promised that farmers would be a priority for them, yet while the Premier has \$400 million for the Papatello palace casino, calling it an investment, they have no money to invest in agriculture to ensure that Ontarians have an adequate food supply. Sandra and Dwight get a cheque, while farmers get, "The cheque is in the mail."

There are two visits planned to Queen's Park in March: the first on March 2, organized by members of the Ontario Federation of Agriculture, and another on March 9, organized by private landowners from across Ontario. Let me assure you that they are not coming to tell Mr. McGuinty they are happy with his Liberal government; quite the contrary. They see this government as being both disinterested and unresponsive to the needs of rural Ontarians.

Over the next few days, ministers will hear plenty from municipal leaders about rural issues. I would suggest to those ministers that they pay close attention, because rural people are paying very close attention to you.

SPECIAL EDUCATION

Mr. Rosario Marchese (Trinity–Spadina): I just want to indicate a little disappointment with the Liberal Party—just a little. Some of you will recall that last July, the government announced \$100 million for special education. The month following, in August, the government took \$100 million from the boards.

Mr. John R. Baird (Nepean–Carleton): A clawback.

Mr. Marchese: It's called a clawback, and other terms that you don't find polite. So they give \$100 million in July, and in August they take \$100 million from the boards. And wait for this, Speaker: They then announce—Minister Kennedy, that is—that by October or November, there would be some new equity fund that boards could apply for.

We are now into February—close to March. April, May and June, and the year is over. This new equity fund would put in \$50 million of the \$100 million they took in August. That \$50 million is not available, the equity fund is not available, the criteria to apply for the money they should have gotten last year are not available and there are 43,000 special education students waiting in line to be identified by an IPRC.

How can the public take this from a minister and government that say, “Education is number one in our books, and special-ed is number one in our books”? Call us if you are concerned about it.

1340

SCHOOL FACILITIES

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I'm proud to rise today to speak about the great announcement that our Premier and Minister Kennedy made last Thursday, February 17. Over the past decade of Tory rule, our schools deteriorated to the point that the children of Ontario were hindered in their ability to learn, based primarily on their classroom conditions. The results of our government's facilities review made it clear that Ontario's school buildings were getting in the way of the instruction being delivered within them. Capital costs were being diverted from programming, and much-needed safety repairs were being put off.

This past Friday, in my own riding of Bramalea–Gore–Malton–Springdale, I visited a school that is in desperate need of necessary boilers, plaster and safe windows. The past government allowed schools like St. Jean Brebeuf elementary school to fall into a state of disrepair, and I'm proud that our government will invest \$4 billion to ensure that their neglect will not prevent us from providing safe places for our children to learn. These students will soon have better places to learn, thanks to a combined investment of \$65.5 million by our

government. Finally, the investment will be made to repair, renew and reinvest in our schools, a move that is long overdue and that the past government would not make.

I applaud our government's commitment to student success and learning, and I am thrilled that Peel students will see these improvements soon.

GOVERNMENT'S AGENDA

Mr. Garfield Dunlop (Simcoe North): I rise in the House today to talk about the Liberal Party pork-barrelling that has continued since the early days of the McGuinty government. There are so many that I don't even know where to begin, but I can mention how Environment Minister Dombrowsky brought in a special bill, the Adams Mine Lake Act, to help local MPP and Liberal David Ramsay put out a fire on a critical constituency issue. Meanwhile, the site 41 landfill issue continues to simmer in my riding of Simcoe North—a landfill that will, without question, contaminate the groundwater.

Then there's the \$400 million that was recently announced for the Windsor casino, otherwise known as Papatello's palace. And who benefits from this announcement? Not all Ontarians, as the government would have us believe; just the local MPPs, Sandra Papatello and Dwight Duncan.

I was especially amused by the fact there would be a ribbon-cutting for the new Windsor casino hotel in the year 2007. I'm not a betting man myself, but I'd have to say that if one thing is worth betting on, it's that the ceremony will take place before October 4, 2007, the date of the next election.

Meanwhile, my hospital in Orillia needs an MRI, the Royal Victoria Hospital would like to have a cancer care unit and Minister Papatello continues to ignore the impact of her cruel and heartless decision to shut down the Huronia Regional Centre forever.

How about David Peterson's new \$1,000-a-day job? The former Ontario Liberal Premier will serve as the province's representative in discussions with First Nations on a new framework for sharing gaming revenues. Isn't that the job of the Attorney General? But what's he doing? He's out chasing Jack Russell terriers and pit bull terriers.

These are just a few of the examples of Liberal pork-barrelling. I'm sure the list will continue to grow as the Liberals come to the realization that they will be a one-term wonder.

SCHOOL FACILITIES

Mr. Kim Craiton (Niagara Falls): I'm proud to rise today as well to speak about the great announcement that our Premier and Minister Kennedy made last Thursday. Over the past decade of Tory rule, our schools have deteriorated to the point that the children of Ontario were hindered in their ability to learn, based on their environment. The results of our review of all schools made it clear that Ontario's school buildings were getting in the

way of instruction being delivered inside them. Capital costs were being rediverted from programming and much-needed safety repairs were being put off. The students of Ontario were being ignored.

Schools such as Niagara-on-the-Lakes' Niagara District school or A. N. Myer in Niagara Falls are in desperate need of necessary boilers, plaster and safe windows. The past government allowed our schools to disintegrate to the point that they will now have to invest \$4 billion to ensure safe places for our children. Niagara students will soon have a better place to learn, thanks to a combined investment of \$66 million. This is the third-largest investment in the province, second to Toronto and Ottawa. Finally, this investment is long overdue.

The past government failed our students. Education is a top priority of our government. Students have a better chance at success when they learn in schools that are clean, safe and in good repair. I applaud our government's commitment to student success and learning, and I'm thrilled that Niagara students will see improvements as early as this summer, when construction begins, thanks to our government.

Mr. Richard Patten (Ottawa Centre): Last Friday I was elated also, along with my colleague, to announce for our area some new \$80 million of funding to fix schools in the Ottawa area and ensure good places to learn. This announcement, as you can well imagine, was well received by parents and students alike, as they welcomed this good news. This announcement was not only about funding much-needed repairs for our schools; it was also about outlining new guidelines for school closing procedures by school boards, which is very important.

Under the last government, close to 650 schools were closed, with little input in many situations from the community. Some of these were very destructive to many of the communities; I would certainly attest to that particular experience. Schools closed at an accelerated rate because of incentives in the funding formula that encouraged boards to close schools, just to build new ones in the suburbs.

Last Thursday, our government announced new and transparent guidelines for school closures. We will determine the value of each individual school before deciding to close it if we need to. We will make school valuation the centre of board and community discussions, and we will ensure public and community input before a school closes.

It seems ironic that we would have to stipulate that a community be consulted before closing a school. We are happy to announce that we will change that and engage parents, students and those who have an interest in making sure that schools are the core of our communities.

BENJAMIN OSEI

Mr. Mario Sergio (York West): As we commemorate Black History Month, it is with great pleasure that I

rise and pay tribute to a truly remarkable individual. Mr. Benjamin Osei is a man who has triumphed over insurmountable odds to turn personal tragedy into a lifeline that is today saving many youth at risk in my riding of York West.

In 1985, Benjamin was tutoring in Kabala, Africa, and set up a bakery, with the aim of assisting displaced youths with skills development. In 1991, war broke out in Sierra Leone. Soldiers confiscated the bakery and later massacred his first wife and children. He was taken captive, confined and tortured before a miraculous escape.

Benjamin came to Canada and earned a master's degree in divinity from Acadia University in Nova Scotia. His subsequent vision to return to his native Ghana was undermined, as he became the victim of an attempted kidnapping. He remarried and returned to Canada, working in factory jobs during the day and faithfully serving the community as a full-time youth worker in our Jane-Finch community.

Having established a successful youth outreach at night and on weekends, teaching the youth life skills, he runs basketball programs for 60 boys and girls, and a girls-only club with activities such as skating and cooking, while assisting the poor and single mothers in their community.

Benjamin has truly demonstrated that great adversity can give birth to great opportunity, compassion and determination. His resolve to see others achieve success and not to accept defeat in spite of their circumstances is outstanding. I am so delighted that our community is indeed blessed with the exceptional example of good citizenship and leadership.

I'm pleased that Mr. Benjamin Osei is joined today by Pastor Fred Witteveen, from the Friendship Community Church in my riding. Today they are here with us, and I'd like to thank the House for the opportunity.

INTRODUCTION OF BILLS

TRANSPORTATION STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSPORT

Mr. Takhar moved first reading of the following bill:

Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters / Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.

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

Minister?

Hon. Harinder S. Takhar (Minister of Transportation): I defer my statement until ministerial statements.

1350

FRED GLOGER TENANT PROTECTION
AMENDMENT ACT
(VITAL SERVICES), 2005
LOI FRED GLOGER DE 2005
MODIFIANT LA LOI SUR LA PROTECTION
DES LOCATAIRES
(SERVICES ESSENTIELS)

Ms. Horwath moved first reading of the following bill:

Bill 170, An Act, in memory of Fred Gloger, to amend the Tenant Protection Act, 1997 in respect of vital services / Projet de loi 170, Loi à la mémoire de Fred Gloger modifiant la Loi sur la protection des locataires à l'égard des services essentiels.

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

Ms. Andrea Horwath (Hamilton East): This bill amends the Tenant Protection Act, 1997, to ensure that tenants who pay for utilities like hydro, gas or water in their rent don't have them disconnected because their landlord failed to pay the utility company.

Where no municipal vital services bylaw is applicable in respect of a rental unit, this bill (1) would require a landlord to provide adequate and suitable vital services to the rental unit; (2) would require a supplier of a vital service to give notice to the ministry before ceasing to supply the service because of a landlord's breach of contract; and (3) where a landlord has failed to provide adequate and suitable vital services, the ministry may enter into agreements with suppliers to ensure the supply of vital services to rental units and may, in such circumstances, direct a tenant to pay his or her rent to the ministry.

The bill grants the Lieutenant Governor in Council authority to specify that when prescribed criteria are met, an otherwise applicable vital services bylaw does not apply in respect of a rental unit, and the provisions set out in the bill apply instead.

STATEMENTS BY THE MINISTRY
AND RESPONSES

TRANSPORTATION

Hon. Harinder S. Takhar (Minister of Transportation): Mr. Speaker, Ontario has the safest roads in North America. We are proud of that, but still we can do better. We must do better.

We need to make our roads even safer. We need to ease congestion. We need more reliable public transit. Our economy depends on a transportation system that is efficient. So do our quality of life, our environment and the future of our province.

We are making progress—real progress—in improving that system.

We are providing \$1 billion in provincial gas tax funding to municipalities over five years. That means better transit and more convenient and reliable service.

The new child and youth safety bill, Bill 73, which passed last December, has measures in it that will protect lives. These include a new crossing arm and more safety features on school buses.

And we have been working hard at solving the issues at border crossings. Keeping traffic moving at the border and across the province is essential to Ontario's prosperity.

I'm also determined to improve GO Transit, to get more people riding quickly and comfortably.

As a fundamental part of our transportation plan, I am pleased to introduce this legislation promoting transit and safety on Ontario's roads. I look forward to hearing the views of the members on all aspects of what we are proposing.

Today I want to focus on a few items, issues that have real meaning for everyone in Ontario.

First and foremost is safety. Over the past five years, more than 15,000 pedestrians in Ontario have been hurt or killed crossing the street. Many of these tragedies happened at intersections with traffic lights, at pedestrian crossovers or at school crossings. In Toronto alone, for example, 42 of the 74 road-related deaths in 2003 involved pedestrians. Over five years, there were nearly 12,000 collisions in highway work areas; 50 people died in those tragedies. The heartbreaking truth is that children are nearly five times more likely to be killed walking or running out on to a street than adults. The simple fact is that drivers who go 30 kilometres an hour over the posted limit on city streets are almost six times more likely to kill or seriously injure someone, and the very few drivers who go 50 kilometres an hour over the posted limit on our highways are nearly 10 times more likely to kill or seriously hurt someone.

This bill proposes obvious solutions: higher fines and demerit points for driver offences at school crossings; higher fines and demerit points for motorists who do not yield for pedestrians at crosswalks and traffic signals; doubling of fines for speeding in construction zones when workers are present; strong new penalties for disobeying the Stop or Slow sign held by a traffic control person in a work zone; and tough rules for those who drive at excessive speeds with no serious regard for human life.

The reality is that most collisions where someone gets hurt or killed happen on municipal roads, and the reality is that speed is a factor in almost half of those collisions. This bill would make our roads safer for drivers, for pedestrians and for those who build and maintain our roads and highways.

The bill includes other safety measures by improving daily truck inspections with a longer and more stringent checklist. This bill would make flying debris from a car or truck an offence. This would apply to all drivers, not just commercial drivers. A fender or grille that bounces on to a highway from a car can be just as dangerous as a flying truck wheel.

The bill would allow for variable speed limits on designated highways, to manage traffic depending upon weather and traffic conditions. And—something my colleague the Minister of Northern Development and Mines has pushed for for 10 years—this bill would improve winter safety by allowing the use of studded tires for drivers in the north. This would give them more safety options to handle the icy conditions.

1400

Something else that the Premier promised was a crack-down on illegal taxis. There are representatives from the taxi industry present in the gallery today who have been fighting for years to address the issue of illegal taxis. Finally, our government is doing something about it.

This is an important safety and consumer protection issue, and it is a necessary measure in order to protect the livelihood of legitimate taxi and limo operators. We want to protect travellers from shady drivers who charge as much as \$180 for a ride from Pearson International Airport to downtown Toronto. If this bill is passed, it would enable us to crack down on illegal taxis in this province.

The new legislation has measures to improve public transit as well, and to cut commuting times. The bill would allow us to designate and enforce high-occupancy vehicle lanes for cars with two or more people. This encourages carpooling and makes better use of our highways.

The bill would also allow the police to clear and reopen a highway after a collision. This means fewer delays and less frustration for all Ontario drivers. This would also help our economy. We know that every one minute of delay means \$170 million a year in higher shipping costs.

This morning I was at a public school in Toronto. I talked about improving safety for pedestrians. Tomorrow, I will have more to say about easing congestion and getting traffic moving quickly after a collision or a spill.

Interjection.

Hon. Mr. Takhar: I know that all MPPs, including my colleague up there, care passionately about these issues. I'm hopeful that we can move ahead together. We have more to do to make sure Ontario has the best transportation system in the world: a transportation system for the 21st century; a transportation system that we are proud to leave to our children. This bill, if passed, would be one key step along the way.

LAND USE PLANNING

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): Today the government marks another milestone in its planning reform agenda. At the ROMA conference this morning, I announced the new provincial policy statement—

Interjections.

Hon. Mr. Gerretsen: —and it's great to see the tremendous support from the opposition today. This is a

statement of the government's key policy interests in land use planning and development. It embodies sound planning principles and clearer, stronger directions for the planning decisions that will shape Ontario's communities. This means anticipating the province's future needs and ensuring that development will be allowed only in areas where it can be sustained and supported by infrastructure. This means stricter rules for protecting and maintaining our resources.

The new PPS takes effect on March 1, 2005, at the same time as the "shall be consistent with" implementation standard, which requires that all planning decisions be consistent with the PPS.

When we first took office, our government committed to reforming the planning system in Ontario. You may recall the Strong Communities (Planning Amendment) Act, 2004, which received royal assent last November. It provides for changes to the Planning Act that will give more say to municipalities on land use and bring back accountability and transparency to local planning.

The reforms to the Planning Act are necessary as a response to our communities' changing needs. Ontario's cities and towns have undergone a transformation not only in their population size and diversity but also in their physical size and complexity. This pattern of growth is putting pressure on our municipalities to provide the infrastructure, services and energy resources required to maintain a high quality of life.

The new PPS will promote more compact, pedestrian-oriented communities and recreational facilities such as parklands and trails. It emphasizes the maximum use of existing infrastructure and public service facilities, such as energy, public transit, schools and hospitals. It supports the recommendations made by the agricultural advisory team.

The wise use of land, the sustainability of our air, water and energy resources, the infrastructure vital to communities, planning for future development and economic growth—these are all issues that matter greatly to this government and to the people of Ontario. That's why we have crafted the new PPS, to shape how our communities grow and prosper, guided by sound and balanced planning principles.

The new provincial policy statement is at the heart of this government's planning reform agenda. It sets out the broad policy direction for planning decisions province-wide and lays the groundwork for other government priorities such as the Golden Horseshoe greenbelt, the draft growth plan released last week, source water protection and the Greater Toronto Transportation Authority.

The new PPS is part of the McGuinty government's plan for healthy growth in this province. It is a vision we all share: a better, stronger, more prosperous Ontario now and in the future.

TRANSPORTATION

Mr. Jim Wilson (Simcoe-Grey): I just want to respond to the Minister of Transportation's statement and

congratulate the minister for finally getting around to implementing what we were already doing some year and a half later. All you've really announced today are increased speed limits, but your government broke a very, very important promise when it promised to pay for 1,000 new police officers.

Whether it's the taxis at the airport, I say to the people in the gallery, or speed limits in construction zones, or pedestrian crossings, or school crossings, or debris from vehicles that you announced today, or inspections or high-occupancy vehicle lanes, all of these require enforcement, and you people are silent over there about more police officers for our streets so you can actually enforce the laws you're making.

As MADD Canada has pointed out, when 16,500 drivers every year drive with suspended licences after being charged with impaired, there's no sense making more laws if you don't have enforcement, Minister. So talk to your public safety minister, your Premier and your finance minister. We expect to see strong enforcement out there; otherwise you are just dabbling around the edges.

I would have expected today, when the Rural Ontario Municipal Association and the Good Roads convention is going on here in Toronto, that you would have said something about the gas tax. Only 105 out of 450-odd municipalities qualify for any type of gas tax—another broken promise by your government.

You should have made a strong statement, Minister, when you spoke at ROMA and Good Roads this morning about the gas tax. You were almost silent on it. People were not very happy when you failed to deliver on that promise. They're getting fed up, and this statement today is really a non-statement. You should be looking at enforcement and you should be living up to the promises you've already made, not introducing new legislation that you have no hope of enforcing.

LAND USE PLANNING

Mr. Tim Hudak (Erie–Lincoln): I want to respond to my colleague the Minister of Municipal Affairs on his announcement today.

I had the pleasure of meeting with the ROMA executive yesterday afternoon, and I've got to tell you, they're not a bunch of happy campers, so to speak. They spent about 45 minutes on issue after issue and broken promise after broken promise of the Dalton McGuinty government. One thing they said that they're tired of is this theme of "Dalton knows best." We have piece of legislation after piece of legislation where the central planning at Queen's Park overrides the decisions of democratically elected municipal leaders, which, I remind my colleagues across the floor, is completely contrary to what they campaigned on in 2003.

The minister referred to Bill 26 and the "be consistent with" principle, which clearly greatly restricts the local decision-makers' flexibility in administering the PPS,

and secondly, the minister's ability to declare a provincial interest, with no designation for criteria or time frames, taking planning decisions out of municipal hands to behind the closed doors of cabinet.

1410

Within the PPS is something curious. They talk about better protecting specialty crop lands, including tender fruit and grape lands etc., which we support. But when the greenbotch mapping puts a cemetery and a junkyard in the greenbelt area—our fruit farmers are talented, but they're not going to be growing peaches in a cemetery or in a junkyard.

So if they're asking municipalities to be consistent with the bad mapping, bad decisions and political science behind the greenbotch scheme, that's going to create a consistent mess right across the province. When it comes to municipalities versus the decisions of this government, I will side with the municipalities every single time.

I'd say too that the ROMA executive found it rather curious that there would be the announcement of additional funding for the city of Toronto on the eve of the ROMA-OGRA conference. The political judgment behind that timing seems rather strange and has a lot of the ROMA delegates quite concerned. A colleague says that they were insulted. There was an announcement today from the president of AMO, Roger Anderson, who says this announcement is "leaving municipalities on the hook for 2004. Municipalities have closed their books on 2004 and now are left holding unpaid provincial bills."

Mr. Anderson goes on to say, "Today's announcement raises as many questions as it answers. It is too early to determine if municipalities and property taxpayers are better off under the new model."

I look forward to going back to ROMA-OGRA, as do my colleagues who have been down there. But I tell you, whatever the minister says today, they're not a happy bunch of delegates at ROMA here this week.

The Speaker (Hon. Alvin Curling): Order. Let's have a little quiet while we have responses here. There was a lot of courtesy granted to the ministers when they were giving their statements. I would like to hear the responses, and I would ask that there be less chatter in the House.

TRANSPORTATION

Mr. Gilles Bisson (Timmins–James Bay): Minister, in the words of those delegates at ROMA and Good Roads today, whoop-de-doo. This announcement today falls far short of anything that people have been asking for from the municipal sector, our partners here in Ontario, when it comes to making our transportation infrastructure work.

You heard the questions today. Delegates were asking, what about the gas tax? All those rural and northern communities don't get one red cent from the gas tax. Why? Because that particular gas tax initiative only applies to those municipalities that have transit. So municipalities at

ROMA and municipalities attending over the next couple of days are saying to you that we need investments on our highways. We have a highway infrastructure that is falling apart. We need to have an investment in our transit systems. You've heard Howard Moscoe. You've heard Mayor Miller. You've heard people from Ottawa, Hamilton and everywhere else. They're saying they need the hand of the provincial government to assist them.

I thought the most interesting comment this morning was from John Curley, municipal alderman from the city of Timmins. He said that the studded tire initiative is not bad on its own, but he asked, are we going to have to put pit crews at the French River, along Highway 11 and Highway 69, like the Daytona 500, so that every time somebody with studded tires on their car drives down from northern Ontario, they'll be pulled aside and we can pull the studded tires off and put the radials back on, and on their way they go? I'll tell you, if that's a good business initiative for some people, this government is sadly mistaken.

But more specifically to the safety initiatives in this bill: Minister, it's the fear of being caught that stops somebody from breaking a law. You can raise the fines all you want with this bill when it comes to speeding, people going through crosswalks, people passing buses. You can do it all. Raise the fines as much as you want. If you don't have police officers on the road policing our highways in municipalities and across this province, it ain't going to do nothing.

So it leaves us with the obvious. You're not hiring more police officers, so this is nothing more than another cash grab by the province of Ontario to take dollars from hard-working people in this province, not to deal with safety initiatives and put it in the pots of your treasurer who sits across the way so you can deal with the issues you have to deal with.

LAND USE PLANNING

Ms. Marilyn Churley (Toronto–Danforth): We are pleased to see that the government has returned the NDP “shall be consistent with” approach to the provincial policy statement. But, Minister, what is troubling is the further expansion of powers for the aggregate industry contained in it. This PPS will not further source water protection, nor will it protect farmland and the environment in areas where aggregates are found. In fact, it will have the reverse effect. The PPS goes even further than the Tories in terms of fulfilling the wish list of the aggregate industry.

Minister, you've added the following statement: “Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.” We just had both the Environmental Commissioner and the Pembina Institute report, “The province lacks basic information on current demand for and uses of aggregate. Furthermore, the province does

not have up-to-date projections regarding future demand.” By not requiring supply-and-demand analysis to determine when or if new aggregate operations will go ahead, your new PPS will accelerate the ripping up of the greenbelt for new gravel and quarry operations. By all accounts, your government doesn't even know the nature of the supply cycle. Don't you ever talk to the Minister of the Environment? You sit right next to her. She could tell you that. Instead, you've abdicated your role as the steward of those public resources and decided to let the aggregate companies call all the shots.

Minister, this is a dark day for your proposed greenbelt. With the release of this new provincial policy statement today, I was fully expecting that you were going to correct this gross error in your statement. Now it's in there for sure, and now, with this statement official, this greenbelt is becoming even closer, sadly, to becoming a gravel belt in the province of Ontario. Shame on you, Minister. Shame on you. I am shocked that you didn't fix this.

Minister of the Environment, you should demand that this come out of the—

The Speaker (Hon. Alvin Curling): Thank you. Calling deferred votes now.

DEFERRED VOTES

FEDERAL-PROVINCIAL FISCAL POLICIES

The Speaker (Hon. Alvin Curling): We have a deferred vote on the amendment by Mr. Hampton to the motion relating to narrowing the \$23-billion gap between what the federal government collects from Ontarians and what it returns to this province.

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

The division bells rang from 1418 to 1423.

The Speaker: Mr. Hampton moved that the motion be amended by inserting after the words “returns to this province” the following: “and that this money be targeted for the hiring of 3,000 nurses, a 3% increase in Ontario Works and Ontario disability support plan benefits, an end to the clawback of the national child benefit, and \$100 million of new funding for Ontario's regulated, non-profit child care system.”

Interjections.

The Speaker: Order.

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

Ayes

Bisson, Gilles
Churley, Marilyn
Hampton, Howard

Horwath, Andrea
Kormos, Peter
Marchese, Rosario

Prue, Michael

The Speaker: All those opposed, please rise and be recognized by the Clerk.

Nays

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

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 7; the nays are 77.

The Speaker: I declare the motion lost.

We have a deferred vote on the motion by Mr. McGuinty relating to narrowing the \$23-billion gap between what the federal government collects from Ontarians and what it returns to this province.

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

The division bells rang from 1426 to 1431.

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

Ayes

Arnott, Ted	Gerretsen, John	Parsons, Ernie
Arthurs, Wayne	Hampton, Howard	Patten, Richard
Baird, John R.	Hardeman, Ernie	Peters, Steve
Barrett, Toby	Horwath, Andrea	Phillips, Gerry
Bartolucci, Rick	Hoy, Pat	Prue, Michael
Bentley, Christopher	Hudak, Tim	Pupatello, Sandra
Berardinetti, Lorenzo	Jeffrey, Linda	Qaadri, Shafiq
Bountrogianni, Marie	Kennedy, Gerard	Racco, Mario G.
Bradley, James J.	Klees, Frank	Ramal, Khalil
Broten, Laurel C.	Kormos, Peter	Ramsay, David
Brownell, Jim	Kular, Kuldip	Rinaldi, Lou
Bryant, Michael	Lalonde, Jean-Marc	Runciman, Robert W.
Cansfield, Donna H.	Levac, Dave	Ruprecht, Tony
Caplan, David	Marchese, Rosario	Sandals, Liz
Chambers, Mary Anne V.	Marsales, Judy	Sergio, Mario
Churley, Marilyn	Matthews, Deborah	Smith, Monique
Colle, Mike	Mauro, Bill	Smitherman, George
Cordiano, Joseph	McGuinty, Dalton	Sorbara, Gregory S.
Craitor, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Tascona, Joseph N.
Dhillon, Vic	Meilleur, Madeleine	Van Bommel, Maria
Di Cocco, Caroline	Miller, Norm	Watson, Jim
Dombrowsky, Leona	Milloy, John	Wilkinson, John
Duguid, Brad	Mitchell, Carol	Wilson, Jim
Duncan, Dwight	Mossop, Jennifer F.	Wong, Tony C.
Dunlop, Garfield	Munro, Julia	Wynne, Kathleen O.
Flynn, Kevin Daniel	Oraziotti, David	Yakabuski, John
Fonseca, Peter	Ouellette, Jerry J.	Zimmer, David

The Clerk of the Assembly: The ayes are 84; the nays are 0.

The Speaker: I declare the motion carried.

Mr. Tim Hudak (Erie–Lincoln): On a point of order, Mr. Speaker: I ask for unanimous consent, given that ROMA is taking place this week, that the Legislative Assembly of Ontario debate Bill 92 this afternoon, February 21; Tuesday afternoon, February 22; and Thursday afternoon, February 24, and that the vote on second reading be taken at 5:50 p.m. on Thursday, February 24.

The Speaker: I heard a no.

Interjections.

The Speaker: Order.

Hon. Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr. Speaker: We'd certainly be prepared to consider that at House leaders'. The Tories have rejected opportunities to pass that already.

Interjections.

The Speaker: Order. I would suggest that the House leaders get together and settle this matter, not in here. It is time for oral questions.

ORAL QUESTIONS**HEALTH CARE**

Mr. Robert W. Runciman (Leader of the Opposition): My question is to the Premier: The growing lack of confidence Ontario's medical profession has in your government has been exemplified today by a letter sent to you from Ontario's specialists and surgeons, which we've been given. The letter was signed by all 13 sections of the surgical assembly of the Ontario Medical Association.

The letter is a damning indictment of your health care priorities. Ontario's surgeons and specialists, among the true experts in our health system, say your approach to health care in Ontario will have the effect of "creating second-class patients." They say that by focusing on only three priorities for wait time reductions, you will reduce scarce resources, operating room time and physician time for all other procedures that Ontarians rely on and need.

Premier, I'll pose to you the same question the specialists do in their letter: "Surely you don't believe in making patients who are waiting for procedures that you have not deemed to be priority items wait any longer than they are currently waiting." Is that your position?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): What we are determined to do, by working in a co-operative way with Ontario's doctors, is reduce wait times. To that end, we have added another \$107 million—this is supplementary to the funds that were already there—so we can move the yardstick forward in five specific areas: cardiac care, cancer care, cataracts, hips and knees, and MRIs and CTs. What we're doing here, in fact, is adding more money to the system specifically targeted at five distinct areas in a way that does not compromise our ability to continue to move forward in other areas.

Mr. Runciman: Premier, you keep talking about inputs—how much money is going into the system—and I'm talking about outputs, the quality of care that comes out of the system. That's what matters to Ontarians, and that is where your government is failing them.

Ontario's front-line experts now say your approach is dangerous. They say you are creating two classes of patients: those on the list to receive a McGuinty priority operation and the vast majority of those who are not.

This letter is a fundamental challenge to your health care priorities. I want to quote again from the letter: "Patients in Ontario deserve to have better access to all treatments and all physicians. Improving access of one priority at the expense of another is not the kind of health care 'improvement' Ontarians expect or deserve."

Premier, how do you respond to the front-line surgeons and specialists who say your priorities are misplaced and simply bad for patient care?

1440

Hon. Mr. McGuinty: I'm not going to apologize for our intention to increase the number of procedures when it comes to cancer care, cardiac surgeries, cataracts, hips and knees, and MRI and CT scans. We think that's in the interests of the people of Ontario, and we're doing it in a way that does not compromise our ability to continue to fund other procedures in other areas.

Mr. Runciman: Premier, I don't believe you can ignore what's in this letter. You've shown us that you can ignore taxpayers, voters and your own solemn promises, but you can't ignore the front-line specialists and surgeons who will have to deal with the consequences of your misplaced priorities.

The surgeons and specialists also say they are disappointed with the progress of negotiations between your government and the OMA. They question the priorities you've set out for those negotiations. They say you're picking favourites among doctors. The doctors who work in one of your priority areas get the steak while others get the bone. Surgeons and specialists see your priorities and approach for what they are: a shell game that will ultimately do nothing to enhance patient care in Ontario.

Premier, what do you have to say to patients on already unacceptable wait lists for orthopaedic and neurosurgery procedures? How can you possibly justify your approach?

Hon. Mr. McGuinty: We have never once even intimated that bringing about the kinds of changes that are necessary in our health care system so that we increase both affordability and quality—we've never once hinted that that's going to be easy.

The member opposite would have us back away from the kinds of change that are going to benefit the people of Ontario. I can tell you, nothing will make us back away from ensuring that we have more cardiac surgeries, more cataract procedures, more MRI scans, more CT scans, more hip replacements and more knee replacements. We think that's in the interests of the people of Ontario and nothing will stop us from moving forward in that regard.

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

Mr. Runciman: Again to the Premier: The specialists and surgeons of Ontario unanimously signed a letter challenging your approach and your priorities for our health care system. We're going to take the advice of Dr. Janice Willett, Dr. Phillip Barron, Dr. Andrew Budning, Dr. Lee Errett and Dr. Richard Johnston, to name a few, over your political manipulations any day.

But this raises broader questions about your ability to set priorities and lay out a clear plan for health care. You've already shown that you're willing to spend \$400 million on a swanky new hotel in a Liberal riding in Windsor, while telling hospitals to cut \$170 million. Doctors believe you're doing the wrong thing. The latest polls show Ontarians think you can't be trusted. Your answers today show that you have no real answers. Premier, when will you lay out a clear plan for health care?

Hon. Mr. McGuinty: We've laid out the plan. You just don't like our plan. We have a plan to improve quality of care for Ontario patients. We're making specific increases in a number of distinct areas, five in particular. You don't like that plan. You don't think we should change the system to improve the quality of care for Ontario patients. We understand that. You would prefer that somehow we reduce the increase in public funding and open it up to the private system. But we're not for that. There is a very clear distinction here. We prefer to work within the public system to increase the number of procedures that are available to Ontario patients. That's our choice. We won't apologize for that.

The Speaker: Supplementary?

Mr. John R. Baird (Nepean—Carleton): Premier, Ontario's doctors don't like your plan, the 757 nurses to whom you're giving pink slips don't like your plan and, I'll tell you, the men and women who run Ontario's public hospitals don't like your plan either.

I want to share some facts with you from the former president of the Ottawa Academy of Medicine. Although you're continuing the program of hiring international medical graduates, as started by the previous Progressive Conservative government, those physicians will not practise for three to five years; our new medical school, scheduled to open this year, which was announced more than two or three years ago by the previous government, will not graduate new physicians for seven to 11 years; and 20% of Ontario's 22,000 physicians will retire in the next four years.

Premier, stand in your place and tell us what your plan is for physician availability today, not in 11 years.

Hon. Mr. McGuinty: As it's always helpful to remember what it was the Tories did on their watch, when it comes to the number of doctors in Ontario, we went from 63 underserved communities to 142. When it comes to the number of nurses, the former government spent \$400 million to fire thousands of nurses. When it comes to hospitals, the former government cut \$557 million over two years, closing 28 hospitals and over 5,000 beds.

We will continue on our path to make additional investments in public health care. We will increase the

number of nurses who are there to serve Ontario patients, and we will increase the number of procedures that will help Ontario patients as well.

Mr. Baird: I say to the Premier, doctors, nurses and their patients find your priorities to be stunning. One day, you tell hospitals to cut \$170 million and to fire 757 nurses. The next day, you announce a swanky, five-star hotel in Windsor.

Your priorities are all wrong. Specialists and surgeons have said so unanimously. They say you're creating two-tier patient care. Patients waiting for arthritis treatment, patients waiting for admittance to a chemotherapy clinic, diabetes care, emergency room care and gynecology services are told they've got to go to the back of the line.

Premier, why are you creating two-tier health care for these important health care services? Would you stand in your place and tell your Minister of Finance that this is not a laughing matter?

Hon. Mr. McGuinty: The irony here is just a little bit rich, particularly for the member opposite, a member of that particular party, to somehow accuse us of endorsing two-tier health care. Because the facts are important in this debate, I think it's important for Ontarians to understand, and the member opposite in particular, what we have done and continue to do with respect to our plan for health care in Ontario.

So far, we have put in place funding for 3,052 new full-time nursing positions. The first 45 new family health teams will shortly be announced. We've had over 200 applications for those 45 spots. We have 21,000 more Ontarians receiving home care this year. We have in place a new vaccination program, for the first time ever covering under the public health care system vaccinations against meningitis, for example. We are working to increase our MRI and CT scans by a whopping 20% more—

The Speaker: Thank you.

MUNICIPAL FINANCES

Mr. Michael Prue (Beaches—East York): My question is to the Premier. Mr. Premier, you have failed the city of Toronto and all the people who live in it. You have absolutely no plan to pay the \$47 million you owe that city for cost-shared services. What are ordinary families faced with? They are faced with property tax hikes, user fee hikes, transit fee hikes and program cuts. We want to know, who in your caucus—

Interjections.

The Speaker (Hon. Alvin Curling): Order. It's a very important question and I'm getting a discussion going across from the member from Nepean—Carleton and the member from Windsor. Please start your question again. I will start at the beginning. Let me hear the question from the member for Beaches—East York.

Mr. Prue: Thank you very much. I'll start again.

Mr. Premier, you have failed the city and the people of Toronto. You have no plan whatsoever to pay the \$47 million that you owe for cost-shared services. Ordinary

families are being faced with property tax hikes, user fee hikes, transit fee hikes and program cuts for valued services. Who in your caucus stood up for Toronto? You have 19 MPPs on that side of the House who have said absolutely nothing. Where are they? Where are Ministers Caplan, Kennedy and Chambers? Missing in action. Where are Ministers Phillips, Bryant and Smitherman? Missing in action. Where are Ministers Kwinter and Cordiano? Missing in action. When are the 19 missing-in-action Liberal MPPs going to start demanding your government begin paying your fair share for provincially mandated programs?

1450

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): This is the first time I've ever heard \$45 million being described as "missing in action." We consider that a significant contribution to the well-being of the city of Toronto and the people who enjoy the privilege of living there.

The good news is, after years of underfunding, after years of suffering from a government that went out of its way to pick fights with the people of the city of Toronto, there is finally on the job here a government that is dedicating itself to strengthening the city of Toronto. This \$45-million contribution is just one more example of our commitment to the city of Toronto.

The Speaker: Supplementary.

Ms. Marilyn Churley (Toronto—Danforth): You got that right, Premier. You owe the city of Toronto at least \$47 million for social services. You owe them that. Ordinary families will pay higher property taxes and higher user fees because you have no plan to pay your fair share for cost-shared services. Your 19 Liberal MPPs seem to have developed laryngitis. We're hearing they won't even return their constituents' phone calls on this. Hello, anybody out there? Hello. Kathleen Wynne, Laurel Broten, Donna Cansfield, Mike Colle and, finally, Brad Duguid: missing in action.

Premier, this is very serious. When are the 19 missing-in-action Toronto Liberal MPPs going to stand up, like they did in opposition, for their city and demand that the McGuinty government start paying its fair share?

Hon. Mr. McGuinty: This year the government is flowing a record amount of money to the city of Toronto: a total of \$217 million. Additionally, over the course of the next three years we will be flowing another \$355 million in gas tax funding, something that has never, ever been done before.

I am very proud of the support that we are lending to the city of Toronto. I am proud of the good, solid working relationship that we have with the city of Toronto. I am convinced that, over time, by working with the city of Toronto, we will have in place a new City of Toronto Act and we will have the city of Toronto on a stronger fiscal footing. It will be a greater champion of its own destiny. It will be stronger, and that will serve not only the people of Toronto but the people of Ontario.

The Speaker: Before we get the final supplementary, could I ask the member for Nepean—Carleton to come to order, please, and stop heckling across.

Mr. Rosario Marchese (Trinity–Spadina): Premier, you are not paying your fair share for cost-shared programs with the city of Toronto. You owe the city of Toronto \$47 million. What does this mean for ordinary families? We are going to see higher property taxes, we are going to see higher user fees and, more importantly, we are going to see cuts to services such as parks, housing, transit, policing and roads.

Toronto Liberal MPPs, I say to you, stop the silence and speak up for your city like you promised you would. I say to the others, where are you? Shafiq Qadri, Tony Ruprecht, Mario Sergio, David Zimmer, Lorenzo Berardinetti: Where are they? Missing in action. When are the 19 missing-in-action Toronto Liberal MPPs going to stand up for the city and demand that the McGuinty government start paying its fair share?

Hon. Mr. McGuinty: Again, 45 million new dollars this year—unprecedented. Beyond that, a total of \$217 million more this year. That is the total. Beyond that, over the course of the next three years, \$355 million more for the city of Toronto for the purpose of investment in public transit. This is good news for the people of Toronto.

But beyond that, we are prepared to do something that no government in the history of this province has ever sought to do before: to establish a new, positive working relationship with the city of Toronto, to recognize its maturity, to put it on a solid fiscal footing, to enable it to grow stronger and thereby make our province and our country grow stronger. Those are our aspirations for the city of Toronto. That's our vision when it comes to a strong Toronto for a strong Ontario.

AUTOMOBILE INSURANCE

Mr. Howard Hampton (Kenora–Rainy River): Premier, you promised to reduce auto insurance rates. Instead, you have wrestled insurance profits to the ceiling. You have aided and abetted big insurance in a massive rip-off of Ontario drivers and accident victims. This weekend, Ontario drivers, hurting from sky-high insurance rates and cuts to accident benefits under your government, learned that big insurance has raked in an obscene \$4.2 billion in profits, a 70% increase over the record profits they had a year before.

New Democrats believe that the obscene profits of big insurance should be returned to the drivers who have been ripped off. Will you force big insurance to roll out a rip-off rebate?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): Here again, I think we should compare and contrast. From 1990 to 1995, under the NDP watch—those were the people who promised us public auto insurance, you'll recall—auto insurance rates went up some 27%. During the Tory years, 1996 to 2003, rates went up some 36%. During our first year on the job, I'm proud to report that rates have come down by 10.6%.

Mr. Hampton: Premier, I invite you to go out to any town, any city, anywhere and try to find somebody who

has had a reduction in insurance rates. The truth is, you are so deep—

Interjections.

The Speaker (Hon. Alvin Curling): Order. Stop the clock. Could I get some order, please. The leader of the third party was in the supplementary question.

Mr. Hampton: Premier, the truth is, you're so deep in the pockets of big insurance that you come up spitting lint. Here's the reality—

Interjections.

The Speaker: Order. Would you either rephrase or withdraw the comment you just mentioned.

Mr. Hampton: Here is the reality. Insurance profits last year were up \$2.5 billion; this year, they're up to \$4.2 billion. It is obscene. It is 12 times what they made in 2002, and you have the audacity to say that drivers and insurance victims are getting a good deal. Drivers and insurance victims across Ontario are being ripped off, and you're helping the insurance companies.

We believe that these obscene profits should be returned to the drivers who have been ripped off. The question is, will you bring in legislation to force the insurance companies to return the money? A rip-off rebate, now.

1500

Hon. Mr. McGuinty: Storm those insurance buildings, eh?

We're proud of the fact that so far we've been able to bring insurance premiums down by 10.6%. The leader of the NDP says that this is fictitious. Why does he not just turn around and talk to Michael Prue, a member of his own caucus, who is enjoying some of the benefits of our government's policy, who has enjoyed a significant rate reduction as a result of the efforts we have made?

I think this sums it up: Between 1990 and 1995, during the NDP years, rates went up by 27%. We've been on the job for a little over a year; we've brought rates down by 10.6%. I'll put our record up against their record any day.

Mr. Hampton: I invite the Premier to go to any community in Ontario and talk to anybody who's trying to insure their automobile and try to peddle that story and see how far he gets.

This is what's happened. The standard collision deductible: You want to increase that from \$300 to \$500. As well, you've got situations where people, in terms of pain and suffering deductibles—that has been increased substantially. What's the result? When people are hurt in an accident or their automobile is injured, they're afraid to make a claim. Why? Because they know, if they do make a claim, their auto insurance rate will skyrocket after that.

Premier, the auto insurance companies have made obscene profits in 2003 and now in 2004, and you've helped them. Will you bring in a rip-off rebate now so that you can finally help the drivers instead of helping the insurance companies?

Hon. Mr. McGuinty: The leader of the NDP just can't handle good news. Insurance premiums are coming down in the province of Ontario by 10.6%. That hasn't

happened in 15 years. He remains incapable of accepting this good news for Ontario motorists: Insurance premiums have come down; we are working as hard as we can to help those come down still more. But I will again say that I will gladly compare our record against that of the NDP or that of Conservatives any day when it comes to what's happened to insurance premiums in the province of Ontario.

HEALTH CARE

Mrs. Julia Munro (York North): My question is for the Minister of Health. Doctors and patients in my riding can now clearly see that the McGuinty Liberals have no plan for health care. Your announcements so far mean nothing to doctors like Dr. Shawn Whatley, who works in the emergency department at Southlake hospital. He wrote to me that every day, 10% to 15% of patients who show up have no family doctor; 25% to 45% of ambulances are sent away. Yet there is a whole wing of the ER full of empty beds. There are just no doctors or nurses to staff them.

Minister, when will you stop poisoning the climate in health care and start work on a plan to increase access to doctors?

Hon. George Smitherman (Minister of Health and Long-Term Care): It comes as somewhat startling, a question like that, from an honourable member who was part of a party that, while in government, watched and waited and did absolutely nothing to increase medical school capacity. Your legacy, when combined with the other opposition party in this Legislature, means that for six or seven years, we stood by collectively—those two parties—while 13% reductions in medical school spots took place, meaning that Ontario has been shortchanged to the tune of at least 500 doctors.

In the time since, what have we done? We've moved to act. We've more than doubled the capacity to take international medical graduates and turn them into productive doctors in local communities. We've enhanced the capacity of the College of Physicians and Surgeons to go into other jurisdictions in North America to help bring doctors here, working overtime to make up for the sheer neglect of that party when in office.

Mrs. Munro: The minister seems to have a briefing note from the past government. We are the ones who introduced the first medical school in 40 years. We are the ones who increased the number of spaces in the existing medical schools.

Dr. Whatley says you have abandoned him to provide care without the colleagues or resources to do so. He says that physicians are leaving Ontario while George Smitherman tries to steamroll a take-it-or-leave-it approach to negotiations with doctors.

Dr. Whatley hears patient after patient in emergency apologize to him for having no family doctor. They just cannot find one. Yet your ministry's priority is a massive bureaucratic reorganization to replace district health councils with local health networks. Why are the

McGuinty Liberals putting the needs of health care bureaucrats ahead of doctors, nurses and patients?

Hon. Mr. Smitherman: The honourable member stands and speaks about Southlake hospital in her riding, a hospital that has seen the largest increase, I believe, of any hospital in the province of Ontario: some 56 million additional operating dollars and, further, in York region, more than \$57 million in additional investments.

And this note from the honourable member where she pretends that for the first four years of her party's life in government they did move on doctor shortages, they did increase capacity in medical schools? No, you didn't, and your legacy, combined with that party, for the first four years was that you did nothing. You sat by and you did not increase capacity. As a result, 500 doctors were lost to the province of Ontario.

We have a deal on the table, working hard with the Ontario Medical Association: more than \$1 billion in new resources to underscore the commitment that this government has to doctors and communities that have been left behind by your party while in office.

EMPLOYMENT STANDARDS

Mr. Peter Kormos (Niagara Centre): To the Minister of Labour: Minister, bosses in this province are trampling on workers' rights, and you're letting them do it. Your ministry received a written complaint today. It's about workers who distribute Torstar newspapers in the Hamilton area. These workers are picked up every day in the very early morning hours at prearranged meeting points and are paid \$6 an hour cash to deliver papers for the following 10 and 11 hours. They're told that they'll be paid nothing if they do not complete the entire day.

Minister, what's the point of having minimum wage laws or other employment standards legislation if Torstar and their subsidiaries know they can break them on a daily basis because you're not enforcing them?

Hon. Christopher Bentley (Minister of Labour): Thank you very much for the question. I'd like to thank the member for bringing that issue to my attention. I'll certainly take time to look into it.

This government has a very good record of enforcing the laws that protect the most vulnerable people in the province after, as the Provincial Auditor said, 15 years when that member's party, the opposition today, did nothing to enforce employment standards legislation in the province of Ontario.

Fact: After nine years, the minimum wage went up last year and will again this year. Fact: We have increased the enforcement of the Employment Standards Act to make sure the rules on the book are actually enforced. Fact: We are conducting more than 2,000 proactive inspections of the Employment Standards Act, a factor that the auditor said was necessary to ensure the accurate and fulsome enforcement of the Employment Standards Act. Fact: The most vulnerable in this society are going to be protected under this government's policies, unlike under the policies of the previous two groups.

Mr. Kormos: You said there was going to be a crackdown, but all we've seen is a Liberal back-down. These are the most vulnerable workers in the province. These are mostly men being picked up in the very early morning hours, being driven off to locations in Hamilton and the Hamilton area, and being told to work for \$6 an hour, 10 to 11 hours a day, no statement of earnings at the end of the day—they're paid cash—no deductions for Canada pension plan remittances. What could be a more egregious violation of those workers' rights under the Employment Standards Act and other legislation?

Will you please stand today and tell this assembly that you're going to launch a complete investigation, an aggressive and thorough investigation, and that charges, where warranted, will be laid not only against corporations, but against individuals responsible for this incredibly vehement attack on workers and their rights here in the province of Ontario?

Hon. Mr. Bentley: The member would have us proceed from statement to charges and prosecution within about two minutes and 30 seconds. Fortunately, that isn't the way the law works. The matter has been raised in the Legislature. I will look into the matter to determine what, if anything, is before the ministry by way of complaint or investigation. We are determined, as I said before, to ensure that the most vulnerable people in the province of Ontario are protected, and we will abide by that commitment.

1510

MUNICIPAL FINANCES

Mrs. Donna H. Cansfield (Etobicoke Centre): It may be that \$217 million is a mere trifle to my colleagues across the way—or \$45 million, for that matter—but I think what's really important is the ambivalence that has been going on for so many years. Every year the city of Toronto comes cap in hand to the government.

Ms. Marilyn Churley (Toronto–Danforth): They do not.

Mrs. Cansfield: They do so. They have for years. As long as I can remember, they have had chronic under-funding. It needs to be dealt with in a far more strategic way.

My question is to the Minister of Municipal Affairs and Housing. I want to know what we're planning to do to repair the damage they did, both the Tories and the NDP.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): Let me just reiterate the comments that were made so ably by our Premier earlier about our situation with respect to the city of Toronto. We are giving more permanent funding to the city of Toronto than any other government before us, despite our fiscal situation. We all know about the \$5-billion deficit that party left us as a government when we came to power less than 15 months ago.

Let's just look at the facts. We are giving them \$80 million more than two years ago; \$50 million more than

last year. And the news gets better: Next year, they're going to get an additional \$95 million. It's going to go up to \$312 million.

We are doing everything we possibly can for the city of Toronto. They are the economic engine of Ontario, and they deserve and are getting the help of this government.

The Speaker (Hon. Alvin Curling): Supplementary.

Ms. Kathleen O. Wynne (Don Valley West): As one of the Toronto members on duty and working for the city, I want to ask the minister a question about the working relationship between the provincial government and the city. I know, as someone who fought the previous government every day it was in office, that that working relationship has not been in place. I know that our government is working to put a more positive working relationship in place. So I ask the minister, what are we doing to move forward and create a stronger relationship between the province and the city of Toronto?

Hon. Mr. Gerretsen: I'd like to thank both members for their questions. Let me say, first all, that the tremendous work this government is doing couldn't be done without the tremendous help of the 19 MPPs from the city of Toronto, both inside and outside cabinet. We want to make sure that the city of Toronto is a world-class city, and the only way we can do that is by giving the city of Toronto the legislative powers, the fiscal powers, to basically run their own show. They are a mature level of government. We're working with them so that the City of Toronto Act can be amended to truly make the city of Toronto a world-class city that all of us in Ontario can be extremely proud of.

DOCTOR SHORTAGE

Mr. Norm Miller (Parry Sound–Muskoka): My question is for the Premier. Last week I asked what you were going to do to help the residents in Geraldton, who will find themselves without a doctor in the spring. Frankly, your answer was abysmal.

Thunder Bay doctors are offering to fill the gap, but for your information, the Geraldton Medical Group serves an area of 7,500 square kilometres, so that's not a reasonable solution. Dr. Johnstone of Geraldton says that staffing shortages at the hospital are taking their toll on doctors, who are working from 80 to 100 hours a week. That puts doctors and patients at risk.

Premier, be clear: When are you going to get a deal for doctors that will retain and attract doctors to northern Ontario?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): To the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): As I had the opportunity last week to commit to this House and to the people of Geraldton, our government stands beside them. We're working very hard with the local member and the mayor, who's in town—I'll be meeting with him tomorrow—to continue to work toward a resolution to this. We have some more

positive news with respect to some of those that are practising there now, remaining as a foundation for progress moving forward.

These are very well funded positions, as a result of funding through the rural and northern group physician agreement. We think this is a very suitable part of the attraction package necessary to make sure that small communities like this continue to have access to the vibrant health services they require.

With respect to the agreement with the Ontario Medical Association, both sides are working very hard toward an agreement. It's a challenging environment, of course, because there is a limitation on the resources available, but the more than \$1 billion in new resources in 2007-08, we believe, are a very good foundation for making sure that doctors are appropriately compensated in our province.

Mr. Miller: A national survey of Canada's physicians reveals that Ontario doctors feel their patients do not have access to the health care they need. Geraldton has proved that this is true. Some of the doctors in Geraldton are leaving the province and others are moving out of the north. For Geraldton doctors, this is not just about the money; it's about the gruelling hours. You've laid off nurses, you've antagonized doctors; your government is creating a climate that is toxic to health care providers.

Minister, you promised to increase the number of doctors and nurses working in the north in the past election. When are you going to make good on your promise for northern Ontario?

Hon. Mr. Smitherman: In fact, this is already occurring. The member wants to talk about nursing in Geraldton and the like. There's no implication for our government's budgets except additional resources for all of the hospitals in the province of Ontario, including those that serve people in communities like Geraldton.

With respect to physician supply, the honourable member must take some responsibility for the role that his party played while in government, even though the member beside him is unwilling to do so. We've obviously made progress, as we move toward the opening of the Northern Ontario School of Medicine with its first attendees. That is attracting very—

Interjections.

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

FIRST NATIONS MINING AND FORESTRY REVENUES

Mr. Gilles Bisson (Timmins—James Bay): My question is for the Premier. Premier, you'll know that last month there was a barricade in the community of Kashechewan, a First Nation that is on James Bay. The barricade was put up by a number of community members to block access to the De Beers mining project when it came to moving supplies and materials into that project. Why did the community shut it down? Simply because they felt they didn't have adequate compensation

when it came to revenue-sharing out of that particular project.

New Democrats have proposed a bill. It's Bill 97, the revenue-sharing act for First Nations. It is currently in committee. Your government supported it at second reading. First Nations leaders and other people in northern Ontario want to know, so that we can continue developing northern Ontario, is your government prepared to allow this bill to finish its time in committee so we can bring it forward for third reading this spring?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): For the Attorney General.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): We are committed, I say to the member, to looking at and pursuing new opportunities and a new approach that will include some aspect of revenue-sharing.

The member has a bill that's before the House. I know that it went to committee hearings and had a good public hearing. A number of people at the public hearings, though, showed up and said that there were real problems with the bill itself. I think we're in agreement about the principles here, and we have a long-standing commitment to that. We are going to, as a government, be pursuing that, and we're doing that.

The bill itself is being considered. The bill is a bill, but let's be clear: The bill has flaws with it. I don't think the complaint of the member is with the bill itself, but I'll let him answer in the supplementary.

Mr. Bisson: Well, that was as clear as mud. Let me try it again. Minister, I admit, as the author of the bill, and New Democrats admit as we're carrying the bill, that there are amendments that need to be put forward. Where we're at now is that the bill is now in committee. We want to propose amendments that respond directly to the issues that were raised not only by First Nations but also by forestry and mining companies and others who have come forward.

There's unanimity on this. First Nations and resource development companies and everybody agree that if we don't deal with revenue sharing, there will be no development north of 51; De Beers water projects, mining, forestry are not going to go forward. We will continue with blockades. We need to deal with this issue. This bill is a step toward making that happen. So my question, simply, is this: Are you prepared to allow that bill to finish its time in committee—we need a day, two max—and bring that bill, after it's amended, into this House for a vote at third reading this spring?

1520

Hon. Mr. Bryant: We have to make sure that we get the revenue sharing right, obviously. We have an announcement today with the appointment of David Peterson, negotiator on behalf of the government with First Nations on a broad approach.

Mr. Bisson: It has nothing to do with mining.

Hon. Mr. Bryant: It has everything to do with a new approach between Aboriginal peoples and the govern-

ment of Ontario. We want to have a new approach that looks at the needs, that looks at what needs to be delivered, that assesses how we're delivering it and provides better delivery of government services to Aboriginal people. We want a better future for Aboriginal people in Ontario. That will include taking a good, hard look at exactly how we proceed with resource sharing, and we will be doing that, I say to the member.

ILLEGAL TAXI OPERATORS

Mr. Vic Dhillon (Brampton West–Mississauga): My question is for the Minister of Transportation. It was over a year ago that I was campaigning to become a member of provincial Parliament. During this time, an important issue came to my attention from the taxi and limo operators. Along with my fellow colleagues from Peel region, we met with the taxi industry, including the airport limousine operators, to talk about problems they were experiencing. This was a problem of illegal taxi operators. All over Ontario, the taxi industry is expected to provide safe, fair and reliable transportation not only for our residents but also for visitors to Ontario. We know there are unlicensed taxi and limousine operators out there who operate without having their cars meet safety standards and without appropriate training or holding adequate insurance. We also know that there are unsuspecting travelers falling victim to illegal taxi operators. Does the bill you introduced today help with this issue?

Hon. Harinder S. Takhar (Minister of Transportation): First of all, I want to thank my colleague from Brampton West–Mississauga, not only for asking this question but for taking a keen interest in the issue for a very long time.

I am very much aware of the meeting that my colleague is talking about, and our Premier was present at that meeting. Our Premier has shown a keen interest in our moving forward and addressing this long-outstanding issue, which the previous government has failed to address, not once or twice; they have never been able to address this issue.

I'm also very much aware of the horrible story that my colleague is talking about. The bill I introduced today will address the long-outstanding issue of the taxi operators they have been fighting about for a very long time. Mr. Speaker, I will be—

The Speaker (Hon. Alvin Curling): Supplementary.

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I am pleased to hear that we have listened to the problems faced by this industry and that we are working to resolve them. As you said in your earlier statement to the House, this is an important safety and consumer protection issue, in addition to being a threat to the livelihood of legitimate taxi and limo operators across the province. I trust that in your supplementary you will talk about the details on how we plan to address the problem of illegal taxi operators. I am sure you're also aware that perhaps not everyone understands the extent of this issue. Do you have any information on how often something

like this happens, and just how large a problem this is? Mr. Minister, I know that some people will think this is favouritism toward the airport limo operators. What does this proposed piece of legislation do to assure that it addresses all the aspects of this problem?

Hon. Mr. Takhar: I want to thank my colleague from Bramalea–Gore–Malton–Springdale for his interest and also for his question.

The bill that I introduced today, if passed, will make it an offence to transport passengers for compensation without having a valid taxi licence or a permit from an airport or airport authority. The offence could be applied to a driver, a person who arranges for transportation using an illegal operator, or to the owner of a vehicle who knowingly allows their vehicle to be used to provide illegal or unauthorized transportation services. The penalty would be a fine, upon conviction, of from \$300 to \$20,000 and licence suspension or a plate denial upon renewal if the fine is not paid.

ACCESS TO HEALTH CARE

Mr. Frank Klees (Oak Ridges): My question is to the Premier. Mr. Rick Sgroi of Richmond Hill will die without enzyme replacement therapy. His wife, Mara, wrote you a letter, and I want to quote from that letter: "It has now been a month since my last letter to you and ... I have not had a personal reply from you." She goes on to say, "I have stopped asking for your compassion—you have none.... I say, for shame to you all when costs and discrimination dictate who lives or who dies. I charge you with pulling the plug on the life support system of Fabry patients and that is a premeditated criminal act!"

This is from Mara, whose husband, Rick, will die without enzyme replacement therapy. I'm going to ask you—because they're watching this afternoon and they know that I'm asking this question—to stand in your place, look at them, and tell them why you aren't prepared to instruct the Minister of Health to do what has to be done to ensure that Rick has the medical attention that he needs to live.

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

Hon. George Smitherman (Minister of Health and Long-Term Care): I think obviously we all express concern around patients who are feeling in these circumstances. We also have some responsibilities that are very challenging from time to time. This is one of those.

We're operating under a regime, frankly, with respect to the honourable member, that his party helped bring in in our country, and that is utilizing a common drug review so that all provinces and territories could have the benefit of working together with a view toward determining the clinical efficacy of any product before it's listed on our formulary. This is the process that was established. The company didn't like the way it worked the first time around, and upon application and at their instigation, a further review is ongoing.

I think the thing that has shocked us is that the company has decided to treat different Canadians in different

fashions. There has been an unequal view on their part. They began offering this product on a compassionate basis. I believe that if they believe as fervently in their product as they claim to, they should continue to support it while this process is ongoing.

The Speaker (Hon. Alvin Curling): Supplementary?

Mr. John R. Baird (Nepean—Carleton): I want to put the supplementary back to the Premier. I know you to be a decent man, someone who cares deeply about your hometown—about our hometown. I want to put a face on this problem, the face of Carolyn Auger of Ottawa. She has worked hard. She has played by the rules. Her illness is debilitating. Her illness is life-threatening. At this tragic time in her life, she needs the help of her community, she needs the help of her provincial government.

I want to make a direct appeal to you. It's never too late to do the right thing. Premier, would you step in and solve this problem for Carolyn Auger and the very, very small number of citizens who are dealing with this tragic illness? Would you do that, Premier?

The Speaker: The Minister of Health.

Hon. Mr. Smitherman: The honourable member knows from his time in government that every single day in the province of Ontario pharmaceutical companies put product on offer to patients. But obviously, before we make decisions that say we're able to support it through our government's formulary, those products are to go through a process that is science-based, that helps to determine the clinical efficacy of any product. This is an essential step in an environment where there is absolutely no alternative to science.

1530

The reality is that the honourable member suggests that politics and emotion are what should make up decisions around this, but obviously, given the number of products that are available on any given day, it's absolutely essential that we work in the process that that party helped to bring in while in government. That's the common drug review. In the meantime, we say to that company one more time: If you believe as fervently in your product as you claim to, you should continue to offer it on a compassionate basis.

Mr. Frank Klees (Oak Ridges): On a point of order, Mr. Speaker: I cannot believe that the Premier refused to answer my question.

Interjections.

The Speaker: I presume your point of order is asking for a late show on this.

Mr. Klees: Point of order—

The Speaker: You're asking for a late show, and I understand, but you did not ask the question yourself. So I'll have to proceed in asking for a new question. Could this point of order—we are encroaching on question period time.

TENANT PROTECTION

Ms. Andrea Horwath (Hamilton East): My question is for the Premier. Premier, it surprises a lot of people

that tenants in Ontario who pay for their utilities, like gas and water and hydro, as part of their rent could lose their unit's vital services if the building owner fails to pay the utilities on time. It's hard to believe that in this day and age there is no law in Ontario that protects tenants from having the utilities being disconnected when their landlord fails to pay.

Last month in Hamilton, a 118-unit rental building lost their hydro, or almost did, through no fault of their own. They were paying for that service in their rent, but they were caught in a squeeze between the Hamilton hydro utility and a delinquent landlord. After I raised that issue in Hamilton, city council went on to put a bylaw together to cover off that issue. But there are many parts of Ontario, many parts of this province where tenants don't have a municipal bylaw protecting them.

The Speaker (Hon. Alvin Curling): Question?

Ms. Horwath: I've just introduced a bill today that would afford basic disconnection protection to every tenant in Ontario. Premier, will you support that bill?

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

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I thank the member for the question. As she has stated, the Tenant Protection Act right now enables municipalities to pass bylaws with respect to vital services. However, having listened to the bill, we'll certainly look at it, study it closely and see what we can do with that, because it certainly seems to me, just on a personal basis, totally unacceptable for services to be cut off because a landlord in effect hasn't paid for those services to the utility company when, in fact, the rent has been paid to that landlord.

Ms. Horwath: I would agree with you, Minister, in your opinion. No government should be allowing bad landlords to deprive tenants of their essential utilities. But without the protection of the bill that I introduced, tenants will be finding themselves in these billing disputes, often between the utility and the landlord. I remind you that the tenants already pay for the utilities in their rent, so the bill would ensure they don't lose their water, power or air conditioning. My bill protects both the tenants and the utility company itself, in fact, because what it does is enable the provincial government to intervene with liens and orders that will effectively pressure bad landlords to pay up.

I can't see why anybody—yourself, Minister, myself or anyone in this House—would be against the protection of these tenants. Will you work with me, then, to see that this particular bill becomes part of the measures of the Tenant Protection Act?

Hon. Mr. Gerretsen: As the member knows, we're doing an extensive review of the Tenant Protection Act currently and this is certainly one of the issues we're looking at. We've had excessive consultations already. However, we'd be more than pleased to speak to the member, to see how her idea can be placed in a government bill.

IMMIGRANTS' SKILLS

Mr. Tony Ruprecht (Davenport): My question is to the Minister of Training, Colleges and Universities. In a few short years, immigrants, especially those who are very skilled, are expected to account for all of Ontario's workforce growth. That's why we have to be committed to opening the doors and taking away the barriers for internationally trained professionals. Today, I even heard the member for Nepean–Carleton giving us credit that we're now training international medical graduates, and I want to thank him for it. In fact, this government has done more in just 18 months to help internationally trained professionals gain access to employment than the previous two governments did in 12 years.

Minister, in January of this year, our government introduced the first annual progress report on what has been accomplished and what needs to be done. It's called An Investment in Prosperity. Could you share with this House the important benchmarks of these successes that are described therein?

Hon. Mary Anne V. Chambers (Minister of Training, Colleges and Universities): Let me first thank my colleague, the member for Davenport. He has been relentless over the years in the work he has been doing in this area.

Applause.

Hon. Mrs. Chambers: Thank you, my friend.

This report you showed just now, Opening Doors: An Investment in Prosperity, is an indication that our government is prepared to show leadership on this file. Not only are we holding our partners accountable for the progress they're making, but we are intending to demonstrate our accountability for this file, because we know it is this kind of initiative that will ensure we have the skilled workforce that will drive our prosperity agenda for many, many years to come.

I look forward to a supplementary.

The Speaker (Hon. Alvin Curling): Supplementary.

Mr. Phil McNeely (Ottawa–Orléans): We have certainly come a long way. Highly skilled immigrants who arrive in my riding will now have more services available to help them make a full contribution to our province's prosperity. Our local economy is sure to benefit when we have the opportunity to take advantage of the immense skills at our doorstep. While we have accomplished a great deal in this area, I know the job is not finished. After all, the progress report is the first annual report, with the next report due in 2006.

Minister, what will our government's priorities be on this front, as we work to continue to improve access for the internationally trained?

Hon. Mrs. Chambers: In this first year, we placed a lot of emphasis on providing information on labour market forces and on the processes required for regulation. We also announced several—we're up to more than 40 bridge projects now that will assist individuals in closing the gaps between the skills they bring and the skills that are required for the Ontario workforce.

We have also worked very successfully with regulators to improve their processes and we will continue over the next year to introduce more of these programs. We will also be measuring the success of the programs we have introduced before. We will be introducing an independent appeals mechanism to ensure that these processes are transparent. I look forward to continued efforts in this regard.

Now it's time for employers to step up to the plate and make sure that their barriers are eliminated so that we can bring these skills to the workforce.

Mr. Frank Klees (Oak Ridges): On a point of order, Mr. Speaker: I want to formally register my dissatisfaction with the response I received from the Minister of Health and would ask for a special debate on enzyme replacement therapy.

The Speaker: I presume the necessary papers are at the table.

On a point of order, the member from Beaches–East York.

Mr. Michael Prue (Beaches–East York): Mr. Speaker, I seek unanimous consent of the House to have the Premier correct his statement in the House today, stating that I had received a 10.6% reduction in my insurance rates. I am sure he is quite mistaken, and wishes to—

The Speaker: It's not a point of order.

PETITIONS

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): My petition involves saving the Huronia Regional Centre in Orillia.

“To the Legislative Assembly of Ontario:

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

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

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

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

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of

excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

Mr. Speaker, I'm pleased to sign my name to this.

1540

The Speaker (Hon. Alvin Curling): Petitions? The member for Brant.

Mr. Dave Levac (Brant): I believe the member for Beaches–East York was up, Mr. Speaker.

Mr. Michael Prue (Beaches–East York): Thank you very much, Mr. Speaker. I have a petition that reads as follows:

"Save Huronia Regional Centre, home to people with developmental disabilities!

"To the Legislative Assembly of Ontario:

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

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

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

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

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

I am in agreement with this and I would affix my signature thereto.

ANAPHYLACTIC SHOCK

Mr. Dave Levac (Brant): I do believe in fairness. That's why I mentioned that the member stood up.

"To the Legislative Assembly of Ontario:

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

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

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

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

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

"Therefore be it resolved that we, the undersigned, demand that the McGuinty government support the

passing of Bill 3, An Act to protect anaphylactic students, which requires that every school principal in Ontario establish a school anaphylactic plan."

I sign my name to this petition and hand it over to Ian.

FREDERICK BANTING HOMESTEAD

Mr. Jim Wilson (Simcoe–Grey): It's another Save the Sir Frederick Banting Homestead petition. I'll just note that Sir Frederick Banting died in a plane crash in Newfoundland on February 21, 64 years ago today.

"To the Legislative Assembly of Ontario:

"Whereas Sir Frederick Banting was the man who discovered insulin and was Canada's first Nobel Prize recipient; and

"Whereas this great Canadian's original homestead located in the town of New Tecumseth is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

"Whereas the town of New Tecumseth has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

"That the Minister of Culture endorse Simcoe–Grey MPP Jim Wilson's private member's bill entitled the Frederick Banting Homestead Preservation Act so that the homestead is kept in good repair and preserved for generations to come."

I want to thank Mr. Peter Banting for circulating this petition.

URBAN STRATEGY

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition which was presented to me by city councillor Gerry Altobello for ward 35 in Toronto. It's addressed to the Legislative Assembly of Ontario and signed by several constituents of his. I'm presenting it on his behalf, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas converted brownfields in the Warden Ave. and St. Clair Ave. area in the riding of Scarborough Southwest in the city of Toronto support the McGuinty government's commitment to urban intensification; and

"Whereas new housing developments require community supports in order to ensure strong communities;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that the Ontario government invest in community supports for the Warden Ave. and St. Clair Ave. area, including youth program funding, employment supports, public transit, transportation networks, community policing, community centres and other social service resources."

I agree with this petition and affix my signature to it.

VOLUNTEER FIREFIGHTERS

Mr. Ernie Hardeman (Oxford): I have here a petition to the Legislative Assembly of Ontario:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

I sign this petition, as I agree with it.

ANTI-SMOKING LEGISLATION

Mr. Phil McNeely (Ottawa-Orléans): To the Legislative Assembly of Ontario:

“Whereas smoking and exposure to second-hand smoke is the number one preventable killer in Ontario today, and there is overwhelming evidence that retail displays of tobacco products ... in plain view of children and adults increase the use of tobacco, we have collected 548 postcards signed by persons from our school and community supporting a smoke-free Ontario in 2005 and banning the use of power walls which promote tobacco use.

“We, the undersigned, petition the Legislative Assembly of Ontario to support the Smoke-Free Ontario Act to make all public places and workplaces smoke-free and to ban the use of power walls. The city of Ottawa has been smoke-free since August 2001. All of Ontario deserves clean air.”

It’s signed by Mary Knight, Celeste Constantineau and Janelle Wilson, and I add my name to this petition.

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

“To the Legislative Assembly of Ontario:

“Whereas the current government has proposed province-wide legislation that would ban smoking in public places; and

“Whereas the proposed legislation will also prohibit smoking in private, non-profit clubs such as Legion halls, navy clubs” and other service clubs as well; and

“Whereas these organizations have elected representatives that determine the rules and regulations that affect the membership of the individual club and facility; and

“Whereas imposing smoke-free legislation on these clubs disregards the rights of these citizens and the original intentions of these clubs, especially with respect to our veterans;

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

“That the Parliament of Ontario exempt Legion halls, navy clubs and other non-profit, private or veterans’ clubs from government smoke-free legislation.”

I affix my name.

LAND USE PLANNING

Mr. John Milloy (Kitchener Centre): I have a petition concerning a development in my area.

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

“We believe that the risk of contaminating this major source of currently potable groundwater for our present and future generations is too high to sacrifice for the financial gains of a few. We demand:

“(1) that no action be taken to connect Columbia Street to Wilmot Line Road; and

“(2) that no formal subdivision registration take place until an individual environmental assessment of this project has been undertaken (which will also include the impact of the increased traffic, estimated at 18,000 car trips daily) under the Environmental Assessment Act, and that the currently proposed housing density be substantially decreased.”

REGIONAL CENTRES FOR
THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): I have another group from the Huronia Regional Centre in Orillia.

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

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

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

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

“We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into ‘centres of

excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm pleased to sign my name to that.

1550

SCHOOL BUS SAFETY

Mr. Ernie Parsons (Prince Edward–Hastings): My petition is prepared by Randy and Eve Jelley of Quinte West, whose son Brandon was tragically killed when run over by a school bus.

"To the Legislative Assembly of Ontario:

"Whereas it has been shown that crossing control arms on school buses reduce or virtually eliminate instances of students being struck by their own bus; and

"Whereas 91% of all front bumper fatalities involve buses not equipped with crossing control arms; and

"Whereas the safety of the children of Ontario is our number one priority;

"We, the undersigned, petition the Legislative Assembly of Ontario to require that all future school buses be equipped with crossing control arms and that all existing school buses be required to be immediately retrofitted with crossing control arms."

I am pleased to add my signature to this petition.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): Again, I have another group of petitions from the people of Orillia, from the Huronia Regional Centre.

"To the Legislative Assembly of Ontario:

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

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

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

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

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

I'm pleased to sign my name to that.

Mrs. Donna H. Cansfield (Etobicoke Centre): I have a petition to save Huronia Regional Centre, home to people with developmental disabilities.

"To the Legislative Assembly of Ontario:

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

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

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

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

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

Mr. Dunlop: Again, it's another one from the folks in Orillia and families in Ontario with clients in the Huronia Regional Centre.

"To the Legislative Assembly of Ontario:

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

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

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

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

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

I'm very pleased to sign my name to this.

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr. Speaker: I seek unanimous consent for my good friend Mr. Ruprecht to be accorded a few moments

to table his petition from his constituency. He looks like he's quite excited about the prospect, and frankly, I want to know what his constituents are saying.

The Speaker (Hon. Alvin Curling): Is there unanimous consent for the member for Davenport to put forward his petition? Do we have unanimous consent? Agreed.

TTC RIGHT-OF-WAY

Mr. Tony Ruprecht (Davenport): Thank you very much, Mr. Speaker, and especially thank you very much to the member for Nepean–Carleton for his kindness.

I have an important petition that reads as follows:

“To the Parliament of Ontario and the Minister of the Environment:

“Whereas the city filed the ESR, the environmental assessment report, and issued the notice of completion on November 22 ... and initiated a 45-day public review period;

“Whereas environmental impacts of the dedicated right-of-way significantly affect the quality of life of nearby residents dramatically and detrimentally;

“Whereas the availability of other alternatives to the project have not” been carefully considered;

“Whereas the public consultation program and the opportunities for public participation have not been adequate;

“Whereas specific concerns remain unresolved...;

“Whereas the city/TTC have not made their case within the parameters set out by the Environmental Assessment Act. The act defines ‘environment’ to include ‘the social, economic and cultural condition that influences the life of humans or a community.’ The city has not established the need for the project, nor has it adequately assessed the potential socio-economic impacts that would result from constructed dedicated streetcar” rights-of-way “on St. Clair Avenue West;

“Therefore, we, the undersigned, demand that the Minister of the Environment issue a Part II order which would subject the St. Clair project to an individual environmental assessment.”

Since I agree with it wholeheartedly, I'm delighted to present it to you.

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 16, 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.*

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr. Speaker: I'd like to ask for unanimous consent that, instead of debating this, on behalf of Roger Anderson, the president of the Association of Municipalities of Ontario, we debate Bill 92 this afternoon because we were very interested and concerned about this bill too.

The Speaker (Hon. Alvin Curling): Do we have unanimous consent to debate—

Interjection: No.

The Speaker: I hear a no.

In this last rotation, I understand the government had some time; now it's going to rotate to the opposition side.

Mr. Garfield Dunlop (Simcoe North): I thought maybe Mr. Mario Sergio would be coming in this afternoon. However, I'm pleased to speak to Bill 164, the smoke-free bill.

First of all, I want to point out that I generally support the idea of legislation that begins or continues to try to stop people from smoking in our province. I think it's important that we know that there is a health issue around smoking and, for that reason alone—anything that impacts people's health, we have a concern with it. In fact, I would try to support this legislation if there were some amendments made. I can tell you that the thing that bothers me most right now about the bill is the fact that there are absolutely no exemptions to this particular legislation.

Mr. Baird: What about Legions?

Mr. Dunlop: I've written to some Legions in my riding and some military establishments that serve the public, and I'm very disappointed that there's absolutely no way that the Royal Canadian Legion family can have exemption from this legislation. Why do I feel so strongly about that? In World War I and World War II, as a country, we sent members of our armed forces cigarettes, at taxpayer expense, like we would food or any other commodities they might have used, and a lot of folks continue to smoke to this day. These folks who are members of the Royal Canadian Legion, the remaining people who are veterans of World War II—I think there are only a few people left from World War I—I think deserve an opportunity to visit and have the fellowship and friendship they deserve in their Legions. I actually think there should be a way in this legislation that, in those areas in particular, there be an exemption. That can be done with ventilating systems and small rooms in the particular Legion. I'm not talking about having smoking in the whole building. I'm talking about some smoke rooms for our veterans, to thank them for what they've given us, the kind of freedom and democracy they gave not only to Canada but to people around the world. With that, I think they need that opportunity.

1600

Unless there's an amendment, I won't support the legislation. It's as simple as that right now. I think it's that important that we need a few exemptions in there. This would be the primary exemption that I would be asking for at this time. I'm hoping the minister and the government will see fit. I know there are a number of petitions circulating right now. We've created a few ourselves and we're sending them out to our Royal Canadian Legions and some of our other military establishments around the province asking for their support. Whether or not the government will listen to that depends. They don't listen to an awful lot these days, so that is something that absolutely has to be addressed. I have to say on behalf of the nine Legions in my riding that unless I'm told by those folks to support the legislation, I can't support it unless this exemption is included.

The second area of concern I have with the legislation—and we heard it when the government led off with their opening remarks—is the lack of compensation for our tobacco farmers here in Ontario. People in rural Ontario have had a very difficult time for a lot of years now, but I've been told by a lot of people in the agricultural community that this last year may have been the toughest year they've ever faced as farmers. Many people, not only in the tobacco industry but in all types of industry, whether it's grains, dairy or beef farming, literally generations in some cases—many, many generations; four and five generations—of people who have built their farms, built their businesses, and are having a very difficult time of it. They don't see any reward for their gasoline tax, like the city of Toronto and some of the big cities are getting.

I was really disappointed that the minister didn't stand up today and make an announcement about two cents on the litre of the gasoline that we all pay when we buy gasoline—I would have thought something would have gone to the rural communities, maybe a bridge project, maybe some highways. Why wouldn't they share? Why would the city of Toronto and the large urban centres be the only folks allowed to get the gas tax? That's what people are asking me.

I was out last night at the ROMA conference, as you were, and talked to people. It was a topic of conversation at every table I visited. They were asking me, "Why would we not receive any of the gas tax money when Toronto's getting it, Ottawa's getting it, these large centres, and rural communities aren't receiving it?" It ties right back into the compensation issue that I'm talking about.

If the government is on a movement to eliminate smoking in the province of Ontario, if that's the goal they have, then the people who are growing tobacco, the tobacco farmers who have millions of dollars invested in their operations and decades of family involvement, deserve a compensation package, a transformation package to other crops they might grow in the future, and I haven't seen that. It hasn't been debated. The government, in their leadoff hour, didn't use the word

"compensation" in one sentence—not one time. I think the government of Ontario, the Ministry of Health and the Ministry of Agriculture have a right to come forward and give a good compensation package to the people who grow tobacco.

These aren't villains. These are people who have tried their best to grow their businesses. They've done the best they can over many decades of being in the agriculture business, and I think they deserve to be treated with respect and dignity when it comes to a government that's trying to eliminate their source of income and basically trying to force them out of business. Before I can agree to this legislation, the second thing I have to see is a compensation package for the farmers.

The third item that I'm very concerned about is that this bill has not been passed—it's been debated in the House—but we have seen a very, very aggressive advertising campaign in the media. I would call it government advertising. I don't know what everybody else calls it, but I call it partisan advertising. The government is trying to float this bill, in the eyes of the public, through. I was in a movie a few weeks ago at the Galaxy series of theatres, and here was this stupid—

Mr. Mike Colle (Eglinton–Lawrence): What was the movie?

Mr. Dunlop: I won't even say what the movie was. I think it was *The Aviator*. I couldn't remember: great movie.

But I can tell you that these ads were running on the screen; the site was called *stupid.ca* and it really made fun of people who smoke and that type of thing. It was put on at the expense of the taxpayers of Ontario. I understand that a full page in one of the big Toronto media is around \$55,000 a day. We're seeing government advertising trying to promote the government's agenda, trying to promote the government legislation, and they are actually paying hundreds of thousands of dollars.

I hope that when people are speaking here today—we have the rotation with the different members from the government side—they'll come out and be forthright and tell us how much they're actually spending on government advertising on this bill. I think everyone has seen these ads now. We have heard them on some radio and seen some on TV. I think there was even one on Super Bowl on Sunday. Of all the complaints this government did—they called our advertising partisan. I think the citizens of Ontario have the right to know. If they don't tell us, we'll get an FOI on it later on and we'll tell the people what they paid for this advertising.

But I don't think it's fair that they do that at this point, when the legislation hasn't even been passed. If it was passed, it might be another story. But today we're debating it, we don't know what the amendments are and we don't know if the government will allow any amendments. I think it's really unfair at this point.

I think that out of all the folks in this room, there is probably no one who doesn't know someone who has died as a result of getting cancer or some kind of heart disease as a result of smoking. I think we all acknowledge that, and that's why after each generation we try to

get fewer and fewer people smoking. I can agree with that because I've had some folks with cancer in my own family who have passed away. However, at the same time, the reasons that I mentioned earlier, such as exemption for some of the folks who are older, like people who go to Legions, the compensation package that I'm asking for and the government advertising—I think there are a lot of questions that have to be asked around the legislation itself and around compensation in general for all folks.

It takes us into another problem that I've got and it deals with the compensation package. I'm glad the Minister of Agriculture is in the House today, because I'm back in my support of compensation from the Ministry of Natural Resources and the Minister of Agriculture for the elk farmers and the hunt parks here in Ontario.

I understand that one of my constituents, Mr. Todd Grignon, the owner of Universal Game Farm, visited with I believe six or eight of the Liberal MPPs last Thursday or Friday up in eastern Ontario. I understand that they were basically supportive of a compensation package and/or the grandfathering package to that group of people: people who are going to be forced out of business very, very shortly; with the regulation, perhaps as early as April 30. I hope you'll listen to your old colleagues, because my understanding is that they agreed with Mr. Grignon and the support for grandfathering and/or compensation in this industry.

It ties in directly with what's happening to the tobacco farmers. You force somebody out of business with government pressure, with government power, and there is no money there to help them. If you put a highway through the middle of their property, the farm would have to shut down or you'd have to give the land away. You'd expropriate it. You would think that at that time the government would have a responsibility under the Expropriations Act. When you're putting a person out of business with government advertising, legislation or regulations, that's a form of expropriation, and there should be a compensation package available to those folks.

1610

I will continue to push for this. Maybe a lot of people don't care about compensation and helping out our rural Ontario citizens, but I'm someone who does care. I care a lot about the people in my riding. I care for a lot of reasons, and I'm thinking of one thing in particular: the minister standing up today and making that announcement, whatever it was supposed to be on, on transportation. I cannot believe—

Hon. Steve Peters (Minister of Agriculture and Food): On a point of order, Mr. Speaker: We've gone from compensation for deer and elk farmers to the Ministry of Transportation's statement today. I'd just ask that you direct the honourable member to stay to the topic and speak to Bill 164.

The Acting Speaker (Mr. Ted Arnott): I won't direct the member to anything, but I will ask the member to continue to speak to Bill 164.

Mr. Dunlop: I'm glad he brought that up, because I was trying to deal with the compensation package and this government's neglect for rural Ontario. I cannot believe what has happened in a lot of cases here. I can think of a number of things just in our part of the province where the government has turned its back on the citizens of our province and the citizens of rural Ontario. Maybe they've got a fight with our Conservative ridings or whatever, but I'm telling you right now that this whole compensation package is very important. It ties into things like their neglect. Why would the minister, the very week that the Rural Ontario Municipal Association and the Ontario Good Roads Association are meeting, not make a nice announcement and help out rural townships, villages and small towns that don't have transit systems? Why would he not help them out with their bridges and some of their traffic systems? Why would we not see that? Why do only the big urban centres get the money? We all pay into that kitty. We all pay into that pot.

I wouldn't support anything with the two cents a litre until everyone got a fair chance. Everyone who buys gasoline pays into it; everyone should be rewarded back. It doesn't matter where you live. Why should it only apply to someone in Toronto? Why should someone in Simcoe county not receive it? Why would the county of Simcoe not receive it?

Hon. Mr. Peters: How about Barrie? How about Orillia?

Mr. Dunlop: There he is. This gets under the Minister of Agriculture's skin because he doesn't want to face the facts. But what about Springwater, what about Severn, what about Oro-Medonte, what about Ramara? Do you want me to name all the townships that don't receive a penny? Yes, Barrie and Orillia get some money, but do you know what? All the citizens of Simcoe county pay their gas taxes. They all buy gas at the pumps, and they pay the provincial gas tax. Why should they and their municipalities not share? Why should the city of Toronto get a newer transit system and the township of Severn not be able to repair a bridge? That's what I think is unfair about it. It all ties into the compensation and this government's treatment of the citizens of rural Ontario.

I've only got a couple of minutes left here, and then I'm going to be turning it over to my colleague Norm Miller, who will be speaking a little later on. I'm sure Mr. Miller will add a lot of things today too about how his riding has been treated; for example, taking Muskoka out of the north, eliminating the Frost Centre—

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): Can you believe that?

Mr. Dunlop: No one can believe that. I've talked to people from all over the province, and they cannot believe that the Frost Centre was closed down by this government. They cannot believe it. A government that bragged about education—the education Premier. The first thing he does is close down an educational wildlife facility in this town in Norm Miller's riding. It's very disappointing. I can tell you that—

Interjection.

The Acting Speaker: I would ask the Minister of Agriculture and Food to come to order, and I would ask the member for Simcoe North to speak to Bill 164.

Mr. Dunlop: I'm glad the minister knows some of the figures from back in 1997, because he sure doesn't know the figures in his own ministry today; that's for sure. The Minister of Agriculture continually ducks areas of concern, public meetings that he should be attending. I've heard he's the minister of ducking. That's what's happening right now.

Hon. Mr. Peters: Name one.

Mr. Dunlop: You didn't show up in Barrie for the ag day. You told everybody you were down in Oxford county, and the people in Oxford county wondered where you were when the farmers—there are a lot of questions you have to answer. To the Minister of Agriculture: If you think you're very popular, you've got a second thought coming. That's the point.

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): I don't think that's the point here.

Mr. Dunlop: Well, you're the one who is heckling me. I'm just trying to get compensation for the tobacco farmers for this piece of legislation. That's the main concern I have here today. And I'm trying to get the government to make an exemption for our veterans. I think that's not unreasonable. For those two reasons, I would support this piece of legislation, and I think that's only fair. Our job here as the opposition is to bring out concerns we are hearing in our ridings. That's what I'm hearing. I'm hearing from dairy farmers who say, "These people in the tobacco industry down there should be compensated." I think it's a very, very important issue.

As I wind down, with only two minutes left, I want to go back to one more thing, and that's government advertising. I hope one of the people speaking today on behalf of the government will tell this House how much you're spending on government advertising to promote this piece of legislation that has not even been—we're only at the beginning of the debate of the legislation, so why would the government go to the trouble of spending money on this very expensive form of promotion and very partisan advertising? That goes against the intent of the bill they passed earlier that Mr. Phillips was so proud to have introduced.

With that, Speaker, I thank you for this opportunity today. I know you're hearing the same kind of concerns down in your part of the province. You probably met some of the folks from the Ontario Good Roads Association last night. They're wondering about compensation. They're wondering about the treatment of rural Ontario by this government. It has been shabby. We know that. Maybe by the time next Good Roads conference rolls around, they'll have something more positive to say about rural Ontario. But with that, it makes it very disappointing to—you know, I've got to go back down there tonight and talk to a bunch of my constituents who are at the Good Roads convention, and that's what I'll hear all night long. It will be, "What kind of package is

the Minister of Transportation putting together for the folks in the townships and the villages? We're not hearing any of that."

With that, I'm just about out of time. I want to thank you for this opportunity to speak to this very important bill, a bill I will not support unless those issues that I outlined earlier have been addressed and debated thoroughly both in committee and in this House.

The Acting Speaker: Question and comments?

Ms. Andrea Horwath (Hamilton East): It's certainly my pleasure to make some comments on the debate thus far this afternoon on Bill 164—it's written 146 on my notes here, a little bit backwards.

It's an important initiative for us, as a province, to look at the opportunities we might have to assist people in their efforts to quit smoking. In fact, I look forward to having an opportunity to add my own comments and cautions about the bill as we see it before us. I think the debate so far has had an opportunity to do that.

I know that people at first blush would say, "Everything is great. A bill like this is simply necessary and needs to be put through, and we need to put it through quickly and effortlessly." But I don't think that's the case, quite frankly. A number of different people in the province are concerned about how this particular bill is going to affect their operations, I guess you could say, and I'll be bringing some of those comments forward myself, having just gone through similar discussion and debate in the community I come from when the municipality of Hamilton went through a process of putting smoking bylaws in place for their public places, particularly restaurants and clubs and places of that nature. There are some specific issues that I think need to be addressed.

I'm not sure whether the comments by Mr. Dunlop are going to be taken under consideration by the government, but I do know there are some pieces that I have been made aware of, from both the perspective of workplaces and of investment by various restaurateurs, and different things that have come to my attention—Legions, as was mentioned earlier as well. I'll be raising some of those in my comments as well. I think the debate is a good one and look forward to the end of it.

1620

Mr. John Wilkinson (Perth-Middlesex): I'm also very pleased to join in the debate. Specifically, I want to talk about the member from Simcoe North and his somehow mysterious assertion that the ads being run by public health, targeted specifically to children between the ages of about nine and 13, are somehow partisan in nature. He's referring to the campaign we have going on right now, which is funded by the taxpayers of Ontario, in regard to stupid.ca.

I had the opportunity in the communications committee to take a look at some of the work done by the firm that was hired in this regard, specifically targeted at what are known as tweens, people just before they're teenagers, and how they are heavily influenced by their peers and that we need to get their attention.

I can assure you that if there had been a partisan, in the traditional sense, campaign showing a bunch of middle-aged politicians preaching to a bunch of teenagers that somehow they really should stop smoking, that would be a complete and utter and total waste of the taxpayers' money. Instead, I would recommend to all the members to take a look at those ads. They're not partisan in any sense.

There is a small, fleeting reference to the fact that the government of Ontario, through the taxpayers of Ontario, is paying for it, but I cannot think of any definition in the world that would show that those issues are partisan. As a matter of fact, I would contend that stopping smoking, particularly in young children, children who have been targeted, children who of course learn this habit and then go on to suffer the ravages of this terrible addiction—those children are best preserved and protected by a government that is willing to advertise directly to them. Those ads are extremely effective, and I will be supporting the bill.

Mr. Jerry J. Ouellette (Oshawa): I very much appreciate the opportunity to speak on Bill 164.

As an individual, I don't smoke. Quite frankly, I don't enjoy going into a place with smoke-filled rooms. I make that choice of where I'll sit in those rooms and how I will be affected by that.

With regard to this bill, I contacted the local Legions and the navy clubs and asked the officials elected by their own clubs how it would affect them or what their club thought and how it would go about, and also the director for the Legion, as a matter of fact. There was a suggestion that the individual organizations contact the independent members of each of those areas and discuss what their belief was, because some clubs—for example, the Bobcaygeon club banned smoking on their own and has seen what they believe is a positive impact, where other clubs feel they would be negatively impacted.

But my concern here is that what I see taking place is another edition of the individual's choice being removed. It's not the promotion of negative activities or desired behaviour within a community. What I see taking place is a series of legislation, of which this is another, whereby the civil liberties of individuals to make choices within the province of Ontario—and it's to go on further to what Mr. Dunlop mentioned regarding game farms or whether it's the greenbelt legislation or whether it is dealing with the specific breed legislation. These are choices that are being removed from those individuals.

This legislation, Bill 164, specifically does that. It removes the choice of individuals on how they will operate their business, how they will provide a service within their community. Whether it's a Legion that provides a smoke-free room where employees are not expected or able to participate, it's a choice that's being removed. I have difficulty where government arbitrarily comes in and eliminates public choice in all matters.

Mr. Michael Prue (Beaches–East York): I listened quite intently to the member from Simcoe North, and he spoke on a wide range of issues. In the two minutes allotted to me, I'd just like to cover one of them.

I think he's made a very good point about the farmers of Ontario. The farmers of Ontario have been before the budget and the finance committee for the last two years. As we have travelled across the province, as we have been seeking input to give to the Minister of Finance for the upcoming budget, the farmers of Ontario have been there. They have been talking about the lack of income, the problems they are having within the economy of Ontario. The farmers who specifically farm tobacco have probably been hit the hardest. At one time, there were tobacco farms throughout the province. Those have become smaller and smaller in number as the need for tobacco has decreased.

No one would deny that we should endeavour to ensure that people are made aware of the dangers of tobacco smoking. But at the same time, the farmers have had to invest heavily in machinery for their farms. They have come before the finance committee and told us point-blank that in order for them to get out of the business and not go bankrupt, in order for them to grow crops that are beneficial to the people of Ontario and of the world, in order for them to diversify as they know they must, they are going to need something in the neighbourhood of \$50 million. That \$50 million is not a loan or a grant, but to get rid of machinery that is no longer necessary and that probably cannot be sold anywhere on this continent. It's \$50 million to buy new machinery that will help them plant beneficial crops that would be of value to the province and would help them continue doing what they do best, which is to farm. I think the member should be listened to on this and that the bill should reflect this.

The Acting Speaker: That concludes the time available for questions and comments.

Member from Simcoe North, you have two minutes to reply.

Mr. Dunlop: I'd like to thank the members from Hamilton East, Perth–Middlesex, Oshawa and Beaches–East York for their comments on my short speech.

I guess the person I want to respond to most is the member from Perth–Middlesex, on the government advertising. This is part of the government's agenda. We know very well from polling—we know from any media—that this government is doing a terrible job in health care. The transformation is not working. They've got people mad at them: the nurses, the doctors, the hospital boards. All kinds of folks don't like what this government is doing. This is something that they think can prop up their agenda.

I don't see them putting a million and a half or two million dollars into pit bull advertising or bringing your own wine or promoting the budget. But they put a million and a half dollars, minimum, into government advertising around a piece of legislation that has not been passed. It simply has not been passed; we're debating it. If you want to promote it later on, I can understand that.

I call that partisan advertising, and I think the Integrity Commissioner should look into exactly what this government is doing with taxpayers' money in promoting legislation that hasn't been passed.

I didn't see that with the other piece of legislation. I know Mr. Kwinter has three pieces of legislation sitting out there. Maybe it's time for him to spend a million and a half or two million dollars promoting the gunshot wound bill or the grow-op bill or something like that. Why is he not doing that if the Ministry of Health is spending money on the anti-smoking legislation?

Again, for that point alone I consider that to be government advertising. I've had my chance to wrap up here. I'm saying that government advertising is an issue, compensation for our tobacco farmers is a huge issue and of course the final issue is the fact that there are no exemptions right now for our veterans, the people who gave their lives for this country.

The Acting Speaker: Further debate?

Ms. Horwath: I want to start my comments on Bill 164 by declaring that I'm a non-smoker. Sadly, that's not always been the case. In fact, I just celebrated my fourth year of being a non-smoker about three weeks ago. February 4 was my fourth anniversary as a non-smoker. So I certainly understand from personal experience how important it is to encourage people to quit smoking in the province of Ontario.

It really is a life-changing thing. You have to make a huge shift in your thought processes when you decide to quit smoking. You shift from thinking that you deserve that tobacco to understanding that in fact you deserve to be tobacco-free. I think that's when, certainly for me, I began to hit the road to recovery in terms of my tobacco addiction.

Having said that, I think it's really important to note that I wasn't able to do that alone. It was actually on my third attempt, I think, that I was finally successful in kicking the habit. I am quite confident I will not go back for the remainder of my life, but it took three serious attempts in the last 20 years or so for me to finally be able to kick the habit.

1630

I have to say that I don't think this legislation is going to be enough to make people quit smoking. Putting together a piece of legislation, the short name of which is the Smoke-Free Ontario Act, is not enough to help people quit smoking. What it will do is make it more expensive for people to smoke, and it will force smokers to go outside to smoke because it restricts opportunities for people to smoke indoors in most cases, except in their own private homes, I would think. It will keep cigarettes out of sight, so the temptation, I guess, or the inclination, particularly for younger people, to be lured by the view of tobacco and tobacco products in stores—perhaps prevent them from starting the habit. It will keep these out of sight and maybe prevent some young people from getting into the tobacco game. But Bill 164 won't keep the promises the McGuinty government made in regard to smoking in Ontario.

I'm going to run down some of those promises: \$31 million a year for a youth mass media campaign; \$46.5 million to be set aside for smoking cessation programs, a big chunk of that particularly to subsidize

medication for those who are trying to quit and have been unable to; and \$50 million, a one-time fund, to help farming communities, which both the member for Simcoe North and the member for Beaches—East York mentioned, in regard to making the transition away from tobacco farming and into farming other productive crops in Ontario, so they can shift into a different type of production, as well as pressuring the federal government. There was a promise that there would be some pressure on the federal government for additional transition funds on top of the \$50 million that was promised. They promised pretty much to assist smokers to rid themselves of their tobacco addiction. They promised real help for tobacco farmers. They promised to consult with the people who are affected by this legislation. They promised to end high-priced, partisan consulting contracts. Quite frankly, what we've seen with Bill 164 is that once again they've kept none of the promises I've just listed.

Particularly around the issue of getting people the assistance they need to quit smoking—I was lucky when I tried to quit smoking, because I was on a health plan and was able to utilize that health plan to help me with the cost of purchasing the aids I needed to quit smoking. I know they are extremely expensive, and it was really beneficial to me that I had that plan. If I hadn't had that plan and been in the economic circumstances that I know many, many smokers across Ontario are in—they simply would not be able to afford to avail themselves of the smoking cessation products that are on the market. So right away you have a barrier. Trying to quit smoking is a very difficult thing to do, so any kind of barrier that comes up is your excuse to go back to smoking or to fail in your attempt. It's really important that people have access to the aids that are available in the market to help them quit smoking. But smokers won't receive any help at all under the legislation, as was promised, and farmers won't receive the financial help they need to move away from tobacco growing to other cash crops.

Bar and restaurant owners: I know this happened in the city of Hamilton when we went through the process of putting a new bylaw together for non-smoking in the restaurant district. What happened—and I'll give a quick example—was that we went through a long debate and extensive consultation. In fact, the consultation lasted over two years, in terms of how the public health committee and the public health department would be able to bring forward non-smoking bylaws, particularly for the hospitality industry. What ended up occurring in Hamilton is that the bylaw was put in place with a sunset clause, if you will, so that restaurants and bars were given a certain amount of time, if they chose, to put together a designated smoking area, so that the bars and restaurants that could actually accommodate such places would put this 25% of their floor space or seating space aside in a separately ventilated, designated smoking area. Then, by the end of 2007, I believe, the designated smoking areas would also have to be removed and the facilities would have to be 100% smoke-free.

This was a compromise, quite frankly, a compromise that came of long and extensive consultation with those

people who were going to be affected by the bylaw, particularly the small business sector, particularly in the city of Hamilton, where there had been some significant suffering in the downtown entertainment district and the restaurant businesses all together were having a significant economic downturn. They felt that they needed this particular amendment or this way of bridging to a complete smoke-free environment, and they were granted that in the municipal bylaw that was put together in Hamilton.

Of course what's happened is that those people, probably about a year ago, completed their designated smoking areas. In many cases, they borrowed money, took out capital loans to implement these designated smoking areas, because they're quite expensive. It's a matter of construction of separately ventilated areas, so you need ventilation systems as well as permanent walls and those kind of things to make that area separate from the other 75% of the restaurant or bar. The point is that they made that investment with the knowledge that, over a certain amount of time, they would be able to recoup that investment through the business they would do in the interim. They basically put together their business plans based on what they saw as being the legislative regime or the way they would have to deal with this particular initiative of the city.

In all good faith and with all good intentions, not all but many of the restaurants and bars in the Hamilton area put these designated smoking areas in, made the investment, and now, lo and behold, as of fairly soon—within the next month or two, when this legislation passes—they are going to be out that money. They are going to have lost that investment. I've certainly heard from many of them who are saying, "You were there in Hamilton when we went through this very painful process, and when the city of Hamilton council, after two years of true consultation and true compromise"—much to the chagrin of the public health officials. There's no doubt about it. The public health officials were not pleased, let's say. You know how they can't say that publicly, because they are not allowed to speak against the will of the council, but certainly I know that on a private level many of the public health officials were a little bit concerned about what they saw as a softening of this direction that they thought it was important to go in.

It was certainly a softening of the position. But what it did was that it allowed a compromise to be struck and it allowed for a phasing-in, if you will, of the 100% smoke-free bylaw. The reason I raise it is because what has happened is that these people who put that investment in are now facing the loss of opportunity to recoup that investment. They see that as extremely unfair and unwarranted and in fact don't feel they have had the opportunity to consult with the province, with the government in regard to this legislation. Many of them have informed me that they are quite concerned about what this means for their loss of investment and whether or not they are going to have a opportunity to in some way recoup that investment, maybe through help from the government.

Nonetheless, I think one of the things that is instructive to see is one of the designated smoking room bylaws that was put together in BC. I have a directory of clean air sites from the British Columbia and Yukon Hotels' Association. What their designated areas do is laid out in this brochure. It basically provides for a number of different instances where designated smoking areas are allowed, again requiring both the separate ventilation and restricting the amount of time workers are asked to spend in those designated smoking areas.

1640

There are ways of phasing in this legislation, and there are examples of how other provinces have done that, as well as other communities. I just urge the government to consider whether they might want to either discuss with, consult or have a dialogue with those bars, restaurants and bingo halls. In fact, as Mr. Dunlop and my colleague Mr. Prue mentioned, the Legion as well had a similar experience.

What we end up with is a bill which, for all intents and purposes, rips up the municipal bylaws that were put in place in good faith with all the parties at the table. There's a big concern there that these small businesses and the hospitality industry, who acted in good faith in that regard, are now facing serious financial losses because they're not going to be able to recover those investments.

There's no doubt that Bill 164 is a tough piece of legislation, but the question is, is it fair? Is it fair to the entrepreneur who followed to the letter every single regulation they had in their municipalities, now only to find that the rules have been changed in midstream without them having any opportunity to have their voice heard? Is it fair to the tobacco growers, who don't have the means to switch their crops without considerable hardship and who now may be forced to abandon the family farm? That is just not fair. Is it fair to the aged and disabled war veteran who wants to light up a smoke in a Legion hall and who was never consulted about the change of the law? When it comes to Legion halls, it's kind of frustrating. I'm going to talk a little bit about that as well, because I have some letters here that I wanted to share as part of this debate.

Is it fair for the Ontario Restaurant Hotel and Motel Association and their more than 25,000 member establishments, who keep getting handed more and more bad news as time goes on? High property taxes, bad weather, the high Canadian dollar, low tourism numbers, all kinds of problems that are coming, SARS, the blackout of 2003—all these things have affected this particular industry and now this is another reason for them to be concerned about fairness in the province of Ontario, where they're trying to do business. They've played by the rules in all cases, particularly in the city of Hamilton and other municipalities where bylaws were put in place, and there are many, many municipalities that have bylaws. They were negotiated in good faith. They complied with those bylaws. They set up their DSRs. They're in a situation where they were hoping that they could have been grand-

fathered, at least until the wind-out of their particular municipal bylaw. I would urge the government to look at that possibility as a way to deal with their outstanding concerns.

Although it doesn't necessarily get the 100% smoke-free situation immediately, what it does do is convince those people who are trying to run small businesses in our communities across the province that they have a government that's interested in hearing what they have to say and a government that's interested in supporting their ability to maintain their businesses over the short term while they pay off those capital investments that they had all intentions of paying off through still having those DSRs. That would have been the fair thing to do. That's something that this government needs to take into consideration in terms of its approach with Bill 164. It might not be perfect, but it does represent a balance and a dialogue and a compromise that will help small business communities. Again, when you look at some of the other affected industries, the farm industry particularly, we need to deal with this quite seriously.

I have a letter, which I referred to a minute ago, from a Legion in my riding. It's from East Hamilton branch 58. It says,

"On behalf of the members of the Royal Canadian Legion, branch 58, please accept these letters of protest against our government about the smoking bylaws.

"We feel that it is very unfair to change the laws after everyone has adapted to the original bylaws." Of course, he's referring to the designated smoking rooms that the city of Hamilton had put into place.

"As our fathers and relatives gave their lives or fought for our freedom, this is unfair to them. They were addicted by the free cigarettes they were given while they fought. For many of them, this is the only enjoyment they have left." Two hundred sixty-two protest letters were enclosed, and they're asking me to bring these forward to the government's attention during this debate. I think it's actually the same issue that was raised previously by one of the other members, which is the issue that many of these veterans were addicted as a result of government policy of providing cigarettes to them when they were over fighting on our behalf in brutal, atrocious, devastating situations overseas. They're just asking for a little bit of consideration for the lifestyle that they ended up taking up as a direct result of government policy.

There are a number of other letters. They're all a little bit different. This one says, "As a member of the Royal Canadian Legion, I realize the sacrifice our soldiers made for freedom, and this government has the nerve to impose their will on the survivors in a non-democratic way." It goes on to say, "As usual, the government reneges on its word. The public is willing to go along with the rules, but we cannot tolerate the rules changing in midstream." That is from another constituent of mine who's a member of the Royal Canadian Legion.

There is another letter that I have here, but I'm running out of time, so I'm not sure if I can read it. There's another example that I was given to share with you in

regard to the issue of small business. I think maybe what I'll do is—because I'm running out of time—I'll mention some of the pieces of it.

This particular person was not from the city of Hamilton. This person was a restaurant owner in another jurisdiction in Ontario. His concerns are along the same lines as the ones that I raised on behalf of the restaurateurs and bar owners in the city that I'm from. I'm not going to read it, because I think I did pretty much go through it and I know that my friend Michael Prue will be speaking as well today. So I'm going to maybe pass that on to him, and perhaps he'll be able to raise some of those issues for you.

There's one that I haven't raised yet—there are two, actually. I'll raise them really quickly. One is the issue that there is not a banning of smoking in homes where day care is being provided. That, for me, is a big concern. It seems to me that the most vulnerable people in terms of exposure to second-hand smoke and to smoke, period, are young people—our children, as a matter of fact. The fact that this legislation does not address the issue of smoking in homes, at least not in any major way, where day care is being provided is a significant concern to me, and I was quite shocked to see the government's lack of attempt at regulating that particular situation.

The other thing that I wanted to mention quite quickly, as I'm running out of time, is it's not so much the advertising that was being defended earlier tonight by the member from Perth-Middlesex; it's the fact that the advertising contract was given to one of the friends of Dalton McGuinty, and that smacks of the most disgusting giveaway that the people of Ontario don't like.

The Acting Speaker: Questions and comments?

Mr. Lou Rinaldi (Northumberland): It's a real pleasure to speak on this bill. It's kind of frustrating when I hear my friend from Hamilton East and the previous speaker from Simcoe North. I'm not quite sure where they sit, to be honest with you, because these are quotes from their comments: "We're not going far enough." Then, the next line says, "We need exemptions." You can't have it halfway, a quarter way. It's really confusing. So they really need to get their thoughts together.

They talked about legions. I don't have letters. I do hear comments on both sides—I want to be very clear—but I have so many people who want to go to the Legions, and they refuse to walk in the door. Those are people I meet on the street every day in the eight municipalities I represent. They keep on telling me how great it is to be able to go back to the Legion.

1650

Another thing I keep on hearing from the members opposite is that this government is not keeping its promises. We made it very clear. It was one of our major platforms during our campaign. We're keeping the promise and we're going to make Ontario smoke-free. How much simpler can it be?

On the other thing about the fragmenting of municipalities, I have eight municipalities in my riding. I con-

gratulate the one that already has an anti-smoking smoking bylaw in place, one that's coming into effect April 1 this year. I'll tell you what I hear from the others: "What's keeping you guys? We're struggling; we want to do it but there is friction within councils. It's about time you guys do it." They actually want us to do it quicker. They don't want to wait until next year.

Mr. Toby Barrett (Haldimand-Norfolk-Brant): I have to disagree with the Liberal member opposite, who describes the speech by the member from Hamilton East as inconsistent. I thought I heard a very good description of what went on in the city of Hamilton and the concept of compromise or a softening of direction from what was originally introduced in the city of Hamilton. I think this is advice for this Ontario government, advice that was taken by the provincial government in British Columbia. They brought in a 100% ban and, within 80 days, the hospitality industry lost \$8 million and they laid off 800 people. However, within 80 days, cooler heads prevailed and there was a softening of direction, as was just described to us now in the city of Hamilton, and now in British Columbia.

The hospitality industry has a choice. They can offer facilities—a restaurant, for example—for non-smoking customers, and they can also offer a ventilated designated smoking room, something we did have in the city of Toronto. Actually, ventilated designated smoking rooms were advocated by the anti-tobacco people. Unfortunately, the anti-tobacco people turned tail on that one and essentially stabbed the industry in the back and went against the concept of designated smoking rooms.

We have a situation in British Columbia where the Workers' Compensation Board has taken this effort on behalf of the employees they are there to protect. The Workers' Compensation Board now works with the hospitality industry. They continue to consult with the hospitality industry, something that I see lacking with this particular government. They hold joint forums and they hear from ventilation contractors and employees to continue to make this system work.

Mr. Prue: I'd like to comment on the speech made by my colleague, the member for Hamilton East. I listened to the speech and, quite frankly, I did not find it to be inconsistent at all, as has been suggested. It was a ranging talk and a dialogue about the people she represents in Hamilton East.

There are many views out there, many differences of opinion on this bill and every other bill, and I think—

Mr. Yakabuski: Precisely, Michael.

Mr. Prue: Well, thank you. But I think what she has said and what this government and this House need to look at is that what is being proposed does not necessarily fit the mores of every community or the financial needs of every single place. She talked about the farmers and their need for compensation. She talked about the small business people who have invested their life savings in separately ventilated rooms and for whom the municipal bylaw will not expire for some four or five years, in some cases, and that they have put down considerable monies. These are issues that need to be

canvassed and need to be discussed. This is, after all, the forum.

I do not want to speak against the member who commented on this except to say that if you are not going to listen to dissent, why is there an opposition at all? If you're not going to listen to other people, why do you pretend to consult with them? There has been no consultation whatsoever with members of the Royal Canadian Legion. If there is one group that has been very vociferous on this and who has phoned and invited me to their places in the last few months—this is an issue on which they want to be canvassed. The Premier said the minister would talk to them. The minister said he would consult with them on the legislation. They are still waiting, nearly two years after this government was elected, and quite frankly, they've not been listened to. The member is exactly right to raise their concerns in this House.

Ms. Jennifer F. Mossop (Stoney Creek): I have three points that I want to make on this. First of all, the issue of levelling the playing field: We hear from a lot of people in municipalities that they need to have consistency province-wide on no-smoking rules. This bill provides that.

Secondly, the issue of second-hand smoke: A lot of people say that people will stop going to bars. But a lot of people don't go to bars now because of second-hand smoke. They go out to a bar and when they get home their clothes smell like they have been hanging around in an ashtray all evening, so they choose not to bother going out. A lot of people might return to some bars and restaurants if they know they don't have to deal with the second-hand smoke; not just the smell but the health issues as well.

Now I want to deal with the issue of first-hand smoke. I was a smoker as well for many, many years, and I loved smoking. I was a happy smoker. I used to justify it by saying, "The stress will get you long before the smoke does." I always talked about how sociable it was, because you'd go out and have a smoke together and it was always so nice.

I stuck by that until my best friend got lung cancer. I followed her from diagnosis to deathbed. She insisted the whole way that it was a family predisposition to cancer that was really taking her. I would look at the doctors as she would say this and every one of them—and there was a long line of them on that journey—looked at her and said, "I'm sorry. It's the smoke, period." I think it's time that we as a society—as many other societies are—come to terms with this issue and just decide that it's time to bite the bullet. It's time to say, "That's the end of the line. We have to take some serious actions." The cost to human health and the cost to our health care system are just too great. It's time to say no, and that's it.

The Acting Speaker: That concludes the time for questions and comments. The member for Hamilton East has two minutes to reply.

Ms. Horwath: I appreciate the comments on my speech that were made by the various members this afternoon.

One of the things I didn't have a chance to mention was similar to the comments of the member for Stoney Creek. I lost my father to lung cancer about a year ago. She is absolutely right; it is a devastating illness that you just don't get better from once you've been diagnosed. If there is one thing that people need to keep in mind as we go down this road of Bill 164 and the debate and where we end up with it, it is that we need to remember that it's not easy for people to quit smoking. There is one thing that I had hoped the government would be a little bit more committed to, and that is finding ways to assist people in their quest to quit smoking, and I mean to financially assist them.

Although it has been mentioned that the ability of people to find ways to quit smoking and the necessity of people to find ways to quit smoking are of paramount importance, the reality is many people can't afford to go and buy a prescription drug that helps with the quitting, whether it's the patch or the gum. Many people cannot afford that. If there is one really big problem with the devastation that people have in terms of smoking, it's the fact that this government's devastated them again by not being there to support them financially in finding the ways to quit smoking and helping them with that effort.

I do want to thank my colleague Michael Prue, who mentioned that part of what I felt obligated to do today was to raise in this Legislature the voices coming from my community, whether it was from the Legion or the small business community. In fact, the Hamilton area has some rural areas as well. I don't believe tobacco farming is that close to us, but it is something I felt obligated to do, and I thank you for the opportunity.

1700

The Acting Speaker: Further debate?

Mr. Phil McNeely (Ottawa—Orléans): Once again, I'm pleased to rise and speak in support of Bill 164, the Smoke-Free Ontario Act. Last week, several honourable members spoke about choice and how people had the right to choose whether or not they smoke. Well, this government made a choice. This government chose to protect Ontarians.

Bill 164 is founded on three key principles: protection, prevention and cessation.

The number of people who smoke is declining, but there are still too many people smoking, especially youth, who are addicted to cigarettes. Youth, more than any other group, need to be protected from smoking. We need to encourage them not to start smoking, and we need to encourage youth who already smoke to stop. It's not easy. We forget that youth don't always realize the consequences of the choices they make, much like ourselves. We also forget that youth don't always have the ability to choose like everyone else. Unfortunately, tobacco companies don't want youth to know the truth about cigarettes so that they can make informed choices.

Statistically, almost everyone who has ever smoked had their first cigarette while they were in their teens. Why? When a young person walks into a store, and cigarettes are mixed in with snacks, there's certainly a temptation to choose cigarettes. When that young person

looks up and sees a cigarette ad the size of a billboard, the temptation may be too great to resist. In a split second, the wrong choice can be made. These overpowering cigarette displays make smoking seem normal. They don't tell young people about the negative effects that go along with smoking. What kind of choice can youth make when they are bombarded with this kind of advertising? This is why Bill 164 is before us: to protect 80% of Ontarians who choose not to smoke, especially youth.

I'm proud to say that our message is working, especially in my riding of Ottawa—Orléans. Many young people who easily could have become smokers have said no to tobacco and yes to a healthy lifestyle. In fact, many Ottawa youth participated in the Exposé project. This project encourages young people to examine the facts, express their thoughts and expose the truth about tobacco. Exposé already has 40 Ottawa high schools participating, and all high schools will soon be participating in the project. Fifteen young people were in my office and they delivered over 2,500 postcards from Lester B. Pearson, Gloucester High School and St. Peter. This program, along with our anti-smoking message, has already generated a 5% drop in youth smoking in Ottawa high schools. That is great news and a step in the right direction.

What I'm most proud of, however, is that these young people have started their own postcard campaign telling us that they don't want to see the large, behind-the-counter displays in stores. They don't want these gigantic ads encouraging their friends. This kind of support should encourage us all to keep spreading our anti-tobacco message.

But do you know what? The member from Nepean—Carleton said last week in this House, "I think people should be allowed to make up their own minds." He also said, "I will be voting against this bill. I'm pro-choice." He should talk to the many students in his high schools who are working to help fellow students not to start smoking.

When we set a good example and spread the truth about tobacco, youth are more likely to make the best choices and are less likely to smoke. When we allow aggressive advertising and say that it's OK to smoke in separate rooms, we are not sending the right message to young people. When we vote against this legislation, we are forgetting about our youth.

This does not mean there are no challenges ahead. All areas of retail will be affected, but we must look ahead to the long-term health of all Ontarians. The contribution made by retailers to help curb smoking will go a long way to ensure that everyone, especially youth, can live a healthy and smoke-free lifestyle.

When given the choice, I know that I want to protect the people of Ontario. That's why I support this important bill and encourage both sides of the House to do so as well.

The Acting Speaker: The member for Ottawa—Orléans, you haven't indicated if you are sharing the time. Are you sharing the time?

Mr. McNeely: I had at the top here that I will be sharing my time with the member for Perth–Middlesex but I forgot to say it.

The Acting Speaker: Now you've said it clearly, and the member for Perth–Middlesex has the floor.

Mr. Yakabuski: On a point of order, Mr. Speaker: I suppose that you are expected to interpret a person's thoughts, or if they write it down, that's OK.

Mr. Wilkinson: You're not challenging the Chair?

Mr. Yakabuski: I'm not challenging the Chair. Of course I would never challenge the Chair on a matter like this, but I just want to clarify: If we write down that we really want something, is that good enough nowadays, Mr. Speaker?

The Acting Speaker: It's not, but thank you very much for your point of information. The member for Perth–Middlesex has the floor.

Mr. Wilkinson: I must say that I am glad the member from Ottawa–Orléans and I had that little chat before we got into this rotation.

I would like to dedicate my remarks to my late father-in-law, Stafford Shannon, I say to the member from Ottawa, and I trust he would listen. My father-in-law, Stafford Shannon, died as the result of a lifelong addiction to tobacco. I had the privilege, along with my wife and my children, to attend that death. I can assure you that my children will never smoke. That is a sight etched in my mind. I am sure that if all the children of Ontario could have been there on that day last summer when it happened, they also would decide it is best not to take up that habit, which led to his untimely death.

I want to say that I believe there must be some responsibility that we all share as Canadians when we have that most cherished of institutions, medicare. Medicare, publicly funded, allows us to go to a hospital and to be seen based on our need and not on our wallet. I remember, when I was a child, my father having to pay the doctor, and now I just go to the doctor. It's one of the most amazing things.

I say, with respect to all members in the House, Tommy Douglas, the founder of medicare, was recently voted the most influential Canadian in history. That is a bond we all share in common. But is there not some responsibility that we have, as citizens of this great country and province, in regard to our own behaviour? I look at that and I look to the question of smoking, the number one preventable cause of death in Ontario.

We pay a tremendous economic price in health care and in the lost economic benefits of our citizens. But we also pay a tremendous emotional burden that has plagued so many of our families, and I know my own family, with the legacy of allowing a product, legal as it is—but I think more and more people consider it to be completely and absolutely immoral, though legal. We are paying a tremendous price as a society.

I happen to have run in an election where I represented a party that said quite clearly that they were going to bring in a ban—not a partial ban here and there, with exemptions and all of that, but a very simple ban that

says that we will not allow smoking in the workplace, so that people are not subjected to second-hand smoke, and we are not going to allow it in enclosed public spaces where people will be subjected to second-hand smoke. Second-hand smoke is deadly. It is that simple.

Who pays the price if we don't do this? Who is paying the price for a lack of action in the past? It's all of us, collectively. So on the one hand, we benefit from medicare in this province, in this country. Isn't it reasonable for government to say to the citizens that we, as a society, have some responsibility to maintain and protect that and our ability to cherish that?

If you want to buy a legal product, and you are over the age, and you go to your house, and you are addicted, and it is your choice, and you want to kill yourself, and you want us to pay the costs when you're sick and you go to the hospital or you go to the doctor, that's fine. We live in a great society. But do you have the right, in this society where we have medicare, to inflict that on other people?

Parties in the past in this province have just been unwilling to deal with this issue forthrightly. All of us in the past, as parties, have had the opportunity to do this, and none have done it. I am proud to be part of a party that is actually doing something about this file.

I remember when I went to the Perth district health unit with Dr. Rosana Pellizzari, the chief medical officer of health, and representatives from the Canadian Cancer Society and the Heart and Stroke Foundation and did a press conference when we announced this bill. The thing that will always stick in my mind is the fact that what we need to do is de-normalize smoking, as the member from Ottawa–Orléans said. We have to send a message to our children that it is not normal to start smoking. As a matter of fact, it's not normal at all.

I end with that simple question: Surely, if we cherish medicare, all of us have some responsibility to each other not to inflict the damages of second-hand smoke and not to inflict the costs on our fellow citizens for choices that we make.

I want to commend the minister for bringing this bill forward. I look forward to voting for it, and I know that decades from now people will look back at this debate and know which party was forward-thinking on this issue.

1710

The Acting Speaker: Questions and comments?

Mr. Baird: I want to respond to the speech from the member for Ottawa–Orléans. He and I attended the Greely Remembrance Day services and placed a wreath there together. They have a back porch where members go, not just veterans from World War II and Korea but from recent campaigns—a back porch where they go and have a cigarette.

I don't smoke; I don't support smoking. I don't think it is something that our children should be advised to do. But I want to ask the member for Ottawa–Orléans, would he have a problem if members of the Royal Canadian Legion, particularly the branch in Greely, where a

number of them on that occasion spoke to me about this concern—because the bill does talk about enclosures and it is very tightly defined. My reading of the bill would have that back porch, which has I think some screens—it's quite cold there; at least it was on November 11. Would that be included, and does he agree or disagree with that? This is the concern, that this bill could put an end to those sorts of things.

While I understand the public health interest the government is trying to pursue in this, I don't know whether we need—in Ottawa we have a lot of these tents, these little enclosures at so many of the bars and grills, particularly in suburban Ottawa. They're heated, they're not ventilated, and it's even worse than a separately ventilated room, where heated tents are put up to every booth. They haven't been successful in Ottawa in closing these things. So I want to ask the member for Ottawa—Orléans if he would talk about the veterans at the Greely Legion.

Ms. Horwath: It's my pleasure to make comments on the speeches from the members for Ottawa—Orléans and Perth—Middlesex. I have to tell you, though, blaming and bullying and bad-mouthing smokers is not going to lead to a smoke-free Ontario. It's pretty sad when that's the thrust of the speeches from the government side: bad-mouthing and bullying people who are fighting an addiction in this province. It's really unfortunate that that's the attitude. That kind of attitude is not going to help people quit smoking. That kind of attitude is going to continue to dig people's heels in, the way people in my community have dug their heels in because the government they elected is not listening to them and their very legitimate concerns, whether they be tobacco farmers, restaurateurs or veterans who were turned on to smoking during their time serving our great country.

It's really frustrating. What the McGuinty Liberals need to remember is that the provincial electorate is watching them break promises left, right and centre, and here we have it again with Bill 164. They are spending hundreds of thousands of dollars on advertising, for which they gave secret, untendered contracts to their friends. The people of Ontario don't like that kind of thing. They don't like the fact that their government won't consult with them on these important issues. The veterans were shocked to find out that although they were promised consultation, they weren't getting it. What do we get instead? We get a number of government members who are basically bad-mouthing, browbeating, blaming and bullying people who really do need to have some supports to quit smoking, which this government promised—and they're not bringing them—not just embarrassment and ostracism from their elected officials. That's totally unacceptable and I'm quite shocked at the tone of some of the remarks tonight.

Mr. Mario Sergio (York West): I'm very pleased to see that finally something is happening with Bill 164. We are debating second reading, and I hope third reading and final approval don't have to wait for too long. It's not only this particular legislation that has been dealing with

this issue, but practically every municipality in Ontario has been dealing with trying to get a healthy, clean environment in most places in Ontario.

I can remember some 15, 20 years ago, North York city council dealt with this issue so many times. The fear was, "Wow, we're going to close down business and doughnut shops will close their doors." You know what? Every time I walk into a doughnut shop, there is a lineup all the way to the door, summer and winter. People sit down and have their coffee or whatever there. They are sprouting all over the place, more than ever before, and more than ever before, people are very conscious about their health, about their environment.

It's not a question of oppressing smokers. If they want to smoke, they can smoke, but there are certain places and certain times. I think it's very fair that public places and places of employment are good and clean environmentally.

I hope that indeed this House will support third and final reading. Of course, we'll try to finalize second reading of Bill 164. I have to laud Minister of Health Smitherman for introducing this legislation. We all bitch and moan, if you will, about health care costs, the quality of health care and stuff like that, but I think this will go a long way to alleviating some of the problems associated with health care.

The Acting Speaker: We have time for one last question and comment.

Mr. Yakabuski: It's my pleasure to comment on this bill before us, Bill 164, as well.

I think we all agree that in a perfect world we wouldn't have smoking. We don't happen to live in it and we've created many of these problems ourselves. But how we reduce the number of people smoking is very, very important.

One of the things I'm very concerned about in this bill is the lack of consultation with key stakeholders, including Royal Canadian Legion branches and the veterans who were encouraged to smoke as veterans. My father was a veteran. They were given a tobacco ration as part of their provisions and encouraged to smoke while they were overseas. Did we talk to these people to see how it's affected them, those who continue to be addicted to this product and have very few places left to go but for those club rooms in those Royal Canadian Legion branches where they can sit down with their comrades and talk about old times? Many of them are widowers at this point as well.

The other thing I'm concerned about is the lack of tying this bill in with smoking cessation programs or support to the farmers. They promised \$50 million to tobacco farmers in this province, not as compensation but as a way of helping them move into other productive areas in agriculture. They have failed in that regard. You can't tell somebody one day, "You're selling a legal product" and on day two, "Yes, it's still a legal product. We're going to do everything we can to put you out of business, but we're not going to help you move into another productive area. We're not going to give you another vehicle to support your families. We're simply

going to cut you loose and you sink or swim on your own.” Well, you can’t do that as a government. You’ve got to help the people whom you’re affecting by this legislation.

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

1720

Mr. McNeely: The member for Nepean–Carleton was wondering about dealing with Legions. That Legion is already in the city of Ottawa, to my knowledge. It was when I went to it for that event this fall. The Legions and the city worked out a good deal too. That was one of the proudest accomplishments for me as a councillor when I was on the city of Ottawa council led by Mayor Chiarelli and all the councillors, and Dr. Cushman. This was a great thing that happened in Ottawa, and the people there are generally pretty satisfied. Of course, there were people hurt during that time, but the Legions were among those who worked with us to get it done.

The member for Hamilton East has said we badgered people, but that’s not what we’ve done. I talked about working with the youth, which I’m doing in Ottawa with the public health nurse. It’s a very successful program, and I’m sure that for a lot of people who are caught in the habit it’s very difficult. We’re not trying to badger them; we’re trying to move forward and get in place for the province what’s been in place in the city of Ottawa for three years.

My son had to quit a bartending job because of the side smoke. He didn’t smoke. His doctor thought he must have been smoking a pack or two a day. He had a chronic cough. He quit, and the cough went away. I think that bylaw was the best thing we could have done in Ottawa. The member for York West is right on when he supports the work we’re doing.

To the member from Renfrew–Nipissing–Pembroke: This is tough legislation; it does hurt people. But this is important for the common good, and I hope everyone in this House supports this very important legislation.

The Acting Speaker: Further debate?

Mr. Norm Miller (Parry Sound–Muskoka): It’s my pleasure to join the debate today on 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.

I would first of all like to say that I’m a non-smoker and do support trying to make everyone a non-smoker in the province and, indeed, in the country. In a perfect world, that’s certainly what I would like to see, because there are so many negative consequences to smoking, especially the serious health concerns that arise from smoking. However, I do realize that a lot of people in our society are addicted to smoking as well.

In talking about this bill, there are a few specific concerns I would like to deal with. I would like to deal with the farmers and how the promise of \$50 million in compensation has been ignored. I’d like to talk about restaurants that have made significant investments in terms of ventilation systems they’ve put in. I’d like to talk about Legions—we’ve heard a number of people here this

afternoon talk about Legions and the lack of consultation that went into this legislation in terms of Legions.

I’ll start with the farmers. I think this government is ignoring rural Ontario and farmers. Farmers don’t start protests on the 401 lightly. They don’t start driving their tractors down the 401 to try to get the attention of the government unless they have some serious concerns.

Just a few weeks ago, about the day after the first time the farmers protested by driving their tractors and combines etc. down the 401, I had an opportunity to speak to the cattlemen’s association in Nipissing and Parry Sound–Muskoka. It was the day after that 401 protest. I can tell you that farmers have real concerns.

At the time, I was addressing the farmers, talking about their concerns with BSE. It turned out that our federal member for Parry Sound–Muskoka, the federal agriculture minister, was also at that meeting. He, of course, talked about BSE. But in speaking to the farmers—and I see the Minister of Agriculture is here—I simply said, “Did you hear the Minister of Agriculture talking about how he’s going to support tobacco farmers last week on CBC in the morning? What did you think?” That’s all I said. I didn’t say anything else. I let them answer it. “What did you think?”

Half a dozen hands went up. They had heard the Minister of Agriculture speak about how he was going to help tobacco farmers. They more or less said they were very upset and very unhappy with the non-answers the Minister of Agriculture gave on CBC. When he was asked how he was going to help the farmers—about six times by the interviewer, he said he was looking at a strategy, in very vague terms. Even the CBC commentator said, “That’s pretty vague,” and gave him another opportunity to answer the question. He couldn’t come up with anything more definite than that. It spoke for itself, so I didn’t have to raise it any more than just asking if my local farmers had heard that. I think local farmers recognize that the Minister of Agriculture is not standing up for their interests.

Not only that: This government made a promise—they made lots of promises—to the tobacco farmers of this province. They promised that they were going to deliver \$50 million in transition funding to assist them with the transition away from growing tobacco products to other crops. To this date, they have not delivered on that promise, as they have not delivered on many other promises.

The government has been ignoring rural Ontario on lots of other issues. I could go into many different issues. But farmers are hurting these days. They’re hurting with commodity prices that are about half of what they used to be for corn and soybeans; they’re hurting with the BSE situation; they’re hurting because the government is bringing about regulations that are very difficult for them to adjust to, whether it be nutrient management or source water protection.

The government needs to listen to the concerns of the small farmers. In my area of Parry Sound–Muskoka, most of the farms are very small.

Interjection.

Mr. Miller: The Minister of Agriculture seems to be getting upset. Minister, it is your job to look out for the concerns of the farmers. I am telling you what I heard at my local meeting; it is your job to listen to them.

The Minister of Agriculture's job is to look out for the concerns of the farmers in this province. Right now, I can tell you the farmers wouldn't be having a protest here on March 2 if they felt their interests were being looked after. I'm sure we'll hear from them loud and clear on March 2 and March 9, when there are hundreds of combines and thousands of people here to protest the actions of the government. Farmers have real concerns. They don't go and shut down the 401 lightly. They have real concerns; they're hurting. Corn and soybean prices are half of what they've been; BSE, the government regulations. They need help. A lot of the small operators are not provided assistance with the programs the government has put in place. I think they've done a \$20-million program for nutrient management, but that's just for the very large operators. Farmers have concerns, and the government should, at the very least, keep their \$50-million promise to help with transition.

I'd like to switch to restaurants. There are many restaurants that have spent—I would hazard a guess—\$100,000 to put in a ventilation system and a separate room for smokers. As I say, I'm in favour of reducing smoking and I'm in favour of banning it in public places, but I think smokers do have some rights as well. As long as it doesn't negatively affect the health of workers and it's a free choice—and this is a free country—of those smokers, we should try to make it possible for them, if they so desire, to smoke. Look at the restaurants: They've spent \$100,000 on making physical changes to the restaurant or bar to allow for those who want to smoke. What about phasing this bill in over five years so that those restaurants that have spent that money aren't too hard-hit? Look at the BC situation: That is what they've done in BC. In BC, the job-killing impact of the smoking ban resulted in \$8 million lost to the hospitality industry, nearly 800 layoffs in just 80 days, before the courts killed the bill for lack of consultation. Also, the province of British Columbia recognized the disastrous financial impact of a complete smoking ban and instructed its Workers' Compensation Board to work collaboratively with that province's hospitality industry to develop ventilation standards based on science for ventilated smoking areas in that province's bars and pubs. Even if you phased it in over four years, that would take some of the economic considerations of this bill into effect so it would be easier for the economy, for the restaurants and for the bars.

1730

Also, in Nova Scotia, Quebec and Prince Edward Island they have province-wide ventilation standards for smoking in hospitality environments. So there are other jurisdictions that have done that. I would simply suggest that phasing it in is a worthwhile consideration, or that you should at least consult about that.

Consultation is another point I would like to make on this bill. There was not consultation with the farmers

affected or with the Legions affected. And the government, in trying to make the best legislation, owes it to the people of this province to consult with them. That does result in the best legislation. However, you have to get input and then use it.

In the last couple of weeks I took part in the pit bull ban bill, Bill 132. The Legislative Assembly committee held public hearings for four days and then a day of clause-by-clause on the pit bull ban bill. We had hundreds and hundreds of people come before the committee for 10 or 15 minutes to talk about that bill. I would like to say there were some absolutely excellent presentations. We had a veterinarian from Texas fly all the way in for a 15-minute presentation, we had animal control officers and the humane society and people who had been attacked by dogs, but overwhelmingly the evidence showed that a specific-breed ban is not effective, and they suggested many improvements to that legislation.

In the case of that specific legislation, the government made a sham of the whole process by not listening to anyone who came before the committee with recommendations. They just went through with their own minor amendments. They didn't listen to any of the amendments to the bill that were put forward by either the official opposition or the NDP, the third party, amendments that were meant to improve it, to make it more effective, to achieve the goal of fewer dog bites and a safer Ontario. So if you are going to consult, and I believe the government should be consulting on this bill, you also have to listen.

Another example of the government's lack of listening and lack of consultation: They have the greenbelt bill, which is an important bill. It has tremendous effects on rural Ontario—on farmers, again—and the government was trying to ram that bill through by December 16. Only with some serious negotiations by the opposition parties were we able to get four days of public hearings on the greenbelt bill to address the concerns of farmers.

With that bill, in many cases their farms would be devalued substantially, so there basically would be expropriation without compensation. Certainly, the science as to how the borders of the greenbelt were drawn is very suspect. In some cases farms were split in half; in some cases fully serviced land was included in the greenbelt. The boundaries seemed to be based more on political science than on natural science.

So we caused about four days of public consultations on that specific bill, the greenbelt bill, Bill 135. But once again the government has not listened to the people who have come before the committee that was holding the public hearings. So they are going through the motions of holding consultations but they aren't really doing consultations. It's just for show; it's not really benefiting anyone.

That seems to be the case: The government seems to be ignoring northern and rural Ontario. Certainly we've heard a lot about problems in northern and rural Ontario. I'll get to that, if I have time, in a few minutes. But I would also like to talk about the case of Legions.

We have veterans that fought for us in World War II and World War I, in the Korean War and others. They fought for our freedom. In most cases, they want to be able to have a smoking area. It was pointed out by the member from Renfrew–Nipissing–Pembroke that they were actually given rations of tobacco when they were at war, so in many cases their habit was caused by the government. They fought for our freedom and now their freedom in terms of being able to have a place to socialize and smoke is being taken away from them.

I would say that if you're going to provide an exemption for Legions, the way I would do it would be through a ventilated room where only smokers are going to go. It's the choice of those people who want to go into that room and it's the choice of the Legion whether they want to do it. So you at least provide the freedom of choice for those who are addicted to smoking.

I have a letter from one of the Legions in my riding northeast of Huntsville, from the Kearney Legion. I will read that letter. It was just written on January 4, 2005.

"Dear Mr. Miller:

"I am writing on behalf of the H. White Memorial Legion in regards to the non-smoking legislation.

"We feel that our veterans should not be punished with this law. They did give the ultimate sacrifice for their country and Legions are a private club started by the veterans.

"We feel that the veterans should be allowed to go to Legions to socialize with each other and if they so desire be allowed to smoke. Installing an anti-smoking ban on our veterans is unjust.

"Yours truly,

"Vic Sibley

"President"

There are many Legions across the province that feel the same way as was expressed by Mr. Sibley. I think some consideration should be given to allowing a way for them to have their freedom but at the same time not harming anyone else. As I say, I do support trying to reduce smoking and I do support banning smoking in public places. But I think we also have to take the investments of the restaurant owners into account, the concerns of the Legion, and we certainly need to think about those farmers who need to make the transition from farming tobacco to farming other products.

In the short time I have left, I would like to touch on some of the other rural concerns that we are hearing about, because this government seems to be ignoring rural Ontario, especially as it relates to some of the health issues. Today in the Legislature I had the opportunity to raise a question about Geraldton, where the six doctors in the community of Geraldton placed an ad in the newspaper just last week, and effective May, they are going to be leaving that community unless something is done. That highlights the fact that the government needs to get serious about its negotiations with the doctors of this province, to stop confronting and fighting with them, to get serious and get a deal with the doctors in the province so that places like Geraldton will be able to provide

medical service to their area. If those doctors leave, it effectively means that the hospital would have to stop providing services. So it is a very serious concern and I hope the health minister and the Premier get serious with their negotiations with the OMA.

There are concerns that are coming out of my riding to do with some of the health issues of the new LHINs, the local health integration networks, which are being put forward by the government. Locally there are concerns that once again the government didn't consult, so they're shutting down the district health councils but they haven't necessarily consulted to get the boundaries correct. I see in my local paper, the Huntsville Forester, Elgin Schneider, who is the mayor of Sundridge, raising concerns about how the boundaries are drawn. In the case of Sundridge's LHIN, they are in the southern LHIN and yet they feel more of an affinity to North Bay. In fact, the town of Sundridge just committed \$100,000 to the North Bay hospital. Obviously, if they're committing \$100,000 to the North Bay hospital, that is the hospital they feel should be within their local health integration network. I hope the government will consult on that important issue. I will just quote from the newspaper here. This is Mayor Schneider:

"I don't know who gave input, but certainly the municipalities around here didn't," said Schneider. "We're sort of sitting on the line ... We can't understand why the boundaries are where they are. We're grouped in with the south, which goes all the way to Cookstown, and we can't see where we have much in common with that area.' ...

"Our residents go both ways, but we've committed \$100,000 over 10 years to the new North Bay hospital.... We've committed to that area, so I think that would indicate that we're sort of leaning toward that area.'"

1740

He suggests that the line separating LHINs would make more sense if the dividing line were the line separating the Muskoka and Parry Sound districts, as the health unit is split on that exact line. I would say that that does make sense and that Mayor Schneider raises some very good points.

In conclusion, I do support everything we can do to stop people from smoking, to help people to stop smoking, to ban smoking in public places. I simply say that we need to address some of the economic concerns. We have to address those restaurants that have spent, in many cases, \$100,000 to provide special rooms and ventilation. We need to look at other jurisdictions. We have to look at Legions and perhaps give them that option. And we need especially to look out for the farmers in this province, who were promised \$50 million in the past election for transition funding to assist them with the transition to less tobacco being grown in this province.

The Acting Speaker: Questions and comments?

Mr. Prue: I listened intently to the member from Parry Sound–Muskoka. In his calm, measured way, he more or less put it in a nutshell. If there is a problem with this bill—and, as I am next to speak, you're going to hear

that I think the bill is going the right way. But if there is a problem, the problem is quite clearly that there have not been sufficient consultations. The consultations have been limited, and the consultations around the economics of the proposal have not been well threshed out.

There are people out there who may be in need of compensation, and they have not been offered compensation. There are programs that need to be funded, and there is no money there for the funding of those programs. We have heard, and I believe it to be true, that the Legions have not been consulted in any meaningful way. We have heard that the LHINs in the area around his riding have not been consulted. We know that the restaurateurs, especially those who have built separately ventilated rooms, have not been consulted. We know that the store owners, although they were initially consulted about their displays, have not been consulted in the latter stages of the drafting of the bill, and certainly not since the release of the bill. We know that those on native lands are not subject to this bill and, although they were consulted with in the early stages, they have not been consulted since this bill has been put forward in the House. Last but not least, we know that the farmers, those on whom the economic impact is probably going to be the most severe, have not been consulted.

Other jurisdictions have chosen to consult and to compensate their farmers, have chosen to consult and to compensate their store owners, have chosen to consult and to compensate their restaurants. I think that's what the debate is coming down to: not whether it's a good or a bad bill, but whether or not all of the knots have been tied at the end.

Mr. Peter Fonseca (Mississauga East): Bill 164 is something that all people in this House and all people across Ontario should be very proud of: a smoke-free Ontario. The minister entrusted me to meet with all stakeholders and to have an open-door policy when it came to our smoke-free Ontario legislation, and all stakeholders walked through the door. We had restaurateurs, we had casinos, bingo halls, Legions. Every stakeholder got a chance to come in and meet and give their point of view around this legislation.

What I can say about the previous government is that they did not take on a leadership role. Like many other things that they did, they decided to download this to municipalities and not to take on a leadership role when it came to a smoke-free Ontario. It's something that many municipalities asked that we would upload. We did, took on the leadership role, and made sure there was a level playing field for all here in Ontario when it came to a smoke-free legislation.

We hear from the members across the way from the two parties, and they still continue to not take on a leadership role and to sit on the fence when it comes to the Legions and designated smoking rooms. They cannot take a stand.

This government took on that leadership role, as it has with much other legislation. We are making sure we are protecting Ontarians in enclosed workplaces and en-

closed public places, making sure Ontarians are protected from the harmful effects of second-hand smoke, and making sure this will add to the sustainability of our universal health care system, which we so treasure in this province. As we know, 16,000 Ontarians die every year due to the harmful effects of tobacco-related illness.

Mr. Dunlop: I want to compliment my colleague from Parry Sound–Muskoka for his speech. We're talking about leadership here today, as the member opposite mentioned a couple of minutes ago. I think we are taking on a leadership role: We asked for exemptions. I can't believe you're sitting over there, not trying to protect the veterans in our society—there are still 300,000 or 400,000 veterans in our country today. These are the people who fought and gave their lives so we could have the freedom and democracy we have today, and you don't want a veteran to have a smoke-free room anywhere in the Legion. You want to make sure that some 85-year-old guy who smokes—he's never going to stop smoking—is tossed outside on a cold day like today to have a cigarette. I think that's unacceptable; that's all I'm saying.

I like the idea of a smoke-free Ontario, but there are people you have to thank at some point, and some of those people are the veterans in our society. I have no problem having a smoke-free room for the veterans in our army and navy clubs and Legions across this province. I don't see one thing wrong with it. To begin with, these gentlemen don't have a long time to live; we're not talking about people who have 40 or 50 years of life ahead of them. Most of the veterans we have today are from the Second World War, who are 75 and older. I think they deserve that opportunity. When a guy like Norm Miller stands up and reads a letter from a Legion and supports it, that's what I call leadership in this province, not somebody who hides behind one piece of legislation and completely forgets about the people who sacrificed their lives so we can have the democracy and the freedoms we have in our country today.

Mr. Sergio: I would like to add some comments on Bill 164. It's interesting and good and appropriate that we have debate in the House. The member for Mississauga East has said we had considerable consultation on Bill 164. It is appropriate that we have discussion in the House today on second reading. I hope this will go through. I hope this will see speedy passage on third reading and approval of the proposed legislation.

I really wonder what we are telling our kids out there. They want to try to quit smoking. Even though there are some programs out there to assist them and the cost of cigarettes is skyrocketing, they are still smoking. We always have a large number of smokers out there.

A few months ago, I was invited to speak at Emery Collegiate, one of the collegiates in my area. The topic was Your Comment. We had a forum on smoking and carrying the message out to our students. The first thing I told the students was that they were not going to stop smoking. But the message was, you have to consider, down the road, what smoking is going to do to you, to

your family, to your fellow man, and to your health and everybody else's. I said, "Until you're ready to understand the consequences of smoking, you will keep smoking." I'm a reformed smoker. I had a hard time quitting, but I did it. My message to people out there is, control it, stop it, and to us in here, approve this bill as soon as possible.

1750

The Acting Speaker: That concludes the time for questions and comments.

I'll return to the member for Parry Sound–Muskoka. You have two minutes to reply.

Mr. Miller: I would like to state again that I do support Bill 164, and I support making Ontario into a smoke-free province. I thank the member from Beaches–East York, who raised some concerns with the bill; the member from Mississauga East, who spoke; and the member from Simcoe North and the member from York West for adding their comments.

The member from Mississauga East talked about the consultation that the government did on this bill, that their doors were open. But I would have to ask, did they listen? Did they listen to the concerns of Legions, for example? The answer is no, they did not. I do believe that we could make some changes to the bill to allow a designated smoking room for Legions, with proper ventilation, if that would help. We should give that consideration.

Of course, as I stated before, we need to look after the concerns of farmers who are transitioning out of growing tobacco. We have to look at the investment and the economics of this bill, the effect on restaurants and bars, and in particular on those restaurants that have spent hundreds of thousands of dollars on ventilation equipment and special rooms. We can learn from other jurisdictions.

I do support this bill. I support making Ontario smoke-free. I believe that we need, at the same time, to look at phasing the bill in, perhaps over five years, and deal with some of these concerns that have been raised by various members.

The Acting Speaker: Further debate?

Mr. Prue: It is that time of the day when I get to make a bifurcated speech—half today and half on the next occasion—but I will try my best. There are several problems here with the bill. I am not saying it in a negative way, that the bill is bad, but I would like the people on the other side to look at some of the definitions, what you have proposed, and see if this is really what you want.

I draw your attention, on the first page, to: "'enclosed public place' means the inside of any place, building or structure or vehicle or conveyance or a part of any of them,

“(a) that is covered by a roof....”

I am asking you to look at that definition and determine whether or not this is what you want to include as an enclosed public space: the mere fact that a building or a structure has been covered by a roof. There are many smoking establishments or places where people presently

smoke in Ontario which are separate and apart from the main building in which a restaurant or a place of employment might be housed. I am thinking of restaurants that employ the use of a gazebo. That is a little structure, as any of you might be familiar with, that has no walls. It does have a roof. I would point out some of the restaurants in the Toronto area that have retractable roofs that allow the patrons sitting underneath not to be in the blazing sunshine—we all have to worry about skin carcinogens as well—or to be sheltered from the rain or other inclement weather. Those roofs are retractable; they go back and forth.

How are the members opposite, with a definition like this, going to enforce the bylaw? If someone complains that the roof is down and it's fully extended, and the bylaw enforcement officials come by and the roof has been retracted, much as SkyDome can be retracted, is there a problem with that? I would think there is.

I would like to point out another example about having a roof. There is a bar on Queen Street in the Beach in my riding which I was looking at the other day. I didn't go into the bar; I was just driving along to pick up a constituent. I looked at this bar, which was heavily populated, even in the wintertime, with smokers, and the reason was because it has two smoking areas. It has one downstairs. It has stairs that go upstairs. So what you have, in fact, is a floor and a ceiling on the downstairs, and then you have a further ceiling up above. So you have two of them. I think the question of whether the first one is a ceiling or a floor is a real question you're going to have to debate in this definition.

I have some problems with the definition here of having a ceiling when clearly there may not be anything but support braces and no walls. To me, this hardly qualifies as an enclosed space. It is the definition you have given. I would invite the members opposite to look at this definition and see if this is actually what you intend to do, what you are going to do when people build retractable roofs, and whether or not an awning or a semi-permanent awning that can be snapped into place constitutes a roof. None of that is clear from this definition and, I would suggest, is going to cause you some problems in the future. I believe it is something that needs to be discussed with the lawyers and possibly something that needs to go to committee.

I point out some other difficulties that you have here in the legislation. Unlike some members, I actually read the legislation. It's quite instructive. You have a very good provision in this legislation for home health care workers. These workers have the right, under subsection 9.1(2), to refuse to comply and offer health services in the presence of a person who chooses to smoke in a care facility. This is probably a good provision, and I commend that no worker should be put in the way of a problem such as this.

But I turn to the section immediately before that—it's a long section—paragraph 1 of subsection 9(8), which refers to hotels. This allows for people to smoke in hotel rooms. It allows that they don't even have to be separ-

ately ventilated. They merely have to have walls between the various rooms. The hotelier has to determine whether or not it is permissible to smoke in any room or not permitted to smoke in that room. But the workers who work there have no protection similar to health care workers. A person coming in to change the bed in a room in which a smoker or a party of smokers spent the night has no protection. They can't refuse to go in there and clean the beds or the bathroom at the end of the day or during the time that someone is there. They have not been afforded the same rights that you afford health care workers, and yet they are doing what would conceivably be equally dangerous work in terms of smoke. I think what is good for health care workers has to be good for people who work in the hotel industry. They should have the right as well to refuse to go in and service rooms where people are smoking. This only stands to right. You don't have this in your legislation. If you really believe you have good, comprehensive legislation, you have to afford those people the same rights as health care workers.

I believe this should go, again, back to the drafters of the legislation, back to the lawyers and possibly back to the hoteliers and the people who work in the hotel industry to see whether they deserve the same protection as those you are willing to afford others. That's the second real problem I see here just in reading the legislation.

I see a problem as well in paragraph 5 of subsection 9(2). There is a real problem here because this is the protection of children. You have legislation which says you may smoke at all times when a day nursery is not in operation if you choose to do so. These are intended, I think, for non-regulated child care in private houses, but at all times of the day. If it's open eight hours a day, 16 hours a day, you can be lighting up in an enclosed space, smoking cigarettes, provided you do not smoke them while the children are there.

I would take it that this is not very good legislation. This is not a good provision. I know what you're trying

to do is protect someone's home environment, but you need to look beyond that to protect the children we have an obligation to protect, who are defenceless, who are put into a place and who will be breathing carcinogens day in and day out.

I go back to my time as a municipal politician, when we were grappling with the first smoking bylaws in the Toronto area. East York developed the strongest and best one at the time. We were handed a copy of the North York bylaw which was, to put it quite frankly, a joke, because it was going to have different hours, all the times during the day when you could or couldn't smoke, in a restaurant. But after 6 o'clock, when more people came to drink than to eat, then the ashtrays could come out and you could smoke your lungs out till 2 o'clock in the morning, and then the next day the room was suddenly, magically going to be clear and free of smoke.

The medical officer of health told us this was a stupid thing to do. We wouldn't follow that bylaw; we never intended to. In fact, the bylaw died in North York within a few months of it being proposed. The medical officer of health at that time in East York was the same medical officer of health who is now advising the province. It was Dr. Sheela Basrur. She told us what a stupid thing the North York bylaw was, but here I see it revisited for our children. You can smoke all day long, you can leave the carcinogens in the air, and when they're there, they won't actually have smoke blown in their faces.

This is a real lacuna in this particular act. It's something you need to look at. I cannot believe that a government that stands up and prides itself on having the strongest possible anti-smoking legislation and protection of people will leave that in there as well, particularly where it comes to our children.

Mr. Speaker, is this an opportune time or shall I keep going?

The Acting Speaker: Thank you very much. It being 6 o'clock, this House stands adjourned until tomorrow at 1:30 p.m.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon. / L'hon. Alvin Curling
Clerk / Greffier: Claude L. DesRosiers
Deputy Clerk / Sous-greffière: Deborah Deller
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Barrie–Simcoe–Bradford	Tascona, Joseph N. (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hastings–Frontenac–Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of the Environment / ministre de l'Environnement
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Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
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Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
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Guelph–Wellington	Sandals, Liz (L)	Oak Ridges	Klees, Frank (PC)
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Oxford	Hardeman, Ernie (PC)	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources / ministre des Richesses naturelles
Parkdale–High Park	Kennedy, Hon. / L'hon. Gerard (L) Minister of Education / ministre de l'Éducation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)	York North / York-Nord	Munro, Julia (PC)
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York South–Weston / York-Sud–Weston	Cordiano, Hon. / L'hon. Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough–Rouge River	Curling, Hon. / L'hon. Alvin (L) Speaker / Président	York West / York-Ouest	Sergio, Mario (L)
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
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St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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