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**Official Report
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**Journal
des débats
(Hansard)**

Monday 28 February 2005

Lundi 28 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 28 February 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 février 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

JULIAN FANTINO

Mr. Garfield Dunlop (Simcoe North): It is a day in the province of Ontario that I don't think we'll ever forget: the last day that Chief Fantino is chief of the Toronto Police Service.

I had the honour on Saturday night of attending the tribute dinner. It was one of the largest tribute dinners I've seen for any person, let alone anyone in a law enforcement agency, in my time in politics. There were stakeholders there from all different levels of government in Ontario and, as well, representatives from international police services.

Chief Fantino had a very, very distinguished career. I won't go into all the details of it, because time doesn't allow. Certainly his response to 9/11 here in the province of Ontario and the city of Toronto was key, and in the SARS epidemic in the spring of 2003, I know how closely he worked with Premier Eves. He also worked with Premier Eves on the blackout that hit Ontario and the city of Toronto as well. He was chief of police, of course, for York region and for the city of London Police Service as well.

I just want to say to Chief Fantino and his family that I wish them all the best. I thank him for the job he did as chief in the city of Toronto. But I want to wish him well, on behalf of John Tory and our caucus, as the new commissioner of emergency services here in the province of Ontario.

HOCKEY

Mr. Brad Duguid (Scarborough Centre): I speak today as a hockey player for over three decades, as a proud hockey parent of my eight-year-old son, Kennedy, as a trainer and assistant coach for the Toronto Aces minor atom AA GTHL hockey club, and as a proud Canadian who considers hockey to be an important part of our culture and our way of life.

At a time when the NHL is on strike, parent behaviour is under deserved and intense scrutiny, and costs for hockey are making the game inaccessible to many young Canadians, there's widespread concern that our priorities

have shifted from providing recreational and development opportunities for our youth to boardroom power plays.

There's big money in minor hockey. I know, because I have personally paid out thousands of dollars to allow my own son to play this great game. I and most parents and coaches do not mind investing our hard-earned dollars in hockey as long as we can be assured that every penny we invest is going toward a better hockey experience for our sons and daughters. Parents and players deserve the right to know if their fees are going toward hockey development and programs for our kids or into someone's pockets as profit.

In response to these concerns, the GTHL has responded with 16 recommendations that will go a long way toward making teams and clubs more accountable and transparent to the 40,000 players in the GTHL and their parents. These reforms, which I understand the GTHL will be formally considering this week, are an important step toward our collective efforts to return confidence and transparency to minor hockey in the greater Toronto area. I want to commend the GTHL for moving forward in this direction. While more reforms may be necessary, there's no question that these measures are a good first step toward lifting the cloud of controversy that has hung over the GTHL for a number of years. Perhaps the focus can now return to where it belongs: developing our young hockey players and providing them with the opportunity to enjoy Canada's national sport.

HEPATITIS C

Mr. Norman W. Sterling (Lanark-Carleton): All members of the House are well aware of the national tragedy that saw so many Ontarians and Canadians contract hepatitis C through our blood system. Many will recall that it was former Premier Mike Harris who took steps to ensure that the Ontario government would treat all hep C victims equitably and fairly. Mr. Harris more than doubled compensation for those who contracted the virus through the blood system before January 1986 or after July 1990.

Unfortunately, the story does not end there. The Ontario government was provided with \$55 million from the federal government to assist victims who contracted hep C through the blood system before 1986 and after 1990. None of these funds have been allocated to the delivery of health care services. As a result, some people who have been disabled with hep C can no longer work

and are being forced to pay out of their own diminished income for life-saving drugs.

I am calling on the provincial government to act immediately to make sure these critical dollars begin to flow to assist these victims. This is a non-partisan issue that impacts on constituents across all of our ridings. It is in the public interest and in the interest of those innocent victims and their families. We must act now to get them the assistance they so desperately need and deserve.

DOMESTIC VIOLENCE

Ms. Marilyn Churley (Toronto–Danforth): Last week, I drew attention again to how the McGuinty government's strategy on domestic violence is failing to protect women from bail violators.

One of the key, long-standing recommendations made by the coroner and women's advocates is to require police, crown attorneys and JPs to use standardized risk assessments in determining bail conditions. The Minister of Community Safety and Correctional Services concurred with me and others that such a tool in the form of the Ontario domestic assault risk assessment tool does make a difference in ensuring women's safety, and in fact can save lives. To quote the minister, "It has been tested clinically. There's no question that it works." But then he indicated that the Liberal government, despite having full knowledge of how ODARA can help to protect women from being attacked by abusive partners on bail, is not allocating the resources to put it into use throughout Ontario. Instead, it is requiring only two jurisdictions to apply this protocol on a pilot project basis.

The minister said the Liberals had to make sure that the coroners, the defence and the judiciary understand how it works, and the government has to determine how to make sure the tool is effectively implemented. Translation: The government is not allocating the resources necessary for lawyers and judges to receive the training in real time and for ODARA to be introduced throughout Ontario's justice and police systems. Cost containment is trumping women's lives. The McGuinty government must revisit their priorities. Otherwise, they are risking unnecessarily the lives of women in Ontario.

1340

PSYCHOTHERAPY

Ms. Caroline Di Cocco (Sarnia–Lambton): I am pleased to rise in the Legislature today to remind my fellow MPPs that this month, February, was the first ever Psychology Month. The Ontario Psychological Association's motto was, "February is Psychology Month and psychology is for everyone."

The intent of Psychology Month was to raise awareness of the role psychology plays in people's lives and in their communities. Psychologists assist Ontarians every day to meet challenges big and small. In these complex times, psychology partners with parents, people and industry to assist those in our communities.

I would like to take this opportunity to thank those psychologists who recently donated countless hours of their time to provide counselling to the tsunami victims and their families.

Psychologists and psychological associates have been promoting psychology in schools, hospitals, clinics, workplaces and the community at large throughout the month of February. I would like all our members to find out more about the activities that took place in their ridings.

On behalf of this House, I would like to convey our appreciation to the psychology community for all of their valuable work and their dedication.

PIT BULLS

Mrs. Julia Munro (York North): Today we will debate the third reading of Michael Bryant's pit bull legislation. Through this bill, the government has taken a real problem—vicious dogs and their attacks on people—and tried to remedy it with a short-sighted and almost universally condemned bill.

Michael Bryant's Bill 132 has been denounced by almost every group of animal experts in Ontario. The bill establishes an arbitrary definition of pit bull, one that is likely to lead to a constitutional challenge because it creates a reverse onus on dog owners.

The Attorney General could not even identify a pit bull when the media asked him to, and he expects thousands of animal control officers to be able to do so. The government has chosen to proceed despite the mountains of evidence against its flawed policy.

I offered a dangerous dog bill as an alternative and I make the offer here today. Take up the bill I introduced and pass real dangerous dog legislation into law. All members of this House have been hearing from opponents of the bill: dog owners, vets, humane societies and experts from all over the world.

Most if not all members of the opposition parties are opposing this bill. I know some of the Liberal members have expressed concerns to me about the bill. I call on Liberal members to start speaking up for their constituents and tell Michael Bryant to pull this useless and draconian bill.

TOM PATTERSON

Mr. John Wilkinson (Perth–Middlesex): It is with great sadness that I stand today to remember the life of Stratford, Ontario's, most famous citizen. Tom Patterson passed away on February 23 at the age of 84. In the early 1950s, Stratford faced significant economic fallout due to the withdrawal of the railway industry that had sustained it for almost a century.

It was journalist and World War II veteran Tom Patterson who conceived the idea of a theatre festival devoted to the works of William Shakespeare to stimulate the local economy. His vision won the support of Stratford city council, which gave him the grand sum of

\$125 to travel to New York City to secure the support of the great director Tyrone Guthrie. Working with an enthusiastic citizens' committee, the first Stratford Festival season took to the stage under the original tent in the summer of 1953.

A Companion of the Order of Canada, Tom Patterson received honours too numerous to mention. Locally, the name of Tom Patterson lives on as both the namesake of the festival's former Third Stage and the beautiful island in Lake Victoria below the Festival Theatre.

I want to extend the sympathy and gratitude of all members to both his family and the Stratford Festival community, past and present. As Ontarians, we are especially fortunate that Tom Patterson's most significant legacy, the Stratford Festival, continues to shine brightly, the jewel in the crown of Ontario and North America's contribution to the world of classical repertory theatre.

AGRICULTURE INDUSTRY

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): Mr. Speaker, as you and most here in the House know, farming is a way of life in my riding of Stormont–Dundas–Charlottenburgh. We know that farmers across Ontario work hard. They're up at the crack of dawn and working long after sunset to provide us with the food we have on our tables. As well, they have to deal with inclement weather—sometimes a lack of moisture, sometimes too much—and the highs and lows of markets. I want to thank them for what they do for us each and every day, and I know that this House and Ontarians join me in thanking them for providing us with the safe, reliable food we have on our tables.

Farmers have always been there to feed us. Now it is time for the federal government to join us in being there for the farmers. We must ensure that we keep farming a viable way of life in this province. We will do what we can to—

Interjection.

The Speaker (Hon. Alvin Curling): Order. The member from Simcoe North knows better than to be heckling while the member is making his statement.

Mr. Brownell: Thank you, Mr. Speaker.

Premier McGuinty and Minister Peters have been working hard, meeting with the farm groups. We will ensure that farmers have the tools as they continue to succeed and provide us with the food we have.

Mr. Dave Levac (Brant): I rise today to speak about the \$23-billion gap between what Ontario puts into federal coffers and what it gets back, and the effect that has on agriculture in this province. This government is committed to supporting our agricultural industry, and as a member representing some of the agricultural area in Brant, I can tell you that I try to spread this message whenever I meet Ontario's farmers and producers.

We worked to ensure that the farmers got a better deal on the agricultural policy framework with the federal government. We're spending \$47 million to provide stability for our farmers during times of crisis. We are providing up to \$30 million to help the cattle industry

cope with BSE. These are just a few of the steps we've taken to support agriculture in Ontario; we know there's still much more to be done.

Ontario's agriculture industry will face its share of challenges, as it always has. The \$23-billion gap facing Ontario isn't helping us deal with those challenges or with the other challenges that we face. The \$5.6-billion inherited deficit, an inability to properly settle and train our immigrants, being 10th out of 10 provinces in post-secondary education funding and the problems we face with agriculture are all symptoms of the \$23-billion gap. It's unfortunate that last week's federal budget did nothing to address these issues, despite the federal government's recording its eighth straight balanced budget, and even surpluses. Thanks to everyone in this House—all parties aside, because this is the engine that powers Canada's economy—a fair deal for Ontario is a fair deal for the entire country.

INTRODUCTION OF BILLS

KITCHENER-WATERLOO Y.M.C.A. ACT, 2005

Mrs. Witmer moved first reading of the following bill:
Bill Pr11, An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

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

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

1350

MOTIONS

COMMITTEE SITTINGS

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

The Speaker (Hon. Alvin Curling): The government House leader is requesting unanimous consent to put forward a motion. Do we have consent? Agreed.

Hon. Mr. Duncan: I move that notwithstanding the order of the House dated June 17, 2004, the standing committee on general government may meet this week at the call of the Chair and that standing order 74 be waived for the purpose of any such meeting.

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

HOUSE SITTINGS

Hon. Dwight Duncan (Minister of Energy, Government House Leader): I move that pursuant to standing

order 9(c)(i), the House shall meet from 6:45 p.m. until 9:30 p.m. on Tuesday, March 1, 2005, and Wednesday, March 2, 2005, for the purpose of considering government business.

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

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it. Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

GREENBELT

The Speaker (Hon. Alvin Curling): The Minister of Municipal Affairs and Housing.

Applause.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): Thank you very much.

Interruption.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: There is a working dog in the gallery and it responds this way to applause. I didn't think it would take that many times for the members of the assembly to learn that.

The Speaker: It's a good point, but I think it's a cautionary point.

The Minister of Municipal Affairs and Housing.

Hon. Mr. Gerretsen: It is my great pleasure to inform the House that earlier today, Premier McGuinty and I officially launched the greenbelt plan for the greater Golden Horseshoe. This is the final step to ensuring a permanent greenbelt in this most densely populated area of our province, and it has come to fruition due to the strength of the Premier's vision, the commitment of our government, and the hard work of many Ontarians who have joined us in our determination to build a stronger and healthier Ontario.

As you know, the Greenbelt Act was passed by this Legislature and received royal assent last week. It gives government the authority to establish a greenbelt plan that contains broad objectives for curbing sprawl and protecting environmentally sensitive and agricultural lands across the Golden Horseshoe.

The plan released today meets these important goals and will help define this area for generations to come. The greenbelt plan sets out the boundaries of the 1.8 million acres of green space that will now be permanently protected, it defines the land use policies that will be in effect, and it sets in motion a new ability to protect the specified greenbelt area and to enable intelligent planning for the anticipated growth of the broader region.

We are all aware of the projected population numbers. By 2031, about four million more people will call Ontario home, which equals the combined population of

Vancouver, Calgary and Edmonton. Most of these people are expected to move to the greater Golden Horseshoe. This growth is welcome. It will attract about two million more jobs and further strengthen Ontario's economy. But we must also plan it very carefully.

Our government has taken up that challenge. The Greenbelt Act and the greenbelt plan together provide a unique opportunity to ensure that the Golden Horseshoe grows in a well-planned and thoughtful way. If passed, the Places to Grow Act and the draft growth plan for the region recently released by Minister Caplan will work in tandem with the greenbelt for the benefit of all.

Ontarians are well aware that we hold in our hands perhaps the last opportunity to really make this busy, progressive, densely populated area grow in a healthy and effective manner, and they took our invitation to be part of the process to heart. The final greenbelt plan is better for the contribution of so many people. It will clearly benefit Ontario in so many ways. Our plan will protect the environment. It will preserve agricultural lands and rural lands. It will encourage growth in existing urban areas while curbing sprawl and supporting vibrant rural communities within the greenbelt. It will provide numerous opportunities for recreational and leisure activities for a burgeoning regional population.

The greenbelt plan strikes a keen balance between meeting the needs of growing communities and protecting our green spaces. It will lead to stronger communities, to cleaner air and water, to reduced gridlock and urban sprawl, and it will help Ontarians enjoy a quality of life that is indeed second to none.

In terms of next steps, soon I will be establishing the Greenbelt Council, to make certain that as minister and as part of the government, I am kept apprised of all matters related to the greenbelt, and to which we can look for expert opinions and advice. We will review the greenbelt plan with a public review process every 10 years to ensure it is doing what it's intended to do: curbing sprawl and effectively protecting environmentally sensitive and agricultural lands.

Our objectives for a well-planned greater Golden Horseshoe are clearly ambitious, but they speak to the vision of our Premier and our government for a strong, healthy and prosperous Ontario. They speak to the desire of all Ontarians to protect our environment, our farmland, our forests and our green space. They speak to a collective desire to ensure that our children and our children's children have the same opportunity to enjoy green space that we all enjoyed while we were growing up.

The greenbelt plan released today goes beyond today, beyond our mandate. It is a vision that has become a reality, it's a reality that will become a legacy, and it will benefit the greater Golden Horseshoe, Ontario and Ontarians for generations to come.

The Speaker: Responses.

Interruption.

Mr. Tim Hudak (Erie-Lincoln): Obviously, it was viewed that the minister's statement was a real howler, by the response of the barking dogs in the gallery. Maybe there's whining up there as well.

I wore my green tie today, hoping I would see some good news in terms of preserving green space and today's announcement supporting farmers. But I was sadly disappointed with the minister's announcement today, which fails to address the real needs of farmers, fails to address the real needs of greenbelt municipalities and fails to produce a plan to make sure that the Greenbelt Act could truly be successful. I remain convinced that this is nothing but a "greenbotch," not a greenbelt.

In fact, it wasn't just I who was saying that. The chipmunks were back, the same two chipmunks that were there when the minister broke the campaign promise not to build any houses on the Oak Ridges moraine. Those same chipmunks were back to greet the minister at the McMichael art gallery, where he made his announcement this morning. Chipmunks are not subtle creatures. Their signs were quite blatant in what they were accusing the Premier of. To put it more subtly, they were comparing the Premier to Pinocchio, but they used that big "L" word that we're not allowed to say here in the Legislature. I want to say too that the McMichael art gallery—

The Speaker: I'd like the member to watch his language as he describes members of Parliament. It's very unparliamentary, the way you're going. I'm going to caution you on this.

Mr. Hudak: Thank you, Mr. Speaker. You're right; the chipmunks themselves were not subtle creatures.

The McMichael art gallery was a very suitable launching pad today, which proves that the initiative is far more about the art of politics and not environmental science. In fact, Dalton McGuinty had his own group of seven cabinet ministers there, complete with their staff and their limousines, for that announcement today.

Mr. John O'Toole (Durham): The seven dwarfs.

1400

Mr. Hudak: My colleague says, "The seven dwarfs," but a group of seven nonetheless. Maybe the Premier flew to Kleinburg; I'm not exactly sure.

The seven ministers were there, trying to paint a pretty environmental picture, but beneath that canvas, I'll say again, no plan to support our farmers, no plan for viability of agriculture in the greenbelt area, no plan to address municipalities whose growth would be frozen by the greenbelt plan. If they want to invest in local services—a new rec centre, roads or sewers—they'll find their tax base frozen, resulting in significant tax increases without support for greenbelt municipalities. There was no plan announced there today, no appeal mechanism whatsoever. It remains that if you happen to know somebody, maybe in the minister's office or in the Liberal Party, you might get your chance for appeal, but nobody else will have that opportunity. There is no public transparent or science-based appeal process for people to bring their concerns forward.

Shockingly, despite requests from the opposition for weeks and weeks now, there is no public revelation of the science behind this plan. They had talked about the LEAR studies done by the Minister of Agriculture to look at the viability of the farm from its soil and the

economic circumstances, but the only LEAR study we have received is one from Ottawa-Carleton, nowhere near the greenbelt area. Obviously, these studies of which they boast are simply ghost studies. They have not brought those forward.

For folks lined up down Highway 401, which we traversed today, or the QEW or the 427, that long line of traffic, that long snake of traffic is just getting longer on this plan because there's no investment to break gridlock to help people get to work, home to their families and to their friends quicker. Gridlock, without significant investment dollars behind this plan, will just get worse.

I am pleased that the Boyd Conservation Area, Pleasant View in Dundas and the Beverly marsh are now included in the greenbelt. It's just too bad that it took a political process to do so. The opposition brought forward a motion at committee for the Boyd Conservation Area, which happens to be in the finance minister's riding, and the Liberal members voted against it at committee. So we're relieved to see today that some pristine environmental areas are included. It's a shame that it took our publicly embarrassing the government time and time again to get those areas included in the greenbelt.

I know the minister will soon set up his council. I'm pleased to hear that. I had suggested a separate one for Niagara and for the Holland Marsh. He may still do so; I hope so. But please make sure that there is strong agricultural representation. We're worried that you're going to leave them off the page.

Interruption.

Ms. Marilyn Churley (Toronto-Danforth): I think the working dog in here today is giving my response for me: a whine here, a howl there, here a whine, there a whine, everywhere a howl. Although this greenbelt does protect some farmland and does protect some environmentally sensitive land—we all concede that, and it's important to do so—what we have here is not a permanent greenbelt as promised by the government.

Mr. Tony Ruprecht (Davenport): We've heard this before.

Ms. Churley: Yes, and you're going to keep on hearing it, let me tell you.

As stated by the minister before—I noticed his rhetoric, in fact, was toned down today. I don't think he's referring to it any more as the "cornerstone" and "stopping urban sprawl"; he is calling it a legacy. But the reality is that the New Democrats introduced an amendment at committee to fix what I thought was an oversight, and that is because he said—

Mr. John R. Baird (Nepean-Carleton): They voted for it.

Ms. Churley: No, they didn't vote for it. He said it was going to be permanent; it is a floating greenbelt, and even worse—yes, it is—you can remove lands and add lands as you choose. So you can have the member, say, from Stoney Creek come to you and say, "I'm getting a lot of flak in my riding about some of the lands included in it. You remove those lands and put in some land from somewhere else." We've already had some examples of

that happening, and therein lies the problem: You can remove at will and put in wherever you want at will. So this is not a permanent greenbelt at all.

The other problem, and there are several I want to bring up again today, is that this greenbelt does not include some of the prime farmland in Ontario. That farmland is left stranded between the greenbelt and the designated urban centre. It's been said, not just by me but by the Neptis Foundation—and I'm going to quote them again—what this means. Some of the best farmland in southern Ontario, as stated by the Christian Farmers and others, has been left out of the greenbelt. That band up there means that developers can buy up land in that farmland. Furthermore, south Simcoe is not included in the greenbelt. You've got highways going all over the place through the greenbelt, and you know that if you build it—the infrastructure, the big pipe, the highways—they will come.

This is what Neptis said about your greenbelt plan: “When the proposed greenbelt plan was released, the government announced that the plan would ‘curb unplanned urban sprawl’ by setting ‘strict limits on urban boundaries.’ While this might hold true within the greenbelt, the plan will do very little to curb sprawl outside the belt.”

Minister, you had an opportunity to do something about that, and you chose not to. So you're going to have leapfrog development, you're going to have highways going through, you're going to have prime farmland developed all around it. Despite the plan in place, in the end the legislation allows cabinet to ultimately determine the shape of the greenbelt. So a political whim can change the greenbelt.

Mr. Baird: After a fundraiser.

Ms. Churley: Yes, after a fundraiser, and the Tories should know how that works.

The Minister of Municipal Affairs and Housing can initiate a change to the plan at any time prior to the 10-year review, followed by the approval of cabinet colleagues. Talk about the fundraisers and the pressures that are now going to be on these cabinet ministers. I'm telling you, Minister, you have not done your colleagues any favours by leaving that open to those kinds of pressures.

There is no true arm's-length body established to mitigate cabinet dominance on this issue. For instance, Minister, you know the Niagara Escarpment plan has the Niagara Escarpment Commission. They assess requests to amend the Niagara Escarpment plan, followed by board approval or rejection of their recommendations.

Minister, you had the opportunity to improve this greenbelt. You could have made it permanent, and you chose not to. The question is, why? You've put your cabinet colleagues and all of your members in jeopardy because of the pressure on them to now—think of your agriculture minister sitting there. The pressures on him and on the infrastructure minister from developers, from farmers, from whomever to move some of the pieces of land in and out is, I think, not only unfair to them but

creates great jeopardy for the preservation of the greenbelt itself.

I'm really sorry that the minister didn't listen to Neptis and others to fix this greenbelt so it truly is a permanent—

The Speaker: Thank you.

There are a lot of discussions on the floor. I would ask members that if they need to talk, they can go into their respective lobbies and have their discussions, as I'm having difficulty hearing the responses and the members.

I will also at this time ask members, whenever they are addressing any concern, to direct it to the Chair.

ORAL QUESTIONS

DOCTOR SHORTAGE

Mr. John R. Baird (Nepean–Carleton): My question is to the Premier. You just can't seem to get your financial act together. For the first time since Bob Rae was in the Premier's office, Ontario now has a Premier who doesn't seem to even care about the fact that Ontario is running a deficit. Let's make no mistake about it: This is a massive broken Liberal promise. You're raising taxes after you said you wouldn't. Instead of doing more with less, the McGuinty way is to do less with more.

Premier, 20% of Ontario's doctors will retire within the next four years. So the doctor shortage problem will only get worse under a McGuinty Liberal government.

Interjections.

The Speaker (Hon. Alvin Curling): Order. This is the first question, and I'm getting about two or three interruptions on the government side. I'd like to hear the member for Nepean–Carleton put his question, and I'd like to hear it without any distraction and disruptions.

Mr. Baird: Thank you, Mr. Speaker, for getting that other member for Nepean under control.

Premier, the doctor shortage problem will only get worse under a McGuinty Liberal government. I don't think you have a plan to solve our doctor shortage problem, and I don't think you even know what that problem is. Prove me wrong. Stand in your place and tell us today how many doctors we'll need to get on-line by 2008.

1410

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I'll be delighted to acquaint the member opposite once more with our plan when it comes to increasing the number of doctors available in the province of Ontario. First of all, we are increasing the number of spaces in our existing medical schools. Beyond that, we are building a brand new medical school, the first of its kind in Canada in the past 30 years. Those two efforts will increase the number of graduating doctors by some 150. Beyond that, we've taken the number of residency spaces for our international medical graduates and gone from 90 to 200, so we are fully capitalizing on the brain

gain. Beyond that, and I'll be glad to speak more about this in our supplementaries, we are bringing on-line family health teams. There's been a tremendous interest in this new concept we're putting forward.

Mr. Baird: Premier, the people of Ontario now see that not only do you not have a plan, you're not even fully aware of what the problem is. You talk about an extra 110 doctors a year through your IMG program, but in fact, even with the numbers that you talked about, Ontario will still be 4,200 to 6,200 doctors short. The bottom line is, under your stewardship this problem will go from being a bad instance to a crisis, a growing crisis.

I remind you that it was the Conservative government under Mike Harris who announced the funding for the new medical school, it was the Conservative government who increased medical school enrolment by 30% while in office and it was the Conservative government that expanded the international medical school program. Your Liberal government has done nothing new to even address this problem. Working families in Ontario now see that you're choosing big spending over balanced budgets. They are now paying a massive new health tax, after you promised not to. Premier, stand in your place and tell us just how much of this \$2.4 billion in health tax money you are spending to finally solve this doctor crisis.

Hon. Mr. McGuinty: First of all, the NDP cut medical school spaces. The Conservatives, when they served in government, then waited a full four years before they decided they were going to do something on that. We went from over 60 underserved communities in the province of Ontario to over 140 on their watch. We have acted quickly. We have more than doubled the number of residency spaces that had been put in place by the Tories on their watch, when it comes to accommodating our international medical graduates. We are building a brand new medical school. Beyond that, we're establishing family health teams.

The members opposite laugh, but these are the people who are very quick to produce rubber cheques. We're actually paying for the darn medical school, not producing rubber cheques. That's the difference: Our commitment is real.

Mr. Baird: Let's look at the numbers. With all the measures that you've just recited here now, Ontario, despite all those numbers, will be short some 4,200 to 6,800 doctors by the time voters go to the polls in the next election. The Premier nods his head, but in fact those numbers are the truth.

Premier, stand in your place and tell us if you will accept a Conservative idea to address this problem. We in the Conservative Party would like to propose that you strike an all-party select committee in this Legislature to examine the doctor shortage issues with tight time frames to report back to this House. I noticed earlier today that your government established a panel to look into ergonomic issues. Will you stand in your place and accept our idea as a constructive first step to solve this problem? Will you establish a select committee on this crisis, yes or no?

Hon. Mr. McGuinty: I can tell you that we are very optimistic when it comes to increasing the attractiveness of our jurisdiction for family doctors and specialists alike. I can tell you that we are working hard with the OMA at the present time to land a good agreement that will—in fact, the offer that's been on the table, and this is no secret, will make our family doctors the best paid in Canada and our specialists the second-best in the entire country.

Just recently, the College of Physicians and Surgeons of Ontario told us that in 2004 they issued over 2,700 licences. That is the greatest number in the past 20 years. Very interestingly enough, for the first time, more of those were issued to foreign-trained physicians than to those trained domestically. What that tells me is that this jurisdiction is very attractive to doctors in other parts of the world. We are going to build up our complement. If I could, I would wave a magic wand, but we're doing the best we can under the circumstances you left us.

Interjection.

The Speaker: Could I get the member from Nickel Belt to come to order?

AGRICULTURE INDUSTRY

Mr. Robert W. Runciman (Leader of the Opposition): Premier, your priorities are questionable at best. You have no plan for the economy, no plan for health care, no plan for farmers and for maintaining the rural way of life.

Hundreds, if not thousands, of farmers will be at Queen's Park this Wednesday. They will say with one voice that you have no plan for farming, no plans to stand by them and see them through their most difficult times. Farmers shouldn't have to protest to get your attention. Why have you turned your back on Ontario's farmers?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): Obviously, I don't agree with the characterization that the Leader of the Opposition puts on our good, strong, productive working relationship with Ontario farmers.

I had the opportunity again, just last week, to meet with representatives of various farming communities. They impressed upon me, once again, how dire their circumstances are, especially when it comes to our grain and oilseed producers. They're looking at 25-year lows when it comes to their commodity prices, due to factors virtually beyond their control—due to international markets—and we're going to have to find a way to help them.

As well, when it comes to cattle and other ruminants, they are being buffeted by the border closure. I had an opportunity to meet with Ambassador Cellucci once more just last Friday and impressed upon him once again the value of opening up that border as much as we possibly can. He assured me that on March 7 we will see at least a partial opening. We have yet more work to do. I'm sure I'll be provided the opportunity shortly to acquaint the member opposite again with the other things we're doing to help our farmers.

The Speaker (Hon. Alvin Curling): Supplementary?

Mr. Ernie Hardeman (Oxford): Premier, when it comes to protecting farming as a way of life, you have failed miserably. Your first signal to Ontario about the priority the Liberal government places on farming was a 20% cut to the agriculture and food budget. Then, without consultation, you cut the municipal drainage outlet program. We all heard what happened to you then. The treatment you received from rural Ontario was enough to get you to announce some transition funding. They obviously kept the pressure on, because a few days ago your minister announced the program was to be reinstated, although with considerably less money.

Premier, it seems that your government doesn't have a plan for rural Ontario. It's just making random decisions without regard to the consequences. Why are you making uninformed, irrational decisions that later need to be fixed, rather than consulting with the industries affected? Why must farmers show massive negative reaction before you think to listen to them?

Hon. Mr. McGuinty: Let me tell you about some of the things we have been doing for and with Ontario's farmers in order to strengthen the viability of that very important enterprise that all Ontarians benefit from. We have, together with the federal government, provided some \$410 million to the industry that's been affected by the BSE crisis, as much as \$138 million coming from Ontario alone.

I had the pleasure and privilege of hosting the first annual Premiers' Agrifood Summit. Beyond that, we are doing much work arising from that and look forward to the next annual one, reporting on milestones between now and then.

We're providing \$172 million in business risk management programs for farmers. We've delivered \$20 million so far in nutrient management financial assistance to help farmers come into compliance with some of the new regulatory requirements they've got to subscribe to.

We are working very actively with Ontario farmers. They find themselves today in some trouble; there's no doubt about that. Our responsibility as a government is to work with them to find a way out of that trouble, and we're looking forward to doing that.

1420

Mr. Hardeman: Premier, your government has demonstrated sheer incompetence in listening and responding to the needs of Ontario farmers. You're more concerned with banning the trillium while farmers are trying to figure out where they're going to get the money to plant this year's crops. You have \$400 million for the Casino Windsor Hotel but not \$300 million for grains and oilseeds to help the second-largest industry in this province. I can see your government has no meaningful plan for helping our farmers.

I have a young farmer in my riding who came to me and said that he can't afford to plant this year's crop and that he will lose money if he does, the same as he did last year. If today's farmers can't make a living and turn a profit, what is going to happen to agriculture in the

future? Premier, what do you say to the young farmer who sees absolutely no positive future in farming in a Liberal Ontario?

Hon. Mr. McGuinty: I would want to tell him that part of the good news is that there is a Liberal government on the job that is actually committed to farming and its future in Ontario.

Just today, as a sign of our unwavering commitment to farming in Ontario, we have established a 1.8-million-acre greenbelt that will preserve farmland in perpetuity. It's interesting to note that my friends opposite voted against that legislation, and if given the opportunity, rather than save farmland, they are more than prepared to pave farmland. I think there's an interesting study in contrasts here. We are working hard to save farmland for farmers and all Ontarians, but, given the chance, they would gladly choose to pave that same farmland.

SALE OF LANDS

Mr. Howard Hampton (Kenora-Rainy River): Premier, this weekend people across Ontario learned about a serious potential breach of the public trust. The Toronto Star investigated a \$15.8-million land deal between York University and developer Tribute Communities. The investigation uncovered some disturbing details: First, the multi-million dollar land deal was untendered; second, the land was sold for less than half of its value; and third, the person who brokered the land deal for the university, one Joseph Sorbara, is a close business associate of the land purchaser, Tribute Communities. Premier, do you see anything wrong with this deal? If so, what are you prepared to do about it?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I appreciate the question. I know that the body ultimately responsible for these kinds of transactions is the board of governors. It is my information that the board of governors is in fact reviewing this very transaction as we speak, and I look forward to the outcome of those deliberations.

Mr. Hampton: This is not just a matter for the board of governors. This is a publicly funded university. A lot of precious Ontario tax dollars go to this college and university. We want it to go to the students, not into the pockets of developers. York University, a publicly funded university, sold public land, untendered, for less than market value, and the person who brokered the deal on behalf of the university has business interests with the purchaser of the land. On the face of it, that sounds like a big conflict of interest and a potentially huge loss, not only to the public purse but the public trust. The last time I checked, you were in charge of the public purse and the public trust in Ontario. So my question to you, Premier, is, what are you prepared to do about this, since it is a matter of the public trust and the public purse?

Hon. Mr. McGuinty: Again, I think this is—
Interruption.

Hon. Mr. McGuinty: I'm not used to that kind of heckling. I'm not quite sure what to say in response to that kind of a heckle.

Let me say that I believe this is a matter that ought to be fully considered by the board of governors, but I can tell you what we have done beyond this. We have, for the first time ever, increased the authority of the Auditor General, formerly known as the Provincial Auditor, in the province of Ontario to ensure that that individual and his or her office can now cast their net over colleges and universities, hospitals and school boards. So if for some reason the Auditor General has an interest in this matter, he is now empowered to act on that.

Mr. Hampton: As the Premier knows, in these kinds of issues the Provincial Auditor awaits a signal from us. So I have prepared a letter, and I'm going to sign it—and I want to know, Premier, if you and the Minister of Finance are prepared to sign it—to ask the Provincial Auditor to conduct an investigation. The issue here, as I say, is not just for the university. This was public land sold by a public institution that receives taxpayers' money. The land was sold at less than half its commercial value. The deal was brokered by one Joseph Sorbara on behalf of the university, in spite of the fact that he has a business relationship with the purchaser who got the land on the cheap.

Somebody over there must be interested in protecting the public purse and the public trust. I want to know, Premier, are you interested? Will you sign on the dotted line and ask the Provincial Auditor to investigate this shady land deal?

Hon. Mr. McGuinty: As I understand the story, none of the facts are a surprise to those involved in the transaction. People knew what they were doing. My advice to the member opposite is to allow the board of governors to review the transaction, as they are doing at present.

It is true that we gave the auditor new authority, and if the member opposite wishes to send a letter to the Auditor General advising him that he ought to be inquiring into this further, then of course he is more than free to do so.

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

Mr. Hampton: Premier, this is what someone said very recently: "We will allow the Auditor General to shine a light on organizations that spend taxpayer dollars, ensuring that Ontarians are getting value for the money they invest in public services." This was the now Minister of Finance, Greg Sorbara, on November 22, 2004.

I'm simply saying to you, on the record, that on the face of it, this land deal looks like a breach of public trust, it looks like a breach of the public purse, it looks like public lands were sold at far below their market value in a sweetheart deal to somebody who was connected with the principal person acting on behalf of the university. I'm simply asking, are you prepared to sign on the dotted line to ask the Provincial Auditor to look at this deal? You and your Minister of Finance seemed to be in support of having the Provincial Auditor look at these things only three or four months ago. Will you now sign on the dotted line asking the Provincial Auditor to do just that?

Hon. Mr. McGuinty: Again, Speaker, I leave it to the member opposite. If he feels particularly strongly about this issue, if he has lost all confidence in the board of governors of York University, then by all means he should send a letter to the Provincial Auditor making whatever request to that individual he feels is appropriate.

Mr. Hampton: I have another quote: "The Harris-Eves government hides half of the budget from the Provincial Auditor. They deny him access to the province's balance sheet when it comes to spending by hospitals, universities, school boards..." and then, "We will give the auditor the power to scrutinize them all so that you know whether your dollars are being well spent." Who said that? Dalton McGuinty during the 2003 election.

So I'm asking you here today: Potentially, Premier, this land heist makes Butch Cassidy and the Sundance Kid look like a bunch of amateurs. Are you or are you not prepared to sign on the dotted line, along with your finance minister, Greg Sorbara, and ask the Provincial Auditor to conduct an investigation of this potential breach of the public trust and the public purse? Yes or no, Premier?

1430

Hon. Mr. McGuinty: As usual, the NDP wants to take it a step too far. They not only want to ensure that the Provincial Auditor, now the Auditor General, has full authority to conduct audits of colleges, universities, hospitals and school boards, but more than that, they want us now, apparently on an individual basis, to be very selective, in terms of those things that suit our particular passing fancy, of where they're going to conduct an audit. I have greater confidence in the Auditor General than does the member opposite. I say again, we were more than glad to expand the ambit of his authority. If he has a particular interest in this matter, then I would recommend to him that he send a letter requesting of the Provincial Auditor himself that he perform some kind of whatever.

Mr. Hampton: I wonder what happened to Dalton McGuinty. I remember, when a Conservative government was doing so-called land deals, Dalton McGuinty was asking not only for forensic audits; he was asking for criminal investigations. This is clearly the public trust: a public university with lands that were donated by the public to be used, hopefully, for education, not to line the pockets of a developer. The person who negotiated the deal, Joseph Sorbara, acting on behalf of the university, also acts with the land buyer—a conflict of interest. The land was sold for much less than its market value. Again, it looks possibly like a breach of the public purse, a breach of the public trust.

Premier, when you were in opposition, you said that deals that smelled like this ought to be investigated. You said that you would facilitate the Provincial Auditor looking at this. I've given you a letter—a letter I'm asking you and Greg Sorbara to sign—to ask the Provincial Auditor to investigate. Will you do the right thing and sign the letter?

Hon. Mr. McGuinty: Well, I can understand the member's interest in this, but I can tell you that we have a tremendous amount of confidence in the board of governors at York University. They have decided to review this matter. I think that is appropriate, given the circumstances, and I look forward to the outcome of their deliberations.

GREENBELT

Mr. Tim Hudak (Erie–Lincoln): A question for the Premier: In Bill 135, which you had a record-speed proclamation of on Thursday, you've given extraordinary powers to the Minister of Municipal Affairs when it comes to protected countryside and farmland. Clause 6(2)(a) says, "Policies prohibiting any use of land or the erection, location and use of buildings or structures for, or except for, such purposes as may be set out" for the act.

That's why farmers in the greenbelt are concerned, because of the extraordinary powers and new regulatory burden you're bringing down on greenbelt farmers. Shamefully, you characterize any concerns farmers have as them simply being speculators: They want to sell their land. Farmers we talk to want to ensure that they continue to farm viably and can pass off their land to the next generation. But in Dalton McGuinty's Ontario, that's getting harder and harder to do. Premier, you shouldn't be in the business of regulating barns in Durham or grape processing facilities in Grimsby. Tell us today that you're not bringing in any more interference on farms through your greenbelt legislation, none whatsoever.

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

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I'm pleased that the member has asked this question, because today is certainly a great day for Ontario, with the legacy legislation that has been passed and the greenbelt plan that has been put into operation. We have made sure that a million more acres of land are protected environmental and agricultural uses.

Specifically, with respect to the member's question, let me say just this: All existing farming uses that are currently in operation will continue. Not only that, there are policies in place to make sure that new technological advances in agriculture can be handled and dealt with on the lands that are agriculturally zoned within the greenbelt area. We want to make sure farmland is protected so that farmers can continue to produce the produce that is so much required for this part of Ontario. We are very proud of this legislation, and I know, in time to come, the few people that don't like the legislation will come to appreciate as well what we've done for generations to come.

Mr. Hudak: I know that the minister is of the opinion that he is a lot smarter than farmers in the greenbelt area,

but there are ongoing concerns about your plans for farmers in the greenbelt. You say that it won't interfere with existing structures. Well, you gave yourself an extraordinary ability to do so in your legislation. Your own advisory team tells you, for example, to limit on-farm businesses to no more than 1,600 square feet in size and to no more than 4,500 person-hours. That's less than two employees at the on-farm business.

If you limit it to 1,600 square feet, that means a Henry of Pelham, a Harbour Estates Winery, any of the wineries that exist today, which help to support agriculture, would not be allowed under your greenbelt legislation and this advice.

Please tell me today that you're going to scrap this plan, that you're not going to limit the buildings on farms, as your own team is telling you to do.

Hon. Mr. Gerretsen: I know the Minister of Agriculture would like to answer this part of the question.

Hon. Steve Peters (Minister of Agriculture and Food): We're very proud of the work that the agricultural advisory team did. Lyle Vanclief and Bob Bedggood brought forth a number of good initiatives that we're working on to implement. For example, there was concern in the greenbelt area about surplus dwellings and the ability to sever those surplus dwellings. We're moving forward to give those farmers that ability to sever off surplus dwellings.

We're working with the Normal Farm Practices Protection Board to ensure that we enhance the ability of the agricultural community to continue to operate viably. We're moving forward with the—

Interjections.

The Speaker (Hon. Alvin Curling): I'm going to have to warn you, member for Durham, about the continuous heckling.

Minister.

Hon. Mr. Peters: It's really unfortunate that the member for Durham isn't standing up and making sure that he's there supporting his farmers. He's certainly not doing that at all.

As well, we're moving forward. The previous government had two minimum-distance-separation formulas in place. It was very confusing for the agricultural community. We're strengthening that. We're going to have one MDS formula. We're moving forward and we're implementing some of these recommendations. Others are in the process of being—

The Speaker: New question.

Ms. Marilyn Churley (Toronto–Danforth): To the Premier: Your own minister's staff, as well as the Coalition on the Niagara Escarpment—as you know, it's a highly renowned group with immense expertise in protecting natural areas in Ontario—has stated that the greenbelt is not permanent.

Again today, with the announcement of the final greenbelt plan, you have done nothing to address the floating nature of the greenbelt boundaries. This means that boundaries can be shifted around at the whim of the minister or the cabinet of the day.

Premier, on this day, the day that you've announced the greenbelt plan, will you immediately keep your promise and now ground the floating greenbelt, and give Ontarians the permanent greenbelt that you promised?

Hon. Mr. McGuinty: Let me begin by thanking the member opposite for her support for this bill, this plan and this greenbelt.

This is a very ambitious vision that we have breathed life into today. In fact, we committed to putting in place protection for 600,000 acres; we've exceeded that and we've protected one million new acres as a result of the efforts of this minister. We are very proud of the efforts he's made on behalf of this government and generations yet to come.

Beyond that, as we moved through a period of time after we first introduced the draft plan, we have added another 8,500 acres beyond the original plan that we had in place as a draft. So we're very proud of the ambition, the breadth, the scope and the depth of this particular plan. Once again, I thank the member opposite for her support for this greenbelt.

Ms. Churley: Premier, instead of protecting south Simcoe lands and curbing urban sprawl, as you promised, your recent draft Places to Grow plan reveals the greenbelt as a beltway for new highways, including a major highway between Kitchener-Waterloo and Brampton, and an extension of Highway 404 north to Ravenshoe Road at Keswick, fuelling sprawl all the way to Lake Simcoe. You know that if you build it, they will come, that this plan will not in fact curb urban sprawl; it will increase it. Premier, will you stand against urban sprawl today and cancel those major highways and major highway extensions through the greenbelt?

1440

Hon. Mr. McGuinty: I think we've got it just right. The Tories, of course, voted against this bill, which tells me that if given the chance, they would gladly eliminate the greenbelt—there's no doubt about that whatsoever—and pave over every square inch of farmland. We'll do our best to make sure that doesn't happen.

The MPPs supported the bill, but now I hear that it doesn't go far enough. Well, you cannot possibly put this forward in good conscience with any element of reasonableness if we say that we're somehow going to put a greenbelt that circumscribes the greater Golden Horseshoe and there will be no roads connecting the inside to the outside. That would simply be unreasonable.

What we have in place is something that is nothing less than visionary. It was said by many that it could not be done. We have managed, for generations yet to come, to stand up for their unspoken voices and to protect in perpetuity 1.8 million acres, and we're very proud of that.

RURAL INFRASTRUCTURE

Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell): My question is to the Minister of Agriculture. Rural infrastructure is a very important issue in my

riding. In particular, farmers need good drainage systems to ensure the viability of their agriculture operations. Minister, as you may remember, in the summer of 2004 the municipal outlet drainage program was suspended. Shortly after, I held a public meeting in my riding in the village of Maxville, where farmers from the seven greater eastern Ontario counties and rural municipalities expressed their concerns on this matter.

Minister, last week at ROMA you announced a new agricultural drainage infrastructure program. How will this new program work, and how is it different from the old program?

Hon. Steve Peters (Minister of Agriculture and Food): It is a new program, and it's a better program because we're going to ensure that the dollars are targeted to where they need to be, and that is assisting agricultural landowners not only to build new drainage systems but, as well, to maintain those drainage systems. These are dollars that are going to be focused. We're not going to allow them to be eaten up in all kinds of other costs.

I want to thank members of the rural caucus, because their criticisms can be levelled, but we do listen. We heard from our rural members that we needed to bring back a new program, but a program that was going to do what it was intended to do in the first place. The Tories lost sight of that. They just let a program run rampant, without any good oversight. What we're going to do is make sure there is oversight in that program.

I want to take this opportunity to publicly thank my parliamentary assistant, the member for Huron-Bruce, for her hard work on this program.

Mr. Lalonde: Thank you, Minister. I am delighted to learn that our government has listened to the concerns of rural Ontario and has responded with a real commitment to enhance drainage infrastructure in our province. Will you please explain what else our government is doing to support the agricultural sector in rural Ontario at the present time.

Hon. Mr. Peters: We're certainly not going to do what the Conservatives did. They cut over \$100 million from the budget between 1996 and 1999. We're not going to close offices; we're going to make sure that we're investing in programs. We're moving forward. We're investing in research. We're working very collaboratively with the University of Guelph: over \$40 million a year in research.

We're investing in slaughter capacity in this province. One of the things the BSE case has taught us is that there's a severe shortage of slaughter capacity. We're going to have a slaughter capacity of over 6,500 additional animals a month.

We've moved forward on the RST exemption for farmers to use their farm cards, something that the Tories ignored.

We've moved forward on family-to-family land transfer sales, to take away that land transfer tax, something the previous government ignored. We're moving forward on it.

We've invested in a number of areas. We're making strategic investments that are going to move for long-

term viability. That's why we hosted the Premier's agricultural summit. We have short-term issues, but this Premier is a man of vision. He believes we need to look forward, and that's what we're going to do with the agriculture and the agri-food industry in this province.

SALE OF LANDS

Mr. Norman W. Sterling (Lanark–Carleton): My question is to the Premier as well. Recently, your government froze the value and changed the value of millions of acres for people living around the greater Toronto area. We have heard today of a tremendous concern—and the Treasurer says to us—about speculation, and that's my question to the Premier. Mr. Premier, you have the power to freeze the zoning in any part of Ontario. Will you use that power on the York University lands that were recently conveyed to a developer?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): No.

Mr. Sterling: Would you not think, Mr. Premier, while this cloud of investigations goes on, that it would be in the best interests of the public that this land not be further developed than it is today, that the public have the confidence that York University has received full value for this property? You and your cabinet have the tools to freeze the zoning on that land this afternoon so that we can ensure that the land will be used, in the future, for the good of York University and not for the good of some development company.

Hon. Mr. McGuinty: Maybe to shed a little bit more light on this and the position being taken by York University, here's a letter I received today from the president and vice-chancellor, Lorna Marsden, and I'll quote from that in part. She says:

"We emphatically reject the thrust of these articles"—making reference to the Star articles—"and believe that we have followed all the appropriate steps in approving the land developments, which have been in the planning for more than eight years.

"Because the leader of the NDP is quoted in Sunday's Star, I want you to know that we are happy to have a review of this matter by an outside and independent person. We will be tabling this suggestion to our board of governors at our meeting today. If our board decides to proceed, I will keep you fully informed of the terms of reference, and of the outside reviewer."

I think we should give the board an opportunity to consider this matter.

REPETITIVE STRAIN INJURY

Mr. Peter Kormos (Niagara Centre): My question is to the Minister of Labour. Minister, you know that today is the sixth annual Repetitive Strain Injury Awareness Day. You also know, because it's WSIB data that tell us, that over half of workplace injuries are from various forms of repetitive strain injuries.

Today you announced an advisory panel—we understand that—but you know that workers across this province and their advocates have been unequivocal in their call for ergonomic regulations like those in Saskatchewan and British Columbia. Some workers are here today. Will you please stand up and tell them that ergonomic regulations will be an essential part, an inevitable part, of your response to this crisis?

Hon. Christopher Bentley (Minister of Labour): I would like to thank the member for the question, and I'd like to thank those who have come today to make sure that everybody understands the terrible toll that ergonomic injuries, repetitive strain injuries, take on workers in this province. It is an enormous toll: 40,000 musculo-skeletal lost-time injuries every year.

During the Minister's Health and Safety Action Groups last year that brought business and labour together, it was apparent that this was a very significant issue, and there were calls for action. What I committed to do was to form an advisory panel, which will be chaired by my parliamentary assistant, the MPP for Oakville, Kevin Flynn, and which has business and labour representatives on it. They have their first meeting on March 7, and we spent a couple of months putting together the membership. What I've asked them to do is to take a look at an overarching strategy, including consideration of regulation, the possibility of regulation and what that might look like, to make sure we have an overarching strategy to reduce workplace ergonomic injuries in all workplaces in the province. I look forward after six months to their recommendations.

Mr. Kormos: Minister, workers in Ontario have witnessed consultations before, and injured workers have endured even more of them, but they know that at the end of the day it is action and not talk that's going to deal with repetitive strain injury.

Both British Columbia and Saskatchewan have acted. The template is there for you. These are ergonomic regulations that protect workers from these incredible injuries, these disastrous injuries. These are regulations that help stem this epidemic of repetitive strain injury in the workplace.

1450

What these workers want to hear you say—and I understand you're having a panel engage in consultations. Will you please—you've read the regulations from Saskatchewan and British Columbia—tell these workers today that similar ergonomic regulations will be a part of your response, notwithstanding anything else that panel may come back to you with?

Hon. Mr. Bentley: Thank you again. In fact, the regulations in different jurisdictions are different, and one of the things is that if regulation is to be part of the response, we need to know what that regulation will look like and how detailed it is. We of course have a general regulation in the province of Ontario for employers, a general duty. That may well not be enough, but we need to know, if we're going to regulate, what it looks like.

In addition, I'm looking forward to the recommendations of groups such as the CAW, the United

Steelworkers, the IAPA, the Federation of Labour, the Canadian Vehicle Manufacturers' Association and the Business Council on Occupational Health and Safety.

But in addition, it is important to know what we've already done. The Minister of Health has already announced \$74 million in funding for bed lifts for our health care facilities. That assists with respect to the lifting of patients. We've now hired 125 more inspectors to make sure that we can inspect workplaces where we didn't used to get to, to ensure that the regulations we have are being properly enforced. The WSIB is funding a research project on this very issue, ergonomic injuries, and there's a strategy being developed—

The Speaker (Hon. Alvin Curling): Thank you. New question.

FEDERAL-PROVINCIAL FISCAL POLICIES

Mr. Ernie Parsons (Prince Edward–Hastings): My question is to the Minister of Finance. Minister, Ontarians are fiercely proud Canadians. We're proud to be the heart of Canada, the province that helps fund programs like health care and higher education in seven other provinces and three territories. But our ability to make important investments in our people and their prosperity is compromised by the \$23-billion gap. This is a \$23-billion gap between what the federal government collects in revenue from Ontarians and what it returns to us in spending.

On Friday, the federal finance minister recognized some of Ontario's concerns, like immigration. However, I did notice that he stated that Ontario benefits from the Canada health transfer and the Canada social transfer, which support things like health care and post-secondary education. Minister, how is Ontario affected by these transfers?

Hon. Greg Sorbara (Minister of Finance): Thank you to my friend from the county. Obviously, Ontario benefits from these transfers, but the point that we've been trying to make is that systems for distributing the assets across the country are significantly out of whack. If I could just provide you with one example: Under the CHT, the Canada health transfer, and the Canada social transfer, what comes to Ontario on a per capita basis is \$608 under these grants. But the per capita amount for the rest of the country is \$667. That's a difference of about \$60 a person. When you add it all up, it costs this province about \$1 million a year in transfers that don't come to our people, our hospitals, our universities or our schools.

Mr. Parsons: Minister, one of the most obvious problems is in immigration. Investment in immigration settlements means new Canadians can start contributing to Canada quickly and use their skills to better themselves, our province and our country. In Ontario, the federal government provides just \$800 to help settle a new Canadian. In Quebec, they invest \$3,800. Minister, on Friday the federal finance minister agreed that

Ontario's concerns about this gap are valid. How will this small victory help to close the overall \$23-billion gap?

Hon. Mr. Sorbara: If I might just correct the record in my first answer, some of my colleagues say I said the difference was \$1 million; it's actually \$1 billion in the per capita transfer.

Interjection.

Hon. Mr. Sorbara: Runciman knew that; there's no doubt about that.

On the immigration matter, the first thing is, I want to put on the record that this government and I personally have a strong relationship with Finance Minister Ralph Goodale. Our two governments work well together. I want to say to you that he does have an understanding of the fact that Ontario needs an immigration agreement that will help us to settle immigrants in this country at a very high standard of settlement. That's why I'm sure that Finance Minister Goodale is going to be a strong voice in the federal cabinet to make sure that Ontario has an immigration agreement and that it has an immigration agreement very quickly indeed.

PIT BULLS

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): My question is for the Premier. Instead of dealing with the real priorities of Ontarians—eliminating the doctor shortage, reducing wait times and providing proper hospital funding—your government is calling the fatally flawed Bill 132, the dog statute amendment act, or pit bull ban, for third reading today. You were told at the public hearings that the day after Bill 132 passes on March 1, the public will be no safer from vicious dog attacks because there will be not one fewer pit bull or vicious dog on the street but there will be more victims of pit bull and vicious dog attacks.

My question to the Premier: Why should the public have confidence in an Attorney General who fails to understand that safety from vicious dogs matters to them? You have done nothing in Bill 132 to protect them from vicious dog attacks. What will you say to victims of vicious dog attacks after March 1 when Bill 132 fails to protect them?

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

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): There has been an enormous amount of public consultation on this bill, and it is coming forward for further debate again today. I think this bill probably got more days of public hearings, more days of debate in the Legislature and more consultation than any other bill on the subject of dogs in the history of the Commonwealth, and it has benefited from that.

If the Legislature votes in favour of this bill, mark my words, this bill will save lives and save injuries and, over time, it will mean fewer pit bull attacks and, overall, fewer attacks by dangerous dogs. That's good news for public safety in the province of Ontario.

Mr. Tascona: Bill 132 contains no measures to address the two major problems involving vicious dog attacks and public safety: (1) a lack of enforcement, and you are on record saying there'll be no money for municipalities to better enforce, and (2) no measures to make irresponsible dog owners more responsible. You are betraying the public trust in proceeding with Bill 132, which, as you know from the experts in the public hearings, will not protect the public from vicious dog attacks now.

Attorney General, it seems that Bill 132 is simply a shameless exercise to promote your image. Why haven't you listened to the public and proposed legislation that will effectively protect the public from vicious dogs and allow people to feel safe while walking on our streets?

Hon. Mr. Bryant: The people of Ontario said they wanted legislation in place that would protect them from dangerous dogs, and we've done that with this bill. The people have said that they don't want to continue to walk the streets, parks, farms and living rooms of Ontario and be attacked by pit bulls, and we're on their side. We want to bring that public safety.

But what they would like to know is, I say to the Conservatives, what side are you on? Back on September 20, 2004, when asked about the Liberal pit bull plan, here's what John Tory said: "I think there is a real issue there.... But I think—I've read enough to believe, you know, there's enough evidence about this particular breed of dogs that probably this is a wise thing to do." Then in November he said, "I was certainly never gung-ho. From day one I have said this is what it is...."

Well, this government is not going to roll over on public safety, even if John Tory will. We look forward to seeing how they're going to vote this week on this bill.

AGRICULTURE INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Ontario farmers are in desperate straits. The BSE crisis has decimated the beef industry and is also affecting farm income in the dairy industry. Crop farmers are facing 25-year lows for oilseeds and require an immediate infusion of \$300 million just to be able to put crop in the ground this spring. Michigan farmers are dumping subsidized corn in the Ontario market well below the production costs of Ontario corn farmers.

Premier, Ontario farmers need a comprehensive agricultural plan that returns their costs of production. Quebec farmers have such a plan. American farmers have such a plan. Where is the McGuinty government's plan for Ontario farmers?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): To the Minister of Agriculture and Food.

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Hon. Steve Peters (Minister of Agriculture and Food): It's wonderful to see all this interest in agriculture from

the other side, with all the silence that we've had over the past two weeks.

We're moving forward on a number of fronts. We've signed the agricultural policy framework, which has put in place the new CAIS program. The CAIS program will flow more than \$190 million in support to farmers in this province. We've moved forward with the wedge funding: \$172 million in support for farmers in this province. We've move forward on the 2003-04 payouts to the old market revenue insurance program, which will flow more than \$94 million to grains and oilseeds farmers. We're moving forward on a renewable fuels strategy because, ultimately, that's what we have to do. We have to deal with things and commodities in our own backyard and need to add value. That's why we're moving forward to make sure that we're going to have a program in place that encourages domestic consumption and that encourages domestic production. We're going to move forward as well on a biodiesel strategy. We're going to move forward to make sure that our farmers are competitive.

Mr. Hampton: Farmers in Ontario have heard all that. They've heard all that over and over again. Here's the reality for corn farmers: In Ontario, they get \$26 an acre for their corn crop. Meanwhile, next door in Michigan, they get \$126 an acre for their corn crop. Farmers are wondering what it will take before you notice them.

Now, farmers haven't missed the fact that the McGuinty government has announced a \$500-million investment strategy for the auto sector, that you've announced a \$100-million investment strategy for the movie and television production industry in Toronto. They haven't missed that you've announced a \$400-million investment strategy for the Windsor casino. What they are asking is, where's the investment strategy for Ontario farmers? That's what they want to know: Where's the investment strategy for them?

Hon. Mr. Peters: That investment strategy was signed in December 2003, when we signed the agricultural policy framework, which will bring \$1.7 billion in support for Ontario farmers over the next five years. As well, the Premier had the opportunity to meet with farm leaders last week, and he made the commitment to them that we're going to undertake a comprehensive review of the safety net programs that we have in this province, to look at not only a short-term but a long-term strategy.

The member makes reference to the ASRA program. I think what he needs to understand is that when his party was in government, they didn't introduce an ASRA program. When the Tories were in government, they didn't introduce an ASRA program.

We're going to continue to work with farmers. We're going to continue to advocate to the federal government, because you need to understand that this drop in commodity prices is not a result of provincial government policies. This is a national problem that requires a national strategy. When we meet as federal-provincial ministers this week, that's the message that I'm going to

take from Ontario. We need to make sure the federal government recognizes the plight of Ontario farmers.

SKILLS TRAINING

Mrs. Liz Sandals (Guelph–Wellington): My question is for the minister responsible for women's issues. This past Friday our government announced new funding under the women in skilled trades initiative. In my riding of Guelph–Wellington, this funding will enable women to receive pre-apprenticeship training in general carpentry at Conestoga College. I've always been a strong advocate for women in non-traditional roles, so I'm very pleased that our government has made this opportunity available for training in Guelph. Our area is experiencing a major building boom, and women who graduate from the WIST program will be able to pick up great jobs with local building contractors. Minister, can you please tell the House who will benefit from this initiative?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I'd like to thank the member opposite for the question. She indeed is a role model for women in non-traditional roles herself. Just being in this House makes you a great role model.

Let me say that this program, which was announced, once again, this past Friday, is a tremendous program for low-income women as well as new Canadians. It targets women who have difficulty in terms of finding work placement. It provides in-school training and placement with employers. There are several other places across Ontario that are benefiting: Georgian College in Barrie, with the general carpentry program; new homes service technician and general carpentry in Burlington; welding in Hawkesbury; native residential construction at Northern College in Moosonee; and the industrial electrician program at Algonquin College in Ottawa. Congratulations to all of those campuses for participating.

The Speaker (Hon. Alvin Curling): Supplementary, the member for Etobicoke North.

Mr. Shafiq Qaadri (Etobicoke North): Minister, on Friday our government also announced new funding to help unemployed and low-income women in Toronto train for good jobs in the information technology field through its information technology training program for women. In my riding of Etobicoke North, the Community MicroSkills Development Centre has received over \$1.3 million to continue their good work preparing women in my riding for challenging technical careers. Many of those who enrol in this program face unique hurdles, particularly new Canadians who often require a variety of social support mechanisms to help them adjust to their new cultural and economic environments. Can you please tell the House how this program will help these women contribute to and succeed in Ontario's workplace?

Hon. Ms. Pupatello: This member opposite has a very good grasp of this program, and people in his riding will certainly benefit, as well as people across Ontario.

This particular program is for women only, and it does address issues for new Canadians who are new to what Canadian workplaces demand, so it not only teaches the technical nature of the program but also the expectations of work here in Ontario. It has been extremely successful in the past, and we hope that this year will be no different. The best part about this program, which is funded through the Ontario Women's Directorate, is that the success rate for finding jobs for these graduates is 75%. Congratulations.

AGRICULTURE INDUSTRY

Mr. Ernie Hardeman (Oxford): My question is for the Minister of Agriculture and Food. The cry of anger being heard from rural Ontario and the farmers of this province is growing louder by the day. A year ago, you announced transition funding for a new generation of safety nets, which included bridge funding for the market revenue insurance program. At that time, you recognized the problem in the industry and promised that money would flow. Then you announced the same bridge funding for the market revenue insurance program on December 7, 2004, saying how important it was that farmers get the money. At the end of year, you reannounced the reannouncement of the market revenue program in your year-end announcement. Then three days ago, guess what? You reannounced the reannouncement of the reannouncement of the same money for the market revenue bridge program.

Minister, are you prepared to provide the \$300 million that grain and oilseed farmers say are going to be required in order for them to even plant the crop this spring, without further reannouncement and in time so they can plant the crop to have a decent season?

Hon. Steve Peters (Minister of Agriculture and Food): As the honourable member should know, when the agricultural policy framework was signed, there were a number of companion programs that were going to be phased out. Two of those companion programs were the market revenue insurance program for the grain and oilseeds sector and the self-directed risk management program for the horticultural fruit and vegetable sector.

I asked that a report be completed as to where we go post-MRI. Where do we go post-SDRM? Those reports have been completed. I just met with the horticultural and vegetable sector this morning to go over their post-SDRM report, because we are looking ahead.

The other thing that I certainly would encourage the honourable member to do is that the federal government said that they are no longer funding companion programs. I would encourage him to advocate to his Tory colleague in his own riding that the federal government should be providing their traditional 60% share of safety net programs. We've had that long-standing relationship of 60-40 funding. The federal government is absent when it comes to 60% funding for—

The Speaker (Hon. Alvin Curling): Thank you. Supplementary.

Mr. Hardeman: Thank you very much, Minister, and I think that's really what my whole question was based on. You continually just keep spouting the same talk but sending absolutely no money to the farmers. Farmers are telling me they can no longer make a living, and their input costs are far surpassing what they're getting for their product. It seems to them that this government just doesn't care. The prices have dropped in the grain and oilseed sector, and you're doing absolutely nothing to help these farmers.

Ontario's farmers are suffering because European and American governments realize the importance of agriculture and helping their farmers. Minister, what are you going to do to level the playing field, get the money out to the farmers and get all this money that you promised them but are not delivering? Farmers are still waiting for their CAIS money from 2003, Minister. You heard it at the ROMA conference. They stood at the mike and said, "Minister, please send us the money"—

The Speaker: Thank you.

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Hon. Mr. Peters: The dollars are going to flow. We committed \$94 million from the remaining market revenue fund. The 2003 payment is about \$8 million; the balance is going to grain and oilseed producers for the 2004 crop year. We're continuing our discussions with the grain and oilseed leaders not only to develop a strategy for Ontario but how we can take a strategy forward to the federal government.

He hit the nail on the head, Mr Speaker. He talked about the European government and United States government. That's the challenge we're facing in Ontario. Those are national programs. We need national leadership. We need national recognition of the hurt that the grain and oilseed sector is facing, and that's the message we're going to take forward.

VISITORS

The Deputy Speaker (Mr. Bruce Crozier): I want to inform the members that we have with us in the Speaker's gallery a delegation from the foreign affairs office of Jiangsu province, China. Please join in warmly welcoming our guests.

PETITIONS

PIT BULLS

Mr. John O'Toole (Durham): I appreciate the Speaker in the Chair is one I'm particularly pleased to work with.

I have a petition to the Legislative Assembly:

"Whereas aggressive dogs are found among any breed or crossbreed; and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

"We, the undersigned," respectfully "petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds," similar to the legislation from the member, Julia Munro.

I support Julia's bill. I don't support—

The Deputy Speaker (Mr. Bruce Crozier): Petitions.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Michael Prue (Beaches—East York): I have the following petition, signed by 981 people:

"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 am in agreement and will affix my signature thereto.

ANAPHYLACTIC SHOCK

Mr. Dave Levac (Brant): This is a petition 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 to Kristine.

PIT BULLS

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly, and it reads:

“Whereas aggressive dogs are found among any breed or crossbreed; and

“Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

“The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

“We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds.”

I affix my name in support.

REPETITIVE STRAIN INJURY

Mr. Peter Kormos (Niagara Centre): I have a petition addressed to the Minister of Labour and the provincial Legislative Assembly.

“Whereas repetitive strain injuries, back injuries and musculoskeletal injuries are of epidemic proportions and are on the rise at an alarming rate affecting workers in all sectors; and

“Whereas the human cost and suffering to workers and loved ones is incalculable; and

“Whereas there have been many workplace ergonomic studies that have provided evidence that applied ergonomics and early intervention could prevent such injuries if regulations and standards for the workplace were established; and

“Whereas British Columbia and Saskatchewan have provincial ergonomic regulations;

“We, the undersigned, petition the Minister of Labour, the provincial Legislative Assembly and Parliament as follows:

“That the Minister of Labour introduce ergonomics regulations similar to the British Columbia ergonomic regulation and draft code of practice, to protect the workers of this province and Canada.”

I've signed it, along with thousands upon thousands of others, and deliver it to the Clerks' table now.

ANAPHYLACTIC SHOCK

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): This is a petition to the Legislative Assembly of Ontario.

“Whereas it is the responsibility of the Ministry of Education to standardize and enforce up-to-date policies and procedures in all Ontario Catholic and public school boards for all students with allergies and for anaphylaxis; and

“Whereas the Toronto public and Catholic district school boards have had recent changes made to their policies for such cases, and were revised in June of 2003;

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

“That all school boards in Ontario initiate and enforce up-to-date and standardized policies and procedures and guidelines for children with allergies and anaphylactic reactions;

“That all school boards in Ontario also standardize the food products used for fundraising projects, and all parents with children at risk be made aware of any potential items or products used for any purpose of fundraising or in-class projects or field trips;

“We hope that immediate action will be taken in this matter, and we thank you on behalf of our daughter and look forward to hearing from the Legislative Assembly of Ontario soon.”

I also sign this petition.

PIT BULLS

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): A petition to the Legislative Assembly of Ontario:

“Whereas aggressive dogs are found among any breed or crossbreed; and

“Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

“The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

“We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds.”

Julia Munro, our member, has brought in a bill to that effect. I support this petition and her bill.

Mr. Peter Kormos (Niagara Centre): I have a petition to the Legislative Assembly of Ontario.

“Whereas aggressive dogs are found among any breed or crossbreed; and

“Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

“The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

“We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds.”

It's signed by thousands and by myself as well. Page Ian is delivering these to the Clerk.

The Deputy Speaker (Mr. Bruce Crozier): The member for Davenport.

Mr. Tony Ruprecht (Davenport): Thank you, Mr. Speaker. I appreciate that very much.

I have a petition here to the Parliament of Ontario and to the minister responsible for seniors. It reads as follows:

"Whereas most seniors live on fixed incomes which are eroding every year due to inflation costs and other necessary expenses"—

Mr. Garfield Dunlop (Simcoe North): Especially if they voted NDP.

Mr. Ruprecht: I don't know why this member disagrees with this, Mr. Speaker—

The Deputy Speaker: Please read from the petition.

Mr. Ruprecht: —but I'm telling you that every year—

The Deputy Speaker: Will the member for Davenport—

Interjection.

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The Deputy Speaker: The member for Davenport.

We'll move on.

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

"Whereas aggressive dogs are found among any breed or crossbreed; and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training, and legislation encouraging responsible ownership of all breeds;

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds."

I have signed this also, Mr. Speaker. I know that the Attorney General won't put his hands over his face on this one.

SENIORS' TRANSIT PASS

The Deputy Speaker (Mr. Bruce Crozier): We'll try again. The member for Davenport.

Mr. Tony Ruprecht (Davenport): Thank you, Mr. Speaker. I'm glad that you said that, because I didn't want to be interrupted.

The Deputy Speaker: Just read from the petition, please.

Mr. Ruprecht: The petition is to the Parliament of Ontario and to the minister responsible for seniors, and it reads as follows:

"Whereas most seniors live on fixed incomes which are eroding every year due to inflation costs and other necessary expenses;

"Whereas most seniors have their freedom severely restricted when unable to go about their daily business, which includes public transit;

"Whereas most seniors should be encouraged to live active, healthy lives—visiting friends, relatives, going shopping etc.;

"Whereas other jurisdictions already provide free local transit passes to seniors, namely, many cities in the USA;

"Therefore we, the undersigned, strongly urge the Minister of Municipal Affairs and Housing, and responsible for seniors to ensure that seniors be granted a free TTC pass, and/or introduce legislation that will force the local Toronto Transit Commission to issue free TTC passes."

Since I agree, I'm delighted to sign this petition.

PIT BULLS

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to present over 5,600 signatures and about 440 petitions. I want to commend Sandra Alway from the Golden Horseshoe American Pit Bull Terrier Club, among others.

The Deputy Speaker (Mr. Bruce Crozier): Just read from the petition, please.

Mr. Hudak: You bet, Mr. Speaker. It reads as follows:

"Whereas aggressive dogs are found among any breed or crossbreed; and

"Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

"The problem of dog attacks is best dealt with through a comprehensive program of education, training and legislation encouraging responsible ownership of all breeds;

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds."

In support, my signature.

PROPERTY TAXATION

Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale): My petition is to the Legislative Assembly of Ontario.

"Whereas the Municipal Property Assessment Corporation (MPAC) provides poor service to the people of Ontario;

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

"(a) Direct the MPAC to improve their customer service;

"(b) Reduce the property tax for people on fixed incomes, such as senior citizens and people on disability;

"(c) Abolish the current market value assessment tax and return to the former tax assessment system."

I also signed this petition.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): “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;

“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” in the province.

I’m pleased to sign my name to this.

PIT BULLS

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I also have petitions against breed-specific legislation, thanks to people like Sandra Alway.

“Whereas aggressive dogs are found among any breed or crossbreed; and

“Breed-specific legislation and breed bans are not effective solutions to the problem of dog attacks; and

“The problem of dog attacks is best dealt with through a comprehensive program of education, training and legislation encouraging responsible ownership of all breeds;

“We, the undersigned, petition the Legislative Assembly of Ontario to refrain from enacting provincial animal control legislation that is breed specific, and instead implement a comprehensive bite prevention strategy that encourages responsible ownership of all breeds.”

I support this, and I sign it.

ONTARIO FILM AND TELEVISION INDUSTRY

Mr. Tony Ruprecht (Davenport): I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Whereas the foreign export production industry in Ontario has been badly hit by the recent economic events

that have transpired here over the course of the past 18 months;

“Whereas we are in desperate need of a substantial increase in the provincial foreign film labour tax credit to stop the exodus of production. We are at risk of total industry erosion of infrastructure and jobs in this industry;

“Whereas there are currently 25,000 taxpaying jobs at risk here. The end effect will result in millions of dollars in lost direct revenues for the province and hundreds of thousands of dollars the provincial government will have to pay out in unemployment insurance benefits;

“Whereas an increased provincial foreign production services tax credit is not a subsidy that will be a drain on provincial coffers. It will only serve to protect the livelihoods of thousands of industry-dependent workers and taxpayers, as well as the ever-so-important infrastructure that has taken decades to develop;

“Therefore we, the undersigned, as workers in the Ontario film production industry, demand immediate action by the Liberal government to act swiftly to save the foreign film and television production sector.”

Since I agree, I’m delighted to sign this petition.

ORDERS OF THE DAY

PUBLIC SAFETY RELATED TO DOGS STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LA SÉCURITÉ PUBLIQUE RELATIVE AUX CHIENS

Mr Bryant moved third reading of the following bill:

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

The Deputy Speaker (Mr. Bruce Crozier): Mr. Bryant.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I’m going to share my time with the member from Willowdale, a great parliamentary assistant to the Ministry of the Attorney General.

The member from Willowdale sat on the standing committee of the Legislative Assembly for the entirety of the four days of public hearings into Bill 132, which wrapped up on February 3. I know he will be speaking to some of the issues that arose from those hearings, and I, of course, want to make some comments about Bill 132.

First, I'd like to thank all members from all parties who sat on the committee on the Legislative Assembly. It was four days of hearings. In the days when I sat on legislative committees for four and a half years, I don't ever remember four days of hearings on anything when the Conservatives were in power, certainly not on the subject of dog safety. I was pleased that over 100 people and organizations participated in the public hearings, either in person or in writing, and those who attended as observers were there and had an opportunity to be heard.

I also want to thank all of those who participated in the consultations prior to the drafting of Bill 132. I held a round table on September 9 last year that was well attended, with representatives of a variety of positions, including police officers, municipalities, bylaw enforcement officers, humane societies, dog trainers, the National Companion Animal Coalition and the Canadian Kennel Club. That was just one day of round table discussions and this preceded the input that ministry officials and or myself received directly.

We had meetings with a number of different groups. We received volumes and volumes of material, and we received significant deputations. I thank all ministry officials who participated in this remarkable consultation, on all sides of the issue, for their work, and the MPPs, who also consulted with many people on this and provided their input. I and ministry officials received input from the Association of Municipalities of Ontario, the city of Mississauga, the Ontario Veterinary Medical Association and the Ontario Society for the Prevention of Cruelty to Animals, who also deserve additional thanks for graciously hosting ministry officials and providing a tour of their facility in Newmarket. Of course I also thank the thousands of people who answered the call for input regarding this issue. Not all of the e-mails that were received were supportive of it, but certainly we received input from a lot of people over a significant period of time. I think that probably more consultation has gone into this bill than any other bill on the subject of dog bites, dangerous dogs and pit bulls, maybe in the history of the Commonwealth.

1530

Bill 132 is about public safety. The public at large want the freedom to walk their streets, their parks, their fields and enjoy their backyards without serious, dangerous attacks. I say that pit bulls are a breed apart, an inherently dangerous dog that over time, if this bill passes, will decreasingly cause the serious attacks that they routinely are responsible for in Ontario.

I know some people say that they aren't responsible for the attacks; it's the dog owners. The dog owners are indeed responsible. That's why we've made changes under Bill 132 to put forth deterrence to irresponsible dog ownership like no other deterrence that exists in the country in terms of the penalties and the extent to which we will now be able to intervene in situations where people are being irresponsible. That doesn't just apply to pit bulls; that applies to all dogs and all breeds of dogs.

I say again that pit bulls are inherently dangerous. No matter the nurture, they are an inherently dangerous dog,

and I'll be speaking to that a little later on with some scientific evidence and some remarks by a number of people who know something about dogs.

But I say we're not going to back down, because we believe that this bill is about public safety. We believe that this bill will make our communities safer. That's why we're doing this. I look forward to the debate, from those who oppose the bill, as to how they think the status quo is somehow satisfactory, because it is not. It is difficult to imagine a week that goes by in this province, it seems, where we don't have another report of a pit bull attacking somebody or some pet—more on that in a moment.

The bill delivers by addressing the severity and frequency of dog attacks in Ontario, by addressing the problem of pit bull dangers and their propensity for severe attacks. Secondly, the bill delivers by addressing dog bites and irresponsible dog ownership generally. One more pit bull attack is one too many.

We heard from people who have experience with legislation such as this, and the best example we have is a Canadian example. Tim Dack, the chief operating officer of the City of Winnipeg's Animal Services Agency, stated very clearly, "Since the restrictions came into effect"—in Winnipeg—"the number of reported bites by pit bull-type dogs has been reduced from 28 in 1989, to 11 in 1990, to zero in 2004. Altogether there were 310 dog bites reported in the city in 1989. Over the years this number has generally declined, with 159 bites reported in 2004."

The point here is, first, the goal in Winnipeg was to reduce pit bull attacks, and it succeeded. For those who say that this bill will be ineffective, I ask, how do you say that in the face of the experience in Winnipeg and Kitchener-Waterloo?

Second, there is always this hypothetical that somehow, as the pit bull population declines, we will get more serious dog bites from other breeds. On the contrary. We learned from the Winnipeg experience that in fact, overall, dog bites went down in the city of Winnipeg. So not only were pit bull bites not replaced by other dog bites, but overall the community was safer. That's what we in this government want for the people of Ontario.

We also heard from Councillor Berry Vrbanovic and Regional Councillor Jake Smola for the city of Kitchener, who informed us that there has been, in their words, a dramatic drop in pit bull attacks, with 18 incidents in 1996, before the ban was put into place, and approximately one per year after the ban. So when they were asked overall about their assessment of the ban in Kitchener, they said this: "A ban on pit bulls has worked in Kitchener and Waterloo, and that is why we are here to express our support for this bill.... We believe that every citizen in every city and town across Ontario deserves the same level of safety that we have in Kitchener and Waterloo."

I think we have to acknowledge the courageous and pioneering work done by Councillor Berry Vrbanovic, who I know was a pioneer in this area here in Ontario,

and also the work done in the city of Winnipeg. There are other municipalities across Ontario that are either adopting or have adopted a pit bull ban. Windsor is one. I'll get to Windsor in a moment.

We also heard in the committee hearing some powerful testimony from people on the front lines who have to face pit bulls at their most dangerous. Consider the compelling testimony from Chief Julian Fantino, who spoke on behalf of the country's largest municipal police service. Mr. Fantino said in no uncertain terms, "Pit bulls pose a very serious, very real and legitimate threat to the safety of the public and to our police officers." He went on to say, "These officers know better than anybody that appropriate and consistent training is essential for any breed of dog. However, they also have experienced first-hand what can happen with predatory-type dogs, regardless of their training or circumstance. These officers have seen the utter viciousness and severe rage with which these dogs attack." That is compelling.

We heard from other police officers. The Police Association of Ontario supports the position taken by the Toronto Police Service. The Police Association of Ontario, as you know, is an organization representing over 21,000 police and civilian members from 63 police associations across the province. These people are on the front lines of community safety, and they have testified in reference to encounters with dangerous dogs, "...the overwhelming number of examples we have received from our membership involve pit bulls."

There were moments during the debate, public in the media and otherwise, where people posed the question, is it nature or nurture? The argument was made by some that it is completely nurture. I don't think anybody would ever doubt that there are certain dog breeds that have certain inclinations that make them particularly good at things. If we think of the bloodhound, we think of the working dog; we think of the dog that's able to track better than others. It defies common sense to suggest that genetics don't play some kind of role in terms of the wiring of any particular breed.

Recently we heard from a University of Windsor behavioural genetics researcher. I'm relying here on the Windsor Star in reporting, "The Ontario government is justified in banning pit bulls because by nature some mammals are more aggressive than others, says a University of Windsor behavioural genetics researcher." This professor of biological sciences, Doug Wahlsten, said, "The important thing we've found is that ... some genetic strains are more affected than others.... I think (banning pit bulls) is a public safety issue." Wahlsten's research—and again I'm relying on the article here—regarding genetics and behaviour has been published in Science magazine. He said that similar research was done in the Netherlands, the US and Finland. I'm quoting here from Wahlsten again: "The rearing does not change their heredities."

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I'm not doubting that the behaviour of dog owners is very important. That's why there is a component in our

bill supported by some who didn't support the bill in general but who had been asking for a long time for new opportunities and powers for animal control officers to try to prevent dangerous dog attacks, not just pit bull attacks but all dangerous dog attacks. It was in that name that we brought in that other component of this particular bill.

It's not just the behavioural science professor from Windsor who has spoken to this. Others have spoken to it. That includes people who have experience with these dogs. There's a television show called Ultimate Dogs: Behind the Bite. In this show, the videotape that I saw of it, a number of things were said by people who know something about pit bulls.

Sandra Alway, American pit bull terrier owner and president of the Golden Horseshoe American Pit Bull Terrier Club, said, "The breed was really honed and perfected over the sport of dog fighting.... They get something in their head and they're going to do it unless they've been taught otherwise.... We don't believe that off-leash parks for this breed are a good place for them to be. They may not start the fight, but they will surely finish it." It is true; I think Ms. Alway has got it right on this front.

Kerry Vinson, a canine behaviourist, said, "The original people who created pit bulls tended to cull out any that showed aggression to humans. On paper that certainly sounds good, but the reality is there's been quite a few attacks on humans by pit bulls." That's for sure. There's no doubt that there have been quite a few attacks on humans by pit bulls.

A dog trainer, Jennifer Segal, said, "These animals are really being raised to"—as she put it—"hate other animals.... When they do go into that mode of biting or attacking, they would rarely if ever stop."

American pit bull terrier breeder Doug Marr said this: "They have a lot of power, it's phenomenal, it's extreme. I know dogs that are 30 pounds in weight pull and they're pulling over 1,500 pounds."

This conforms with most people's understanding of what pit bulls were originally bred to do and what they have been doing. So what are we doing? We are saying that, over time, we need to have an Ontario that does not see pit bull attacks. We begin that, if this bill passes, by increasing the safety of pit bulls currently in Ontario. As recommended by most responsible dog owners, we would be requiring the leashing and muzzling of these dogs. We'd require them to be neutered or spayed in order to make them safer. Over time, as these pit bulls live out their natural life, we will see, as we saw in Winnipeg and Kitchener-Waterloo, fewer pit bull attacks. That's good news for public safety in Ontario.

At the same time—and this was reflected in the testimony we had before the public hearings and certainly conforms with what everybody I spoke to said about the population of humane societies across Ontario—even before this debate began, even a year ago, we had a situation in our humane societies where a disproportionately high number of dogs being dropped off there by

their owners were pit bulls. We heard some of those numbers during the testimony. I think for one humane society, 25% of the overall dog population were pit bulls. There is no doubt that humane societies don't have an easy time adopting out pit bulls. My concern is that over time, five or six years from now, we're going to have a situation where humane societies are bursting at the seams with pit bulls because, as we increasingly get more and more attacks on other animals and on people, we're going to have an unsustainable situation where the pit bull population of Ontario is going to be growing up, or not, in humane societies. I don't see the humanity in that at all.

At the end of the day, though, there is no question what the motivation behind this bill is: It is to increase public safety for Ontarians. We want to have fewer pit bull attacks, and over time, this will do that. We want to put into place the tools and deterrents to deal with irresponsible dog ownership, and this bill will put that into place.

I look forward to the debate. I look forward to seeing where the parties stand in the vote to come in this Legislature. I ask members for your support.

The Deputy Speaker: Further debate.

Mr. David Zimmer (Willowdale): Thank you, Mr. Attorney, and again, thank you to all those who participated in the debate around Bill 132, whether you did so in person, in writing, in consultation with the ministry or otherwise. Thank you, all.

As alluded to by the Attorney General in his opening remarks, I was present for all four days of public hearings into Bill 132. I heard every story. I heard every argument that was presented. In listening to the presenters, it became clear that there was a great amount of confusion and resultant concern surrounding Bill 132. What I'd like to do in the remaining time is allay some of those concerns by clarifying some of the confusion about Bill 132.

One of the most prevalent concerns that we heard in committee was the idea that Bill 132 would punish all dogs under the enumerated breeds for something that not all dogs of that breed are culpable for. We've heard that Bill 132 would be overly inclusive. It is true that some pit bulls have never and may never bite or attack but will nevertheless be captured by Bill 132. But what does it mean to be caught by Bill 132? The answer for many seems to result from misinformation.

A written submission from the American Kennel Club stated, "Many owners of the breeds that will be impacted by Bill 132 are extremely responsible, yet still will be forced to part with dogs who have become loving members of their family." This is not true. They will not have to. Bill 132 does not mean that you cannot own a pit bull already in existence. It does not mean that the police or animal control officers will be rounding up pit bulls. Responsible pit bull owners will not have to give up their dogs.

What Bill 132 does require is this: Pit bull owners must spay or neuter their dogs. Pit bull owners must ensure that their dogs have leashes and muzzles on when

they are outside in public. It means that pit bull owners cannot train their dogs for fighting. It means that people will not be able to import pit bulls into the province of Ontario. It means that pit bull owners cannot abandon their dogs. If a pit bull owner chooses to give up their pit bull, they are doing so by choice, not by force.

Bill 132 would eliminate pit bulls in the most humane of ways: by letting them live out their natural lives while at the same time ensuring that they do not create more pit bulls. We are eliminating pit bulls by prohibiting their further breeding. Do pit bulls have a right to breed? Clearly, they do not.

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Additionally, the problem that Richard Paquette of the Greater Sudbury animal control office identified—that irresponsible pit bull owners ignore penalties imposed by the courts, have no assets to collect and therefore are immune to prosecution—is fixed by Bill 132. These people who choose to disregard the law have a new motivation for compliance and payment of outstanding fines: that is, up to six months in jail.

Another concern raised by many is that municipalities will be financially affected to their detriment because of Bill 132. We do not agree. Municipalities are responsible for animal control. They always have been. They have the infrastructure, the facilities and the professionals to ensure proper animal control. Any added burden caused by new animal control requirements under Bill 132 would result from enforcing infractions of new Bill 132 requirements. Infractions under Bill 132 are accompanied by increased fine provisions, and these fines will be going on to the municipalities. The result is that where there is a need for increased enforcement, there is likely an infraction; and where there is an infraction, there will be increased fines. The two go hand and hand and cannot be separated; hence, costs will be recovered.

As we've heard time and time again, not only are pit bulls problems for animal control officers and the police, but they flood our humane societies and pounds. The evidence was that, at any given point in time, about a quarter of all dogs in the pounds are pit bulls. Over time, as the pit bull population decreases, so too should the costs currently borne by municipalities and pounds in dealing with these dogs.

The standing committee also heard from Wesley Prosser, from Clearwater township. The township of Clearwater is concerned with the costs associated with the detention in a pound where a pit bull is seized under a warrant. Mr. Prosser would like to ensure that the municipality is not bearing this cost. The answer to this is that the municipality already has the authority to ensure that the maintenance costs are borne by the owner. Municipalities currently have the ability to create bylaws to address this. We are not changing this. In fact, I note that Bill 132 would make it possible for a judge to order restitution to be paid to alleviate these costs even if municipalities choose to do nothing.

We've also heard from many people that Ontario should increase licensing requirements for dog ownership

and enforce these requirements so that the municipalities may offset costs of animal enforcement. People have stated that in Calgary, for instance, there is approximately 90% licensing compliance. Licensing is a great way for municipalities to earn revenues, but licensing is, as it has always been, the prerogative of the municipalities. This is nothing new; it has always been that way. This begs the question, if it is such a great means of raising revenue and ensuring more responsible dog ownership, why have more municipalities not been more active in this regard? If it will lead to better animal control, then municipal residents should be asking this very question of their municipalities. Perhaps now is the time that there will be some action.

The government of Ontario has consciously, in consultation with the Association of Municipalities of Ontario, not mandated the manner in which you operate your animal control and dog ownership schemes. That remains within the purview of the municipalities. If you feel that licensing is necessary for the success of dog control, then you have no reason not to do so, and the people of your given municipality should come to expect it from you. Nothing in Bill 132 would impede municipalities' ability to create such a licensing regime, and I encourage you to do so.

Another common theme in the submissions to the committee is the need for legislation dealing with dangerous dogs. Many have indicated that we should be basing our legislation on the behaviour of a dog when determining whether a dog is a dangerous dog. We've heard that we need to statutorily define or deal with dangerous dogs, but what is a dangerous dog? Windsor defines a dangerous dog as "one that has bitten, attacked, caused injury to a person or has exercised a propensity, tendency or disposition to do so." The example of Calgary, so often referred to, defines a vicious dog as one that, among other things, "chases, injures, bites, damages or destroys property, or threatens an animal or human." If we compare these definitions to Bill 132, we can see that Bill 132 deals with dangerous dogs under the "menacing dog" provisions, even if they are not referred to by the moniker "dangerous" or "vicious" dogs.

Menacing behaviour is caught by Bill 132. Without speculating on what a court may decide, it is clear that much, if not all or more, of the activities caught by those jurisdictions that define dangerous dogs or vicious dogs is captured by Bill 132's "menacing" provisions.

How do these other jurisdictions deal with a dangerous or vicious dog? They do it with leashing, muzzling and other control provisions. Some even require, as the Ontario Veterinary Association recommended to the Attorney General, that dangerous dogs be spayed or neutered to reduce aggressive tendencies. How is this different from Bill 132? If a dog is found to be menacing or to have attacked, that dog must be sterilized. Additionally, it is open to Ontario courts to make any additional order that the court deems appropriate. There is nothing in the Calgary bylaw that a court could not order here in Ontario.

People have pointed to Ms. Munro's bill as adequately addressing public safety and vicious dogs, but the government's Bill 132 does more than Ms. Munro's private member's bill. Her bill does little to protect the public from dangerous or vicious dogs. Ms. Munro would allow a vicious dog to be dealt with—and this is important—only after it has inflicted a severe physical injury or killed a person. How does this enhance public safety? On the other hand, Bill 132 would mean that dogs that pose a menace to public safety could be dealt with. We do not believe that we should have to wait for a dangerous dog to actually bite or attack before it is dealt with.

It should be clear from what I and the Attorney General have said today that there is much in common between those who oppose Bill 132 and those who support it. We all agree that something needs to be done to address the larger issue of public safety as it relates to dogs. Divergence of opinion occurs in relation to the additional aspects of Bill 132; that is, the part that will rein in the severity of dog attacks, namely the pit bull ban. If people come to understand Bill 132 in its entirety, they will come to realize that it is the best thing for the safety of the people of Ontario.

In summary, I have had the chance to become very familiar with public safety issues around dog attacks, and I know that this bill is and will prove to be in the interest of all Ontarians. I ask this House to allow Bill 132 to do the work it is very capable of doing.

Thank you, Mr. Speaker, for opportunity to speak to Bill 132.

The Deputy Speaker: Questions and comments?

Mr. Jerry J. Ouellette (Oshawa): I very much appreciate the opportunity not only to speak on this bill but also to participate in committee.

There are so many things that were brought forward here that need to be brought forward again, and part of it was the identification aspect. I know, when I was in the member opposite's riding—Brant—the concern came forward that there were seven different types of dog breeds that one dog was identified by. That was one of the big concerns coming forward: to ensure that that specific breed is the one going to be targeted. This individual came forward and went on to explain that he was going to register his dog because he wasn't sure what breed it was; it was a crossbreed of some kind.

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I don't think that anybody has any concern with the viciousness of a dog, but they do have concerns, and I fully agree—I don't agree with this bill—that breed-specific legislation will not assist in this. What happens with the mastiffs or the Dobbies or the shepherds or any of the other dogs that will be replacing the pit bulls as time moves forward? That's where the concern comes forward.

The AG spoke about Julian Fantino. Well, when I spoke to the former deputy chief of police from the region of Durham and asked him his information—because he knew; he was a dogger and he knew dogs

quite well—he said that the number one dog bite report—these are incidents that have gone to a police report—in the region of Durham was Labs. There are probably various reasons for that—maybe there are more Lab breeds—but it was the number one dog report in there.

Also, when you talk about going to the pound and the fact that the pound is flooded with pit bulls, well, when legislation comes forward like this, that's how people react. If you talk to doggers, it's the same as when 101 Dalmatians came forward. All of a sudden, there was a huge onslaught and everybody wanted a Dalmatian puppy. Well, shortly after Christmas, when the puppy novelty had worn out, so had the desire for the dog. Guess where they went. To the pound.

The other part is the motivation. In the same time frame that we have been talking about dogs, the province has lost about \$250 million in tax revenue.

Ms. Andrea Horwath (Hamilton East): It's my pleasure to make some comments on the presentations by the Attorney General and the member for Willowdale. I have to say that when this issue was first brought to light, I guess it was late last year, August or something, as the result of a significant and horrifying incident that occurred, everybody's knee-jerk reaction, of course, was one of horror, one of outrage and one of a desire to do something as quickly as possible to ensure that this kind of thing doesn't continue to occur in the province of Ontario.

Unfortunately, what we ended up with is something that is not going to really have the kind of desired effect that I think people were hoping for when this particular attack occurred and raised the issue, if you want to call it that. When I look at what has happened since then, since the legislation was first introduced and the process of public hearings occurred, the opportunities for the government to do the right thing and make this the appropriate piece of legislation that expert after expert after expert after expert indicates that we should be doing, it makes me kind of wonder what the heck is going on around here. It makes me kind of wonder why it is that we stubbornly dig our heels in when we hear quite clearly from those people who know very well not only what has happened in our communities across the province, but what's happened across this country and across the world, in fact, when it comes to the requirements of really having an effect on vicious dog attacks for the people that live in communities all over the world.

Quite frankly, it's very disappointing and very disturbing that we end up where we do today and where we are going to end up tomorrow, having to deal with legislation that is totally ineffective and inappropriate in the context that we expected.

Mr. Brad Duguid (Scarborough Centre): I'm delighted to rise today to support this very important legislation. It's very important that public safety is a priority right across this province.

I know that in my community of Scarborough we have had vicious attacks by pit bulls. I've had the unfortunate circumstance of being able to see a smaller dog that was

attacked by a pit bull a number of years ago while I was out knocking on doors. I didn't see the attack; I saw the dog about a week and a half later. The damage that these dogs do is almost incomprehensible. There is no question that something had to be done. Too many attacks, too many people, women, children, men, being injured, maimed, if not killed. Something had to be done. So I thank the Attorney General for stepping up to the plate and moving forward.

If you don't take our word as politicians for the need for change, then let's see what Julian Fantino, chief of police for the city of Toronto, had to say when he was at committee. He said, "These officers know better than anybody that appropriate and consistent training is essential for any breed of dog. However, they have also experienced first-hand what can happen with predatory-type dogs, regardless of their training or circumstance. These officers have seen the utter viciousness and severe rage with which these dogs attack." This legislation "will improve community safety and also police officer safety."

The chief went on to talk about a takedown and the experiences that happen with these dogs in takedowns, about the fact that when these dogs are shot, they just keep going.

We can't let this continue. We have to take action. This government is standing strong, taking action. I thank the Attorney General for his leadership in this area. Our streets in the city of Toronto, in my own community of Scarborough and right across this province will be safer because this government has taken action to ban these pit bulls.

Mr. Norm Miller (Parry Sound–Muskoka): I just listened to the Attorney General, and he's dreaming in Technicolor. He talked about dogs getting something into their head and not being able to stop them. I think the same could be said about him with this bill. Look at the testimony we had over four days of public consultation. He said that not all the testimony was in support of the bill. Well, for his information, just about all of it was against: 81 of 103 presenters at the public hearings on Bill 132 strongly rejected the proposed ban. All the experts rejected it. He talked about Chief Fantino. I had the opportunity to question Chief Fantino, and he's not a dog expert. I know he's trying to look out for the protection of his officers, and I recognize that, but I asked him about a Staffordshire bull terrier. He had no idea what it was. He had no idea that it's a 30-pound, 14-inch-tall dog that's the nanny dog in England—there are 250,000 in England—and none of them have hurt anybody here in Ontario.

You have been very selective in your quotes and have made a sham of this whole process. You have insulted the people who came before this committee by being so selective. I'm frankly embarrassed that you have the gall to be in here and put blinders on and not even listen to the people who came before this committee. You have a flawed bill. You could have made a good bill. You could have listened to all the people who came before us and

gave testimony, but you have not. The parliamentary assistant from Willowdale treated the whole process like it was a courtroom. He cut off people who were trying to make a point so he won his point. Well, yes, but he didn't let them say what they wanted to say. Wasn't the process about trying to learn something? I'm embarrassed by the process we went through. I sat through five days. I listened to the people. You certainly did not listen to the people who came before the committee.

The Deputy Speaker: Reply?

Hon. Mr. Bryant: I thank all members for their comments. It's very interesting to hear Tory MPPs say that Chief Fantino knows nothing about public safety. I tell you what: I'm going to take his word on public safety more than I'm going to take their word on public safety.

Interjections.

The Deputy Speaker: Order.

Mr. Miller: On a point of order, Speaker: I did not say that.

The Deputy Speaker: I hadn't recognized you yet, but I guess the point of order is over.

Interjection.

The Deputy Speaker: Member for Simcoe North, you're not even in your seat.

Now I think we're all back to normal. Minister?

Hon. Mr. Bryant: I have hit a nerve here. The Tories are—

Mr. Garfield Dunlop (Simcoe North): Just tell the truth.

The Deputy Speaker: Member for Simcoe North, your interjection isn't necessary, particularly from where you are. Minister?

Hon. Mr. Bryant: The truth is, Chief Fantino is an expert on public safety and I'll take his word on public safety over their word any day.

There's no question. The argument, as I understand it, is that this measure will not be effective. Well, there's no doubt as to its effectiveness in Winnipeg and in Kitchener. By sheer logic, if over time you have fewer pit bulls, of course you're going to have fewer pit bull attacks. Of course you are. The argument, presumably, is that somehow this is not humane, I guess, or that this is philosophically unsound, I guess. I say two things to that.

Firstly, I believe that, overall, a bill that is about public safety and is going to mean fewer dog attacks and fewer pit bull attacks ought to be supported by this Legislature. It's up to members to decide that. But as to the humanity of this, I do not see the humanity of letting pit bulls continue to attack people and other pets, and for pit bulls to be the number one occupant of humane societies going forward, in the years to come. That is not humane. What is humane is this bill, and I ask all members to support it.

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Mr. Dunlop: Sit down. Your time's up.

The Deputy Speaker: To the member for Simcoe North, who still isn't in his seat, I'll handle the order of things from the chair. I don't need your advice on if

somebody should be standing or sitting, but I would like you in your seat if you're going to do anything.

Further debate?

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate with respect to third reading of Bill 132. Just for the record, I was there when Chief Fantino spoke to the public hearings. He basically said, and I think everyone would agree here, that the criminal element was using the pit bull as the dog of choice. Who couldn't support any police officer with respect to wanting to make sure that the criminal element is not using a vicious dog of any nature? For the record, Mr. Miller made no comments about Chief Fantino; I know he has total respect for him, as we all do here in this Legislature.

I'd like to just deal with the fatal flaws of this bill; everybody knows that it is fatally flawed. It's very evident that we weren't listened to by the government. At the public hearings in Barrie, one of the people the Barrie Examiner spoke to was a Marianne Robertson of Bradford—owner of Angel, a four-year-old pit bull terrier—who opposed Bill 132 because she believes that it doesn't recognize that all dogs have the potential to be dangerous.

Also, a person by the name of Nick Coburn commented on it. He had been attacked by a dog. He said that he didn't require stitches after the bite, but the German shepherd did break skin when it tore into his 11-year-old's leg. The Angus resident was rolling past the unleashed pup on inline skates when the animal attacked. "It was a bad experience," says Coburn and his mother, Leeanne Campbell. "Still, it isn't cause to bring about legislation banning the breed. It's the owner's responsibility, not the dog's," said Campbell, a German shepherd owner and dog lover."

That was the theme that we heard throughout the hearings, and we listened; the Conservative caucus listened. We put forth amendments because of the major flaws in this legislation, because everybody knows that the problems are the enforcement of the Dog Owners' Liability Act and also dealing with irresponsible dog owners. Those are the problems. So we put forth amendments, because Bill 132 did not deal with increasing and improving enforcement; it did not deal with irresponsible dog owners. We put forth amendment after amendment—and the NDP did, too—and every amendment we put forth was defeated by the government.

The type of amendments we were looking to put in, for example, were ensuring "that municipalities have the resources they require to enable them to provide effective municipal dog control in the interests of public safety." Now, the Attorney General is on the record as saying that they will not provide one nickel to the municipalities to help improve enforcement. How are we going to get better enforcement in that particular area?

I got a letter from the town of Brock. It was addressed to Michael Bryant, January 27, 2005, and they cc'd me. In that letter, there were questions posed by one of the constituents in the township of Brock. Their answer to a

question posed by Mrs. Hunt was that, if Bill 132 is proclaimed, “the township would have no choice but to assume all costs associated with the act, as this would be the law. The province has not proposed a cost-sharing program”—and they haven’t, and they won’t, according to the Attorney General.

The next question posed by Mrs. Hunt to the township of Brock is—if Bill 132 is proclaimed, the township could experience budget increases such as extra staffing, training and equipment and shelter administration. The fact of the matter, and the Attorney General knows this, is that most municipalities do not have effective dog bylaw enforcement; they just don’t. Now, what he’s doing is saying to municipalities, “You’ve got that responsibility,” and he’s also giving it to police officers to enforce the bill.

We also wanted an amendment that we heard from the constituents “to provide for the development and implementation of a comprehensive program including education, training and other measures to encourage responsible dog ownership”—voted down by the Attorney General and his friends. Irresponsible dog ownership is the problem, not only with the criminal element that uses pit bulls and vicious dogs, but the fact that many dog owners are not properly trained in terms of how to deal with their dogs. That was voted down.

We also proposed providing for the development and implementation of a comprehensive dog bite prevention strategy to encourage dog owners to take all reasonable steps to prevent their dogs from biting persons or domestic animals—voted down. How can you vote down that type of amendment?

We also put forth an amendment providing for the establishment and operation of a province-wide dog bite registry. That came out of a coroner’s inquest, in terms of making sure we know what’s going on in the province, which dogs are biting, what’s happening in the different areas of the province—voted down by the Attorney General and his friends. That’s irresponsible in terms of trying to deal with a problem that is not going to go away.

As I said, we’re dealing with fatally flawed legislation. The public has been misled by the government, because not one—

The Deputy Speaker: Member for Barrie–Simcoe–Bradford, you might want to withdraw that.

Interjection.

Mr. Tascona: The public has been led to believe by the government that Bill 132 is going to solve the public safety problems of vicious dogs. After March 1—we’re voting on this tomorrow—there won’t be one less pit bull or vicious dog on the street, and I think Mr. Zimmer, the PA, pointed this out, to his credit. So the same public safety concerns are going to be there on March 2, the day after we vote this bill through. We won’t be supporting this, because this bill is fatally flawed.

I would say that in terms of this issue, the public really believes that pit bulls will be off the street. They really believe that all the problems will be solved. That’s the

spin; that’s not reality. It’s not going to happen. The same streets and the same animals are all going to be there the day after Bill 132 is passed. The public will be no better protected, and they know that.

The saving grace—because we cannot stop the Liberal majority—is that we know this legislation is going to be constitutionally challenged. They know they are going to get hit with it. The fact of the matter is that they know it’s over-inclusive. They know it’s going to be a problem with respect to how they’re going to get enforcement on the pit bull identification issue. All the amendments from the Liberal government that came forth at the hearings were on the identification issue with respect to pit bulls, because they are so afraid it’s going to be challenged in the courts after it’s passed. So they brought in all these amendments, which are only going to cause increased litigation and an increased waste of court time.

But the dog attacks are going to continue; there is no doubt about that. In the last three weeks in my riding we’ve had some vicious dog attacks. In one that was reported in the Barrie Examiner on February 12, a one-year-old Rottweiler was quarantined after attacking a woman in Essa township. The dog was quarantined for the required 10 days, and the police were advised that the owner would have the dog destroyed to prevent further incidents. This was a Rottweiler.

Also, a dog bite incident occurred on January 26, 2005, in Innisfil. An eight-year-old boy was hospitalized after he was bitten in the face by a dog. The dog is a nine-and-a-half-year-old shepherd-Rottweiler mix known as Jake. It’s being investigated by the police.

Also, there was a vicious dog attack with respect to a pregnant dog last week in my riding, with tremendous damage to the dog, and it was not a pit bull.

The issue here—and the government is not listening—is that the public wants protection from vicious dog attacks. That’s what they want protection from. Nothing has been done with respect to enforcement. There will be no money to help municipalities with respect to enforcement. Nothing has been done to deal with irresponsible dog owners. We heard from the experts. The experts said that if you properly train your dog, and the dog owner is working with the experts, then the chances of a dog bite will be decreased by up to 90%. That wasn’t listened to. We were looking for the government to work with municipalities about responsible programs, and the government didn’t listen.

There are a number of questions I want to pose to the Attorney General, because they never answered and I want to get his views on this. The Liberal government, in our view, is playing politics with this issue. It’s another example of a public relations exercise rather than responsible government.

Why doesn’t this act, which is Bill 132, target negligent breeders and owners instead of punishing responsible pit bull owners?

Secondly, the United States Supreme Court in Alabama ruled that there was no genetic evidence that one breed of dog was more dangerous than another

simply because of its breed. The experts have told us, "Punish the deed, not the breed." The Attorney General refused to meet with these experts so that he could focus on hearing views from his own supporters. When will the government finally listen to the experts and experiences in other jurisdictions?

1620

Third, we have been hearing time and time again that this legislation, Bill 132, is unworkable. Pit bull bans have already been such a failure in the United Kingdom and the United States that 13 states have specifically prohibited bans. The Attorney General has not told us how he will manage any court challenges with respect to this breed-specific ban.

We got an inkling of it when we got into the hearing on the final day, with the amendments with respect to the reverse onus provision. They also had the nerve to bring forth evidentiary procedures with respect to a veterinarian certificate being conclusive evidence that a dog was a pit bull. Now, that's for the judge to decide, not a veterinarian. A veterinarian can offer their opinion, but it can't be conclusive evidence of what a pit bull is. Yet they brought that forth. Then they brought further measures with respect to the standard for findings of fact to be on a balance of probability and not dealing with—this is a criminal offence—proving beyond a reasonable doubt what is going on with respect to whether you're innocent or guilty. They brought in the reverse onus provision to make it easier for them to say, "OK, you prove to us that your dog is not a pit bull; otherwise you're guilty." That's not justice.

Fourth, the bill creates such a broad definition of "pit bull," and the Attorney General himself was unable to pick out the pit bull from similar-looking friendly breeds that could be put to death by this bill—put to death by the bill. If the minister cannot identify the breed that he wants to ban, how do you expect others to? He is saying to municipalities that don't even have dog bylaw enforcement, "It's your responsibility to decide whether that's a pit bull or not"—and the same thing with police officers. They're not trained in that. That's not what this is about.

During the Barrie hearings, we saw first-hand the compassion that the government had for non-pit-bull-bite victims. Michelle Holmes, a registered veterinarian technician, talked about being bitten by a chihuahua. I'd like to read you their exchange, straight from Hansard:

Ms. Holmes: I've never, ever been attacked by a dog such as a pit bull. I have been bitten by a chihuahua, but we don't seem to be concerned about those....

Mr. Zimmer: Did the chihuahua take your leg off?

Ms. Holmes: No, but he did draw blood.

Mr. Zimmer: So does a mosquito."

Can you believe that exchange? A young woman comes forth to testify at a public hearing. She is a veterinarian trained in the science, and that's the treatment she gets from Mr. Zimmer, the parliamentary assistant to the Attorney General.

Why is the government only concerned about pit bulls? I would bet that if the Attorney General's child,

any child in this House, was bitten by a pit bull, it wouldn't matter to you what breed it was. The issue is about vicious dog attacks.

Sixth, the government has been starting on a frightening trend of guilty until proven innocent these days. This bill fails to provide any process by which the additional breeds would be identified and places the onus of proof on the owners of the dogs.

Seventh, under the government bill, a criminal could conceivably break into your home, and if your dog defends you or your property against them, you could be fined. How can the bill fail to include "with provocation" as part of the criteria for determining if a dog's behaviour was inappropriate? All we're focusing on here is the dog. What about the dog owner?

Eighth, the Attorney General continues to use Winnipeg as an example of the success of a similar ban. What he forgot were the facts. When the ban was put in place in Winnipeg, the overall number of bites in the city went up and attacks by Rottweilers rose dramatically. How does this support the Attorney General's call for a breed ban over dangerous dog legislation? We should be focusing on vicious dog legislation. This was a great opportunity for the Attorney General to do something to deal with vicious dogs, but he didn't. The Attorney General said, "We have listened to the experts and the experiences of other jurisdictions." The committee was out there. I was with Julia, I was with Norm Miller and other members of our caucus, and they told us that legislation will not work. Breed-specific bans fail to address the real problem of irresponsible breeders and owners who breed and sell aggressive dogs. A dog just doesn't get that way automatically. The Attorney General would like to you believe that it just happens from birth. Come on.

Attorney General, will you listen to these recommendations that dangerous dog legislation should focus on responsible dog ownership rather than the breed? He did not.

Attorney General, will you consider Julia Munro's private member's bill that takes into account the experts and the experiences of other jurisdictions? This bill amends the Dog Owners' Liability Act to create a specific category of vicious dogs that is a workable alternative to the Liberal government's irresponsible breed-specific legislation. If the breed is the real issue, then why didn't the Liberal government worry about breeds that were initially bred for fighting and have inherently aggressive and possibly dangerous characteristics? Modern fighting dog breeds include the Great Dane, boxer, Mastino Napolitano, Dogo Argentino and the pug. Why didn't they find their way on to the provincial ban list?

I'll tell you why. I was there at the press conference that the Attorney General rolled out to announce that he was proceeding with Bill 132. He said categorically to the press, "Pit bulls are different; different than Rottweilers, different than any other type of dog. Pit bulls are fighting machines." Yet he didn't even know how to point out a pit bull when it was put forth to him. He

doesn't know what a pit bull is. When you go through the legislation, you will not be able to figure it out because it will be up to a judge to figure it out.

I want to deal finally with the real Winnipeg numbers. In Winnipeg, the overall number of bites in 1990, the year the ban was introduced, was 214, compared to 275, 264, 256 and 301 for the years 1991 to 1994. More importantly, Winnipeg statistics show a sharp increase in bites by two specific breeds that began in 1991, immediately after the ban was implemented.

This is not going to stop vicious dog attacks. That's why I feel for the public who believe that this bill will make them safer. It won't make them safer. We've lost a golden opportunity. The minister had a great opportunity to do something about vicious dog attacks and he didn't do it.

I'm sharing my time with the member for Parry Sound—Muskoka and the member for York North.

Mr. Miller: It's my pleasure to join in the debate today on Bill 132, third reading of An Act to amend the Dog Owners' Liability Act to increase public safety in relation to dogs, including pit bulls, and to make related amendments to the Animals for Research Act.

I'd like to begin by reading a media quote: "The act is called 'An Act of Folly'. It was drawn up in days, welcomed with acclamation and relief, hurried through its stages and emerged as something neither clear nor fair."

That wasn't from the press any time lately. That was from the Daily Mail of September 7, 1995, in reference to British breed-specific legislation that passed in 1991. I'm afraid we're about to repeat the same process here in Ontario.

Also from England: "The cost of the legislation was estimated in the first four years at £20 million or more (kennel fees, court costs and legal aid)." The same thing is also about to be repeated here in Ontario, with a government that is having such difficulty in managing the finances of Ontario. It's certainly not going to help the economic situation here.

I'm very disappointed with the process we've gone through. We've had four days of public hearings, a day of clause-by-clause hearings and, really, the whole process has been a sham. We've had hundreds of submissions, and the government is simply not listening. What we've got is a flawed bill that is going to give people a false sense of security, but it's not going to protect people. It's really a shame because we did have many experts come before the committee over four days and make written submissions. Virtually all of the experts say that breed-specific legislation, specifically Bill 132, will not do the job it is intended to do, which is make it safer for the people of Ontario. That is a real shame, because we had all kinds of testimony, all kinds of information, and many, many different experts came before us.

It starts off right with the definition of what a pit bull is, because a pit bull is not a specific breed. It's like saying "a shepherd." In the definition in the bill, it says, "a pit bull terrier,... a Staffordshire bull terrier,... an

American Staffordshire terrier,... an American pit bull terrier," or any dog that basically looks like one of those dogs. That certainly creates all sorts of problems, because if you happen to have a dog that kind of looks like it and your neighbour thinks it's a menace, you're going to end up in court, your dog is probably going to end up in a kennel, and there are going to be all kinds of costs associated.

1630

We had a gentleman come before us in Brantford to make testimony. His name was Mike Martin. He got a dog, whose name was Sydney, from the SPCA. When he first got it, the picture on the Web site referred to the dog as an Akita. Then he sent it to a vet, and the next time—these are all recorded on paper; he did a wonderful presentation where he showed the actual documentation for this one dog with vets' signatures on it—it was referred to as an Australian shepherd. This is the same dog we're talking about. The third time, another expert referred to it as an American Staff cattle dog. The fourth time it was referred to as a pit bull, so we can assume that somebody thought it was a pit bull. Then the next time it was referred to as a Staffordshire bull terrier, which under this definition would be a pit bull.

Mr. Kormos: This is a multiple-personality dog.

Mr. Miller: This is a dog definitely with split personalities.

The point of his presentation is the confusion that will result with this legislation. If you have a dog that's a mutt and your neighbour thinks it's a menace, there will be no way—there's no DNA—to prove it's not a pit bull according to the definition. The lawyers are certainly going to love it, that's for sure, because there are going to be all kinds of court cases. It's going to cost municipalities, it's going to cost the province millions of dollars, but it's not going to make us safer. That is a real shame, because we've had all kinds of people take time to come before the committee and make presentations, but the government just was not listening.

I'll ask the member from York North to let me know when it's her time to speak so I don't just keep going on and totally forget to let her have an opportunity to speak.

We had all kinds of presentations come before the committee. Virtually all the experts say that breed-specific legislation will not work, will not make Ontario safer. For the life of me, I do not understand what the government has got to lose from passing good legislation. Does that make sense, Mr. Kormos? I don't think so. I really don't understand. I know the Attorney General has made maybe some political capital and is going to get some short-term political gain from this, but in the long run it's just bad legislation. We heard that from all the experts. I just do not understand why the government doesn't want to listen to all the people who came before us—all the veterinarians, animal control officers and the various people who gave testimony.

What kinds of things did they have to say? The animal control officer was referred to by the parliamentary assistant in his hit, and he took part of what he said. But

he also said, "In Sudbury there are fewer problems with pit bull incidents than with other types of dogs, both purebred and mixed. In 2004, 213 bite incidents were reported to the health unit. Of that number only 11 involved pit bull-type dogs, none of which were purebred. Legislation should focus on dangerous dogs of all breeds and mixes." We tried to amend this legislation to remove purebreds, because it was shown that the purebred dogs are not the problem, but the government refused to even consider that.

The American Staffordshire Terrier Club of Canada said, "Breed-specific legislation is an ineffective, costly, knee-jerk reaction to the problem of irresponsible dog ownership."

One of the most compelling testimonies was from Ms. Donna Trempe, whose daughter, Courtney, was killed by a dog. It must have taken unbelievable courage to come before the committee to make her testimony. I was fully expecting her to say, "I'm glad the government's doing this. It's about time we had strong legislation." But she did not say that. She pointed out that her daughter was killed by a bull mastiff. She also said, "Banning pit bulls will not solve the dog biting problem. What is needed are stiffer penalties and heavier fines for the owners of dogs that attack."

We heard from the Association of Animal Shelter Administrators of Ontario. They said, "Rather than prohibit certain breeds of dogs altogether, the government should introduce legislation to regulate dangerous dogs and potentially dangerous dogs. Higher licence fees and mandatory liability insurance requirements for dogs that bite or attack should be considered."

The government has made reference to Winnipeg. Unfortunately, they don't compare Winnipeg to Calgary. We did have that information, so I don't know why they wouldn't want to look at it, because the most successful jurisdiction in the country in terms of controlling dog bites is Calgary. It is a city bylaw, but they've done things like licensing; they have over 90% of the dogs in the city licensed. They have very specific rules about dog ownership and about when a dog must be on a leash. They've also got a significant component of education in their bylaw, and it's been successful. Since 1984, they've reduced the number of dog bites by 70%, and this at a time when the population of Calgary doubled. So that has been very successful, and we should be using that.

Other suggestions from people who came before the committee: Base decisions on the behaviour of the individual animal, regardless of breed or appearance; require that all dogs and cats adopted through municipal shelters be spayed or neutered; incorporate mechanisms to investigate and prosecute backyard puppy mill breeders who are producing and selling these animals for questionable purposes.

I have two boxes of information that came from people who made presentations before the committee and many experts. Virtually all the experts say this is flawed legislation that will not work, but the government is not listening to that. As I say, I do not understand why they

are not listening. I don't understand how they win politically from that. I wish they'd learn from England and Calgary. We've heard that New York state and California are places that have done well.

There's lots that can be done: education, control of breeders, licensing. Unfortunately, the government has made a sham out of this process and has not listened to the people who have come before it.

I say to the government that they should have a free vote on this. They talk about democratic renewal. Well, prove it. You haven't had a Liberal member vote against the government yet, and I know there are lots of them over there who don't feel very comfortable with the legislation. Allow members to have a free vote, because I know that those who sat on the committee, if they were listening at all, must know in their hearts that this is fatally flawed legislation. It's not going to do what it says it's going to do.

I think at this point I will pass it on to my colleague from York North.

Mrs. Julia Munro (York North): I welcome the opportunity to join the debate today. We heard from people across the province; we heard from people in other jurisdictions, in Canada and outside. In the brief time I have, I'd like to concentrate on four particular aspects of this bill that reflect very genuine and deep concerns that people at those hearings demonstrated.

We heard a few moments ago about the issue of identification. Much has been made of the importance of identification, the importance of the reverse onus. The Attorney General, in some of his remarks with regard to responding to this, has talked about the professional nature, the ability of those people charged with the responsibilities of making breed determinations.

The previous speaker made reference to, I felt, one of the most important deputations we heard. This was Mike Martin, who is a dog owner from Hamilton. He explained to us the process by which he acquired a dog from the SPCA, which began on the Web site as an Akita, then became an Akita-American Staffordshire terrier, a bull terrier, an Australian shepherd and an American Staffordshire cross cattle dog. These seven designations were all done by people who were either at the SPCA, the vet assigned on behalf of the SPCA, his own vet or a vet at the emergency clinic. In other words, he only owns one dog. All that paperwork had been created over the first month he owned her.

He has a plea to the government. He says:

"To summarize all of this, this is what I want you guys to do; this is my plea. You've seen all the expert opinions, so I don't know how you could do anything but oppose the breed-specific portion of this bill. Anything else just doesn't make sense, so I'm assuming you're going to do that. I would also be so bold as to say that when you give your recommendations, I would like you to outlaw breed-specific laws in the province. I want you to force the municipalities to address the real issue. I want you to prevent ineffective laws and knee-jerk reactions, prevent killing innocent dogs, stop ignoring

aggressiveness in all the other breeds that have it and enforce responsible dog ownership.”

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I think he very graphically demonstrated for all of us on the committee the problems of identification and the kind of experts who are going to be charged with this responsibility.

I also want to move to a very important issue that came up in several different presentations, and that's the whole issue of ownership. We have heard already from people referring to the fact that Chief Fantino did come to the hearings and did support the bill. I think there are some very important messages he had for us as legislators. He referred to the dogs as weapons. He said that these dogs are used as weapons and that pit bulls are the choice for many criminals. He said, “Pit bulls are being used by criminals for the purpose of their own protection, facilitating their own escape or protecting their illegal enterprises.”

I think all of us share a concern not only for community safety, but clearly for the safety of our police officers. In providing us with his testimony, he made it very clear how very real this problem is. He goes on to say, “Our emergency task force officers say that, on average, one in four of the warrants they execute is at a place where there is a pit bull.”

So I think the important thing here for us to understand is that the criminal element has found a tool, a weapon. The concern is, one can raise the question that if criminals don't register their guns, are they going to neuter and muzzle their pit bulls? I think that it's much more important for us to look at the initiative around responsible ownership.

For that, I would like to turn to a deputation that we heard from Dr. Bonnie Beaver, who is a veterinarian, a board-certified animal behaviourist and a professor at Texas A&M University. She chaired the Task Force on Canine Aggression and Human-Canine Interactions for the American Veterinary Medical Association.

Here is what she had to tell us:

“There is a tendency to ban breeds as a result of a severe tragedy. It is a need to react. Unfortunately, it only causes a reaction; it does not affect the incidence of dog bites. Multiple scientific studies have shown that dog bite rates are not decreased by breed-specific legislation; they are simply a reaction. Why? There are several reasons for that. First of all, a dog's tendency to bite is governed by five things. The first is heredity, but the other four are owner- and victim-related. They include early experience of the dog, later socialization and training—or lack thereof....” These are the major contributors to dog bites.

“The scientific literature on dog bites concludes that breeds vary over time, breeds most represented are popular at the time, and no one breed is represented in proportion to its actual population.

“Contributing factors to dog bite incidences are related to owners. We find that dogs that have more likelihood to bite have no licensure, are not current on vaccinations, are not neutered, are male and are chained in the yard.”

When you look at the Calgary evidence, it certainly is an outstanding program that is a model for any city.

The issue of enforcement is also one that I think needs to have special attention because, in passing a bill such as this, the government is asking that municipalities come forward and enforce. So I'd like to take some information that came through the public hearing process from Elaine Buckstein, who is the director of bylaw enforcement for the city of Mississauga.

She began her remarks by talking about the importance of the inquest recommendations from the tragic death of eight-year-old Courtney Trempe and the fact that it provides a compelling model for all levels of government and animal service agencies. It made a number of recommendations to enhance and increase the number of education strategies targeting younger children to prevent vicious dog attacks and dog bites.

She goes on to say that the province divests great responsibility to municipalities to implement Bill 132. The government, of course, has not indicated any kind of financial support to go along with this increased regulatory burden. It also doesn't deal with the question of identification.

She goes on to say that the bill provides for a 90-day time frame in which owners of pit bulls must comply with regulations. It would be difficult, if not impossible, for staff to determine whether a pit bull was actually born between that time frame and when ownership commenced. She can only imagine that people are obviously going to describe their dog as anything but a pit bull on any future licensing.

The legislation also has a provision with regard to animals for research, where it specifies that the pound keeper becomes the individual making the determination.

The bill is silent on any question of liability, in terms of identification and in terms of any kind of judicial review that might come as a result.

The second-final point that she makes is that she would note that the current Municipal Act does allow municipalities to respond to situations within its own boundary regarding dangerous dogs. She suggests that the committee review and act upon the 33 recommendations of the jury into the death of Courtney Trempe.

My final comment is that I would just like to respond to the earlier comments made by the member from Willowdale with regard to my own private member's bill. I want to remind the member that in presenting a bill at first reading, it is exactly that. I would be delighted to have second reading and public hearings, with the view to hearing experts and the kinds of amendments that could be put forward. Unlike the government, I would welcome the opportunity to have public hearings and work on those amendments that might come from them.

The Deputy Speaker: Questions and comments?

Ms. Horwath: It is my pleasure to make some comments on the debate by the members for Barrie-Simcoe-Bradford, Parry Sound-Muskoka and North York. I wanted to start off by saying that you will find, when my caucus gets an opportunity to speak to this issue, that

everyone will be clear that New Democrats are extremely interested in ending the attacks on people by these vicious dogs. There's no doubt about it.

Unfortunately, what we see is the worst example of political opportunism that I have seen so far in this House. I am dismayed that the sensationalization and the pure politicization of this particular issue, not to mention the exploitation of victims, the demonization of breeds and the really stubborn, arrogant refusal of the government to heed the evidence that was brought forward at the public hearings that overwhelmingly told them that they are barking up the wrong tree, has not been dealt with. It's extremely frustrating.

I know that people from Hamilton came to those hearings. It has been mentioned a couple of times already. I know that I myself have received a number of e-mails from a gentleman named Jason Lavoie. Jason, if you're watching, thank you very much for sending that information along to me and to a number of other members of this Legislature.

In fact, the very chief of police from my community, whom I met with over lunch not too long ago with some of the Liberal MPPs in my community, has indicated that he does not support this particular thrust in terms of the legislation. He is concerned not only about the fact that it's not going to work, but also that in Hamilton, three-to-one dog bite complaints and vicious dog complaints are from a different breed than pit bulls. In this case, it happens to be German shepherds.

1650

The bottom line is, the problem with this legislation is very clear. The frustration that all of us on this side seem to have around the government's refusal to do the right thing with this legislation is extremely frustrating. It's really unfortunate that the people of Ontario are going to continue to suffer with inadequate protection from vicious dogs and vicious animals, because this legislation is certainly not going to be helping them.

Mr. Bob Delaney (Mississauga West): Like the parliamentary assistant to the Attorney General, I too attended all four hearings of the standing committee on the Legislative Assembly. I heard every deputation and reviewed the many written submissions.

I come from a family that has bred big dogs. By nature, I started out predisposed against a breed ban. But at no point in the hearings nor in the written deputations did I hear a breeder or a trainer or any other organization opposing Bill 132 accept responsibility for what happens to their dogs once they are sold. No breeder said it would be responsible practice to ensure that pet stock pups should be spayed or neutered.

The philosophy that says every dog gets one free bite just isn't acceptable when one attack by a pit bull is no nip and run but a sustained attack; sustained, we were often told, until the attacking dog is killed, often requiring a police officer to shoot repeatedly. Dog owners told us about carrying home their pets with their internals exposed after a pit bull had ripped into their dogs. One lady who owned a cat and kept it in her yard told us in a

voice she struggled to keep together about having left the house for a time during which three pit bulls in a neighbouring yard crashed through a wooden trellis and tore her cat to pieces. She said all that was left were a few pieces of fur. Seniors said they wanted the sense of peace and security back in their parks; peace and security they felt was being lost to pit bulls, around which they felt unsafe.

Bill 132 isn't just about pit bulls; most of it is about strengthening the Dog Owners' Liability Act. On this point, just about all deputants agreed, and on these two sections no amendments were proposed. I look forward to the passage of Bill 132.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I too am pleased to comment on Bill 132. What concerns me about this bill is that all of the expert testimony we have seen does not support the bill, and the government has completely ignored it.

Something I was concerned about today was the audacity of the government to invoke the retiring chief of police in the city of Toronto, Julian Fantino, to defend their case, and how they said we were attacking the police chief. When that police chief was looking for more police on the streets to make the streets safer, this government turned a deaf ear to him. Now, all of a sudden, they're using him as their star witness, so to speak.

I put it to you, Mr. Speaker, that this bill has a lot of popularity in the city of Toronto because they don't understand all of the ramifications of the bill and what the bill will in fact fail to do. They've got a glossy picture of this being the panacea for all animal attacks in the city of Toronto.

The Liberals have brought this bill forward completely for political reasons. I submit to you, given that they're not too interested in more police—another murder last night in the city of Toronto—they are far less concerned about safer streets than they are about safer seats. That's what this bill is all about. It's politically motivated. It is not going to address the problem of dog bites in Ontario, particularly in the city of Toronto, our most populated area. That's where this government has failed to listen to the expert testimony about looking at amendments dealing with the problem of dog attacks, regardless of whether they come from pit bulls or any other breed, because those folks in that park are going to be just as alarmed if they see a whole bunch of Rottweilers running around there too.

Ms. Shelley Martel (Nickel Belt): I want to speak in support of the comments that were made by my colleagues in the Conservative Party. I spoke against this bill on second reading. I raised a number of concerns at that time, and said to the government that perhaps during the course of public hearings, when experts actually had an ability to come forward and have their say—because they certainly didn't have the ability to talk to the Attorney General before that—the government might listen to what people who deal with dogs the most have to say about what their behaviour is like and what is necessary to make sure we are dealing with public safety, and not

just dealing with a government that is looking at the headlines and trying to score some political points. I thought the point of the exercise was to deal with public safety.

I talked to Mr. Kormos during the course of the hearings and had an opportunity to read a number of the submissions; I didn't sit during the course of the hearings. I have to tell you that overwhelmingly, those people who have some expertise with dogs came forward and said very clearly to the government that a breed-specific ban is not going to work: "If you are interested in dealing with dangerous dogs, if you are interested in dealing with irresponsible pet owners, we have any number of suggestions and recommendations we can make, and if you could implement them, then we could do something about public safety and about irresponsible pet owners."

The reality is, the government didn't listen to anything those experts had to say. The government ignored the amendments that came forward. The government seems to be very interested in a lot of media hype around pit bulls, without dealing with the reality that tomorrow, or the day after this legislation passes, a German shepherd could easily attack a child on the street and this legislation wouldn't do a thing to solve that problem—nothing. I thought the government was interested in public safety. Dealing only with breed-specific bans is not going to deal with public safety.

The Deputy Speaker: Reply?

Mrs. Munro: I want to thank the members from Hamilton East, Mississauga West, Renfrew–Nipissing–Pembroke and Nickel Belt for their comments.

I was particularly struck by the comment made by the member from Mississauga West when reference was made to the kind of response people heard, according to the member, with regard to positive solutions on the issue around dog bites and training and things like that. We had many, many people come to the hearings who are experts in dog training, who are experts—I referenced the Courtney Trempe inquest recommendations, and we also heard expert witnesses who talked about what works, particularly in Calgary. I want to comment particularly, too, because he made reference to the fact that his family had owned and, I gather, bred dogs at one time.

For many years, responsible breeders have, through membership in the Canadian Kennel Club, provided what were non-breeding registrations for their dogs, and of course that meant that those dogs would be spayed or neutered. So people have been very proactive in the understanding that this reduces the number of unwanted dogs, but also, by our expert testimony, we know it's a very helpful category of effective response to dog aggression. I think the problem we are hearing today is summed up by those who talked about political opportunism, the reluctance to understand that it's a real issue that requires real legislation.

The Deputy Speaker: Further debate?

Mr. Peter Kormos (Niagara Centre): This is it; this is the end of the debate. Once we're up against 5:50 p.m., there will be a vote, and the debate, for purposes of the

bill, will have been concluded. But the issue is far from over.

I want to indicate that New Democrats are voting against Bill 132, and I'm going to tell you why. But before we get into that, I do want to make mention of some folks down in Welland. They are the couple who own Gord's Variety, down on Hellems Avenue, right beside Lee Wah Laundry. As you know, Hellems Avenue has been the victim of the sewer project from hell. That road has been torn up for it seems like years, but it really is well on to a year now or darn close to a year. A couple of small businesses have already gone belly up, and these people have just been hammered, the small entrepreneurs along Hellems Avenue, by an incredibly disastrous sewer project.

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I was in Gord's Variety and picking up my shirts on Saturday at Lee Wah, and stopped in next door because they'd been talking to my office. We sent them down to city hall. I stopped in at Gord's at 237 Hellems Avenue, at the corner of Regent. As it was, I picked up some lottery tickets; I've misplaced them. I haven't any idea where they are now. With my luck, they're probably the winners. I talked to Marta Bilyk, and she, along with her partner, John Mscichowski, young entrepreneurs, very bright young people, made a huge investment in Gord's Variety and are getting shafted royally.

All I'm doing is encouraging people, when they're in Welland, or Wellanders or folks visiting, to drop in at Gord's Variety, 237 Hellems Avenue, corner of Hellems and Regent. Buy your quart of milk, your couple of bottles of spring water, your lottery tickets, and give these people a little bit of a break. Cut them some slack because, Lord knows, nobody else has. So I'm just touting shamelessly Gord's Variety, 237 Hellems Avenue: good people, young entrepreneurs who deserve the community's support.

We've heard reference to the committee hearings. I suspect that some people found them more gratifying than others. I do want to indicate that all of us on the committee—I'll be bold enough to speak for all of us—want to extend incredible thanks to Philip Kaye, the research officer. He produced, along with a whole lot of other staff here, in the library amongst other places, research material that had been requested of him during the course of the hearings because, Lord knows, the government hadn't undertaken any of this research in the first instance. I have never seen so purportedly substantive a piece of legislation that was so ill researched in 17 years here at Queen's Park. I, for the life of me, have never been as disappointed to receive nothing, not a half-page, from the Ministry of the Attorney General with all their tremendous resources, by way of research. This government has embarked, I tell you, on what will be footnoted in the books of political history in the province as one of the most ill-conceived and sloppily organized—it's just a slovenly lack of organization around this bill, starting of course with the half-truths, "We consulted veterinarians, dog owners, dog breeders, experts A, B, C,

D etc.” Well, not according to them. From day one, the whole exercise was marred by that gap between what the Attorney General was telling folks and what the people he says he and his people were talking to were telling us.

Now, having heard from a big chunk of those folks, I understand why the Attorney General wouldn't want to talk to them. I was there at that press conference; remember? The Attorney General was just jogging into that Queen's Park press gallery room and he had the big backdrop, and it's red now. Again, far be it from me to criticize cheap publicity stunts, but there was the little bantam rooster of an Attorney General himself, saying, “Pit bulls—ban.” That's it. He got his hit for the day. I was hoping against hope that the spin doctors would be sending memos out of the Premier's office, because—look, don't blame the Attorney General. Folks, don't blame the Attorney General. This sort of stuff doesn't happen unless Dalton McGuinty's office gives it the stamp of approval. Mark my words, some member of the Liberal brain trust—that oxymoron rears its ugly head again—actually told somebody in the Premier's office that banning pit bulls was somehow going to build poll support for the Liberals by a good five to 10 points across the province; that there were going to be mass movements of popular support. What a crock. What a silly proposition. That worker should give you his or her salary back for the month in which they gave you that advice.

I met with the SPCAs—not boards of directors; with the workers, down in Niagara region—folks I know, many of whom I have known for all their careers. The folks down in Niagara region who work as SPCA officers and inspectors disagree with the fundamental proposition here that if you ban a particular breed, you're going to protect people from vicious dog bites. What hooley; what a load. Get out the manure spreader, because that's the line from the government: If you ban a particular breed, you're going to end vicious dog attacks; you're going to protect people—kids, because we know that kids are victims more often than adults are—you're going to protect kids from vicious dogs and their attacks. As I say, get out the manure spreader, because that is as big a crock and as heavy and as full a load as has ever been dumped here at Queen's Park, either inside or outside, and I've seen a few big loads being dumped in the course of 17 years here; trust me.

The problem, you see, is that the SPCA officers I've been talking to down in Niagara—a lot like SPCA officers across the province who joined us in committee hearings—disagree with the fundamental premise, but they also say, “Look, we don't have the resources to enforce this bill in any event, even if we thought it was going to be effective.” That provoked me to put questions to ministry staff about exactly what the bill does: “Does the bill require municipalities to participate in this ill-conceived so-called pit bull ban?” “No; it merely enables them.” Oh, I get it: These are the tools in the toolbox. That line didn't work very well when Mike Harris tried it; it doesn't float any better when it's a little rubber ducky in Michael Bryant's bathtub either.

The fact is, SPCAs are explaining that they don't have the resources to do what this bill would call upon them to do, even if they were inclined to want to do it. I have had occasion to point out to you and to members of the committee—I live down in Welland. There can be half a dozen yawning crocodiles in my backyard, the big 18-footers, on a Saturday afternoon and I couldn't get an animal control officer out there. There could be hyenas and hippopotami in my backyard down on Bald Street, and I can't get an animal control officer because we don't have animal control officers available to the community. The community is hard-cash-strapped, especially down where I am, like most of Ontario is, where our animal control officers and SPCAs deal not only with domestic and residential pet kinds of animals but are dealing with the farm and agricultural community as well. The mere pound capacity—because we learned about, as if we didn't know them before, the huge backlogs that this government is accountable for, that they're certainly responsible for, because the election was in 2003; enough time has passed that you can't blame it on the previous government.

Mr. Dunlop: Blame the NDP.

Mr. Kormos: No, you can't blame it on the previous government.

Mr. Dunlop: The one before that.

Mr. Kormos: Well, no. As a matter of fact, I heard about how, when Dalton McGuinty took over the Premier's office, Ernie Eves had left three envelopes on top of the cleaned-out desk. It's true. Ernie handed these envelopes to Dalton McGuinty—and we're going to honour Ernie Eves tomorrow—and said, “Look, Dalton: These envelopes are numbered one, two and three. When you have your first crisis, open the first one and follow that advice. When you have your second political crisis as a newly elected government, open the second one and follow that advice. And on the third crisis, open that one.”

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Sure enough, it wasn't—it was mere weeks before—

Mr. Dunlop: A couple of days.

Mr. Kormos: Mere weeks. Cut the guy some slack there, Mr. Dunlop.

So Dalton's in a flurry and he's in a panic. He opens the first envelope, and the first envelope says, “Blame the previous government.” Dalton was so pleased to have gotten that advice from Ernie Eves. Before you know it, he's got a second crisis. He tears open that envelope. It says, “Blame the federal government.” He did that. The third crisis happens, and he opens that third envelope and reads it. It says, “Prepare three envelopes.”

This government cannot abandon its responsibility for the incredible backlogs, for instance, in our justice of the peace courts. We've seen the havoc that's created with respect to bail hearings and release orders when it comes to even violent spouses who put their partners at risk when they're out on unenforceable or unenforced release orders.

But we also learned that dogs are going to be impounded, kept for up to six months at a time—that's the

kind of backlog we're facing in provincial offences court—with no certainty, because the dog may well have to be returned to the owner.

You heard about Mike Martin. He had the multiple personality dog. Mike Martin testified in Brantford. Wasn't it Brantford, folks? He does the nice thing; he gets this dog from his local humane society, the pound. He sort of rescues the dog, takes the dog home. The dog needs shots, so he goes to the vet. The vet signs it, I don't know, "collie" the first time and then "Labrador retriever" the second time. By the time it was over, six different vets had six different breeds of dog. That dog had a multiple personality disorder. It didn't need a vet; it needed a psychiatrist. It needed medication to help it come to grips with itself. So if we've got this high-priced expertise, one of the problems is—the amendment to section 19 I'm going to talk about in just a few moments.

Young Courtney Trempe was mauled to death by a vicious dog. None of us, not a single member of that committee, relished having even one more victim of a vicious dog attack. Make no mistake: I don't want to attribute that to my counterparts in the Conservative caucus or, quite frankly, to the Liberal members on the committee or in this chamber. I'm not going to stoop, because I found it regrettable that from time to time—you remember that, Mr. Dunlop?—the innuendo that suggests that somehow, if you don't support the breed ban, you are in favour of people being attacked by dogs. That was regrettable, cheap shots. I am prepared to concede that not a single member of that committee took or takes any comfort or joy in dog attacks. We had some horrible, horrible stories, true stories; no reason to doubt a single sentence or word of what we were told.

Young Courtney Trempe, mauled to death by a vicious dog, with her short life, made a great contribution in so many ways. The way that affected the public was by being the subject of a coroner's inquest, which resulted in a lengthy list of recommendations around the whole subject matter of vicious dogs and vicious dog attacks. It is probably the most comprehensive coroner's inquiry set of recommendations that has ever been produced. I thank the members of that coroner's jury for their hard work.

But of the lengthy list of recommendations covering a wide range of areas, there was not a single mention of breed bans as being an appropriate response, a meaningful response, an effective response to vicious dog attacks on kids or anybody else. And indeed every expert we heard from, every academic, every researcher, every veterinarian, every association and organization that has as part of its mandate, if not its full mandate, the dealing with dog behaviour and the response to bad behaviour, dangerous behaviour of dogs—there was simply no support for the breed ban.

Oh, at some point the government backroom folks, the whiz kids, whipped up one Professor Beck and we got to enjoy one sentence from this so-called Professor Beck who, for all I know, could be a professor of home economics at some university in the Midwestern United

States. I don't know. The government, in this incredible pile of expertise, research papers and documentation, comes up with one line from a Professor Beck, who apparently has been all over the map on this one. I suppose the Liberals would feel comfortable with an opinion like that, because it's so—

Interjection: That's what they like about it.

Mr. Kormos: Think about it. They've been all over the map, so I'm sure they would take some comfort in someone who's been all over the map on any given issue.

Look, New Democrats were very candid from the get-go. You show us scientific, empirical evidence and data that permit the conclusion that a breed ban is going to protect people from vicious dogs and we would have to seriously rethink our opposition to this bill. Make no mistake about it.

Indeed, you'll recall the very last presenter to the committee, a young engineer. Remember him? He approached this very scientifically. He's a scientist, an engineer. He thought it was a trick question, the question I asked him, and I'd had a good shot at him before that and he was going, "Oh, oh, what's going on here?" I said to him, "Look, if the data were different"—because he was opposed to a breed ban as a solution—"would your opinion be different?" He said yes, because, as an engineer, as a scientist, he knew that you have to have data, you have to have research and you have to have empirical evidence.

I want to take just a moment to commend the parliamentary assistant. I want his colleagues to know that the parliamentary assistant did not deviate from the script by even one word. This is what he's paid to do; I understand. The parliamentary assistant had to run with a rather unpleasant intellectual challenge here and appeared to be enjoying it. The only thing I begrudge on his behalf is that it's Michael Bryant who's getting all the press coverage; you know, the Toronto Star editorials. But when this legislation blows up in the government's face, trust me, Michael Bryant will be saying, "No, no. Go talk to Zimmer. He's the one who stickhandled it through committee." When this legislation tanks, when this legislation is, among other things, tossed out by the courts for any number of defects in its drafting, Bryant will be saying, "Don't talk to me. Here's Zimmer's phone number. Give Zimmer a call. Zimmer will be pleased to do an interview with you."

You see, success has a thousand parents; failure is always an orphan. Except in this case, Bryant covered his own back by having David Zimmer listed as the putative father, so that when all hell breaks loose, it will be, "Go talk to Zimmer." He'll be like the little boy who wet the bed. Bryant will be saying, "I don't know how that got there. Go talk to Zimmer."

Let's take a look at, as lawyers like Mr. Zimmer would say, *inter alia*. Lawyers like him like using words like that. Let's take a look at what the legislation doesn't do. One of the most consistent and impressive bits of evidence that all of us heard was that if we're going to be serious about responsible dog ownership, any dog that is

owned other than for the purpose of legitimate breeding or legitimate showing should be spayed or neutered. As I heard that, it sounded like an eminently smart, rational, reasonable, intelligent thing. I realized that because nobody denied the existence of badly bred dogs—nobody. That was the whole point.

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I was grateful that Julia Munro, the member for York North, was on the committee, because she has some special expertise and familiarity with the world of dogs and dog breeding, and she brought some real skills to the committee as a committee member. I'm pleased that she was there as part of this group. Nobody denies that there are badly bred dogs and that, yes, a badly bred dog can be a dangerous dog. And nobody denies that there is a renegade, outlaw community out there that likes their pit bull-type dogs—and we're going to get to that in just a minute, aren't we, Mr. Zimmer?—mean, vicious, tough and outsize any of the standards for showing etc.

That's the problem with this bill. It's one thing to say that you're going to ban a breed in a given community like Kitchener or even Brantford or Winnipeg. Ontario is a big province. My fear with this legislation is that those badly bred dogs, the dogs that are bred by outlaws and renegades and criminals to be meaner, tougher, stronger and more vicious than any other dog has ever been—my concern is that the bill won't eliminate the breeding of those dogs; it'll drive it out into the countryside where they're going to be bred even meaner, even less selectively and more dangerously, and they're going to be trained to be bad, bad dogs.

You read the news item just a couple days ago, a sad case of a woman whose dog started to show signs of real aggressive behaviour, so she took him to a dog behaviourist. You've seen in the movies where dog trainers, when they're training dogs to attack and so on, put the quilted covering on their arm. This fellow said that the minute he put that on, that dog just went berserk. We know what that means. You don't have to be a rocket scientist to figure that one out. This fellow said, "This dog was not bred, but trained, to be mean and vicious."

One of the things we were fascinated with is this concept of responsible dog ownership. Quite frankly, if you spay and neuter every dog that isn't a registered show dog or a registered breeding dog, that addresses the issue in and of itself—end of story—and it creates a far healthier climate. I've told you about Charlie the beagle. Charlie the beagle lived with me for many, many years until his demise several years ago. My neighbour Miss Rosie is a cat person. I told Mr. Zimmer this: This government isn't going to dare take on cat owners, is it? My neighbour Miss Rosie is a cat person, and I'm not about to tell you how many cats she has, because every stray cat gets adopted. But she makes sure that every cat that comes into her household is neutered or spayed and is taken to the vet and has all of his or her shots. She is very careful about all those sorts of things. I'm using her as an example because I know her, and she's got cats.

So I introduced an amendment to the legislation that specifically said that pet dogs shall be neutered or

spayed. Dogs that aren't registered breeding dogs, that aren't registered show dogs—in other words, that aren't purebred dogs—shall be neutered or spayed. The government wanted nothing of it. Had you left the room on those frequent occasions when people were urging you to require that dogs other than show dogs and breeding dogs be neutered or spayed? Had you not heard any of those people? Did you not read any of the material that we got about the importance of having broad-based neutering and spaying laws and rules? The government wanted nothing to do with that proposition.

I found it interesting, because what we did learn in committee was that, under the Dog Owners' Liability Act, the enforcement out there is virtually nil. At the end of the day, although this is an ill-conceived effort to ban a purported breed, it still uses as its root the Dog Owners' Liability Act. The Dog Owners' Liability Act isn't being enforced now. That is part of the problem. Forget about pit bulls—I'm going to get to that in just a minute—it's about the fact that vicious dog attacks have been taking place in community after community across this province by dogs of all breeds, and the Dog Owners' Liability Act isn't being enforced with respect to those dogs. We heard specific cases where, had that legislation been enforced, a second attack—oh, and not by a pit bull in that one—could have been prevented. We heard more than one of those. What kind of sleight of hand or three-card monte is the government trying to play here?

I introduced an amendment that would make the owner of a dog that bites guilty of a provincial offence, just by virtue of the fact that the dog bit. That, I say to you, would go a long way toward getting the owner's attention, making sure that they leash their dog, making sure that they are careful about what kind of dog they buy and who they buy it from, making sure that they are careful about going to these dog training places, dog obedience schools and so on. If people knew that if their dog bites someone, they are going to be charged under the Provincial Offences Act, people would be a lot more careful about the kind of dog they buy, who they buy it from, how they train it and how they manage and control the dog. The government wanted no part of that. I thought, my goodness, because that was a recommendation that the Police Association of Ontario had said they found interesting. They didn't endorse it; I'm not trying to say that. They said that they found it very, very interesting.

We heard about the problem of dogs that bite, from any number of breeds, and the fact that most of the time the Dog Owners' Liability Act isn't being enforced. In many cases where you have a bad dog owner, you also have someone—what's the phrase? The lawyer, Mr. Zimmer, might tell me—who is inexigible, against whom a lawsuit is throwing good money after bad. You can get yourself a judgment, but it ain't worth the paper it's printed on because the people have no assets. Similarly, they're not likely to have the kind of household insurance.

So I said to the committee that, in view of the fact that we've been hearing this from folks all over and that these

dogs are dogs of all breeds, really, isn't it smarter, rather than saying that we're going to ban pit bulls—whatever that means, and I'm going to get to that in just a minute—to create some tough laws that get people's attention out there, people who own dogs and people who are careless about dog ownership or are less than responsible? The government wanted nothing to do with that.

I put to the government that, in view of the fact that they emulated the Kitchener bylaw—I put to them that, in Kitchener, purebred dogs of the Staffordshire breeds were exempted. The government wanted no part of that.

We put to the government that it had some serious problems with its definition of “pit bull.” There is what will become increasingly notorious videotape of an Attorney General of this province, the current Attorney General, in front of the chamber, television cameras rolling. The Attorney General was as cocky as could be, because his staff had briefed him on the photo lineup of the dogs. You remember the photo lineup?

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And the staff said, “Bryant, number 16, number 16.” If you tried that in a casino, you'd get busted. You know that, don't you? It's called cheating at play. They arrest people down in Niagara for that—in Bradford too, I bet you—for cheating at play. It's a specific Criminal Code offence if you try to cheat in a gaming casino. So the staff were going, “Bryant, number 16, number 16.” Bingo, right? So Bryant's out there: “Pick the pit bull.” Oh, yeah, in a New York minute. Boom, wrong. Sirens went off, bells started ringing, those awooga horns, flames encircled him, there were strobe lights flashing. This is the same Attorney General who said, “Well, if it barks like a pit bull, if it looks like a pit bull, if it smells like a pit bull, then it must be a pit bull.” He said, “Oh, a pit bull, that's easy. Everybody knows a pit bull.” That's what he said: “Everybody knows what a pit bull is. I do.” Oh, yeah, sure.

Mr. Dunlop: Number 16.

Mr. Kormos: Number 16, yes—B16. No bingo, I'm afraid. It was one of those “Whoops” moments. We have other phrases for them too, but, trust me, that's really unparliamentary language. It's the “Whoops, I just stepped in it” moment.

Look at what the government has done. The interesting thing is, the Staffordshire bull terrier is included in the list of dogs to be banned. It's the British nanny dog. It's the dog that has a cleaner record than any member of this chamber. When you go to all these guides—people with kids or no kids; you need a lot of exercise; the little lap dog thing—it's the dog that the books say, “If you've got kids, go with the nanny dog. Go with the Staffordshire terrier.” Here is a dog whose characteristics include even temper, good with kids, can be trusted, blah, blah, blah. In second reading, we learned that the chihuahua was not recommended with kids because it's a biter, it's a snapper. Those little fox terrier kind of dogs, the little ratting dogs—

Interjection.

Mr. Kormos: OK. You've got to be careful around those. But the Staffordshire terrier, the nanny dog, no. Bingo. That is bingo. That's the dog you want if you've got kids.

So the government is banning the Staffordshire terrier—talk about stepping in it—but furthermore, it is using the Staffordshire terrier as a reference point for what a pit bull is. You have to take a look at “pit bull,” because there is no such thing as a capital-P pit bull. There is no such breed as pit bull. It includes “a dog that has an appearance and physical characteristics that are ... similar to those of dogs” like American Staffordshire terriers or Staffordshire bull terriers. This is the irony: A dog is a pit bull by virtue of being similar to one of the most peaceful dogs that's ever been bred. That's pretty weird stuff. That's downright flaky.

Realizing that you've got this serious problem of defining pit bulls, you then go to what will be—I call this when you pass the laughter threshold—the yuk-yuk section of the bill. This is the one that's going to have people rolling in the aisles.

Mr. Dunlop: The Chris Rock version.

Mr. Kormos: That's right. This is the Chris Rock section of the bill. People will be wetting themselves with laughter. How are you going to prove a dog is a so-called pit bull now? You're going to have a document signed by a veterinarian “stating that a dog is a pit bull within the meaning of this act.” Well, wait a minute, guys. I don't know for sure, but from what I've read about expert evidence, a person who is an expert can only give evidence in his or her field of expertise. So understand what section 19 does: A signature of a veterinarian stating that a dog is a pit bull within the meaning of the act; in other words, that artifice, that artificiality created in the definition section in section 1, which requires legal interpretation. Well, then you're going to have vets being called upon to give expertise not just in veterinary medicine but in law as well. You're going to have vets lined up in provincial offences courts, sitting on witness benches. Remember Arlo Guthrie and the Group W bench? You're going to have vets sitting on the Group W bench waiting for trials that are never going to happen, because you guys have generated increased backlogs in our provincial offences courts. For every vet who says, “Oh, yeah, I think this dog is a pit bull,” there's going to be a vet who says, “Are you nuts? You don't know your ear from a hole in the ground if you think that dog is a pit bull. That dog's a collie or a Shih Tzu or a beagle or—

Mr. Dunlop: A Jack Russell terrier.

Mr. Kormos: —“Jack Russell terrier.”

Look, I said this in committee—it's just a neat phrase, so I'll say it again—I come to this debate without any anthropomorphic sentimentality; I don't. The problem is that Rin Tin Tin, for people of my age, endeared German shepherds to my generation, even though a German shepherd is capable of being a pretty aggressive dog and a pretty darn scary one.

Mr. Dunlop: The same as that scary Old Yeller.

Mr. Kormos: Old Yeller, again.

Mr. Jeff Leal (Peterborough): Lassie.

Mr. Kormos: Lassie and Timmy. Then you've got the Disney dogs. You have the Dalmatians and the little schnauzer dog and things like this. The bull terrier? That's the one in the Victrola ad sitting patiently in front of the megaphone of the old record player, waiting for his master's voice. The government got itself caught up in a little hamster wheel here from which there was no dignified escape. In the course of that, the Attorney General has shown himself to be nothing more than a mere saltimbanco.

I regret that this exercise is doomed to failure. The reason I regret that is because there's so much that could be done to make this province safer when it comes to people and dogs. There are so many good, positive things that could be done. Unfortunately, there are going to be so many darn resources that are being deflected and rediverted and distracted, scarce resources—I admit that—that are going to be redirected to this elusive hunt for pit bulls. I tell you, to try to effect a ban across the province isn't just downright, plain naive. No, it's stupid.

People have been pleading with you: "Go after bad dogs of every breed." There are ways to do it. There has been a whole lot of study done on the subject matter, a whole lot of research done. Listen to the people who know. Listen to the smart people. Listen to the researchers. Listen to the animal behaviourists. Listen to the veterinarians who deal with dogs of all breeds day after day after day. Don't listen to some overly paid little backroom whiz kid who concocted banning pit bulls as a little bit of diversionary politics because you guys are tanking in the polls.

You banned sushi; oh, yes, that one flew. You banned nurses; you did do that. Eight hundred of them were banned from the province of Ontario. They lost their jobs. You banned OHIP coverage for chiropractors; you banned OHIP coverage for physiotherapists; you banned affordable auto insurance premiums when you rolled over and caved to your friends in the for-profit auto insurance industry with \$4.2 billion in new profits in the last 12 months. You rolled over for your corporate friends, but I tell you, you've done a disservice to potential victims: kids—we know they're going to be kids. Kids get bit more than adults do; it's as simple as that. Some of them are going to be bit real bad. God forbid, there may well be kids bitten to death. None of us look forward to that.

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I implore government backbenchers to stand up and vote against this bill, because you know it's the right thing to do. I'm not sure, but I have a feeling that today five people are going to stand to force a division. I have a feeling that today it just might happen. I'm not sure, because you can never be sure until it's done and over with, but it might just happen.

Let's understand that this is far too dangerous a matter to play with, to toy with. New Democrats are going to be voting against this bill because it isn't the way to address the problem of vicious and bad dogs; it isn't the way to

protect kids and other members of our provincial community from being bitten and mauled by dogs; and indeed it creates a dangerous diversion of scarce financial resources. I tell you, the purported pit bull ban that this bill says it's going to create is of little comfort to the kid who is then mauled by a bad dog of another breed. We should be looking at bad dogs in general, and their owners. The folly of breed-specific bans has been recognized as such only too late in so many other jurisdictions. Why do we have to be lagging in this regard as well? Thank you kindly.

The Deputy Speaker: Further debate?

Ms. Martel: Mr. Speaker, I am up for further debate and I'm trying to just figure out how much time we have, because I gather the time that appears on the clock is not correct. That is what the government whip is indicating to me.

Interjection.

Ms. Martel: OK. Why don't you give me eight or 10 minutes, and then I'll be done.

Interjection: Sure.

Ms. Martel: I want to make a couple of comments. I said earlier that I did have a chance to speak on second reading. I had really encouraged the government at that time—and I think if people take a look at my remarks they will see that—to bring forward all of the evidence, all of the information, all of the expertise that was necessary to show that a breed-specific ban would work, and then I might actually consider supporting the government's legislation. But as I look through what happened at the committee, as I listen to those who sat through it for the four days, I can tell you that that didn't happen. I just want to make a couple of points, because there is just no way I can support this bill.

Let me start from something close to home. This is a Sudbury Star article from October 28, 2004—sorry, it was in the *Barrie Examiner*, but it relates to Sudbury:

"Canine Attack Puts Boy in Hospital.

"A young boy from Sudbury was rushed to Toronto by his family on Wednesday after being badly bitten by a dog in a city park. Two-year-old Sebastien Leriche was playing in the park with his brother at about 11 a.m. when the attack occurred, said Melanie Pella, the boy's aunt. The children were petting a leashed black Lab that was being walked by a woman, Pella said. 'The dog was friendly at first and then it got irritated or something and snapped at my nephew.'"

Will the legislation that the government wants to pass do anything for this two-year-old? I can tell you, no, it won't, because he wasn't attacked by a pit bull, whatever a pit bull is—and there was lots of expertise before the committee that there isn't a "pit bull" that you can define; there are all kinds of different breeds. This young child was attacked by a black Lab. That's my concern.

I thought the point of the exercise was to protect public safety. I thought the point of the exercise here was to ban dangerous dogs, was to deal with dangerous dogs so that children and adults wouldn't have to be worried about being attacked by a dangerous dog: a Rottweiler, if it was that, today; a German shepherd, if it was that,

today; a black Lab, if it was that, today. Regrettably, the government's legislation doesn't do that.

The government, I regret to say, because they thought it would be a political sell, focused on pit bulls because there had been an attack in August that was very well-publicized, that horrified everybody. I guess the government thought that if they could focus on pit bulls, they could let the public think they were actually doing something about dangerous dogs, and that's not the case. The two-year-old from Sudbury wasn't attacked by a pit bull. If he were attacked tomorrow, would this legislation change anything? No, it wouldn't, because the dangerous dog in question was a black Lab.

We should have used this legislation and this opportunity to bring forward a bill that would have dealt with all kinds of dangerous dogs, and that would have dealt with irresponsible dog owners, because if we had done that, we probably would have done something about public safety. I regret that the Attorney General, I guess, got his back against the wall and decided he was only going to be dealing with pit bulls. It didn't matter who came forward to the public hearings, what experts, how those experts dealt with dogs, the behaviour of dogs—anybody who came forward to say, "If you really want to do something, look at all dangerous dogs," was just dismissed out of hand. I don't understand it. I don't understand why the government didn't use this opportunity to bring in legislation that we could have supported, that would have truly protected the public.

Maybe the Attorney General got his back up against the wall, because he went out and said, "We're going to do something about pit bulls," even though he can't even identify a pit bull himself. We let an opportunity go where we could have truly dealt with dangerous dogs, regardless of breed—dangerous dogs of any breed—and we could have dealt with irresponsible dog owners.

I just want to look at Sudbury again in the short time that I have. Is there a problem with pit bulls in Sudbury? Not if you look at the statistics in the health unit. If you look at the statistics in the health unit at the end of September 2004, there were 117 reported dog bites in the city. "Of that number, six were reported to be pit bulls, said Bud O'Donnell, manager of environmental health. German shepherd and German shepherd-mixes accounted for 12 incidents." Other breeds included black Labs, Rottweilers and even—I don't know how this happened—a kangaroo. But six out of 117 involved pit bulls. What are we doing about all the rest of those dangerous dogs?

One of the people who came before the committee said, "If you really wanted to do something about dangerous dogs, you could deal with those recommendations from the Courtney Trempe inquest." I gather that of the 35 recommendations that were made, and they were all very good recommendations, only 10 have even been implemented. What about the other 25 that we should have been implementing through this legislation to really do something about dangerous dogs, to really do something about irresponsible pets, to really do something about public safety?

In conclusion, let me just say that I had urged the government at second reading, "Bring forward all the experts, bring forward the information, bring forward the evidence to show me that a breed-specific ban would work and I will be there supporting the legislation." It didn't happen. The experts that came said over and over again that a breed-specific ban doesn't work, but the government wasn't interested in hearing that. The government certainly wasn't interested in hearing about recommendations to deal with dangerous dogs or irresponsible dog owners. I regret to say that we're going to have a piece of legislation that tomorrow afternoon, after this passes, isn't going to do very much at all, if anything, to deal with dangerous dogs and public safety.

I don't know what the Attorney General is going to do when there is another dog attack that's really serious and it doesn't involve a pit bull but involves a black Lab, for example, like the black Lab that attacked a two-year-old in a city park in Sudbury. I don't know what the Attorney General is going to do then. I wouldn't want to be in his shoes.

The Deputy Speaker: Questions or comments?

Mr. Dunlop: I'm pleased to make a few comments on the speeches by the NDP caucus members.

I'd like to go over a couple of the facts. I know this bill is going to pass tomorrow; it's going to pass without any of the amendments that the NDP or the Progressive Conservative members made. I know that overwhelmingly, in my riding and across this province, we received literally thousands and thousands of complaints about this piece of legislation. Very few e-mails or letters supported it. I can tell you that it's probably a disaster waiting to happen as the Attorney General moves forward with this.

First of all, there was very little consultation on the bill. Second, the Attorney General brought forward this bill, my understanding is, without the knowledge of the House leader. It wasn't to be dealt with this fall at all, but he thought it was an opportunity to make himself look good. What gets me, in this era of democratic renewal, is when the minister responsible for democratic renewal brings forward legislation and does not allow one single amendment by the PC or NDP members of this House. That doesn't say much for a minister of democratic renewal.

Another comment: I always thought it was interesting, as the member for Niagara Centre mentioned, that the minister couldn't identify the breed-specific dog they were referring to today. I thank CityPulse and Alex Pierson for that. That was a good piece of reporting, as far as I'm concerned. I think it's important that we acknowledge the media. The media has not supported the government in this legislation.

One thing that came to my attention, and this is for the Attorney General: At the end of every leash, there is a voter.

The Deputy Speaker: Questions and comments? Are there any other honourable members who wish to reply? No reply.

Are there any other honourable members who wish to speak? Being none—

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): Can I have two minutes?

The Deputy Speaker: It's a little late. Oh, I'm sorry—to speak to the bill.

Mr. Murdoch: Just for two minutes.

The Deputy Speaker: No, the two-minuters are done. I've asked if there are any other members who wish to speak to the bill.

Mr. Murdoch: No, I won't do that. I thought I'd have two minutes.

The Deputy Speaker: No, you missed that.

Mr. Bryant has moved third reading of Bill 132. Is it the pleasure of the House that the motion carry?

I think I heard a no.

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I have been handed, pursuant to standing order 28(h), a request that the vote on the motion by Mr. Bryant for third reading of Bill 132 be deferred until Tuesday, March 1, 2005.

Mr. Murdoch: At what time?

The Deputy Speaker: It will be during routine proceedings. I have nothing further to add today. Minister?

Hon. Steve Peters (Minister of Agriculture and Food): Speaker, I move adjournment of the House.

The Deputy Speaker: The minister has moved adjournment of the House. Agreed? Agreed. This House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1752.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Speaker / Président: Hon. / L'hon. Alvin Curling
Clerk / Greffier: Claude L. DesRosiers
Deputy Clerk / Sous-greffière: Deborah Deller
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Simcoe–Grey	Wilson, Jim (PC)		
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Stoney Creek	Mossop, Jennifer F. (L)		

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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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