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Jeudi 31 mars 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 31 March 2005

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 31 mars 2005

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS'
PUBLIC BUSINESS

IMMIGRANTS' SKILLS

Mr. Bob Delaney (Mississauga West): I move that, in the opinion of this House, the government of Ontario should continue to build upon and strengthen initiatives to increase the effectiveness of measures by employers, professional regulatory bodies, and trade and professional associations to integrate the skills of internationally trained professionals into workforces, trades and the professions in Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 96, Mr. Delaney, you have up to 10 minutes.

Mr. Delaney: I will be enjoying comments today from the members from Etobicoke–Lakeshore and Scarborough Centre.

Ontario is blessed in so many ways. We have natural resource riches in our forests, in the rocks beneath our province, in our fields and rivers, in our beautiful, scenic environment with its four distinctive seasons, our peaceful and prosperous communities, our vibrant cities and our energetic people. But Ontario's wealth exists only because its people have in abundance the energy, the skills, the vision and the work ethic to add value to the many facets of business and life in our province. Our people in Ontario come from all over the world, more so today than ever before in our history.

In generations past, we Canadians have wrung our hands over the perceived brain drain of many of our best and brightest minds to other countries, especially the United States. But in recent years, not only do our best minds stay increasingly in Ontario—or at least in Canada—but Ontario has become one of the world's magnets for the best and the brightest of other nations, transforming Canada's brain drain into a brain gain.

How much of a magnet? Each year, some 120,000 immigrants come here to make Ontario their home. About 70% of adult immigrants are highly skilled, with post-secondary education or training. But there is an ominous underside to the opportunities within Ontario for those who are trained and educated outside Canada. It exists in the form of a de facto two-tier system in Ontario in which the range and variety of opportunity open to

many men and women who are trained or who have worked outside Canada is closed to those who have gained their experience beyond Canada's borders.

At the very least, this represents a waste of Ontario's most valuable resource, a resource that is more precious than the wood in our forests, the ore in our ground, the livestock and crops on our farms or the manufactured goods from our industrial and commercial operations. None of these things are possible without the skills found in the brains of the men and women in Ontario's workforce. With only 13 million of us in Ontario, we need every man and every woman capable of moving Ontario forward to have the opportunity to do just that. But sadly, it is not so.

Some four years ago, I became aware of the inequities of opportunity facing Canadians educated, trained or experienced outside Canada in the living rooms of some of our Ontario Pakistani community. I spoke with engineers, teachers, nurses, doctors, technologists and others with similar skills who all told versions of a similar story. It was that employers in Ontario wanted skills earned in Ontario and experience gained in Ontario, or at least gained in Canada. It seemed incomprehensible to me that a doctor, for example, who might have been trained in South Asia would find a human being any different here in Ontario than anyplace where he learned how to diagnose and treat people. It seemed unfair to me that a company might consider the skills of a mining engineer who had learned to extract ore in South America to be inferior to someone who had done the same thing in Ontario.

I recall meeting with a group of doctors from the Middle East. Some had found work in Ontario and, not surprisingly, were doing very well. Others trained in the practice of the very medicine that our province now finds in such high demand couldn't get their credentials or their experience recognized here. The dark humour at that meeting went as follows: What's the safest place in Mississauga? Answer: In a taxi cab. Why? Because there's a very good chance your chauffeur is a doctor.

Our government heard this need clearly and it made a specific commitment during the 2003 election. I have read my petition, and so have many others in the House, so many times that I imagine by now the Minister of Training, Colleges and Universities must be able to lip sync it. But the government of Ontario has responded with specific and targeted initiatives. This year, Ontario is investing \$9.5 million to remove barriers that prevent new Canadians in Ontario from pursuing their trade or profession, and \$12.5 million in 2005-06.

For the doctors I spoke of earlier, there is a new centralized assessment service called IMG Ontario that will double the opportunities available to international medical graduates, from 90 to about 200. Ontario is also investing \$1.7 million over three years in two pilot projects to help international medical graduates strengthen communication with patients, improve their awareness of medicine in Ontario and assist those who are not working as physicians to use their skills in other areas of the health care sector.

Other specific initiatives will help internationally trained engineers, nurses and teachers. The government of Ontario has invested in a career bridge program to connect GTA employers with skilled and experienced immigrants eager to gain Canadian work experience. Ontario is also delivering enhanced job-specific language training to more than 1,300 internationally trained individuals over two years.

Further, the government of Ontario is investing \$5.8 million in 15 new projects to help more than 1,400 internationally trained individuals gain licensure, certification and employment in a wide variety of professions and skilled trades. As well, at the government level, we are providing new career and employment preparation services for internationally trained individuals through three agencies in Etobicoke, Mississauga and Brampton, and Ottawa.

But while the awareness of the skills within Ontario's newcomers is sinking in to our province's mainstream, it has not yet translated into enough action. And action is needed not only to help alleviate the existing and upcoming shortages of skilled professionals in trades across Ontario, but to address the upcoming retirement of the baby boom generation, the largest demographic bulge in North American history. The average age of most skilled workers in the building trades continues to inch toward 50 each year. Without certifying foreign-trained construction workers, who will build the municipal infrastructure—the roads, mass transit and other public facilities that all here agree that we need and need now—not to mention the many thousands of new homes in the leapfrog development that some in this chamber like to complain about?

1010

We need the trades to step up and devote their energies and skills to training and certifying more new Canadians. And some trade unions have got the message. I especially commend the Carpenters and Allied Workers for their state-of-the-art, brand new training facility funded entirely by a levy on the workers they represent so well.

We need professional bodies to step up and amend their bylaws and constitutions to remove the unfair, out-of-date, or simply discriminatory provisions that debase or devalue experience or training gained outside Canada. We need them to establish reciprocity provisions and to recognize professional education from other countries, and in so doing to provide access to certification of foreign-trained professionals that is fair, timely, trans-

parent and cost-effective. I have seen too many bylaws and procedures that hide behind phrases like “safety,” when the net effect of the rules is to erect a barrier to entry.

We need organizations in the private and extended public sector—the municipal, education, law enforcement, civil service and similar sectors—to look for the skill set needed and determine whether a candidate can do the job, will do job and will fit into the organization, without regard to where that candidate was educated, trained or worked before. In some fields, where the skill set of specialized workers is the major driver of the need, this issue isn't often experienced: fields like information technology, biotechnology and the like. I say that if our best and our brightest minds can make it in our most complex fields of work without regard to where they got their skills and experience, the same can be true in the operating theatre, on the assembly line, in the professions and in the front office.

This resolution urges Ontarians to use a gift far more valuable than our natural resources and our scenery in building the organizations, the institutions, and the buildings and other physical structures that comprise our Ontario. This resolution asks all Ontarians—private sector, trades, professions and the public sector—to hire the best minds they can find. The intelligence, innovation, energy, inspiration and drive within the minds of internationally trained Ontarians will help any organization thrive in today's world. Tapping into that vast domestic storehouse of brain power is cost-effective, non-polluting, socially responsible and also hard-nosed, good bottom-line business sense.

The Deputy Speaker: Further debate?

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I am pleased to join the debate on the motion that has been put forward by Mr. Delaney: “That, in the opinion of this House, the government of Ontario should continue to build upon and strengthen initiatives to increase the effectiveness of measures by employers, professional regulatory bodies, and trade and professional associations to integrate the skills of internationally trained professionals into workforces, trades and the professions in Ontario.”

I certainly would agree with the intent of this motion. Having come to this country myself as an immigrant with my parents—my father was born in Austria and my mother was born in Holland—this has been a long-standing problem for individuals who have come from other parts of the world and settled in this great province of Ontario, in this great country of Canada. There certainly is more that we need to continue to do to ensure that the skills and the abilities of those individuals are utilized to the fullest extent possible within our province, because of course our province and our country have been built as a result of the influx of immigrants over the course of many, many years. The only thing changing at the present time is where the immigrants are coming from to this country, but we certainly do live in a very blessed nation.

According to the Minister of Training, Colleges and Universities, a statement was made in February 2003 that Ontario would receive 235,000 immigrants in that year alone. So we can see that we continue to be a destination for immigrants and certainly the flood of immigrants is going to continue to grow. I think what is important in that number is that of the 235,000 immigrants that had indicated they would come to Canada, approximately 60% will end up, and do end up, living in Ontario. It appears that Ontario continues to be the province of choice when it comes to immigrants finding a place to begin building their lives in this country.

However, when people arrive in the province and they begin that search for a new job that will allow them to provide for themselves and for their family, and provide them with the dignity of the job and the ability to bring home a paycheque at the end of each week, they often find that the skills that they have acquired are not recognized and are not appreciated by those in the province, so they have extreme difficulties. In fact, seven out of 10 immigrants who looked for work reported difficulties in this process, and the most common reasons that were given in facing difficulties were the following. The number one reason that new Canadians were given that there wasn't a job for them was because they lacked job experience. The second reason for their not being able to obtain a job was that there was a problem with the transferability of their foreign qualifications or their experience. These, then, are two of the most common reasons that immigrants find when they're looking for a job. They find it next to impossible sometimes to find a position that would recognize their education, their skills and their experience.

So today in this province, and throughout Canada, we have thousands upon thousands of highly skilled, highly trained professionals who unfortunately cannot find jobs that suit their skill set. Instead, these immigrants are relegated to jobs that have nothing to do with the valuable education or the training they have received. I think that most of us in this House, often, when we use taxicabs in the city of Toronto, do come across individuals who are highly trained professionals with degrees and experience from other countries, but they have been unable to find a job in their chosen field. So there is a problem and we need to recognize it and to address it. Obviously, the government cannot do it alone and is going to have to rely upon professional and trade organizations as well as the regulatory bodies and employers to assist them in making sure that these people can be integrated into the Ontario workforce.

Now, the problem doesn't stop. They're told they lack Canadian job experience and then they're told there are problems with the transferability of their qualifications or their experience. But even when they do find a job, they still experience difficulties in receiving the full value of their skills. According to a paper from the Institute for Research on Public Policy, immigrants educated abroad receive, on average, lower returns to the human capital they acquire abroad than their non-immigrant counterparts. The consequences, as the paper identifies, are that,

"These differences in returns adversely affect immigrants' incomes and hinder their integration into mainstream Canadian society." So there is more that needs to be done.

1020

I am happy to say that when our government was in office, we recognized that this was a problem and steps were taken.

One of things that we were able to do was to double the number of foreign doctors that were being assessed and trained each year to practise in Ontario. The number went from 36 to 90 as part of our commitment to provide Ontarians with better access to doctors.

We also invested \$15.5 million to develop bridge training programs to help immigrants re-enter the occupations in which they have trained and to employ their skills more quickly in the Ontario economy.

In 2002, our government also announced a partnership with the Ontario Society of Professional Engineers that allows for internationally trained engineers the work experience they need to apply their previous training and experience to meet Ontario standards.

As well, our government was responsible for setting up and investing in the Creating Access to Regulated Employment for nurses program, CARE. This program allows for internationally trained nurses to gain the experience they need to practise in Ontario. It also allows for the removal of barriers that prevented internationally trained nurses from continuing their careers in Ontario.

It was also our government, in 2002, that announced an eight-step program to assist internationally trained doctors to work in the province of Ontario. Along with this eight-step program, our government announced \$36.4 million in funding to support this program.

The Conservative government was also responsible for investing and assisting in the implementation of the international pharmacy graduate program, a partnership between the Ministry of Training, Colleges and Universities, the University of Toronto, and the Ontario College of Pharmacists. As a result, 21 internationally trained pharmacists graduated from this program in 2002.

I am very pleased to say that it was as a result of the hard work and initiative of the then Minister of Training, Colleges and Universities, Dianne Cunningham, who was responsible for many of these initiatives. I am pleased that the Liberals are continuing to carry on with these initiatives and hopefully will continue to provide funding for these programs.

In conclusion, I would simply like to indicate my support for the motion, and the need for us all to work collaboratively—government, all parties, employers, regulated bodies—in order to do what we can to allow those who have trained elsewhere to have access to the jobs that recognize their prior education and their skills.

Mr. Rosario Marchese (Trinity-Spadina): It will be very difficult not to support this resolution. It is innocuous and it's a friendly little resolution that I am going to be supporting, obviously. But—

Interjection.

Mr. Marchese: Yes, I'm a friendly little guy.

But I think we need to talk about this in a much more serious way, because we have underutilized immigrants for so long that I consider it a national disgrace.

The resolution says that we are going to build on things that other governments have done and we need to do that, and I agree. But we have done so little as governments—I include my own in 1990—that I am embarrassed to talk about this issue in terms of what we should have done, what previous governments should have done and what we need to do in the future to deal with the underutilization of a cultural capital. It's there and it makes us look bad as governments, but, worse, for those immigrants who are suffering it, they have to deal with the pain of not being able to break through the barriers that exist in all of our national institutions. So I am embarrassed by it, but I am equally, and more, hurt by the problem that it causes to immigrants.

First of all to blame: the federal government. The federal government brings people in—skilled people, trained people, highly educated people—to then abandon them to wherever they go and to whatever city they go, leaving them on their own to fend for themselves. How do we allow that? We, as a federal government, say we want skilled people to come in. The assumption is that when they come in, they will find employment in their field. But when they come, they do not find employment in their field; they have to find employment in some other place, where they are underutilized, looking for minimum wage jobs in order to be able to survive.

In the 1950s and 1960s, when many of us came, many of those south European immigrants had very little education. They have done well economically. Why? Because the economy was growing and we, as a government, as a nation, needed non-skilled people, but people who really wanted to break their backs creating our cities, not just in Toronto but throughout Canada. They did well.

Now the immigration requirements have changed, and we're looking for highly skilled people. And we bring them in, and we don't use them. Shouldn't we be saying to those immigrants that we call into the country, "By the way, before you come, check this out. You may not find a job in your desired profession. Or if you are coming, these are the requirements that are expected of you. So before you come, do not be disillusioned in the event that you do not find the job you want"? Or better and more proactive and positive, "Here is what we are going to do to help you out."

We do so little to help them out, knowing full well—based on what the member moving the resolution has said, based on what the other Conservative members said, we are aware of the problems, each and every one of us, from all political parties. It's no different at the federal level. Every political party is aware of the problem. Yet we've done so little to help them access the jobs that they so desperately need.

It's an interesting statistic, and I'm embarrassed by it. When people do find work—that is, the immigrants—the gap in what they are paid is widening. In 1980, newly

arrived immigrant men were earning at a rate of 80% of that of their Canadian-born counterparts. By 1996, their earnings had dropped to 60% of their Canadian-born brethren. It's incredible.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): Shameful.

Mr. Marchese: I believe it's shameful, and we allow that. Yes, we speak nicely of that and how greatly skilled they are and how much more we need to do, but these people are suffering the problem more than I am, more than we are. I think more aggressive measures need to be taken. It's not enough to think or to say, "We are doing enough." My view is that, as governments, we're not doing very much—we're not—and I included our own government in 1990 as a way of saying I share the blame, without saying to you, "You're not doing enough." We have all not done enough. I think we have to grapple with it, be aggressive and break down the barriers. It is not enough to say that some unions are taking some good measures or some other corporations here and there might be taking some good measures. To isolate one or two instances is not enough.

We as a government have incredible opportunities in every ministry that we have to allow for the many things that someone like Royson James identified in his article, where he talks about mentorship. Many new immigrants require mentorship—not all of the requirement is mentorship, but this is one of the issues—where people need the assistance to be able to guide them through a job within their specifications, within their skill, as a way of gaining the experience and knowledge that is required, so that if a job opening does happen, they would be eligible to apply and they would have the knowledge, through a mentorship program, to be able to do that. Why aren't we doing that in all of our ministries? We can do that. We should be doing more of that. We should be requiring every deputy minister in this province to do that. If we did, more and more of our immigrant people who come to this province would have the opportunities they need to get gainful, meaningful and productive employment that is good for them and good for us.

1030

It is estimated that we lose \$4 billion to \$6 billion because we do not use the cultural capital that we have. Mentorship programs are important. We understand that Toronto City Summit Alliance and the Maytree Foundation have teamed up to create a mentorship program that is effective. That's good. It's a good example. Why don't we use that as a government and expand on that?

He makes reference to internship programs, and he says as well that the City Summit Alliance has a wildly successful internship effort called Career Bridge. So far, 180 recent immigrants have landed paid internships with major corporations like GM, TD Financial and Bell Canada. Why don't we build on that?

Why do we have to say to corporations, "Please do this; it's good for you"? Why don't we do it first, and by leading as a government, show the corporate sector—and unions, yes—that they have an incredible role to play and

that we can do it together? But we should be leading, not just simply saying to them, "You should do more," and allow this voluntary measure, hopefully, to take hold as a way of being able to help people.

There is another issue raised in that article. They talk about cultural competency. This term is showing up more and more. It addresses a company's facility and ease in absorbing, integrating, enhancing and using all the strengths and opportunities inherent in a workforce that reflects the population. It is important stuff. Some institutions, such as the Toronto Community Housing Corp., do this because they understand that to absorb and to reflect the makeup of our city helps the institutions in ways that help all of us, not just them but help that corporation and help the government. So some people are doing it, but we can show the way, in all of our ministries, as it relates to this issue of cultural competency.

Some other corporations include this as a core value, as a company philosophy and as a way of dealing with employees and clients. Incorporating our need to absorb, integrate, enhance and use the strengths and opportunities of immigrants as a core value, as a corporate philosophy in everything we do, wherever we are, would be something that we would appreciate, something that we would value and something that says to the immigrants, "When you come here, we are ready for you. We will do everything we can to make sure you have gainful employment." We just haven't done that.

Governments are beginning to respond to this issue because there's political pressure, and political pressure is the only thing governments of all political stripes understand. If we are not pressured, we do not deal with it. In my view, in the last two or three years, governments are beginning to feel the pressure of having to respond to the underutilization of immigrants and the fact that barriers continue to exist and that we're not breaking them fast enough. Governments understand that there is pressure, and they are moving.

We need doctors. We desperately need doctors, and we know there are thousands of foreign doctors, many of whom are qualified. If they're not, all we need to do is stretch that door open and allow more and more to be able to get the training so that they can become doctors. Yes, the government is doing a little more in that regard. That's helpful. But, knowing that we have a shortage of doctors in this province, where over 1.2 million people in this province do not have access to a doctor, why cannot we open the door more so more of those immigrant doctors have a chance to practise in this province? We can take umbrage from the fact that we're doing a little more than the previous government; I think it's 100 more doctors—I forget—or 50 to 100 more doctors. That's a good thing. How could I not praise that? But when you know that there are thousands of doctors, foreign-trained, looking for work, wanting to be doctors, and we must believe they can and should be doing it, then why aren't we doing more?

Yes, of course, there are institutions that are not breaking down those barriers fast enough. Why should

we, as a government, have to plead with them to change their policies as opposed to saying, "You will change your policies, you will hire more of these people, and you will do whatever it takes to hire them," rather than saying that we're going to work with the dental association, or the medical association, or the engineering association or the teaching profession? Working with, in my view, is slow. We need to urge them, to oblige them, to obligate them to do more. That's what governments could and should be doing.

I feel tremendous angst for so many immigrants who work for so little, yet are so highly trained. Poverty is growing faster, and is fastest among those immigrant communities. If they come with the training and educational skills they've got, why aren't they better paid? Why do we witness a community of all communities of immigrants suffering economically unlike ever before? I forget the statistic. I'm not quite sure I remember whether it's 50% of many of the immigrant communities that find themselves in poverty. Even if I'm wrong with that statistic and it's lower, it's shameful that we are allowing this.

Of course I support the resolution. It is a nice resolution. The member spoke about other things we should be doing. I support that as well. All I say to Mr. Delaney is that we have to work harder, we have to be more aggressive and we have to lead by example. We have to instruct all our deputy ministers of all the departments we oversee that they must do more to give the opportunities to immigrants that they so rightly deserve, given that we invite them here with a promise of meaningful and gainful employment. So as much as I'm going to support this resolution, and say and suggest that we need to do more, I wish we could have had a list of things that we could have supported that would give the government some guidance in terms of what it should be doing. I hope that, if not now, we will do it soon.

Ms. Laurel C. Broten (Etobicoke-Lakeshore): I'm very pleased to stand in support of the resolution brought by my colleague from Mississauga West, who I want to say has been a very strong advocate on the part of his constituents, but in particular, on behalf of every new Ontarian who is coming to this province, seeking a better life for themselves and their family, bringing the skills they have attained in another jurisdiction. My colleague from Mississauga West has been relentless in trying to move this initiative forward, to bring the debate to this Legislature and to push the Legislature and all of us and all Ontarians along so that we can do more.

"That, in the opinion of this House, the government of Ontario should continue to build upon and strengthen initiatives to increase the effectiveness of measures by employers, professional regulatory bodies, and trade and professional associations to integrate the skills of internationally trained professionals into workforces, trades and the professions in Ontario."

I say to this Legislature, I stand very proudly in support of that resolution.

The issue we're dealing with today is one I spoke about in the very first speech I made in this House. I have

to say that, in my travels around my own community, some of the most difficult and darkest days were those days I sat with families and heard the stories of their struggles in finding a better life, in coming to Ontario, for their children, and who said to me, "We didn't know it would be this hard. We didn't expect to find so many barriers. We didn't think so many doors would be closed to us as we came to this country to try to have a better life for our children." The sacrifice those parents were making was really quite incredible.

1040

On the first speech in the Legislature that I made, I said this about the issue that we're dealing with today:

"We know that the diverse cultures that make up Ontario enrich our communities and strengthen our economy. We are committed to accelerating the integration of immigrants into our province. When foreign-trained doctors, engineers and PhDs are flipping burgers and driving taxis, that is a betrayal of the pact that was made with them when they uprooted their families and signed on to come to our province. It is a terrible waste of their valuable skills that we so desperately need. We must put an end to exclusionary practices and invite every new Canadian to take a seat at the table of opportunity, and we will make that happen."

When I said that statement, both today and in the past, I thought about the families in my community who are struggling to make ends meet and to make a better life. The statement is no less true today, no less of a challenge for our government and for this province today, than it was a year ago. And I have to say I am no less committed to making sure that we see this come as a reality and that we give those families a seat at the table of opportunity in this province.

Why is this so important? Because every year 120,000 immigrants choose Ontario as their home. They choose to come to the province that we all live and thrive in to bring a better life for their families. That's 60% of Canadian immigrants choosing this province as their province of choice. Over 70% of adult immigrants are highly skilled, with post-secondary education or training. My friend across the House spoke about the fact that the immigrants that we are asking to come to this country are those who have been successful in other jurisdictions, those who are leaving great opportunities behind to come here and seek out new opportunities for them and their families. We need to make sure that as a province, as a government, as a society, we open the doors and make sure those highly qualified people gain the skills and are given recognition for the skills and training they bring here so they can find work in the field of their choice and at the level they have been trained to undertake. So many people come into our province and are forced to work at a level much lower than what they were working at in their home country. We know, and our government knows, that our province's prosperity depends on improving access for internationally trained immigrants. By 2011, immigrants will account for almost all of Ontario's workforce growth. And if that is not enough, I think all of

us in this House know that we also have the responsibility to do what is right. It is good for the economy, but it is also the right thing to do.

I want to spend a few minutes talking about some of the initiatives that our government has undertaken. I am pleased to be part of a government that has made accomplishments in this field since taking office.

To help internationally trained individuals gain the skills and recognition they need to make the transition to Ontario's workforce, we've invested \$9.5 million this year to remove barriers that prevent them from pursuing their profession or trade. That investment will increase to \$12.5 million in 2005-06.

We've introduced a new centralized assessment service known as IMG-Ontario to help our international medical grads and, in 2004-05, this new service will more than double the opportunities available to international medical grads to 200, up from 90 the year before. We've also introduced two pilot projects that will help internationally trained medical graduates strengthen their communication with patients, improve their awareness of medicine in Ontario and assist those who are not working as physicians to use their skills in the many other areas in our health care sector.

We've also been working with engineers to help internationally trained engineers continue their careers in Ontario. To do so, we've partnered with the Professional Engineers of Ontario to provide Web-based information, mentoring, coaching and a college course that will meet the Canadian work experience requirement for licensure.

To help remove barriers faced by internationally trained nurses in Ontario, we expanded CARE—it was spoken about earlier—which provides internationally trained nurses with tools they need to prepare for the licensing exam. The pass rate on that exam has now more than doubled.

There are a number of other initiatives that the government has undertaken, and I'll leave it to others in this debate, perhaps, to make mention of those. But I do want to say that I certainly acknowledge that there is much more work to be done. We need to continue mentoring and we need to open up those opportunities. In my own community of Etobicoke-Lakeshore, one of the interesting and very rewarding projects that we undertook was holding a career fair where we brought those organizations that do much of the work to help bridge that experience, to open the doors, to mentor, to coach and to deal with the fact that immigrants come to this country with a lack of a network and a lack of connections. We brought those individuals and organizations together with employers and then we opened up that facility to many Ontarians and many residents in my community who are looking for work after having come to this country. We heard lots of success stories as a result of it. But we continue to hear many issues in my constituency office each and every day.

In closing, I want to say I look forward to being part of a government that will put an end to the exclusionary practices and invite every new Canadian to a seat at the

table of opportunity. I look forward to seeing that day come sooner rather than later.

Mr. Garfield Dunlop (Simcoe North): I'm pleased to rise this morning, and I will be supporting this resolution. I think it makes a lot of sense, and that's what we're here for: to make life better for the folks in our province, no matter where they actually come from.

I thought the comments made by Elizabeth Witmer were very valuable. She talked about all the things that the previous government had done in the past, and I want to say thank you to her for her comments, and also to the former Minister of Training, Colleges and Universities, Dianne Cunningham, who set a number of the programs in place that Elizabeth Witmer talked about this morning.

I wanted to dwell a little bit on the skilled trades portion of the actual resolution. I can tell you that I think there may be far more problems in the professional area, with doctors, lawyers and perhaps health care professionals, than there is in the skilled trades area. As you know, we've got a fairly strong economy here in Ontario. We've actually got a shortage of tradespeople in most of the trades. I've dealt with it in my business career as well as doing studies here at Queen's Park in a task force I actually looked after. I worked a lot with people in the skill trades area in Ontario. First of all, one of the key areas is that we have a shortage of them, but not too many people who come into the province skilled in areas such as tool and die or millwright working, stonemasons, plumbing, heating contractors, that type of thing, go without a job very long after they come here. They may have to get some recertification in a few areas because they might have come from an area with completely different codes than we have here in Ontario but, overall, most of the people who come here with a skilled trades background, I would suggest to you, get employed very quickly in the province of Ontario.

You only have to look at the history of our province to see how many of the immigrants who have come to our country have helped build Ontario. I think of the Italian community in the construction industry. It's a known fact that in the last three or four decades here in the province, the Italian community has been a leader in the construction industry, in concrete work and in sewer and water main construction. They have literally built billions and billions of dollars in construction contracts.

I look at how many of the people from the Dutch community have entered our farming organizations as agricultural stakeholders, no matter where they are in the province. They've built some of the most magnificent farming operations we've ever seen, and could possibly see, anywhere in the world, right here in the province of Ontario.

So I think a lot of good things have been accomplished in the past dealing with our immigrants who come to our province as people with different skills. The government has accepted them and the people have accepted these folks very wholeheartedly and with enthusiasm, especially at times when they needed skilled trades and employment in these different areas.

I want to leave a little bit of time, Mr. Speaker, for my colleague Laurie Scott. I couldn't remember her riding name there for a moment, so I know the difficulty you sometimes have in that job.

Ms. Laurie Scott (Haliburton–Victoria–Brock): Haliburton–Victoria–Brock.

Mr. Dunlop: Haliburton–Victoria–Brock. I just want to say that I will be supporting Mr. Delaney's bill. Any attempt by the government to make improvements is important, and I think that should be the emphasis of all political parties in all provinces in our great country.

1050

Mr. Brad Duguid (Scarborough Centre): I want to begin by thanking the member from Mississauga West for bringing forward this private member's resolution to this chamber today. This is not a new issue for this member. This member is known in our caucus as the petition king, because I think he has read more petitions in this House than probably any member from this side of the House, maybe than any member from all sides of the House. The Speaker will know, from being in the chair for petitions, that not a day goes by when Mr. Delaney is not bringing a message from his constituency to this chamber. He's been up over 40 times raising petitions on access to trades and professions.

So this is not something that has come to this member just out of the blue. This is something he has been working on for a very long time. In fact, as well, he has been up in petitions working at trying to get a GO station at Lisgar in his community, and he has been successful at that as well. He's not reading the petition on trades and professions any longer because most of it has been implemented by the government. So I commend him on his work here at Queen's Park. He has worked extremely hard. He's one of the stellar members on this side of the House, he's an outspoken member of caucus, and I thank the constituents from Mississauga West for sending Bob Delaney here to Queen's Park to do the good work he has done.

I'm pleased to support this resolution. Quite frankly, when you hear the debate from all sides of the House, there's a growing impatience with this issue arising around the province. It's growing because we recognize how important it is for newcomers to Ontario to be able to access the trades and professions, to be able to do the good work they were trained to do in other countries. It's important for them and it's important for their families, but it's just as important for each and every one of us in Ontario that they can fulfill to the best of their abilities, and can contribute to our economy, can deliver for their families and for their communities the best possible work they can do, so that their skills and their abilities can be maximized. In that way all of us benefit in the end. So it's something that's important.

It's not a new issue. I remember being here in the late 1980s, during the Peterson government, when they were talking about breaking down the barriers to trades and professions. One would have thought that some 20 years later we wouldn't have to be talking about this any more,

but we are because the barriers are still real. I'm proud of what this government has done. This government has moved forward and broken down a lot of those barriers, but as every speaker has said, there's much more to be done.

Frankly, I'm growing impatient myself with this issue. I'm growing impatient when I see people come into my office like a young doctor, Dr. Arumugam Ganeshharajah. I'll say that name a few times, and by the end maybe I'll be able to say it without looking down at it. Dr. Ganeshharajah is a recent immigrant to Canada. He's the son-in-law of a stalwart constituent of my mine, Mr. Nadarasa. He's a physician, trained outside of Canada. In fact, he was more than a physician. He was the chief medical officer of health in Sri Lanka from 2002 to 2004. He was the chief medical officer of health in Oman, in the Arabian Peninsula, from 1985 to 2002. From 1976 to 1985, he was the chief medical officer in Sri Lanka again. So this is not just a regular, everyday physician. This is somebody who has a very decorated past. He's here now in Canada, he wants to practise his profession, and he has been getting very dejected by the time it's taking for him to get his credentials and be able to practise. It's becoming a real problem for him and his family.

This is a perfect human example of why we have to do everything we can to move forward so that these individuals who have so much to contribute to our community can practise their professions. To think that our province is in the midst of a bit of a crisis right now with regard to the shortage of physicians makes this even more frustrating for all of us.

The good news for this constituent and others in this predicament is that the McGuinty government gets it when it comes to the need to break down the barriers and take advantage of foreign-trained professionals. To increase supports for internationally trained medical graduates, the McGuinty government is investing \$1.7 million over three years in two pilot projects that will help international medical graduates strengthen their communication with patients, improve awareness of medicine in Ontario, and assist those who are not working right now as physicians to use their skills in other areas of the health care sector.

I know that Dr. Ganeshharajah will very much welcome these initiatives. He is so desperate to practise in the medical field that I think he would be happy to volunteer his services. He has volunteered his services, but we haven't been able to find anywhere for him in the health care system that is willing to accept those services at the present time. This kind of program is something I think will really help.

As well, I am pleased that the McGuinty government has introduced a new centralized assessment service known as IMG-Ontario. Members have spoken previously of this. In 2004-05, the new centre will more than double the opportunities available to international medical graduates to 200, up from 90 the year before.

This is good news for people like Dr. Ganeshharajah. It's good news for people who have medical and health

care credentials from elsewhere, because we know we need those people working in our health care system. We know it will be in the best interest of our community.

I want to thank Mr. Delaney for bringing this forward. I think it is very important. It is obvious that this government gets it, that we're doing our part. It's now time to look to the trades and professions and employers out there to join with us in making sure that these well-skilled individuals in the skills, trades and professions can be put to work, can do the work they are trained to do and benefit all of us as a result.

The Deputy Speaker: Further debate? The member for Haliburton–Victoria–Brock.

Ms. Scott: Thank you, Mr. Speaker, for getting the riding name right.

I am pleased to rise today to have the opportunity to speak to the private member's business by the member for Mississauga West. It certainly is something we are all in favour of, and people have spoken about that today. But the fact is that in the throne speech they had a year timeline. They were going to reduce the barriers for foreign-trained doctors, foreign-trained professionals and tradespeople. The year has passed. We still all want that to move forward. It is not moving forward quickly enough. We can all tell many stories of meeting with foreign-trained tradespeople and professionals in our communities who want to work and want to be part of your communities.

I support the member's bill. He has to bring it forward because I don't think the government has done enough in the time they have been in. We all need to support the initiative and realize the added value they bring to the province and to Canada. I'm running out of time, but I appreciate the opportunity to speak for this short moment in support of the motion.

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

Mr. Delaney: I acknowledge the comments of the member for Kitchener–Waterloo. As an immigrant herself, I especially appreciate her support and her personal anecdotes that reinforce the frustrations many new Canadians face, even in a land of prosperity and opportunity such as Ontario. As well, she noted initiatives taken while her party governed Ontario. I am pleased and relieved that our agreement on the need for action transcends both different governments and party politics. May we continue, in her words, to work collaboratively.

To the member for Trinity–Spadina, I thank him for his comments. They accurately echo the need and the desperation of many in our newcomer communities.

I point out, however, that for whatever differences we may have with the federal government, we must acknowledge that federal programs such as English as a second language, multicultural, settlement and education partnerships, and many other federal initiatives do assist newcomers and will continue to.

I thank the member for Etobicoke–Lakeshore. She is one who, in her practice of law, has never lost the common touch and has devoted so much time herself to

issues and causes that assist women, and especially newcomer women. I am especially grateful for her own ongoing personal commitment to making Ontario better for the men and women who have crossed oceans to help us build our province's future.

1100

To the member for Simcoe North, the member is one who knows first-hand what life is like in the trades. He knows what it's like to get his hands dirty at work. As such, I find his support especially pleasing to me, and I thank him very much for his comments.

To my colleague from Scarborough Centre, he recognizes that debate in the Ontario Legislature, at what our Premier calls "Ontario's kitchen table," means that people's voices have been heard and that action and help are on the way.

To the member for Haliburton–Victoria–Brock, I'm sorry. I wish you had had a little bit more time, because I know of your personal commitment to the issue, and I thank you very much for your support.

Speaker, I thank the House for the opportunity to debate the issue here this morning, and I look forward to a vote in its favour.

SAFE NEEDLES SAVE LIVES ACT, 2005

LOI DE 2005 SUR L'UTILISATION D'AIGUILLES SÛRES POUR SAUVER DES VIES

Ms. Martel moved second reading of the following bill:

Bill 179, An Act to reduce the incidence of needlestick injuries / Projet de loi 179, Loi visant à réduire les incidences de blessures causées par des piqûres d'aiguille.

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

Ms. Shelley Martel (Nickel Belt): I want to begin the debate today by welcoming some of those health care providers who are in the gallery for the debate today. The bill is about their right to have a safe workplace. It's about the right of other workers to be protected from injuries involving unsafe devices, and for the general public to be free from harm when unsafe devices end up downstream, in garbage cans and in community parks.

Bill 179 will protect workers and the public from needle-stick injuries. There are a number of medical devices called sharps, which have points or blades, and so are capable of inflicting a skin-puncturing injury. The most common sharps injury is a skin puncture by a needle attached to a syringe. Hence, the name "needle-stick injury." A worker punctured by a point or a blade may then be exposed to more than 33 blood-borne diseases, including some very serious or even deadly diseases, like hepatitis C or HIV/AIDS.

SEIU, OPSEU, and the Ontario Federation of Labour estimate that, annually in Ontario, some 33,000 needle-stick injuries occur in the health care sector alone. Of that

number, some 17,000 occur in the acute care sector. Each needle-stick injury, on average, costs the health care system \$2,000 in testing and treatment, although for those suffering from serious or deadly diseases, the costs far exceed that.

In Ontario, some \$66 million is spent every year on workers who have had needle-stick injuries. This doesn't include the WSIB costs associated with lost-time claims, and it doesn't include the emotional cost to workers and their families as they undergo testing for many months to determine if they have contracted a disease from a used needle.

The fact is that workers in the general public don't have to suffer from needle-stick injuries. The technology exists to replace conventional needles and other sharps with safety-engineered devices which are recognized by Health Canada. They have built-in features that, when engaged, prevent the blade or point of the device from coming into contact with the user of the device or another person. On some syringes, a guard slides out along the needle and locks into place over the tip of the needle. On others, a hollow sheath slides out to enclose the needle. Still other syringes retract the needle into the barrel. In all cases, the safety-engineered feature eliminates the possibility of injury by contact with contaminated blood in or on the device.

My bill would make it mandatory for employers in prescribed workplaces to provide for and ensure the use of safety-engineered medical sharps in any circumstance where a worker is required to use a medical sharp. The employer must consult with the joint health and safety committee on the selection of the appropriate safety-engineered medical sharps and must provide training on the use of such devices. In workplaces without committees, the employer must provide training with respect to such devices.

The bill includes a number of sections of Ontario's Occupational Health And Safety Act regarding inspectors, inspections, orders, whistle-blower protection and penalties for non-compliance by employers. The provisions make it clear that needle-stick injuries are serious health and safety issues and need to be treated as such.

I introduce this bill for two reasons. Firstly, other jurisdictions are in front of us on this issue, and there's no reason for Ontario to fall behind. In Saskatchewan, in November 2005, a new regulation will be phased in, making it mandatory for employers and self-employed persons to use safety-engineered medical sharps in a wide variety of health care settings. The government has also asked the task force for sharps injury protection to advise on the use of safety-engineered medical sharps in other workplaces.

In Manitoba, the government announced in its November throne speech that it would introduce legislation probably this spring. In the United States, the Needlestick Safety and Prevention Act came into effect in 2001. Although it's federal law, it applies to workplaces under state-level jurisdiction. Some 20 states have also enacted their own even more stringent legal requirements involving the use of safety-engineered medical sharps.

In a study published in 2003, researchers at the International Health Care Worker Safety Center at the University of Virginia showed that after only one year of implementation, with only one quarter of workplaces in compliance, there was a 51% reduction in needle-stick injuries. If the US and two other provinces can protect workers and the public from needle-stick injuries, then Ontario can too.

This brings me to the second reason why I've introduced this bill. Those unions representing workers who suffer needle-stick injuries have made numerous presentations to the Minister of Labour, the Minister of Health and even the Premier about the need for mandatory use of safety-engineered medical sharps. The McGuinty government has not responded. The health care Health and Safety Action Group told the Minister of Labour in three different meetings that mandatory use of safety-engineered medical sharps is a priority. In a letter sent to him on November 19, 2004, the group said:

"First, we need legislation to ensure that safety-engineered medical devices are introduced within the next year to health care workplaces across the province. Over 33,000 health care workers suffer needle-stick injuries every year in Ontario.... A regulation requiring the mandatory use of safety-engineered needles and other medical devices will not only eliminate up to 90% of such devastating injuries, but will actually result in a net savings of precious health care dollars."

Because of the lack of response from this government, SEIU, OPSEU and the OFL launched their provincial needle-stick campaign on March 11. The purpose of the campaign is to convince the government to do the right thing. When the Minister of Labour was asked what he thought of making safe devices mandatory, he told the *Globe and Mail*, "We're looking at that suggestion." I'd remind the Minister of Labour that it's been over a year since his own health care health and safety working group told him that making safety devices mandatory was a priority. How long does it take to look at this suggestion?

The minister also told the *Globe*, "So we're assessing whether we should have a regulation and if you have it, what it should look like." If that's the case, he should pick up the phone and call the Honourable Deb Higgins, Minister of Labour in Saskatchewan, and ask her for a copy of the Saskatchewan regulation. Better yet, he could go on-line to the Saskatchewan Ministry of Labour and see the regulation, because it's printed there.

This is not a complex matter to solve. Regrettably, the government seems more interested in a one-time, short-term, band-aid approach. On the same afternoon as the March 11 press conference, the Minister of Labour announced one-time funding of \$11.6 million to allow hospitals to buy some safety-engineered medical sharps. Instead of the mandatory use of safe devices, the minister will let hospitals buy some safe devices which will last for a limited time, providing limited protection for acute health care workers only. When the supply runs out, employers can go back to conventional needles and

sharps, and workers will be at risk all over again. Where is the sense in that?

The Sault Star had it right in an editorial it ran on March 14, which was then run in the *Toronto Star* on March 16. It said:

"Ontario's Ministry of Health and Long-Term Care has taken a step in the right direction by earmarking extra cash for hospitals to buy safer medical equipment this year, but it's not good enough...."

"The government should make instruments such as safety-engineered needles mandatory in all hospitals and clinics—and funding for the equipment should be allocated as part of every facility's annual operating budget rather than a one-time infusion of \$11.6 million...."

"The solution is not rocket science. Rather than conventional needles, health facilities should be using available safer forms that draw the needle into the syringe after use similar to the way a retractable pen works.

"Health care workers put themselves into dangerous situations every hour of every day to help the people of Ontario, and it is unconscionable to subject them to such unnecessary risks when a ready solution exists.

"Needles also pose a danger to everyone who might come into contact with the instruments until they are safely destroyed or buried. That includes hospital custodial staff, refuse collection personnel and even members of the public.

"Humanitarian concerns alone justify investing in safety needles, but bean counters ... should also be fully in favour considering the cost of testing and treating people who have been injured.

"Ontario already suffers a dearth of health care providers in many disciplines. Every effort must be made to protect them from infection that can remove them from the front lines temporarily or, even more tragically, permanently.

"This one is a no-brainer: Replace all conventional needles with safe versions, the sooner the better."

1110

The mandatory use of safety-engineered medical sharps is a serious health and safety issue in Ontario. No one has to suffer needle-stick injury, because the technology exists to replace conventional devices with safe devices. The weighted average cost of the five most widely used categories of conventional devices is 12 cents. By comparison, the average weighted cost of the corresponding safety-engineered devices is 40 cents. I think that eliminating the risk of a sharps injury and a possible serious or deadly disease is worth a quarter.

It's time to protect workers and the public in Ontario from needle-stick injuries. I ask members for their support for this bill on second reading and their support to refer this bill to the standing committee.

In closing, I'd like to very much thank the workers who are here today, particularly workers from SEIU, OPSEU, ONA and the Ontario Federation of Labour, who have been part of the sharps alliance part of pushing

this government to do the right thing; that is, the mandatory use of safety-engineered devices.

The Deputy Speaker: Further debate?

Mr. Kevin Daniel Flynn (Oakville): It's a pleasure to join the debate on the private member's bill, Bill 179, that's before us. I do want to take this time to extend my compliments to the member from Nickel Belt for bringing forward this issue. I too have had visits in my office from some of the people who are very concerned about this issue, who would like to see some changes take place and who certainly have their opinion as to the practicality of the act and how it actually translates into practical means, on the hospital floor or on the floor of the health care setting, on a day-to-day basis. I thank the member for bringing forward this important issue. I know how important it is.

Occupational health and safety is a top priority of this government and of the Ministry of Labour. The member mentioned the minister and some of his comments. We know that changes are needed to the Occupational Health and Safety Act. We know that improvements need to be made. We know that some of the things that have taken place during the past 10 years, perhaps, in this field haven't been changes in the right direction. We know that inspections perhaps haven't in the past taken place in a timely manner where they should have taken place.

I think, as we move forward in general on occupational health and safety and we look at such things as the ergonomics panel, which I've been asked to chair, that those types of things make a difference in the everyday life of ordinary working people in a very practical way. It's the right thing to do. As we improve the Occupational Health and Safety Act and our inspection record in that regard, I think it's a means of ensuring that all employees in Ontario have a right to work in safe workplaces.

I'd like to take a two-pronged approach in my comments this morning. One is to express my support for the private member's bill that she has placed before us. I think it's a very timely issue, as I've said. The other is that I'd like to take this opportunity as well to express, or to explain—perhaps that would be a better word—some of the ground we have been able to make up in this field in the very short period of time since we formed this government, which is now about 18 months, some of the recent funding announcements that have been made by our government in regard to health care and specifically in regard to safety-engineered medical devices. This goes along with a number of Ministry of Labour initiatives and I think also ties in with a number of Ministry of Health initiatives.

I had the pleasure on Thursday last week of visiting my own hospital, Oakville-Trafalgar Memorial Hospital in Oakville, and seeing firsthand some results of the implementation of some of the recent funding announcements, things like bed lifts and safety-engineered medical devices. I think we contributed somewhere between \$100,000 and \$200,000 specifically to my local hospital. Certainly, it was well received by the staff who were in

attendance at the announcement. It was long overdue. It received very favourable press. The member was saying that she had read editorials on this issue. I too have read editorials on this issue and newspaper articles that have been very complimentary to the type of progress that has been made.

I know from the remarks the member has made that she would like to see more happen; I understand that. I think this government is committed to ensuring safe workplaces for Ontario's health care workers. We'd like to see more things happen, obviously, in a number of areas, this being one of them. At this point in time the approach we have taken, and it has become clear to us, is that it's best achieved by the effective use, right now, of the Occupational Health and Safety Act. In the short term or near term, there is a way of dealing with it in the immediate future as you invoke the full power of the Occupational Health and Safety Act. At the same time I'm saying that, I'm also expressing my personal support for the private member's bill, because I think you can take a two-pronged approach, as I was saying: You support the private member's bill and allow further investigation of this issue and allow it to move forward to committee, and you take the short-term approach that we're taking at the Ministry of Labour.

Just for the sake of providing you with a few numbers in support of what we have done to date under the provisions of the Occupational Health and Safety Act: Every acute care facility in the province was inspected in 2004 under our term of government. The focus was on infection control and compliance with the Occupational Health and Safety Act. A total of 2,172 orders were issued in the 192 acute care facilities, and 68 of those orders related specifically to needle sticks; 25 orders required the provision or the use of safety-engineered medical devices. This government has committed \$11.6 million, as the previous speaker alluded to, to ensure that safety-engineered medical sharps can be used where necessary to protect health care workers.

The current system allows for different patient circumstances and different health care risks in particular settings to be taken into account by the health and safety inspectors to craft what they believe is the safest possible solution. My fear is—and it's not a large enough fear that it would make me not support the bill. But what we need to think about and take into account is, would the proposed bill eliminate the opportunity that is being afforded by our being able to customize some of the orders? It may or may not, but it's certainly worthy of investigation. It's a point that needs to be considered.

We believe that OHSA to date, under our term of government, has been an effective framework for dealing with the issue of medical sharps, and we are continuing to look at ways that this framework can be used to more effect. That's why this morning I'm supportive of the private member's bill. Among all those considerations as we move forward on this issue, certainly the opinion that has been expressed by the private member is one we need to take into account.

I'd like to thank you for the time and once again express my support and my gratitude to the member for bringing this forward.

Mr. John R. Baird (Nepean—Carleton): The member for Nickel Belt was my critic for a number of years when I was in government. When I first got here, I thought she was a rather partisan member, and I have to concede that I didn't like her for my first few years in this place. The member once went after me in question period and made quite a strong case, screaming at me at the top of her lungs.

Interjections.

Mr. Baird: Listen. This is a fun story. On my alarm clock I normally have the buzzer come on, but for some reason I'd pressed the radio to come on—I have my radio station set to CFRA in Ottawa—and I awoke in a cold sweat. The news had come on at 6 a.m. and the lead story was Shelley Martel screaming at me, which awoke me from my sleep.

Ms. Martel: It was a nightmare.

Mr. Baird: "It was a nightmare," the member for Nickel Belt says.

Ms. Martel: It was a nightmare dealing with you. Come on.

1120

Mr. Baird: It was a nightmare dealing with me. But I want to tell you that as I spend more time in this place I have gained, as I think all the members have, respect for the member and for the causes she pursues.

I'm not just speaking on behalf of constituents in Nepean—Carleton today. I'd like to think I'm speaking for patients in Ontario. I'd like to think I'm speaking for health care workers, for nurses, when I say that 25 cents, a quarter, is what we're talking about here, to provide a little protection to a problem that is not treatable; it's a problem that is 100% preventable.

The member for Nickel Belt talked about the serious infectious diseases hepatitis C and HIV/AIDS, and these are just two of many, many infectious diseases that can be spread by this accident. It's 100% treatable, though. While for those two and many other diseases, there is no cure, no inoculation, there is a surefire way to prevent this from happening. As I was reviewing the information provided by the member, she talked about an estimated 30,000 employees. I, frankly, don't really think it matters whether it's 30,000, 300,000 or 3,000. If we in this House, who act as the employers for the people of Ontario when it comes to the provision of health services, can do something to protect one, let alone 3,000, 30,000 or 300,000 incidents of workplace injury for the price of a quarter, I think we have an obligation to do so.

I'm a Conservative. I think we have far too many laws in this province. I think we are over-regulated to death. One area where I think virtually everyone in the province would agree is that the Occupational Health and Safety Act has to be clear and has to be strong to protect workers. Surely there could be any number of statutes and regulations that could be repealed to allow the Ontario government and the ministry not just to regulate

this, because—and I appreciate the comments by the member from Oakville—this is not just a labour issue, it's a health care issue. Obviously, there will be some associated costs with respect to our hospitals, our long-term-care centres, our community health centres and so forth with the passage of this bill. But I know that if I knocked on 100 doors in my community and said, "Do you think this would be a wise and important use of your taxpayer dollars?" 100 out of 100 would say yes. That would be a very rare unanimity that you'd find on a public policy issue.

One area where I might disagree with the member for Nickel Belt is that it's a question that we'd save money. Even if we didn't save money as a result of the \$2,000 per infection—you cited 17,000 acute cases alone—that it would cost in hospitals, you mentioned the \$66 million this would cost if we don't do it, plus the Workplace Safety and Insurance Board claims, which would be significantly more than that, particularly if it was something like HIV/AIDS where it could be going on for a protracted period of time while someone was afflicted. I don't know how any argument can be made in this example to say that we can't afford to do it. We can't afford not to do it.

I appreciate that this Minister of Labour made some comments one year ago that he believes this to be an issue and that they take this health and safety stuff very seriously over there. Let's look at the kind of legislation we've had on the order paper. Let's look at the kind of legislation we've debated in this House. We spent how many days debating bring-your-own-wine? Now, there's a priority for the people of the province of Ontario.

Interjection: And even now, no one does.

Mr. Baird: And even now, no one does. Why would we possibly take the Legislature's time to debate a bring-your-own-wine bill when such an important issue has been brought forward by the member from Nickel Belt?

Pit bulls. We banned pit bulls. Far more people are hurt and injured by these injuries than are attacked by pit bulls, unless in other parts of the province there are packs of pit bulls terrorizing communities.

Mr. Peter Kormos (Niagara Centre): With syringes.

Mr. Baird: With syringes, the member from Niagara Centre says. But I look at the kind of legislation we've dealt with in this House that is far less important, far less serious and far less relevant to people and their families and communities in the province of Ontario than the kind of legislation that we have debated in this House. We've debated issues like banning raw sushi—a big priority for the taxpayers, I tell you. I'm getting just plenty of calls in Nepean on that. We talked about spending time on redesigning the trillium logo—you know, the trillium that adorns all of our letterhead? The trillium. Gee, that's an important point. The government is spending time, the government is spending money in the Premier's office and the communications whiz kids in the Premier's office are spending time on some of these trivial issues.

With respect to the Occupational Health and Safety Act, we the people of Ontario are the employers of health

care workers, and we are their voice and their agent. We have a heightened responsibility, not just when it comes to our firefighters, our police officers and our paramedics, but also to our health care workers, who each and every day put themselves at risk. We saw during SARS the number of health care workers who went to work each and every day. The one thing that was worse than the danger they faced was the uncertainty, not knowing what the danger was on a day-to-day basis. We find out now that at one facility here in Toronto it was an airborne infection. A nurse or a physician or a hospital worker who was not even in that room could have contracted it through the air system. I don't think there's any evidence that that happened, but we've got to take that very seriously.

The provincial government has increased the share that they pay for public health. I think they've done it 25% for this year? They're moving to pay 75% of the public health dollars?

Mr. John Wilkinson (Perth–Middlesex): Uploading.

Mr. Baird: Uploading. But none of these public health units is using this money for public health. What they're doing is just spending it on other things. If we're going to put more money into public health, surely to goodness, whether it's our flu program, which is probably one of the biggest sources of the use of syringes, this would have a greater priority. I'll tell you, if you go to Ottawa, our mayor is spending \$5 million on some bridge over the canal so that the students don't have to walk three blocks to the brand new \$40-million bridge that they built last year.

Mr. Kormos: And \$200,000 on that tour of European brothels.

Mr. Baird: And \$200,000 on a tour of European brothels. What a priority for the people of Canada. Thanks goodness Peter Kormos, my buddy here, stood up and exposed that waste of taxpayers' money.

I suppose we can't pay. I suppose we can't afford to protect our nurses and health care workers because there are deserving companies like Groupaction. There is some train museum or some golf club in Shawinigan that desperately needs the support of the taxpayers. But I say that we should be able to afford to pay for this. I challenge every member to go to their constituency, knock on 100 doors and ask your constituents if they'd be willing to pay 25 cents more for our health care workers to be protected. I will guarantee you that 100 out of 100 will say yes.

I want to see this bill passed today, but for those health care workers who are here, it's meaningless. It isn't going to pass third reading, because we will prorogue. This House will prorogue some time in May or June, and the question—the real, true amount of support—will be for members on the government side of the House to say, “You know what? This is a priority. It's not a partisan issue. We can work together on issues that are nonpartisan that are tremendously important.”

Interjection.

Mr. Baird: I have worked very hard. I worked hard to get your chief medical officer of health bill. I worked

very hard on the same-sex marriage bill to get that passed expeditiously. I worked hard on a number of pieces of legislation where the government has been prepared to come forward and work constructively. The problem is, government bills take priority over private members' bills in committee. I want to say on behalf of the official opposition, we will be happy to sit an extra day to hear from the public on this issue and to do clause-by-clause. So there is no excuse. Would you agree to that, I say to the House leader for the third party?

1130

Mr. Kormos: In a New York minute.

Mr. Baird: “In a New York minute,” he said. So we will give an extra morning. I say to the folks from the government House leader's office who are here, if they want it to be a Monday morning from 8 till 1, where we could have witnesses in and do clause-by-clause, it'll be no opportunity cost for you. If we want to call this bill for third reading, I'd be happy to sit on a Thursday night some day to deal with this. What about the House leader for the third party?

Mr. Kormos: I've got nothing else planned.

Mr. Baird: Nothing else planned.

The Deputy Speaker: I remind the member for Nepean–Carleton that I feel a little left out of the conversation.

Mr. Baird: You probably don't have a Speaker rotation set up for Thursday night, and I know you, Speaker, would be more than happy to stay here on a Thursday night to preside over third reading of this bill. We'll see if there's real support for this bill. We've got both opposition parties saying that we will clear the decks for a committee to consider this, to have the time. We'll clear the decks for third reading time in the House. We'll co-operate, as we are always very co-operative with the government on legislation passing Parliament. I know Lou Rinaldi will want to support this bill for third reading because I know workers in Northumberland care about this issue. We must get this bill considered in committee. It's tremendously important.

This is not just an issue with respect to hospitals. I toured the Queensway Carleton Hospital and spent five hours there working in the emergency ward, shadowing a nurse, and the pandemonium that goes on in that type of high stress environment—it's not like some sort of tea party, when you can be mindful. When you've got patients coming in, the nurses have got to triage them. They've got so much pressure, whether it's a nurse, a health worker or even a physician, or even a member of the public—it could be a mother bringing in her son to get cared for in an emergency ward who is injured by this.

Surely to goodness we can come together on what is a non-partisan issue. I noticed the member for Nickel Belt gave a very non-partisan speech on this issue. It has a lot of support from working women and men in the province, I say to the member for Niagara Centre, to stop the needle-stick and medical equipment injuries in Ontario. If this can save one life, if this can lead to reduced

injuries for health care workers, it will lead to greater productivity. It will demonstrate that we accept the responsibility as the agent for the employers, the people of Ontario, by passing this important piece of legislation.

I want to indicate to the member that I will be supporting this bill. I will also be supporting it going to committee and supporting it coming for third reading. That's when we'll find out whether this minister and this Premier are really serious about standing up for workers in this province. Let's not support injured workers; let's prevent those injuries in the first place. That's where we're best to put more of our time, effort and energy. I say to the House, it's well worth 25 cents to do it.

I look forward to the next speaker, who I think is the member for Niagara Centre. Don't adjust your TV sets. You've got a great speaker coming up next.

Mr. Kormos: I am so pleased to participate in this debate, and so pleased to see Ms. Martel's Bill 179 go to a vote in, oh, just 30 minutes or so. I am even more pleased that it's obvious that members of this Legislature of all political stripes understand how important this bill is. I look forward to seeing Bill 179 dealt with by committee.

I also want to make special mention of the incredible amount of work that has been done on this issue by the Service Employees' International Union; by OPSEU; by ONA, the Ontario Nurses' Association; by CUPE; indeed in addition to them, the alliance that was set up in 2002, which consisted of the SEIU and ONA, as well as being endorsed by the Canadian Nurses Association, the Canadian Federation of Nurses Unions and the Canadian Intravenous Nurses Association. In 2003, the Ontario Federation of Labour passed a resolution supporting in effect the principle behind Bill 179. There is clear, unequivocal support from the Saskatchewan, Manitoba and Nova Scotia federations of labour. Also extremely helpful in explaining to mere laypeople like myself, who have so little understanding about the technology, has been Chuck Rachlis.

I want to show you a device that has been used by this alliance, and in particular sponsored by SEIU, the Service Employees' International Union, this mock-up of a safety-engineered syringe. As a matter of fact, if the Sergeant at Arms—page, would you please—

The Deputy Speaker: You put me in a tough position. That's a prop, I believe, and shouldn't have been brought in here. Would you take your seat for just a moment, please? I think the member understands this.

Mr. Kormos: Thank you, Speaker. I was in the process of surrendering that to the table so it could be kept as an exhibit and part of the record of this debate.

I'll join others in pointing out that the cost—perhaps a page could come forward, please, and deliver this quarter to the table. I surrender that particular device as well. Would you take that to the Clerks' table, please, and give it to them? I surrender yet another prop, a mere 25 cents, a mere quarter, which is the monetary cost of incorporating safety-engineered medical sharps in day-to-day usage in health care facilities so that our health pro-

fessionals, all of them, can work more effectively, more safely and with the greater confidence that they can come to work again tomorrow in the same physical health as they attended at work yesterday.

I want to comment on the member from Nepean—Carleton, who preceded me and was so gracious in introducing me. He made reference to the member for Nickel Belt and his first meeting with her and his recollections of her at the time. My experience is far different. I liked the member from Nickel Belt the minute I met her and never doubted her commitment to the people in her community, to the people in her riding, but also to the people across this province. Ms. Martel, as you well know, Speaker, has the respect of people in this Legislature across political lines. Oh, she is far from non-partisan. She is the most partisan member I can think of, and she has illustrated and demonstrated that in her written work, in her spoken work and in her performance here in the Legislature on so many occasions.

But you heard the member from Nepean—Carleton, when making reference to the cost, put this in context. You heard him make reference to my criticism of that \$200,000—that's almost a quarter of a million dollars—that five federal MPs are proposing to spend of taxpayers' money to tour the brothels, the warehouses of Europe. That's \$40,000 apiece. The members are one John Maloney, who's my federal counterpart down in Niagara Centre, a Liberal; there's a New Democrat, Ms. Davies, from the Vancouver area; another Liberal, one Dr. Hedy Fry; a Conservative, former über-Reformer, one Art Hanger; and a Bloc Québécois member whose name I don't know. I read it but I don't remember because I don't know who it is. The Bloc Québécois, as you know, are very insular and don't really—but it rotted my socks to think that these five people were requisitioning 40 grand apiece to visit hookers in Europe.

1140

The Deputy Speaker: I'm sure that you're going to get to some relativity of your comments to this bill, and I would appreciate hearing it.

Mr. Kormos: Thank you kindly, Speaker. It's all about putting the cost into context. You've got federal politicians who want to spend almost a quarter of a million dollars, going to the red light district of Amsterdam, and Sweden, I'm told; they are going to drop in at Reno, Nevada. Couldn't they just have watched the movie? What was the name: The Best Little Whorehouse in Texas? I think it's in the movie. You can get it at Blockbuster. Quite frankly, as I've indicated, I can take these folks down to Bridge Street in Niagara Falls and introduce them to any number of prostitutes on a good day.

The Deputy Speaker: The member from Niagara Centre, I still haven't heard what I think should be discussed: this bill that is before our House in the province of Ontario, please.

Mr. Kormos: Thank you kindly, Speaker. You get my point, and I have gotten yours. I apologize for having made you irate. I didn't mean to cause the Speaker to rise to his feet to chastise me. I thought I was being fairly

balanced in castigating in a multi-partisan way the participants in that \$200,000 European junket.

I wanted to draw your attention to that as a way of pointing out that in the total scheme of things, if we're talking about costs—because I heard the Minister of Health just the other day. Didn't you, Ms. Martel? When Ms. Martel was talking about this issue—it was during question period—he threw up his hands and said, “Where's the money going to come from?” Isn't that what he said? ‘Where's the money going to come from?’”

It's going to come from the same place that the five federal members expect the money to come from on their brothel junket of Europe. It's going to come from the same place as a similar group of five federal members' budget is going to come from on their junket being proposed—Don Boudria was the author of this one—to New Zealand and Australia to examine electoral reform.

But like other participants in the debate, I'm confident that there isn't a taxpayer in this province, there is not a voter in this province, there is not a resident of this province who wouldn't be pleased and proud to see the public investment of 25 cents per instrument—a public investment in workplace health and safety; a public investment in our health care professionals; a public investment in the quality of health care in this province—and an acknowledgement, quite frankly, of the sacrifices that health care professionals make on a daily basis, especially at a point in time when public health care is very much under attack both provincially and federally and when health professionals are being called upon to bear the brunt of a \$6-billion deficit being generated by this Liberal government here at Queen's Park—in good times; not in a period of recession, or, dare I say, of a depression of the early 1990s, when revenues had literally fallen through the floor. There were no revenues. Remember that, Ms. Martel? In good times, this government has generated a deficit of \$6 billion, and I tell you that it is criminal of McGuinty and the Liberals to tell health professionals that they should have to bear the burden of that deficit on their backs.

There they were in the SARS epidemic. We surely haven't forgotten that, have we? We haven't forgotten the sacrifices the health professionals made when SARS struck Ontarians, nor have we forgotten the continued commitment on the part of health professionals to respond to health crises like that, notwithstanding the tremendous risk to themselves in doing so and notwithstanding that they're called upon to do it more often than not without adequate tools, without adequate resources and with, at the very best on the best of days, middling leadership.

I tell you that the New Democrats are eager to see this Bill 179 receive second reading, so that it can then go to committee. It's important that during this session, through to June 2005, the committee deal with this bill, that the committee send it back to this Legislature and that the government House leader, because it is the government House leader's responsibility, ensure that it be called for third reading.

To pay lip service to it today but then to let it linger in legislative orbit, to let it be sent to the black hole of private members' public business, is an affront to health professionals here in Ontario. To want to play the good guy when there are folks sitting in the gallery, when there are witnesses, but then, once we're in the dark of night, without any onlookers, to say, “Oh, well, we'll give it lip service on second reading but we'll just let it slip; we'll let it go out to that centrifugal perimeter where private members' public business so often ends up,” will not go without observation by the interested parties.

How much more do health professionals in this province have to put up with before they can expect a little bit of consideration? This is but a modest amount of consideration of the important role they play in our own lives, in our families' lives and in our communities' welfare and health. So I look forward to the vote on this. I want to be here with Ms. Martel and other New Democrats. I know people like Andrea Horwath from Hamilton have an intense interest in this. Her support for this, like other New Democrats at Queen's Park, has been unhesitatingly and unequivocally enthusiastic. So Andrea Horwath, Michael Prue, Rosario Marchese, Gilles Bisson, Howard Hampton and Marilyn Churley are going to support this bill. We support our health professionals, and this bill is the right thing to do at the right time.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): I think, in speaking on this bill, Bill 179, anyone would be hard-pressed to vote against it. This is a bill that speaks very clearly to issues of safety in the workplace.

Many people think of doctors, nurses and other health care providers as being in a very nurturing occupation, and I think we often forget that it's also a very dangerous occupation. I have a daughter who is a nurse, and when she first got into the idea of becoming a nurse, she looked at the nurturing part of it. But then, as she went through her studies, she started to understand the dangers of the occupation, and some of those are dangers and risks that can't be prevented. We all have those kinds of things in the occupations that we choose, but there are others, such as the issue of the needle sticks and the sharps, that can be prevented. One thing we certainly want to do is take some of the risks out of an occupation that may act as deterrents to people coming into it. We want to take every opportunity we can to prevent that, so I support this bill.

1150

I think that, as a government, we support it as well. We have invested \$1.6 million, which was announced by the Minister of Health, Mr. Smitherman, at the beginning of March, on this very issue. We are taking action as a government to try to deal with the whole issue of the dangers that can be prevented in terms of needle sticks and sharps. So I would speak to it in support, and I want to thank the Speaker for the opportunity to do so.

The Deputy Speaker: Further debate? The member for Perth–Middlesex.

Mr. Wilkinson: Thank you, Mr. Speaker. It's good to see you in the chair today.

Something I have learned—I've been in this place for 18 months—is that hospitals are dangerous places. They are wonderful places where you're cared for if you're sick, but for those brave public servants who actually work in our hospitals there is danger lurking around every corner. That's the first thing we need to recognize in this debate. We know that the first thing we have to recognize is that danger, and that's something I had to learn.

I spent a wonderful day in Stratford General Hospital with the nurses who work in our ORs. I saw the entire system, from the people who do the sterilization, the people who pull out the various instruments for every surgeon for that day's surgery, the people who coordinate it, the people who do the input and the nurses in the OR who are actually assisting the surgeons. I got to see three surgeries that day—they scrubbed me in—and I can tell you it was an eye-opening experience. I say this because from that experience I have a greater understanding of the danger and of what our responsibility is, in this place, to protect those nurturing people, our nurturing public servants, and to keep them safe.

As the member from Mississauga West was saying, we are facing a shortage of skilled workers, particularly doctors and nurses, because of the effect of the baby boom. We can't afford to lose any of them, and it would be a waste if we lost a nurse or a doctor through something that is completely preventable.

I commend the member from Nickel Belt for introducing the bill, and I tell her that I look forward to supporting her today and the passage of this bill into law. I did some research—I want to make sure I get this right—and on the Canadian Centre for Occupational Health and Safety's Web site I find it quite interesting that they were saying that in Canada, in the period from April 1, 2000, to March 31, 2001, there were 33,833 cases where they feel there was exposure through sharps.

I can tell you that the number one occupation within health care that is exposed is our registered nurses. But again, if we look beyond the risk factor, it's quite interesting that phlebotomists, who draw blood, actually have the greatest risk when you look at it on a per capita basis. They're followed by MDs, doctors who are residents and specialists and even our nuclear medicine technicians and sterilization attendants.

I had an opportunity to go into my riding last week. The Minister of Health and Long-Term Care, George Smitherman, announced \$11.6 million to help us go needleless. I say to the member from Nickel Belt that she has good intentions. But in this place, there are good intentions and then there's money. What you have to do is put the money on your priorities. I was proud to go to our three hospitals—Listowel Memorial, St. Marys and Stratford—in my own riding, representing the minister, and talk about the money that's been flowed to our hospitals to go needleless.

The hospital in Stratford decided a few years ago to go completely needleless, and they just won a national

award and received a \$1,000 grant for their forward-thinking approach on this. They had to find it out of a very tight budget, but they were committed to making sure that the workplace was as safe as possible, to minimize that danger. I quote from the chief executive officer of that hospital, Mr. Andrew Williams. I thought he was quite wise to say that of course this was another example of our government's "commitment to the safety of health care workers and the patients who use hospital services.... These funds will further reinforce our commitment towards providing a safe environment at all of our Alliance sites for our patients, staff and volunteers."

I had a great opportunity when I was in Listowel and in St. Marys and Stratford to actually make the announcement with nurses and the health care workers there, not just the brass. I wanted to talk to the people who actually would benefit from this. I was amazed at the technology that can be used today to provide that safety. As the member from Nepean-Carleton and the member from Niagara Centre mentioned, we're only talking about pennies, and we have to compare those pennies versus the risk of losing a nurse or a doctor or any health care worker.

It's interesting. I found out that they were saying that in the emergency room, when things are crazy—things can be just crazy in the emergency room; it's a very hectic place. It wasn't just the nurses. A sharp can be thrown away into the garbage, but one of the great people who are support staff workers at the hospital can become infected. There is actual fact to back this up. The people who do the laundry at our hospitals, who deal with all of that linen—if there are sharps in there, they also are exposed. So it's not just a question of nurses or doctors. It's important. I know that even at Stratford General Hospital we had two nurses who were potentially infected. They were out of commission for six months, waiting to see whether or not they were actually infected with hepatitis C or AIDS or some other deadly disease.

I want to let you know that, on the government side, we support the member from Nickel Belt's initiative. But beyond that, we are actually putting the money into the system that's required to make it safer. I urge all members to vote in support of the bill.

The Deputy Speaker: Ms. Martel, you have two minutes.

Ms. Martel: I'd like to thank the members from Oakville, Nepean-Carleton, Niagara Center, Lambton-Kent-Middlesex and Perth-Middlesex for their intervention today. Let me make a couple of comments in reply.

I say to the member from Oakville, the government of Saskatchewan is bringing in its regulation under its own health and safety act. I would have liked to see Ontario do that too. But unfortunately, despite repeated requests to this Minister of Labour to do that, we haven't been able to get the McGuinty government to bring in a regulation under the Occupational Health and Safety Act to make safety-engineered devices mandatory. That's why I've had to bring in the private member's bill.

Secondly, the bill would customize orders for the Ministry of Labour, because many of the provisions of the Occupational Health and Safety Act with respect to orders, inspections, compliance etc., appear in the bill.

With respect to the comments made by the member from Perth–Middlesex about the recent government announcement and putting money on the table, I have to remind him that the money that was put on the table is one-time funding only. So after those hospitals purchase safety-engineered medical devices and after those devices are used up, then the hospitals can go back to the conventional devices, and we put health care workers at risk again. We need a permanent solution, and the permanent solution is to pass a regulation or pass legislation that makes the use of safety-engineered devices mandatory in prescribed workplaces in Ontario and forces employers to use the joint health and safety committee to determine which medical sharps will be used and also to provide training to workers in those workplaces to make sure they know how to use those devices properly.

As recently as March 24, the health care Health and Safety Action Group, which represents the unions whose workers are most affected, wrote to the minister again. They thanked him for the March 10 announcement but said the announcement “is limited in four critical areas”: It covers only acute care facilities as opposed to all workplaces, it’s voluntary rather than mandatory, the funding is one-time, and we need other issues like training, as well, to back it up.

I say to all members, if we’re going to make this work, then it has to be a mandatory regulation or mandatory legislation that ensures that workers are able to use safety-engineered medical devices, that employers are mandated to make sure that happens and that employers are mandated to ensure the training happens so they can use those devices properly. That’s what this bill is all about.

The Deputy Speaker: The time allowed for private members’ public business has expired.

IMMIGRANTS’ SKILLS

The Deputy Speaker (Mr. Bruce Crozier): We shall first deal with ballot item number 55, standing in the name of Mr. Delaney.

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

SAFE NEEDLES SAVE LIVES ACT, 2005

LOI DE 2005 SUR L’UTILISATION D’AIGUILLES SÛRES POUR SAUVER DES VIES

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 56, standing in the name of Ms. Martel.

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

Pursuant to standing order 96—

Ms. Shelley Martel (Nickel Belt): On a point of order, Mr. Speaker: I’d like the bill referred to the standing committee on justice.

The Deputy Speaker: The member has asked that the bill be referred to the standing committee on justice. Agreed? Agreed.

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

The House recessed from 1200 to 1330.

MEMBERS’ STATEMENTS

OPP AUXILIARY

Mr. Garfield Dunlop (Simcoe North): I’m very pleased to be able to rise today and announce to everyone in the House that tomorrow is the 45th anniversary of the Ontario Provincial Police auxiliary program here in Ontario. It was established in 1960 and it is the largest provincial police volunteer organization in the country today.

Today, they have approximately 938 members and these 938 members actually volunteer about 220,000 hours of time, helping out our regular Ontario Provincial Police officers throughout the course of a season. The auxiliary members are included in all of the different detachments throughout our province.

Under the leadership of Commissioner Gwen Boniface, who is the overall head of the Ontario Provincial Police, the program is controlled and directed by Inspector Brian Wagner, who is the program manager, and Superintendent Mike Morton, who is the executive director.

The OPP auxiliary is made up of men and women from all walks of life who want to dedicate something back to their community in the process of working with police officers throughout our province. I want to wish them a very happy 45th anniversary tomorrow and wish the OPP and the auxiliary program all the best for the future years.

KITCHENER CHURCH OF GOD

Mr. John Milloy (Kitchener Centre): During the second weekend of April, the Kitchener Church of God will celebrate the opening of its new tri-city multicultural community centre. The Church of God has been an active part of our community since 1975, and over the past three decades has grown from 15 members to its current average attendance of 250 active churchgoers.

One of the church’s mottos comes from the Book of Proverbs: “Where there is no vision, the people perish.” After doing an assessment of the needs of the community, particularly the youth, they kept true to this statement by embarking on an ambitious plan to construct their new 11,500-square-foot facility at a cost of

\$1.5 million. Located at the corner of Weber and Ottawa Streets in Kitchener, the new community centre will offer its congregation a meeting space, tutoring programs for children struggling in school, a seniors' centre, a food bank outlet, a daycare centre, an after-school program and a place for local youth to call home.

I have had the honour of attending a number of events at the Church of God, including the groundbreaking for this new facility in late 2003, and want to congratulate their pastor, Reverend Canute Riggan, and all the church members for their hard work over the past year and a half in making this dream a reality. I look forward to attending the official opening and celebrating this important achievement for the people of Waterloo region.

ASSISTANCE TO FARMERS

Mr. Ernie Hardeman (Oxford): Yesterday I rose and thanked the minister for trickling down some money to help our farmers. Our tobacco farmers got 70% of the money they were promised. Though a good start, it is, quite frankly, not enough—not enough for last year, not enough for this year and not enough for the future.

I also asked the minister for the McGuinty government's plan for agriculture. The farmers of Ontario are still waiting. Our farmers are still at home, waiting and wondering, "Where is Ontario going? Will I have the money to put the crops in the ground?" Our farmers need a plan, and our farmers deserve a plan. I will ask again today, Minister: Where is the McGuinty government's plan for agriculture?

But wait; I hear news today that maybe a plan has been released, maybe the minister has put some ideas and thoughts on paper. After turning on the radio this morning, we heard the minister touting his plan for our tobacco farmers. What does the minister's plan for tobacco farmers include? A trickle of money and encouragement for our tobacco farmers to switch from tobacco and start growing alternative crops.

Then I read with interest Minister Peters' comments on www.cannabisnews.com and www.marijuana.com, where he advocates the growing of alternative crops. Frankly, the farmers of Ontario are concerned. It appears that the minister's plan is simply that those who are growing tobacco should now switch to alternative crops and everything will be well and good in the world.

The people at www.marijuana.com and those at www.hightimes.com are excited about this new plan, but it just is not good enough for Ontario's farmers.

KIDNEY HEALTH MONTH

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I am pleased to rise today to acknowledge that March is Kidney Health Month and to applaud the efforts of the Kidney Foundation of Canada.

Kidney failure affects an average of three Ontarians every day. Many may not even know that they have chronic kidney disease until it's too late, when dialysis

treatments or a kidney transplant become their only chance for survival. Diabetes and high blood pressure are among the leading causes of chronic kidney disease and yet are so often preventable, and at the very least treatable, if they are caught early.

It's crucial that we prevent and, when necessary, treat diabetes and high blood pressure so that full kidney function can be preserved. During Kidney Health Month, the kidney foundation will deliver a series of programs to educate Ontarians on kidney disease and, more specifically, its leading causes. Among some of the programs are public health forums, community health fairs, speakers' bureaus and blood pressure screening clinics.

Through the efforts of the kidney foundation, I'm pleased to announce that over 250 people were tested in Brampton for high blood pressure, demonstrating their commitment to taking a proactive approach to their health.

I congratulate the Kidney Foundation of Canada on providing their untiring service to my community and to the people of this province.

LEADER OF THE OPPOSITION

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I rise in the House today to call attention to something that was said this morning on the Dean Blundell show on 102.1, The Edge, in Toronto. On his show this morning, radio host Dean Blundell expressed shock, saying, "Something has just happened here. A politician has kept his promise. We have to applaud." Dean Blundell was referring to the fact that our leader, John Tory, showed up at The Edge this morning to make good on a promise that if he won the by-election in Dufferin–Peel–Wellington–Grey, he would personally deliver breakfast to the early morning hosts.

It's a sad state of affairs indeed that after only 18 months in office, breaking promise after promise, the McGuinty government has succeeded in lowering the expectations of Ontario to rock bottom. Well, folks, I've got good news for you: We have a new leader in Ontario, one who is not the kind of politician who is going to promise something, anything, just to gain people's favour and get elected, then shrug it off after as electioneering. If John Tory says he will do something, he will do just that. Regardless of the nature of the promise, his word can be counted on. That applies today and it applies tomorrow.

This is a refreshing change in the province of Ontario. Dean Blundell said, "I'm rooting for you and I want you to be our next Premier." Millions of Ontarians are saying exactly that.

GAMBLING

Mr. Peter Kormos (Niagara Centre): Dalton McGuinty and the Liberals sure have a strange way of helping problem gamblers with their gambling problems. Today we discovered that the Premier's election Web

site—you remember it—www.choosechange.ca—has been transformed into an on-line casino.

Thanks to Dalton McGuinty and the Liberals, gambling addicts can get their betting fix with a click of a few keys: www.choosechange.ca. Visitors to www.choosechange.ca have the option of playing Vegas Craps, European Roulette, video poker games like Aces and Faces Power Poker, Double Bonus Video Poker, video slots like Big Kahuna, progressive games like Lotsa Loot, and real slot games like Jackpot Express, Reels Royce and Wheel of Wealth.

Our discovery of the transformation of the McGuinty Liberals' www.choosechange.ca Web site into an on-line casino comes on the same day as the Ontario Lottery and Gaming Corp. holds a press conference here at Queen's Park, with the lacklustre snow job around this government's non-commitment to problem gaming.

Look, gambling addiction is a very serious matter. Problem gamblers need help to stop gambling, not help finding new ways to bet their money, relationships and lives away. New Democrats are going to keep on fighting to ensure that problem gambling receives the attention it deserves, for a change.

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PUBLIC TRANSPORTATION

Mr. Mario G. Racco (Thornhill): I'm very pleased to report to this House that today the region of York has approved expending \$2 million to promote Viva, the new name for the public transportation system in the region of York. Viva will start an ad campaign in a few days, with the intent to target our working and student population to significantly increase ridership.

Viva will run 18 hours a day. Fares will remain the same, and the region of York ridership will be able to connect easily to Brampton public transit, three subway stations and four GO links, as the region tries to create a transit culture. This is good news. This is a region that is trying its best to move forward.

The Viva ridership will enjoy bus stops that are outfitted with ticket-vending machines and satellite hookups that will inform waiting riders of the real arrival time and when to expect the next bus. This will increase ridership and create a demand that only a subway can satisfy. The Spadina-York subway extension, the Yonge Street subway extension as well as an extension into the town of Markham will service this need.

I wish to congratulate the government of the day, the region of York and our Minister of Transportation for their support of public transportation in the region of York in the province of Ontario.

MENTAL HEALTH SERVICES

Mr. Kevin Daniel Flynn (Oakville): It's a pleasure today to rise and tell the House about a reception I held in Oakville recently to honour the tremendous efforts of the Canadian Mental Health Association in Halton

region. The reception included board members; community mental health partners; councillor Keith Bird, the newly elected police board chair in the region of Halton; and councillors Elgar and Sandelowsky from the town of Oakville.

I was pleased to have the opportunity to officially announce the funding in my riding of Oakville on behalf of the Minister of Health and Long-Term Care, George Smitherman, because mental health has been ignored for far too long by previous governments. Halton region received an over \$1-million investment by the McGuinty government to help more people with mental illness in the region of Halton. Contrast this with the NDP cut to funding for mental health of over \$23 million in 1992-93 and \$42.4 million in 1994-95. And throughout their entire eight years in office, the Tories failed to increase community-based mental health programs in this province. We invested over \$1 million in the region of Halton. Overall, this government is proud to have invested over \$65 million this year in community-based mental health services. You can just imagine how pleased those people in the region of Halton are at this government's keeping another promise.

MUNICIPAL FIRE SERVICES

Mr. John Wilkinson (Perth-Middlesex): I'm proud to stand up today to reiterate that the McGuinty government is making available a critical \$30-million one-time Ontario fire service training grant that will be distributed to 385 municipalities throughout Ontario. We are ensuring that our rural communities get a fair deal and the investments they deserve. The funding will help fire departments meet their training needs and purchase new equipment. This significant funding is unprecedented. I'd like to commend Minister Kwinter for his work on this file. It's the single largest contribution invested by a provincial government for fire services.

The era of Conservative slash-and-burn policies is over. The Conservatives used their infamous Magna budget to announce \$40 million for fire departments. I'd like to clarify something for the member from Simcoe North: Your government failed to follow through on your worthless IOU. The truth is, we have made the investment to train and help protect our firefighters. We have followed through on our commitment to firefighters, and you did not.

Ontario Professional Fire Fighters Association president Fred LeBlanc, who is a friend of mine, stated, "We are pleased with this announcement as it contains the necessary flexibility to reflect the diversity of Ontario's fire service." He went on to say, "The Liberal government has listened to the members of the OPFFA regarding this much-needed funding and has taken an important step to provide the financial opportunity to enhance current capabilities and introduce much-needed services to meet the public's expectations."

Ontario's firefighters know the difference between a Tory IOU and a Liberal bank deposit.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

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

The Speaker (Hon. Alvin Curling): That requires unanimous consent. Do we have unanimous consent? Agreed.

Hon. Mr. Duncan: I move that notwithstanding standing order 96(d), the following changes be made to the ballot list of private members' public business: Mr. Marchese and Mr. Prue exchange places in order of precedence such that Mr. Marchese assumes ballot item 75 and Mr. Prue assumes ballot item 62; and that pursuant to standing order 96(g), notice be waived for ballot item 60.

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

ORAL QUESTIONS

PUBLIC SAFETY

Mr. John Tory (Leader of the Opposition): My question is for the Premier. There is a disturbing case that happens to be in my riding of a man charged in the first-degree murder of his wife who is set to be released on bail pending his trial. The man is alleged to have shot his wife in the school parking lot where she taught during the course of the day. For the sake of concerns about public safety, will the Premier instruct his Attorney General to order the crown attorneys to immediately appeal this bail ruling?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): First of all, there is a publication ban in connection with this matter and I know we have to be—and I'm sure the Leader of the Opposition would want to be—very, very careful in terms of how we address this particular matter. It is not my intention to instruct the Attorney General to do anything in connection with this particular case. We leave it to the individuals involved, the crown attorneys involved, to take the necessary and appropriate steps.

Mr. Tory: Well, Mr. Speaker, I'm trying to handle the matter in exactly the manner that the Premier suggested. I went today to Bolton because, as I mentioned, this community is in my constituency, and I took the opportunity to meet with some of the neighbours and people in that community living nearby the house where the man will be set to return if the bail order is carried out. The house is one minute away from two schools, and literally seconds away from a public park.

The neighbours are not questioning the gentleman's right to a fair trial. What they are questioning is the fact that they don't have the right to know what compelling information it was that caused an exception to be created in this case for someone charged with first-degree murder to be let out on bail and to return to his house during the course of the time between now and his trial.

Would the Premier agree with me that in extraordinary cases like this where it's a first-degree murder charge and bail is granted, it is reasonable that the public should have the right to know? You made reference to the publication ban. The public should have the right to know. The neighbours and the people in the community have the right to know the information that led to that somewhat unusual order.

Hon. Mr. McGuinty: Again, I'm sensitive to the fact that a publication ban is in place. I have—as has the Leader of the Opposition—not been made privy to the reasons behind that, to the arguments that were made. I can tell you that the crown did, in fact, oppose bail. This is not a matter in which we intend to jump in and to begin to lend direction to the prosecution of individual criminal trials in the province of Ontario.

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Mr. Tory: I say with respect, Premier, that that's not good enough, in this sense: What I asked you just a moment ago was whether you shared my view that people who live in this neighbourhood, people who go to this school, people who are the next-door neighbours and who use the park that the man's back yard is connected to, that it's reasonable for them to have an explanation as to the circumstances in which this bail was granted. Would you do anything you can, or ask your Attorney General to do anything he can, in order to make sure that the public, the people in this neighbourhood, have the right to that information so they can know why an extraordinary order like this has been made? Will you do that?

Hon. Mr. McGuinty: Again, I think the member opposite is treading on thin ice. I think there is a clear separation between the proceedings in this institution, the institution itself, and our courts, and I respect that distinction. I think it is inappropriate for us to speak about a matter that is presently before the courts.

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

Mr. Tory: The Attorney General is here, I see. I'll ask my question nonetheless of the Premier. I think it is perfectly appropriate because the laws are made in this chamber, and a lot of the programs pursuant to which people are monitored are decided upon in this chamber or by the government. I think it's perfectly appropriate, on behalf of the people in this neighbourhood and indeed on behalf of the people of Ontario, that I should ask this question. My question is—

Hon. Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: I would refer you to standing order 22 (g), "Rules of Debate":

“(g) Refers to any matter that is the subject of a proceeding

“(i) that is pending in a court or before a judge for judicial determination, or

“(ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature,

“where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding.”

I ask you, Mr. Speaker, subject to my reading of standing order 22(g), if in fact this line of questioning is in order.

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr Speaker: The government House leader has raised a point of order, which he is certainly entitled to do during question period. I would first like to ask if you could reset the clock to the time he got up, as is normally the case when the government interrupts question period, as he's perfectly entitled to do. Could I get a ruling on that? Then I'll speak to the main issue.

The Speaker: I'll take the point of order, and I will let the clock continue.

Mr. Baird: Mr Speaker, there's a certain private member's resolution on the order paper as we speak that raises some very serious challenges with respect to your capacity to be able to render decisions. I'd like to raise, as a point of order in response to the government House leader, how long you think it's fair and appropriate to make judgments like that while there is a motion currently on the order paper that questions your capacity to make fair and reasonable decisions. It always has been the case with every Speaker since I have been here that when the government has a point of order—

The Speaker: I am just wondering if the member for Nepean–Carleton is questioning my decision. The member raised a point of order. I have to listen. I don't know how long this point of order would be, and I wanted to rule. You enter a new discussion on this altogether. So it is on that point that I've made it. But are you questioning the fact that I should not rule that way?

Mr. Baird: I'm questioning whether it is appropriate that a motion be on the order paper; whether the Clerk's table would advise you whether it's appropriate that an order be on the order paper which questions your ability to do it—is it fair and reasonable that in an unquestioned, unbelievable ruling, you would allow the clock to roll while the government House leader stands during question period? Every Speaker, going back 25, 50 years in this province, has always stopped the clock.

I will speak to the main issue.

Interjections.

The Speaker: Order. The member's putting a point. I don't want to hear any shouting back and forth. He's put a point and I want to hear it. I'm asking again, are you questioning my ruling on this?

Mr. Baird: I will speak to the main issue, Mr. Speaker, the issue of bail.

With respect to the standing order, with respect to the rules of debate under section 22, as referenced by the government House leader, the issue is no longer before the court. The judge has made his ruling with respect to bail being offered. That is number one.

Number two, the substance of the question by the Leader of the Opposition asked not necessarily about this case specifically, but in cases similar to this, is it fair that individuals living in the vicinity—parents of school children and parents of children in daycare, neighbours, people who would be concerned about community safety in the community of Bolton—would have the right to have information with respect to why a judicial decision would be made?

This decision is not before the courts. The judge has ruled; the case is over. It's time that we get a little bit of accountability from this government on a serious issue with respect to public security.

The Speaker: It seems to me that this matter continues to raise this point of order. I will consider whether or not this extended time—we'd have to extend some more time to question period.

Hon. Mr. Duncan: On a point of order, Mr. Speaker: We would seek unanimous consent to stop the clock and allow this—

The Speaker: The fact is, I have actually stated that I'm considering that, since there are many members who are getting up and debating this point. I will tell, at the end of the time, how much time I will give to this—extended time.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: If I may draw your attention to standing order 23, which was referred to, it very specifically says “in debate,” which clearly indicates that it is not applicable to question period but rather to the course of debate during orders of the day. Question period is separate.

Hon. Greg Sorbara (Minister of Finance): That's a very strange argument.

Mr. Kormos: Read the standing order, sir. Standing order 23 says, “In debate, a member shall be called to order by the Speaker if he or she” etc., etc. Furthermore, the sub judice rule is qualified by the observation in the standing orders, “where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding.”

One, the question put to the Premier and/or Attorney General can in no way prejudice any subsequent proceeding. To suggest that would be to suggest that somehow our provincial judges or superior court judges, who will eventually have carriage of this matter, could be swayed.

Secondly, I concur in the observation that the court that dealt with bail is functus. The decision regarding bail is over. The matter of bail is therefore no longer before the court.

Finally, standing order 23 clearly applies to debate and debate only.

The Speaker: I've listened carefully—

Ms. Marilyn Churley (Toronto–Danforth): I have a new point.

The Speaker: Are you continuing on the same point of order?

Ms. Churley: Before you rule, Mr. Speaker, I would like to make another point that I think hasn't been made—and I'm a little puzzled by your ruling. I've raised in this House—hear me out for just a moment—very similar questions which have not been ruled out of order. The province is responsible for the administration of the bail system, and it can make policies that would prevent more women from being murdered because of domestic violence. I've talked and asked questions on the heels of two women who were murdered by men who were free on bail. I asked specifically about those cases at that time, and it was not ruled out of order. Mr. Speaker, there is no difference. At those times, you did not rule the question out of order, and the question that has been asked today in that context is no different.

1400

The Speaker: Thank you. I want to thank the members for their input and I just want to address the last point. I have not ruled the question out of order. I did not at that time itself. As I said, I listened very carefully to the question being put. Furthermore, I'm not in a position to know all the court cases that are going on today to know what is relevant or not to that case. The fact is that the minister may respond accordingly, whether or not he feels that way. That is the way I would come down on that ruling. The ruling I have, then, is that I don't think the question is out of order and it can proceed in that form. If there are no other comments, and I don't think there needs to be any other comment on that, I will also say that I will roll the clock back to 55 minutes within the time of the question period.

Mr. Tory: I'll ask my second question of the Attorney General. I should say to the Attorney General that I tried, notwithstanding the suggestion to the contrary by the Premier, to handle my question in a businesslike way and I think the way people would expect a question like this to be asked, because it is on the minds of a lot of people, and it's certainly on the minds of the people I met with this morning. I met the neighbours and they have a very genuine concern about the man's rights, the accused's rights, in this case, but so do they have concerns about safety and security in their own neighbourhood.

Will the Attorney General confirm what the Premier said, what I believe him to have said, which is that your offices will not be appealing this bail ruling, and if not, why not?

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): Firstly, everybody can check the transcript; that is not what the Premier said.

There are two matters that are before the courts. One is the bail finding, which can be reviewed to the Chief Justice of Ontario on a bail review. We are working as quickly and as diligently as possible so that we can make

a determination on whether we will be making a bail review. We should be able to—

Interjection.

Hon. Mr. Bryant: The former Attorney General wants me to just do it without having any information before me, and, I'm sorry, I won't do that, sir.

Secondly, obviously on matters of such a serious charge as this, the crown always, always, typically opposes bail in these circumstances. If you are going to ask me, though, to speak to the specific arguments made on the bail hearing, I simply cannot, because they are subject to a publication ban. Mr. Tory may want me to violate the publication ban, but I won't.

Mr. Tory: Again, that was not my question. My question to the Premier and my question now to you is whether you think it is appropriate that members of the public should, in some way or other—and that you might use some efforts within your purview or that of the Parliament of Canada to assist people in having the reasons at their disposal in somewhat extraordinary cases like this, where someone charged with first-degree murder is going to be returned to a neighbourhood that has two schools within a one-minute walk and a park connected to the backyard of the accused person. Do you think it is worth some of your time to find a way in which in cases like this the public can understand undoubtedly what must have been some reasons put before the judge that led him to make the decision? Do you think that would be a worthwhile effort for you to make?

Hon. Mr. Bryant: I would say that if we're going to talk about general reforms to the Criminal Code in order to make our communities safer, I absolutely will be happy to continue to engage in that effort. If you have any specific suggestions, I say to the member opposite, I would be happy to bring them forward to the Minister of Justice.

On the specific case that is before us, bail hearings are subject to a publication ban. I cannot discuss the arguments. We will be able to provide you, within a matter of days, our position as to whether or not we will engage in a bail review to the Chief Justice of Ontario.

In the interim, the effort to interfere with the discretion of a judge, of a crown attorney and of a chief legal officer is inappropriate. Bill Davis would never have picked up the phone and told Roy McMurtry what to do. Dalton McGuinty doesn't do that with me, and I won't take any instructions from Mr. Tory.

Mr. Tory: In fact, my last question was to ask you if you would pick up your own phone and do something about this review. I trust the Attorney General will inform the House at such time as determination has been made as to whether this review will be undertaken or not.

My final supplementary to the Attorney General is this: Since you are willing, and I appreciate that, to take a look at what you might do in this and other areas in terms of better information being made available to the public and to neighbours and schoolchildren and families like this, would you also inform us what changes might have been made to the use of electronic monitoring? It was our

understanding that under the previous government it was put in place only for offenders who were not a risk to society, and it now seems to have been extended to someone, in this case, who is charged with a very serious crime. Can you confirm whether or not there's been a change of policy with respect to the use of electronic monitoring?

Hon. Mr. Bryant: Again, the position, the practice and policy of the crown would not be to support some electronic monitoring in a matter involving a first-degree murder charge. The practice and policy of the crown would be to oppose bail—period. The specifics of the arguments that we made are subject to a publication ban, but the policy that the crown takes in cases involving such a serious charge as this is to do everything we can to protect the public, and we will continue to do that.

FOREST INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Premier, you will know that during the first year of your government the northern Ontario economy lost 6,000 jobs. Over the last few months, I've spent a lot of time meeting with forest industry workers, company managers and municipal leaders in communities where they're very worried that their paper mill, their pulp mill, their sawmill may close, and with it the loss of hundreds, if not thousands, of jobs.

At the same time, they've seen the McGuinty government invest \$500 million in an auto sector investment strategy to sustain jobs, \$125 million a year in the television and movie production industry to sustain jobs, \$400 million in the Windsor Casino to sustain jobs, yet your government seems to have no investment strategy for the north; in fact, your hydro policy is actually killing jobs, because, for example, of the 12% increase in hydro rates. Premier, can you tell me, do you think increasing hydro rates for industry by 12% just this spring will be good for the pulp mill industry, the paper mill industry, the sawmill industry in northern Ontario?

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

Hon. Dwight Duncan (Minister of Energy, Government House Leader): The Premier of Ontario, his northern development minister, his economic development minister and his energy minister have met with every one of those paper mills and with the unions that represent the workers. We are appointing an industrial cogeneration facilitator to help deal with the real problems that are faced by that industry, by that sector, not only in Ontario; I will remind you that it's an industry and sector that's going through challenges all over the world. Electricity is clearly a challenge for them. There is no doubt about that. The softwood lumber issue is a challenge for them. The amount of wood available is a challenge for them. There are a number of challenges that are there.

The Premier has led the effort within our government, in co-operation with all the ministers involved, in

working with those industries. On the electricity side, we've appointed an industrial cogeneration facilitator. That individual will be announced soon. The industry has told us that they believe that will be an important step to help them deal with energy issues they are confronted with on a day-to-day basis.

Mr. Hampton: The Premier would know that in fact many of these companies—Abitibi, for example, is investing in their paper mills in Quebec; they're investing in their paper mills in British Columbia. Tembec is investing in their paper mill in Manitoba. Many of these companies are investing where they have paper mills in the United States. But here in Ontario they have stopped investing, and the reason they have stopped investing is because your government has raised the industrial price for electricity to a point where they believe it will be very difficult to sustain these mills. Now, I asked you, do you think raising the price of electricity for paper mills and pulp mills is a good idea? You didn't seem to answer, but I want to ask you this as well: Since you have an investment strategy to sustain jobs in the auto sector, since you have an investment strategy to sustain jobs in the movie and television sector, since you have an investment strategy to sustain jobs in the Windsor Casino, where is the McGuinty government's investment strategy to sustain jobs in a forest sector that clearly needs some help at this time?

Hon. Mr. Duncan: I'm going to refer that to the Minister of Natural Resources.

1410

Hon. David Ramsay (Minister of Natural Resources): I thank my colleague for the referral.

As the member knows, in November, I established a competitive forest sector minister's council. I have now received the interim report. I needed that before the end of April because of the urgency of the situation. We are going through that right now and I will be making recommendations to cabinet on how to respond.

Mr. Hampton: It's fine for the McGuinty government to do a study, but you had no trouble announcing an investment strategy for the auto sector. You had no trouble announcing a \$400-million investment strategy for the Windsor casino to sustain jobs.

Here we have mills actually closing down. I was in Smooth Rock Falls—more layoffs coming. I was in Terrace Bay—150 people have lost their jobs. Many of these will be younger families, which will ripple through the health care system and the education system. In Dryden, where they've lost over 300 jobs, they have found, for example, that the economic activity has declined by \$21 million, the Ontario Works caseload is up by 40% and usage at the local food bank is up by 30%. This is happening already. There are more mill closures possible in Kenora and Thunder Bay. They're worried in Sault Ste. Marie and Kapuskasing.

I say again to the Premier, where is your investment strategy for forest industry communities when they really need it?

Hon. Mr. Ramsay: I would like to refer the question to the Minister of Northern Development and Mines.

Hon. Rick Bartolucci (Minister of Northern Development and Mines): Let's set the record straight here. Employment in northern Ontario increased from January 2004 to January 2005. Some 4,400 new jobs have been created in the north since January 2005.

Let me compare the record of the NDP government. In northeastern Ontario, the number of people working in the forestry, mining, oil and gas industries plummeted from 27,700 to 21,700 between 1990 and 1995.

Our government has been very aggressive with its northern prosperity plan, a plan that includes northerners in the decision-making. We have been very active with our grow bonds pilot project. We are providing northerners with the tools necessary to ensure that there is sustainable growth in northern Ontario for the first time since 1990.

Mr. Hampton: The Premier might want to read his own economic statement issued at the end of November, which details the loss of 6,000 jobs in northern Ontario.

GOVERNMENT POLICIES

Mr. Howard Hampton (Kenora–Rainy River): My question now is, as we know, tomorrow is April Fool's Day. It's a day when traditionally people play tricks, so I want to reflect on one of this government's more infamous tricks: the \$3.9-billion Enron-style accounting trick. I wonder if the Premier can tell the people of Ontario, exactly what does your government think it was accomplishing by trying a \$3.9-billion accounting trick on the people of Ontario?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I know the Minister of Finance would like to speak to this.

Hon. Greg Sorbara (Minister of Finance): Just to tell the leader of the third party, when we presented our budget in this House back on May 18 of last year, I reported the fact that the deficit would be \$6 billion for the current year but that there was a one-time accounting gain of \$3.9 billion that would be recorded in the year and reduce that deficit to \$2.2 billion.

I said that at the time based on energy policies that were at that time in the process of development. My good friend the Minister of Energy brought that plan to this Parliament through Bill 100 and announcements in February of this year. As a result of the details of that announcement, we revisited how we would record that revenue gain and determined that the more cautious and prudent way of recording that gain would be over the course of 10 years.

Mr. Hampton: The real trick was that the provincial Auditor General caught you in your Enron-style accounting trick and said, "You can't do this." In fact, I want the Minister of Finance to know that people at Enron are going to jail for those kinds of accounting tricks.

I want to ask you about another trick, because as of tomorrow there will be another hydroelectricity rate increase. I want to ask the Premier about his promise where he said that the McGuinty government was going to freeze electricity rates. But as of tomorrow, most people will have experienced a 34% increase in electricity rates since the election. Can the Premier tell the people of Ontario what was in his mind in terms of that little trick?

Hon. Mr. Sorbara: I will refer the matter to the Minister of Energy, who will speak on energy pricing.

Hon. Dwight Duncan (Minister of Energy, Government House Leader): Average Ontarians will not experience a 34% increase in electricity prices. That's just wrong. Go to the OEB and check what the real numbers are.

First of all, that government raised energy prices 40%, so I don't need a lecture from that member about electricity prices. Everything that should have been up when they were in power was down. Generation went down, they cancelled Conawapa, and now they're lecturing this government. Last year, he predicted a 34% price increase. It hasn't come true. Now he's trying to make it a self-fulfilling prophecy.

The fact is that wholesale electricity prices in Ontario are down 19% since we took office. What's different about what we're doing is that we're not trying to mislead people about what the real price of electricity is. They were paying for it on their taxes. That is, people of relatively modest means were subsidizing large consumers. We have taken a—

The Speaker (Hon. Alvin Curling): Final supplementary.

Mr. Hampton: The only thing that's been misleading is a Premier who said he was going to freeze electricity rates, and now we've seen a cumulative increase of 34%.

I want to ask about another trick, and this trick was the promise not to cut health care services. As of tomorrow, hundreds of thousands of Ontarians will lose access to essential physiotherapy treatment. It will no longer be covered by OHIP, just as hundreds of thousands of Ontarians have lost access to chiropractic treatments. They'll have to pay for it out of their own pockets, just as people have to pay out of their own pockets to visit an optometrist. That was quite a trick. Can the Premier tell the people of Ontario what he had in mind with that promise and then those subsequent tricks?

Hon. Mr. Duncan: I'll refer that to the Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I'll take the opportunity that the honourable member presents to remind all members of this House and Ontarians watching from home that this government's investments in health care in fiscal 2004-05 total nearly \$3 billion. That's meant enhanced services across the broadest range of those provided.

With respect specifically to physiotherapy, I was very pleased last week that we were able to announce our physiotherapy program, which includes services for seniors—all those 65 and over, in a variety of circum-

stances—all those aged 19 or under; residents of long-term-care homes, who have heretofore not been receiving appropriate levels of care; people of all ages needing short-term access to physiotherapy in their home or through a community care access centre; people of all ages requiring physiotherapy after overnight hospitalization; and people of all ages receiving physiotherapy who are recipients of the Ontario disability support program, Ontario Works and family benefits.

This is further evidence that this government is putting the money of the people of Ontario where they want to see services; that is, restoring the essential services, including health care—\$2.9 billion in new money.

1420

PUBLIC SAFETY

Mr. Garfield Dunlop (Simcoe North): My question is for the Minister of Community Safety and Correctional Services. Ontario's electronic surveillance program was designed to deal with low-risk offenders. Can you tell us, given the court's order to electronically monitor someone charged with first-degree murder, when the program was expanded to include high-risk offenders?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): The issuance of electronic surveillance equipment is determined by the parole board. This person is not on parole—this person is out on bail—and as a result, my ministry has no input or influence on what happens in that situation.

Mr. Dunlop: This sounds like an automatic grounds for an appeal: a court attempting to force expansion of a program designed around public safety and accurate assessment. How can you allow this to happen? Will you encourage your Premier and your Attorney General to ensure that the bail condition is revoked in this particular case?

Hon. Mr. Kwinter: As I said before, this is a decision of the courts. There is a publication ban on it. It is not my role to interfere with that at this stage. We have protocols for dealing with it, and this particular instance does not fit within that protocol.

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

Ms. Marilyn Churley (Toronto–Danforth): I have a question to the Premier. A man who is being charged with first-degree murder will be released on bail. He has been charged with murdering his wife in broad daylight, and people across Ontario are outraged that, a few short months after this hideous crime, the accused will be allowed to return home. When a man accused of such a horrific crime is let out of jail on bail, women in this province are left wondering whether the justice system works for them at all.

Premier, I ask you, what kind of message do you think this sends to abused women today across Ontario?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): For reasons already given, I'm not going to get into the details of this, because we are

prohibited to do so, and it would be inappropriate to do so. Let me speak to the generalities.

Under our government's domestic violence action plan, we are making real and concrete efforts to strengthen the justice system. Currently, here are some of the things we are doing:

Assessing restraining orders and enforcement of breaches: The Ministry of the Attorney General is developing standardized provisions for restraining orders to provide consistency of practice across the province.

As well, we are running pilot tests of the Ontario domestic assault risk assessment tool. These began in January of this year in North Bay and Ottawa. Police, crown attorneys and others in the justice system are using the ODARA tool to identify and better assess risk in abusive situations.

Ms. Churley: Well, Premier, that is the key, isn't it? A pilot project.

One year ago today, the coroner released his domestic violence death review committee report, which talked about what needs to be done to prevent violence against women. The report's anniversary is not being marked with some follow-through on the recommendations it made. Instead, a man who has been charged with killing his wife outside her place of work will be let out of jail on bail.

Recently, in February, we saw, within a span of a week and a half, two women in the GTA killed by men who were instructed not to contact them. These incidents reflect a system that is indifferent to violence against women and that is putting women unnecessarily at risk.

Last year at this time, the coroner advised you on how to overhaul the bail system so women are protected from violence.

I ask you, Premier: A pilot project is not good enough. Will you announce today that you will immediately implement all of the coroner's recommendations so that this kind of thing doesn't happen in Ontario ever again?

Hon. Mr. McGuinty: The justice system of which the member is so obviously very critical is one that she and her government helped lend shape to, as did the subsequent Tory government. We believe that there are some real issues in this matter. I've outlined some of the steps that we have taken thus far.

I'm also proud to report that the very first federal-provincial-territorial meeting to contend specifically with justice and women's issues is going to be sponsored by our government this spring. It's going to be chaired by our minister responsible for women's issues, Sandra Pupatello, and that, I think, lends some insight into the steps that we are taking to raise the profile of this issue and to ensure that women and children who find themselves victimized by these kinds of crimes are awarded the appropriate protections that they deserve.

FOREST INDUSTRY

Mr. Michael Gravelle (Thunder Bay–Superior North): My question is to the Minister of Natural

Resources. As you know, earlier this month Neenah Paper in Terrace Bay announced the closure of their No. 1 mill, which will result in the loss of over 130 jobs, obviously a huge blow to the families affected by the layoffs and certainly bad news for the communities of Terrace Bay and Schreiber. I'm grateful that earlier today, you and Northern Development Minister Bartolucci could meet with Terrace Bay mayor Mike King and Schreiber mayor Don McArthur to discuss this challenging situation; in fact, I'm glad to greet mayors McArthur and King, who are here in the Legislature today.

While it's difficult to provide reassurances to the communities at a time like this, I know we are hopeful that the province will be working closely with the company to maintain, if not enhance, the mill as they focus on stabilizing their remaining operation. That being the case, can you give us some assurance that you are working closely with the company to ensure that their remaining operations are viable now and into the future?

Hon. David Ramsay (Minister of Natural Resources): I thank the member very much for his hard work on behalf of his communities, and we are obviously saddened when we hear of any job loss in any sector of the economy. I was able to say to the mayors today, about my meeting three weeks ago with the company and from their officials from head office in Atlanta, that I gave some ideas to the company on how I thought they could have more efficient forestry operations that, in turn, would start to lower their delivered wood cost, which I know is a challenge to their operations. We went on to speak about the future investments the company could make there. I think there is going to be a bright future for the two communities with Neenah Paper, and I think we will be able to sustain the 720 jobs in the mill and in the woodlands from here on in.

Mr. Gravelle: I'm certainly encouraged by your optimism regarding the No. 2 machine at Neenah specifically, and I think I can probably safely include mayors McArthur and King in their reaction to that as well. Having said that, there are many other challenges facing the communities as a result of these major job losses that are taking place, challenges we need to work on over the short and long term. While I appreciate that there are other ministries that may be involved in helping us meet these challenges, is there any provincial assistance you could point toward that might soften the blow of these job losses?

Hon. Mr. Ramsay: It's interesting to note—we have all been going over the release of this new program, the Ontario municipal partnership fund, which my colleague, Minister Sorbara, announced today. Particularly, it is targeted to rural and northern communities to help them with the deficiencies they have in taxing—the lower assessment bases they have—and especially addressing situations that Terrace Bay and Schreiber have. It's certainly good news for those communities. This program targets funding for social programs and policing costs for small northern and rural communities in recog-

inition of these challenges. The McGuinty government recognizes that northern Ontario faces different obstacles than southern Ontario, and we are making sure these differences are addressed. By taking this very proactive approach, we are working to strengthen these local communities and bring a prosperous future for northern Ontario.

GREENBELT

Mr. Tim Hudak (Erie—Lincoln): A question to the Premier: Will you release the list of individuals that you or your political staff met with concerning the greenbelt since December 16, 2003?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I know this member has dedicated himself to tearing apart the greenbelt. He has never agreed with our plan and, indeed, our delivering on unprecedented legislation that protects 1.8 million acres in perpetuity.

Now there is a particular developer—Mr. DeGasperis—who is very unhappy that we will not take his land out of the greenbelt. What I would like to hear from this member is an unconditional commitment on his part that under no circumstances will that developer's land be taken out of the greenbelt.

Mr. Hudak: Premier, you do everything possible to avoid answering the most simple questions about who you met with, what developers you met with, what lobbyists or developers you met with, and I do object to your greenbelt plan when it has the appearance of selling exemptions for political fundraising, as appears to have happened with a \$15-million windfall for one developer who was at your soiree at \$10,000 per person. In your greenbelt plan, some landowners are more equal than others. Landowners who have Liberal connections get exemptions, while farmers like Thomas Kugler, who is trying to grow grapes in Niagara-on-the-Lake, are getting stonewalled by the Ministry of Municipal Affairs and Housing. Your own minister had a value judgment that it was improper to meet with developers, and you violated that value judgment Lord knows how many times.

Premier, come clean. Just answer me yes or no. Are you going to release a list of the developers, the lobbyists and the individuals you or your staff met with on the greenbelt?

1430

Hon. Mr. McGuinty: This member is against the greenbelt, pure and simple. I think that's pretty direct. You've got to ask yourself what could be motivating him in this matter. I know there is a reception being held for John Tory on Tuesday, April 5. It's by special invitation only. There is an organizing committee. One of the individuals on the organizing committee is Carlo DeGasperis, brother of Silvio DeGasperis, partner in the development firm.

So again I say to the member opposite and Ontarians at large that we are not taking Mr. DeGasperis's land out of the greenbelt. I want to know, on behalf of the people

of Ontario, whether this member or this leader is prepared to make the very same commitment that that land belongs in and shall stay in the greenbelt.

Mr. John R. Baird (Nepean–Carleton): On a point of order, Mr. Speaker: If I may, you had ruled the other day that you couldn't pound on your desk. Have you changed that ruling when it comes to Liberal members, sir?

The Speaker (Hon. Alvin Curling): I will rule as I see it. I don't think it's a point of order.

New question.

AFFORDABLE HOUSING

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Public Infrastructure Renewal. Last week the federal government made it very easy for you to get at \$250 million in federal funding for affordable housing, absolutely easy. That money has been sitting in a vault in a bank in Ottawa since 2002, and it can now be used not only for housing but for other things such as rent supplements. Put bluntly, your government should be ashamed of itself for having done nothing. At a time when hundred of thousands of Ontarians are in need of affordable housing, your government has consistently refused to honour its obligation under the 2002 accord to match federal dollars. As a result, almost no affordable housing is being built in this province, and the federal money remains unspent.

Mr. Minister, will you do the right thing for hundreds of thousands of Ontarians and match the federal housing funds immediately, and finally do something about the crisis that so many Ontario families are facing?

Hon. David Caplan (Minister of Public Infrastructure Renewal): I'm delighted to answer the question. Quite contrary to what the member has just presented to the House, the facts are quite a bit different. In fact, since October 2003, our government has supported funding and announced funding. We've had shovels go into the ground for over 3,400 units of affordable housing in the province. That is the single largest housing expansion for affordable housing in over a decade.

Unlike the approach taken by the NDP government, heavily criticized by the Provincial Auditor, we have brought considerable dollars; we have engaged the stakeholders; we have worked with our municipal partners. In fact, I had the opportunity to attend, with Mayor David Miller and former federal minister of housing Andy Scott, to announce that kind of expansion.

It is an exciting time in the province of Ontario. I look forward to much more, and I look forward to answering more in the supplementary.

Mr. Prue: Let me remind you of just some of the promises that your government made during the 2003 election. You promised not 3,000 but 20,000 new housing units for needy families. You promised a housing allowance for low-income people directed to 35,000 families. You promised 6,600 units of new supportive housing. Almost none of that has come to pass in your

first 18 months in office. You were supposed to be able to do this by matching federal funds under the 2002 agreement. Now the federal government is making it easy for you, and we have suggestions from the Premier that you may not be going along with it. What I want to know is, and I'll ask you again, are you going to honour your commitment to match federal housing funds as you promised in the last election, or is this to be just another Liberal McGuinty broken promise?

Hon. Mr. Caplan: We have made significant strides. Some 3,400 units of affordable housing is no mean feat and is, in fact, the single largest housing expansion in over a decade, and there is more to come.

As we indicated in our budget of May 18—unfortunately, not supported by the member opposite—some \$85 million was dedicated to support affordable housing. Of course, some of that was federal dollars and some was provincial. As we have worked with the federal government, we are putting much of their funding up front.

We are in the advanced stage of doing our capital planning for future years in the province of Ontario, and I very much look forward to the finance minister presenting our budget outlining the hospital projects, the affordable housing projects, the education capital funding, post-secondary, transportation and the like. I look forward to also engaging the federal government and working in partnership with them as we have so far in delivering 3,400 units, delivering a rent bank, and delivering second-stage housing. It is good news in the province of Ontario that a Dalton McGuinty government is, in fact, being very focused and delivering on this commitment.

OMA AGREEMENT

Ms. Deborah Matthews (London North Centre): My question is for the Minister of Health and Long-Term Care. We were all pleased yesterday when Ontario's doctors overwhelmingly supported the deal with the Ontario Medical Association. This agreement will help to transform the health care system and enhance patient care in this province. We appreciate that you are able to keep, and in some cases enhance, the incentives in the original agreement that made it so gutsy and groundbreaking.

Minister, will you take a few moments, please, to remind the people in this House and across the province why this agreement benefits the people of Ontario?

Hon. George Smitherman (Minister of Health and Long-Term Care): I'd like to repeat what the honourable member said, which is that all of the key programs we negotiated in the first tentative agreement were retained in the subsequent agreement and many were made a great deal better. Primary amongst those is the elimination of billing thresholds, which have been a particular challenge for patients wanting to see our ophthalmologists, cardiologists, internal medicine specialists, specialist GPs and radiologists.

In addition, I could highlight a few of the benefits that Ontarians will see, and quite soon too: a premium for care for our seniors, which has been a particular chal-

lenge, coming into force in October 2005; a new house call fee and telephone consultation fee for palliative care, coming into effect in October 2005; a chronic disease management incentive to help manage diabetes, a very significant challenge in our health care system, coming into effect in April 2006; and work that's important to help patients prevent disease in the very first place, coming into effect in April 2006: new smoking cessation counselling incentives and colorectal screening and self-care counselling incentives—all part of our package designed to keep people healthier in the first place.

Ms. Matthews: Minister, over the past 12 years we have seen the number of people who do not have access to a family doctor soar to a million, caused in the most part by cuts in medical school spots by the NDP and compounded by the inaction of the Conservative government when they were in power. In fact, during the time the Progressive Conservative Party was in office, we saw the number of underserved areas in this province balloon from 60 to 142.

People in all parts of the province need to have access to a family doctor. We know that increased access to family doctors strengthens primary care and results in reduced visits to emergency rooms. What does this agreement do to attract doctors to underserved and rural areas?

Hon. Mr. Smitherman: It is true what the honourable member said, that it's the cruel legacy of those two parties while in government that communities across Ontario have been left without access to these crucial doctors. Apart from the incentive to join and to practise in interdisciplinary family health teams, we have an expansion of alternative payment plans, which helps to provide stable income that's not sensitive to volumes. That's particularly important in rural and northern communities. We have new funding for a northern specialist alternative funding plan. This is also very important as the northern Ontario medical school comes to life this September to assist with the clinical roles, and for the first time ever, a rurality gradient incentive, which really is designed to recognize that not all underserved communities are the same in the sense that some have access to much greater services in places like hospitals.

I think it's well said by Ingrid Parkes, a Kenora municipal councillor and part of the NOW Alliance, that the tentative agreement is helpful and targeted at northern, rural and remote practice.

1440

ADOPTION DISCLOSURE

Mr. Cameron Jackson (Burlington): My question is to the Minister of Community and Social Services. On Tuesday of this week, you tabled Bill 183 and employed the seldom-used tactic in this House of suggesting that the presence of representatives of the privacy commissioner's office, coupled with your assertions of the chief commissioner's interventions, have made Bill 183 a better bill. This unfortunate tactic does nothing to help

the broader community of Ontarians to understand this important bill. The truth is that the privacy commissioner has very serious concerns about the potential harm to thousands and thousands of Ontario residents—in fact, birth parents—whose rights are not protected in this legislation.

My question, Minister, is, why did you so clearly reject the sound legal advice from this province's highest authority on protecting the privacy rights of its citizens?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I think it's important to note that what this government did on Tuesday in this House is introduce legislation that really is the best of its kind in the world. We are proud of a piece of legislation that has come forward, just as a proposed bill right now. We acknowledge that there will be very thoughtful consideration as it goes to hearings. We anticipate hearing from as many people as widely as we can, in a fairly succinct manner, so that we can bring the bill back in the House for second and third reading and passage of the bill. That's what we hope will happen.

Every time a bill is introduced in the House there will always be issues. This is a very difficult issue. That's why this has taken so many years to come forward, because it is very complicated. What I will tell the member opposite is this: When we began 18 months ago as a government, we had a notion of what this bill might be. Thanks to the intervention of the privacy commissioner, we were able to change what we thought would work well for everyone who is involved in adoption, the adopted children as well as birth parents.

Mr. Jackson: I'll set aside the notion—I don't think this tactic of conveying this as a best practice is fair, given the facts that surround this legislation. The truth can be found on the Information and Privacy Commissioner's own Web site, which says, "BC, Alberta and Newfoundland are the only three provinces where adoption legislation is applied retroactively, but even here, each of these provinces provides for disclosure vetoes for earlier adoptions—exactly what Commissioner Cavoukian is proposing that Ontario do. Nowhere in Canada are the rights of birth parents completely ignored."

My question to the minister is simply this: Why is it that you and your cabinet believe that the protections for birth mothers deemed absolutely necessary, culturally, 80 years ago are no longer necessary for some cultural groups who hold those cultural values and risks of cultural reprisals just as highly today in Ontario?

Hon. Ms. Pupatello: I hope I can start my answer with a question to the member opposite. I need to know where this individual is going to be on this bill. I need to know if the individual opposite is going to be in favour of opening adoption records for individuals who have waited since 1927 to understand what the United Nations conference on the child has said. They have said very clearly that children have a right to know who they are, where they come from. They have a right to this. We are very firmly standing on the rights of individuals to know

who they are and where they come from. We have made no bones about this.

I will say as well that we are very firmly on the side of retroactivity. We are talking about people who since 1927 have not had that opportunity. I appreciate that others want to do something that's quite easy and just go on a go-forward basis; I don't agree with that.

To the member opposite, I want to know, will you support the bill that was tabled in this House?

CHILDREN WITH SPECIAL NEEDS

Ms. Shelley Martel (Nickel Belt): I have a question for the Minister of Children and Youth Services. Cynthia Cameron of London is in the gallery today. Her 14-year-old son, Jesse, suffered brain injury at birth, is hyperactive, has seizure disorders and severe autism. He's been on a waiting list for residential treatment in the London area since May 2002. In July 2004, when they could no longer care for Jesse at home, his parents were forced to give up temporary care of Jesse to the Children's Aid Society of London and Middlesex in order to get him the group home placement he needs. He is now in residential care in Barrie. The temporary care agreement with the CAS ends on August 17. If Jesse isn't placed in London by then, his parents will be forced to give up custody altogether, just to ensure he will get the residential care he needs.

Minister, your office is well aware of this case. Will you enter into a special-needs agreement with Cynthia Cameron and her family so they don't have to give up custody of Jesse just to get the care he needs?

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): The family situation has indeed been brought to my attention and the mother's member of provincial Parliament, the Minister of Labour, has also talked to me about this situation.

In the first year of our government, I went across the province and listened to parents who had tragic stories, listened to agencies that did not have enough resources to treat children. That is why we invested, in the very first year, \$74 million more for children's mental health and special-needs services. We are building a system for the first time, a system that in the past was a patchwork of excellence but not an integrated system. Unfortunately, these things take time. I know that even waiting an extra day, never mind an extra year, is a lifetime for a family with special-needs children. I know this from my background. We are doing the best we can, and in my supplementary, I can continue with the specific situation.

Ms. Martel: The question was about this specific family, because your ministry has specifically been asked to enter into a special-needs agreement with this family. Your regional office has given no commitment to Cynthia that that indeed will be done. No family in Ontario should have to give up custody of their child just to get the special services that child needs, but that is the

very situation that is facing Cynthia Cameron if a placement is not found for her son in London by August. This is not a protection issue. That is not why this child went into care. The parents were forced to give temporary custody because they could no longer care for Jesse at home and he desperately needed a residential placement.

Cynthia Cameron needs your help now. She needs you to enter into a special agreement so she can get the care for Jesse that he needs and so she doesn't have to give up custody of her son to do that. I ask you again, Minister, because you are aware of this situation and we have had no guarantee from your ministry that this will happen, will you commit today that you will enter into a special-needs agreement with Cynthia Cameron so that Jesse can get the care he needs and she won't have to give up custody in order to do that?

Hon. Mrs. Bountrogianni: I thank the member and I agree with the member that no family in this province, in this day and age, should have to consider giving up their child to get the help. I do agree. That is why we are working very hard to develop a system of children's services for special-needs children across the province. What I have done as a result of this and other situations that have been brought to my attention, specifically on these types of issues, is to ask the regional office in London, as well as the regional offices across the province, to get the community planning tables that had just met and just gave some innovative programming ideas, which we funded, back together again to look at these specific situations as quickly as possible, because no child should have to wait on a waiting list and no parent should have to give up their child to get help.

MUNICIPAL FINANCES

FINANCES MUNICIPALES

Ms. Monique M. Smith (Nipissing): My question is for the Minister of Finance. Earlier, the Minister of Natural Resources referred to the introduction of the Ontario municipal partnership fund. This fund will replace the old, broken CRF with a new, fairer model for our municipalities. This is good news for Nipissing. In Nipissing, the township of Bonfield will receive a 12% increase under this new program and the town of Callander will receive a 23% increase. The city of North Bay will see a \$2.5-million investment in transition and reconciliation funding this year. This is good news because most municipalities will receive more funding under OMPF and they will also benefit from a new model that is clear and transparent. We are providing what municipalities have been asking for in the context of our government's own fiscal challenges. Minister, could you outline for the House how this new program is going to benefit northern and rural communities?

1450

Hon. Greg Sorbara (Minister of Finance): This is not only a good day for the riding of Nipissing and northern and rural Ontario; it's a good day for the entire province. I can't tell you how pleased I am that on this, the last day of the province's financial year, we are able to announce the scrapping of the old, broken community reinvestment fund and that it's going to be replaced today with the new Ontario municipal partnership fund. The fund has four components. I want to answer my friend from Nipissing and tell her that this new fund has a special component to deal with the unique requirements of municipalities in northern Ontario and in rural Ontario. It's a fund that is more equitable right across Ontario, and especially in the north.

The Speaker (Hon. Alvin Curling): Supplementary?

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): Monsieur le ministre, le gouvernement McGuinty a fait une annonce très importante aujourd'hui pour les municipalités de l'Ontario pour remédier au délestage ainsi que réparer les pots cassés causés par les conservateurs.

Dans ma région, les municipalités d'Alfred-Plantagenet, Champlain, Glengarry-Nord, Hawesbury et Hawesbury-Est ont de quoi célébrer aujourd'hui : ils toucheront l'augmentation d'au-delà de 1,1\$ million de nouvel argent. Quelle excellente nouvelle.

Today's announcement is great news for eastern Ontario municipalities. During the ROMA-Good Roads conference, the eastern Ontario wardens' caucus, which represents 13 counties, requested that the McGuinty government reconcile the 2003-04 cost-sharing program. Minister, can you tell us if the Ontario municipal partnership fund meets the wardens' request?

L'hon. M. Sorbara: Il est très vrai, je dis à mon ami de Glengarry-Prescott-Russell, que les maires dans l'est de l'Ontario ont fait certaines demandes très importantes. Je suis très heureux d'annoncer aujourd'hui que nous ferons un rapprochement complet des exercices pour 2004-2005.

I am very pleased that in the new Ontario municipal partnership fund we are doing a reconciliation of all the accounts of 2003-04. It's something that was asked for, particularly by wardens in eastern Ontario whose financial circumstances are very, very constrained. I'm pleased that this new fund will be of particular benefit to those wardens and those municipalities.

INSTALLATIONS SCOLAIRES

M. John R. Baird (Nepean-Carleton): Ma question s'adresse à la ministre déléguée aux Affaires francophones. Je voudrais vous poser une question sur une école dans la région d'Ottawa; les étudiants ont besoin d'une nouvelle école. Votre ministre de l'Éducation, l'honorable Gerard Kennedy, a visité l'école secondaire Desjardins il y a beaucoup de mois. Je voudrais vous demander aujourd'hui, le dernier jour de l'année fiscale,

est-ce que vous avez une meilleure école? Est-ce que vous avez, comme ministre déléguée aux Affaires francophones, une solution aujourd'hui? L'école où ces étudiants doivent aller chaque jour n'est pas acceptable. Est-ce que c'est acceptable dans votre Ontario?

L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones): Oui—l'école Deslauriers. Je suis très au courant de l'école Deslauriers. C'est un problème. Ils ont besoin de plus grands espaces parce que l'école Deslauriers est victime de son succès. On est passé de 200 à 400 ou 600 étudiants. Alors, on a besoin de plus grands espaces.

Je dois dire que le ministre de l'Éducation a travaillé très près—je dois le féliciter—avec la communauté et avec les parents de cette école pour les assurer d'avoir les espaces dont ils ont besoin.

En supplémentaire, je vais référer la question au ministre de l'Éducation, qui va pouvoir vous donner les détails.

Mr. Baird: Madame, les citoyens de la grande ville d'Ottawa ne prennent pas votre travail d'une façon sérieuse. C'est bien que vous en soyez très au courant, c'est bien sûr très bien que vous ayez travaillé très fort, mais est-ce que vous avez une solution? Le ministre a fait une promesse à ces jeunes élèves d'Ottawa d'avoir une nouvelle et plus grande école acceptable. Les personnes de cette ville regardent votre promesse d'avoir un statut bilingue pour la grande ville d'Ottawa—une promesse brisée. Votre promesse d'avoir plus d'argent pour TFO—une promesse brisée. Il y a beaucoup de promesses pour les francophones de cette province mais pas d'actions. Dans votre poste comme ministre déléguée aux Affaires francophones, est-ce que vous pouvez dire que vous souhaitez avoir une solution bientôt à ce problème très sérieux dans la région d'Ottawa?

L'hon. M^{me} Meilleur: Je vais référer la question au ministre de l'Éducation, qui va répondre.

L'hon. Gerard Kennedy (ministre de l'Éducation): Il est incroyable d'avoir cette question d'un gouvernement qui ne reconnaît pas les besoins des personnes francophones de l'Ontario. Pour la première fois, il y a une reconnaissance dans la subvention de l'éducation. Pour la première fois, il y a 30 \$ millions pour garantir le même traitement égal, le même avenir heureux pour les élèves francophones de cette province. Pour les élèves, pour les parents et pour la communauté de Deslauriers, il y a une solution. Il y a maintenant une discussion entre les autres conseils scolaires et, absolument, on verra aujourd'hui ou cette semaine qu'il y aura une solution définitive, et aussi une solution générale, un avenir si clair pour les francophones et les anglophones de l'Ontario, uniquement sous le leadership—

The Speaker: Thank you. That brings us to the end of question period.

PETITIONS

1500

FREDERICK BANTING HOMESTEAD

Mr. Jim Wilson (Simcoe–Grey): I have a petition addressed to the Legislative Assembly of Ontario.

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

“Whereas this great Canadian’s original homestead located in the town of New Tecumseth”—Alliston—“is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

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

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

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

I agree with this petition. I’ve signed it, and I want to thank the good people at the Nottawasaga Inn just east of Alliston for circulating this petition.

OPTOMETRISTS

Ms. Shelley Martel (Nickel Belt): I have a petition signed by hundreds of residents of Sudbury and area that reads as follows:

“Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists expired March 31, 2000; and

“Whereas the optometric fees for OHIP services remains unchanged since 1989; and

“Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

“Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists, in that they no longer cover the costs of providing eye exams; and

“Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care they need;

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

“That the Ministry of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario.”

I agree with the petitioners and I’ve affixed my signature to this.

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I keep getting petitions regarding the GO Transit replacement and the bridge on St. Clair Avenue West. It reads as follows:

“To the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation:

“Whereas GO Transit is presently planning a tunnel in an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing; and

“Whereas the TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair Avenue and Old Weston Road bridge; and

“Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way, since it will have only one lane of traffic; (2) it is not safe for pedestrians (it’s about 50 metres long). It’s dark and slopes on both the east and west sides creating high banks for 300 metres; and (3) it creates a divide, a no man’s land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

“Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under” the “St. Clair Avenue West” bridge “—thus eliminating this eyesore ... with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow.”

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

CHIROPRACTIC SERVICES

Mr. Jim Flaherty (Whitby–Ajax): I have a petition about support for chiropractic services in the Ontario health insurance plan.

“To: Legislative Assembly of Ontario

“Re: Support for chiropractic services in Ontario health insurance plan

“Whereas,

“Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments” of hospitals;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

ANAPHYLACTIC SHOCK

Mr. Bob Delaney (Mississauga West): I have a petition to the Ontario Legislative Assembly. It reads as follows:

“Whereas there are no established Ontario-wide standards to deal with anaphylaxis in Ontario schools; and

“Whereas there is no specific comment regarding anaphylaxis in the Ontario 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 Ontario schools, be it therefore resolved....

“That the government of Ontario support the swift passage of Bill 3, An Act to protect anaphylactic students, that requires that every school principal in Ontario establish a school anaphylactic plan.”

This petition is signed by a number of homeowners on Harvey Crescent in Mississauga. I’m pleased to affix my signature in agreement with them.

VOLUNTEER FIREFIGHTERS

Mr. Ted Arnott (Waterloo–Wellington): I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

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

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

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

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

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

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to pass it into law or introduce similar legislation that pro-

pects the right of firefighters to volunteer in their home communities on their own free time.”

This is signed by a number of the delegates to the ROMA-Good Roads convention about a month and a half ago, and I’ve affixed my signature as well to express my support.

REFUNDABLE CONTAINERS

Mr. Tony Ruprecht (Davenport): I have a petition to the Parliament of Ontario and the Minister of the Environment. It reads as follows:

“Whereas we find lots of pop cans and beer bottles in our parks plus children’s playgrounds;

“Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

“Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

“Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill every year instead of recycling them;

“Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

“Therefore, we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment.”

Since I agree, I am delighted to put my signature to it.

PHYSIOTHERAPY SERVICES

Mr. Frank Klees (Oak Ridges): I am pleased to present this petition, which was forwarded to me by a former colleague, the Reverend Canon Derwyn Shea, who as you know is chairman and chief executive officer of St. Hilda’s Towers. The petition was signed by residents of St. Hilda’s, and it reads as follows:

“Whereas the current Liberal government of Ontario has indicated its intention to delist physiotherapy services for most seniors; and

“Whereas most residents living in our assisted residential care facility rely upon physiotherapy services for quality of life; and

“Whereas most residents of our assisted residential care facility survive on very modest monthly income and many require subsidized accommodation and cannot afford to privately pay for physiotherapy services; and

“Whereas the delisting of physiotherapy services for seniors will result in increased strain on Ontario’s health care system and budget and will contribute to deteriorating health conditions and quality of life for seniors and will be viewed as breaking a promise not to reduce universal access to health care; and

“Whereas the care and support of the most vulnerable in our society is surely a social contract of the highest

priority for any government with vision and integrity; and

“Whereas it appears to be the intention of the current government of Ontario to turn its back on the needs of our aging citizens in the delisting of physiotherapy services;

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

“That the Parliament of Ontario not delist physiotherapy services for the Ontario health insurance plan and that funding for such services not be reduced.”

I want to thank the residents of St. Hilda's for bringing this petition forward, and I'm pleased to add my signature to it.

STUDENT SAFETY

Mr. Jim Flaherty (Whitby–Ajax): I have a petition to the Legislature of Ontario.

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

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

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

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

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

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.”

I'm pleased to sign my name to this.

1510

CHIROPRACTIC SERVICES

Mr. Frank Klees (Oak Ridges): I'm pleased to read into the record this petition, which relates to chiropractic services in Ontario and has not been addressed by this government. The petition reads as follows:

“Re: Support for chiropractic services in Ontario health insurance plan:

“Whereas,

“Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

“Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

“Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment at a cost to government of over \$200 million in other health care costs; and

“There was no consultation with the public on the decision to delist chiropractic services;

“We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province.”

I'm pleased to add my signature to this petition, and I trust that the Minister of Finance and the Premier are listening.

BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal): On a point of order, Mr. Speaker: I rise pursuant to standing order 55 to give the Legislature the business of the House for next week.

On Monday, April 4, in the afternoon, Bill 155; in the evening, Bill 92.

On Tuesday, April 5, in the afternoon, Bill 144; in the evening, Bill 128.

On Wednesday, April 6, in the afternoon, Bill 155; in the evening, Bill 92.

On Thursday, April 7, in the afternoon, Bill 128.

ORDERS OF THE DAY

LAW ENFORCEMENT AND FORFEITED PROPERTY MANAGEMENT STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE L'EXÉCUTION DE LA LOI ET L'ADMINISTRATION DES BIENS CONFISQUÉS

Mr Kwinter moved second reading of the following bill:

Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities / Projet de loi 128, Loi modifiant diverses lois en ce qui concerne les pouvoirs d'exécution, les pénalités et l'administration des biens confisqués ou pouvant être confisqués au profit de la Couronne du chef de l'Ontario par suite d'activités de crime organisé et de culture de marijuana ainsi que d'autres activités illégales.

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes the minister.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): Mr. Speaker, I'll be sharing my time this afternoon with my parliamentary assistant, Ms. Sandals.

It gives me great pleasure to rise today to support second reading of important legislation that will help combat marijuana grow operations. Marijuana remains the most widely used illicit drug in Canada, and as a result of the profitability and relatively low penalties involved, marijuana growing has become a thriving provincial industry.

For some time there have been calls for government action to address the proliferation of indoor marijuana grow operations. The McGuinty government understands that grow-ops are a big problem and pose a safety risk to communities and to those whose job it is to keep our communities safe. We are serious about tackling grow-ops and we will continue to work with the police and others to achieve this goal.

Grow-ops are complex operations, and the solutions for removing them from our communities are also complex. So let me make it clear: The legislation we are considering today is not the be-all and end-all of the government's response to this problem. It is just the beginning, a good first step, toward putting these operators out of business and making our communities safer. We are actively looking at our options for our next steps in our fight against grow-ops. We are focusing on giving police, municipalities and others the tools they need to find and shut down grow-ops.

The policing community supports this legislation. In fact, we have a number of policing representatives here

with us today whom I'd like to recognize. Please welcome Rick Houston of the Police Association of Ontario; Walter Tomasik and Bob Welsh of the Ontario Police Association; representing the Ontario Association of Chiefs of Police, Ken Cenzura; and, from the Toronto Police Service, Dan Hayes.

Municipalities are supportive of government action on grow-ops. Roger Anderson, the president of the Association of Municipalities of Ontario, which represents more than 400 communities province-wide, wrote to me in a letter last October. In it he said:

"AMO does support the need to combat this very serious problem that is undermining the safety of Ontario communities.... We need to see more prosecutions and convictions if we are to see a clear message sent that grow-ops are not tolerated in Ontario's communities.

"Again, we appreciate the government's desire to try to give us new authority and tools. I look forward to working with you on implementing these very important proposals."

We are doing more than other provinces to combat grow-ops in Ontario. We are doing more than the previous government to tackle the proliferation of grow-ops in Ontario. The previous government was in power for eight years but failed to introduce government legislation such as the bill that we will be considering today.

This government is tough on crime and tough on the causes of crime. This legislation is just the first step in a comprehensive provincial strategy to address the explosive growth of indoor marijuana grow operations that threaten the safety of residential neighbourhoods.

By working with our partners—the police, local municipalities, electrical utilities, fire prevention officials and the private sector—we are taking action against marijuana grow operations in a sustained and coordinated way.

This is first and foremost about safeguarding neighbourhoods against serious fire and health risks that come with grow-ops. These operations often run out of homes and buildings in residential areas and place residents and neighbourhoods alike, including children and their families, at serious risk of death or illness from fire hazards, toxins and chemical waste.

This is about protecting the economy. Grow operations have cost the province hundreds of millions of dollars over the last three years.

This is about protecting the vulnerable. These operations prey on the most vulnerable members of society. Recent immigrants are often conscripted to babysit marijuana crops to pay off immigration and other debts.

This legislation, if passed, is just the first step in the provincial strategy, a strategy that will help create stronger and safer communities for all Ontario residents. Marijuana grow-ops are a blight on our neighbourhoods. Marijuana grow-ops are a problem we all share, and they are a problem we must all work together to solve.

This legislation, if passed, would:

(1) Allow an electricity distributor to disconnect hydro without notice for emergency, safety or system reliability reasons;

(2) Require building inspectors of all homes that police confirm contained a grow-op. If municipal officials deem the property unsafe, they are required to issue orders for repair. This would protect people from purchasing a property that would require thousands of dollars of repairs;

(3) Double the maximum penalties under the Fire Protection and Prevention Act, 1997, for any contravention such as tampering with wiring that would cause excessive heating that would lead to a fire, something commonly done in grow-ops; and

(4) Set up a special-purpose account so that the proceeds of grow-ops and other criminal activities such as real estate, vehicles and other equipment can be spent on enforcement and crime prevention.

This legislation is about public safety, consumer protection and ensuring that the proceeds of crime go toward law enforcement, crime prevention and victim compensation.

It provides for setting up a special-purpose account to receive the proceeds from crime, such as grow-ops, and to direct them to one of three areas: first, to providing police with the tools they need to fight grow-ops in our neighbourhoods; secondly, to crime prevention programs; and thirdly, to helping those victimized by grow-ops. We are targeting the large operators who are cultivating thousands of plants, often exporting the final product to the US in exchange for guns and hard drugs.

1520

Last year, I hosted, with the Ontario Association of Chiefs of Police, the Green Tide Summit. That summit was just the first step in what will be a long road, but a road that must be travelled. One of those early steps was the establishment of a permanent group of experts, called the Green Tide action group, dedicated to seeking solutions to the problem of grow-ops. The group is made up of those groups directly affected by these large indoor grow operations: all three levels of government, the banking and real estate sectors, electricity producers, and the policing and firefighter communities. At stake is the continued health and safety of our neighbourhoods.

This action group is currently developing new protocols for interaction between the police and municipal building departments. The action group is developing an investigative protocol that will give police and municipal officials the clout they need. We're also looking at a house-entry protocol and a notification protocol that will ensure that those who should be notified about residential grow operators are informed in a timely manner.

However, there is much that our stakeholders can do now, without waiting for or relying on a new law enforcement model. We must protect the unsuspecting public from purchasing a home previously used as a grow-op. We must also give police and municipal officials the tools they need to punish those who do not provide due diligence when selling a property.

Firefighters too have expressed concern about the challenges they face in responding to incidents at houses being used as grow operations. In a letter, Fire Chief Fields from Windsor indicated his support of this legislation and wrote of the dangers associated with grow-ops. But Chief Fields also outlined these challenges: "There are health risks associated from mould, chemicals used in these operations and the high concentration of [carbon dioxide and carbon monoxide] not only to residents but also to firefighters and public safety providers who are subject to increased exposure during an emergency response."

Chief Fields also recognized the need to work together to deal with this safety issue: "Windsor Fire and Rescue Services supports the efforts proposed by the Ministry of Community Safety and Correctional Services and we stand beside our police services and their chiefs in the effort put forward to combat the harmful effects of these" residential problems.

The likelihood of a fire in a grow-op is far greater than in a normal private home. Just two weeks ago in Wainfleet, firefighters responding to a greenhouse blaze found a massive marijuana grow operation. They seized thousands of plants worth millions of dollars.

It's time that the federal government got serious and changed the Criminal Code to make these unscrupulous grow operators pay for their crimes. We have lobbied our colleagues in Ottawa to crack down on those who prey on society. Too often, the penalty for operating a grow operation is so minimal that operators chalk up the small fines they usually receive as the price of doing business.

The Ontario Association of Police Services Boards agrees with us. In a letter to the Premier last December, the OAPSB indicated its support for tougher penalties for grow operators.

This is not a problem that the provincial government alone can solve. It's not a problem that the banks, the real estate industry, the insurers or municipalities alone can solve. This is not a problem that the police alone can solve. But by working in concert, we can solve it together.

This is not a victimless crime, as many people would have us believe. Everyone in the province suffers as a result of these criminals. This government, working with its partners, intends to do all it can to stamp out illegal grow-ops. Today's legislation is a positive first step, but it's just that: a first step. There is much more that needs to be done and much more we can do. But we can't do it alone. We are committed to working with all our partners to put these operators out of business.

Mrs. Liz Sandals (Guelph-Wellington): I am pleased to rise and add my support for this important piece of legislation. As my colleague Minister Kwinter said, this is the first step in a comprehensive strategy to tackle the serious problems caused by the increasing number of indoor marijuana grow-ops that are appearing in our towns and in our neighbourhoods. Nowhere is completely safe from the dangers posed by grow-ops. They're particularly dangerous when they appear in

residential communities. They hide themselves in upscale suburban homes and in downtown apartment buildings, in quiet leafy suburbs and on busy city streets. They are in our neighbourhoods and they are next to our schools. They put us all at risk.

I personally don't have to look far to see how pervasive grow-ops have become. In my hometown of Guelph alone, police uncovered and dismantled nine grow-ops in 2003, and Guelph is not atypical. According to the Canadian Police Association, the number of marijuana grow-ops uncovered in Ontario rose from 422 in 2000 to 2,500 in 2003. These illegal operations steal resources from our economy, threaten the safety of our communities and prey on the most vulnerable among us as they look for their workers among the poor and among recent immigrants.

Our partners from the municipalities, from Ontario's police and fire services and from the private sector asked us to give them the tools they need to remove this blight from our neighbourhoods. This legislation is the first step in doing just that. This legislation, if passed, will amend a number of acts. Each amendment addresses a specific concern in the fight against grow-ops, and each amendment provides our partners in this fight with a tool they've told us they need to better combat these insidious ventures.

How did they tell us? Through consultations and through the province's Green Tide Summit, the first-ever meeting of key groups from police, utilities, the real estate and insurance industries, all concerned about grow-ops and all willing to sit down with each other and talk about real solutions. This bill works toward those real solutions.

Amendments to the Building Code Act will require a building inspection after the police notify a municipality that a property has been used as a grow-op. An official designated by the municipality will then inspect the property and, if it is determined to be unsafe, will be able to order the remedial work needed to make the building safe again. This is a crucial tool. Homes used as grow-ops are often heavily altered and rarely conform to planning and building code standards. Bypassed hydro panels, core structural modifications and mould caused by the high humidity of the operations all pose a danger to those who live close by or in the affected building.

At this point, I'd like to congratulate the city of Vaughan, which was the first city in Ontario to establish a formal process for inspecting grow-ops after the police have secured the property and completed their investigation. I understand the city is looking at going even further, by insisting sellers post signs on a property warning potential buyers that the dwelling was once used as a marijuana grow operation. I commend Vaughan for the example it has set and point out that the provisions of this legislation would help municipalities follow Vaughan's lead. If passed, it would help towns and cities across the province protect those who might buy grow-op properties in the future as well as those who live and work nearby them today.

1530

Next, the legislation tackles the problems associated with the improper, illegal and excessive use of electricity by grow-ops. Amendments to the Electricity Act will give power distribution companies the authority they need to disconnect power without notice when they believe there is a threat to safety or to the integrity of the distribution system itself.

Marijuana grow operations steal electricity. According to the Green Tide report, theft of hydro from 2000 to 2003 is estimated at anywhere between \$2.7 million and \$35.8 million per month, and it is on the rise. To steal all that electricity, the criminals who run these operations make dangerous modifications to wiring, bypassing the meter and often even the fuse panel. These modifications put everyone in the building in danger and those nearby as well.

According to the Electricity Distributors Association, the average grow-op steals \$1,500 worth of electricity per month. That represents 10 times the average domestic consumption. Power companies need this amendment to react quickly to threats as soon as they notice something is amiss. They need this amendment to protect the safety of our communities and to protect the power on which we all rely.

One of the most serious threats posed by indoor grow operations housed in residential properties is fire. This legislation would amend the Fire Protection and Prevention Act, giving more teeth to those who enforce the Ontario fire code. Contraventions of the code, such as bypassing hydro panels or installing wiring that would cause excessive heat, will now be punished with fines of up to \$50,000 or one year in jail. Again, this is an example of how this legislation targets a specific concern and gives our partners the tools to address that concern.

Another example is the amendment this legislation would make to the Municipal Act. The amendment would allow municipalities to enter into co-operative arrangements with any person or organization in order to enforce its bylaws. That means towns and cities would be able to organize partnerships with other public sector and private sector organizations to share information and support the enforcement of local bylaws, statutes and regulations in the fight to shut down this scourge.

The Green Tide report concluded that co-operation among all levels of government, police and fire services and stakeholders in the private sector is the key to fighting grow-ops. The provisions I've talked about so far would make that co-operation easier while increasing the clout of our partners in this fight.

The remaining amendments address the cause of these operations, and there is only one: Marijuana grow operations exist to make money. While the profits to be made exceed the risks to be taken, there will always be those to whom a grow-op is attractive. The way to dissuade these operations is to increase their cost of doing business.

The remaining provisions would do just that. Amendments to a number of acts would set up a mechanism that

would allow the government to manage and dispose of the assets seized in grow-op busts, assets such as real estate, cars and other equipment. At present, the federal government manages the disposition of assets forfeited due to criminal activity. This legislation would set up a provincial unit to manage and dispose of assets seized under a civil order. The money raised from the sale of such assets could then be used for crime prevention, law enforcement and the prosecution of criminal justice.

As Minister Kwinter said, this legislation is only the first step in the development of a comprehensive provincial strategy to tackle marijuana grow operations, but it is a bold first step. This legislation demonstrates the government's commitment to be tough on crime and tough on the causes of crime. It protects the public and punishes the offenders. It lets our partners across the public and private sector know that the government is serious about this issue and about working co-operatively with them to find innovative and effective ways to fight this blight in our communities. And it puts the criminals who run these operations on notice that they can expect no quarter as we work to root them out and shut them down.

The Acting Speaker: Questions and comments?

Mr. Frank Klees (Oak Ridges): I want to take this opportunity to commend the minister for bringing this legislation forward. As you will know, there are not many things I agree with that this government is doing or has done since its election. But this is one occasion when I'm pleased to rise on behalf of, certainly, my constituents as a member of this Legislature to say that it is encouraging to see the initiative that's being brought forward in this legislation.

I want to take this opportunity to commend our police services in York region, under the leadership of Chief La Barge, for the good work they've done in this area in terms of responding. But let me also take this opportunity to appeal to the minister and to this government: Having put in place a framework of legislation to deal with this issue, let's also ensure that we provide the necessary financial resources to the police services, not only to respond but in fact to be proactive.

My discussions with those in the police services—specifically very recently with a member of the police services board, Mr. Bob Callow. When I was questioning the status within York region on this issue, he reminded me that it's one thing to have the will to do something about this issue and yet another thing to have the financial resources within the police services to respond appropriately. So I look to the minister to use his influence with the Premier, and of course the Chair of Management Board, to ensure that in this upcoming budget there be the appropriate budgetary allowances for police services right across this province, to ensure that the manpower is on the front lines and that the resources are there to support this legislation.

Mr. Peter Kormos (Niagara Centre): I'm going to have a chance to participate more fully in this debate in around an hour, an hour and 10 minutes' time. But at the onset I want to indicate that the minister authoring this

bill is a minister for whom I have high regard, a minister I have known for a long time and a person I like.

Look, we can create all the laws in the world, we can fill the shelves with statute books, but if you don't have cops out on the street with the training and resources to investigate breaches of those laws, and then to participate in the effective prosecution of the wrongdoers, all the statutes in the world mean zip, nothing, nada. They're not worth the paper they're written on. So I appreciate the intent of the legislation. I think there are a couple of layers of intent here, but the manifest intent is to give law enforcement officers and others—well, basically, to give law enforcement in general the tools to bust grow operations. It sure beats Jim Karygiannis's going door to door, asking folks if they happen to be growing pot in their particular home. I don't know how many times he's been offered one of those funny cigarettes in the course of his door-to-door knocking, but Lord knows it may well have happened, and I understand why he wouldn't want to report back on that.

Let's understand: statute after statute after statute, and Lord knows, over the last eight, nine years now, nine and a half, we saw a whole lot of statutes being enacted, some of them not even proclaimed, but those being proclaimed never being enforced because at the end of the day they were nothing but spin.

I'm looking forward to the debate and to hearing the opposition members and their contribution, and to the opportunity to make my own.

1540

Mr. Lorenzo Berardinetti (Scarborough Southwest): In my short two minutes, I just want to reiterate my support for this legislation, basically amending several acts that are on the books right now and making it easier for our police services and municipal authorities to go after these grow-ops. In my experience as a former city councillor, one of the most frustrating things was my inability to get building inspectors to go into homes or buildings where there were various violations against municipal bylaws. One of the amendments here proposes that building inspectors would be able to go into these locations if they had grounds to believe there were some problems or possible grow-ops.

This, again, is a first step. We campaigned, when I went door to door, on safer communities. We wanted to have and see safer communities across Ontario. This legislation is a first step in going in that direction; it's by no means the final solution or the final answer to this growing problem.

I'm just looking at the stats in front of me. In 2003, there were 140 marijuana operations or grow-ops in the Toronto area, and by 2004, 248 indoor operations had been estimated to be existing in Toronto. So the proliferation is substantial.

We need to take action and we need to do it in a comprehensive fashion. I think this bill, with its amendments and its co-operative approach, working with the municipal and police authorities, is the proper way to go about dealing with this growing problem.

Mr. Cameron Jackson (Burlington): I wish to commend my colleague and long-time friend, the minister, for this legislation. I'd like to add a couple of issues that I hope he would consider, one that is within his purview and one that isn't.

Recently, there was an editorial in our community newspaper raising questions that, on the one hand, we've got a province which is moving more forcefully in terms of police activity and enforcement with respect to reducing the incidence of grow-ops in the province, while at the same time the federal government is talking about decriminalization of marijuana—clearly conflicting and, to a degree, somewhat contradictory public policy directions. I know the minister probably doesn't feel comfortable responding to it, but I think it needs to be put on the record that if the federal government is going in this direction, what does that say about our current efforts and our future efforts?

I know this has been triggered, in part, by the tragic events that occurred in Alberta a month ago that resulted in the deaths of RCMP officers. So I would hope the minister has applied some thinking to the training that's required in these instances, the support, the backup, the resources that are required.

I'd also like the minister to consider a piece of legislation which I entered in this House many years ago with respect to the seizure of assets for criminal conduct. I would ask the minister to look more closely at that, and its applications in these instances, and to somehow insulate landlords who will be subjected to substantive fines when they unwittingly rent to individuals who are conducting themselves in criminal activity. I hope the minister would consider some of those issues a little more carefully, and that the actual criminals end up paying in this instance.

The Acting Speaker: In response, the Chair recognizes the member from Guelph-Wellington.

Mrs. Sandals: I'd like to thank the members from Oak Ridges, Scarborough Southwest and Burlington for their support, and the member from Niagara Centre, who appreciates the intent. I think I hear the beginning of support there. The jury is out on that, but appreciating the attempt is a good first step.

I'd like to talk a little bit more about the situation with building inspectors. Make no mistake that when we're talking about these grow-ops, we're not talking about somebody who's got a couple of plants in the garden shed; we're talking about people who have essentially destroyed a house in order to turn it into a high-humidity greenhouse to make money for crime, often organized crime—big profits that they can turn out of this.

It's interesting, for those of us who have to read laws, to look at the difference between a law that says "shall" and a law that says "may." In the past, a building inspector "may"—maybe, might, if they get around to it—go and inspect a house. This legislation says that when the police have finished their investigation of a grow-op and made sure it's safe for other people to enter the building, once the police notify the municipality, the

building inspector, the municipal official, "shall"—must, has to, has no choice—go and inspect this grow-op and make sure the grow-op is safe. If it isn't safe for human habitation—if it still has unsafe wiring, if it still has structural defects, if it still has mould that would make it unsafe to breathe the air—then it must be fixed.

The Acting Speaker: Further debate?

Mr. Garfield Dunlop (Simcoe North): I'm very pleased to do our leadoff today on Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities.

First of all, I want to say, for this tough-on-law-and-order government, it's really nice after 18 months to finally have an opportunity to debate a law-and-order bill in this House. I would have thought, for a government that is tough on law and order, they might have done something last year. It's disappointing that 18 months later we're finally getting around to a bill that was introduced last year.

A quick comment on the Green Tide Summit: It's unfortunate that the minister referred to the previous government as doing nothing on this particular legislation, because our government was part of the organizing plan to put together the Green Tide Summit. You happened to win the election in 2003 and inherited the Green Tide report and then went on, of course, with the summit.

The minister has called this a good first step; it's not the be-all and end-all. We agree with that, because there are no dollars announced with this particular piece of legislation. It's not going to cost the government any money. That's what it's all about today: You're not spending any money on this bill. It's a little bit floppy, but in the end it does give the municipalities—the utilities and the building departments—some resources to work with to actually make some movement in enforcing the intent of the legislation.

I want to take a minute to also welcome all the police stakeholders who are here today. I won't name everybody—the minister already did—but it's great to see that they're here to support the legislation and to support law and order and community safety in our province. I notice that some of my colleagues or residents of my area from the Ontario Provincial Police Association are here, and I want to welcome them. A little earlier today, I made a statement on tomorrow being the 45th anniversary of the Ontario Provincial Police Auxiliary program. If I could, I'll just take a minute and talk about the Ontario Provincial Police Association and the OPP auxiliary and how important they are to the citizens of this province. I understand—and I don't know if everybody in the room or everybody at home is aware of this—there are about 7,500 civilian and uniformed officers in the Ontario Provincial Police Association and the auxiliary. They, of course, look after law and order, keep our communities safe from crime and keep the highways safe as well, as we work toward a safer society. It is the auxiliary's 45th

anniversary tomorrow. They have about 900 auxiliary officers in the province, and these auxiliary officers actually contribute about 220,000 volunteer hours helping out the Ontario Provincial Police officers in their line of duty on a day-to-day basis, on a week-to-week basis, through detachments throughout the province.

1550

Because there are some OPPA members here, I wanted to thank them and to congratulate them for being able to come to the kind of harmony you work with, with the auxiliary officers. It's not always easy when you're an association or a union and you have volunteer workers coming in to help with jobs that could potentially be done by paid officers. In this case, it's one of the largest auxiliary programs we have in North America. There's tremendous communication and organization and cohesion between these two organizations, and I think it's appropriate that that was brought out today. I certainly didn't have that much time to say anything in the statement I made earlier this afternoon on the OPPA.

I know there are members here from the Ontario Association of Chiefs of Police. Another connection I have to the OACP, of course, is that the president this year is the chief of police of the Midland Police Service, Paul Hamelin. I know Paul is not here today, but I want to congratulate the folks from the OACP who are here as well. Paul, I think, has done a great job in that area and has worked well representing the OACP here at Queen's Park with the different ministries.

There are a couple of things that I really want to zero in on here if I could, and a lot of it has to do with the intent of the bill. I'll read what the minister actually put in his press release back in the early fall.

"The proposed legislation, if passed, would," and there are three bullet points on this:

"—allow local hydro distribution companies to disconnect hydro without notice in accordance with a court order or for emergency, safety or system reliability reasons—such as a grow-op;

"—require building inspections of all homes that police confirm contained a grow-op. If buildings are deemed unsafe, inspectors are required to issue orders for repair; and, thirdly,

"—amend the Fire Protection and Prevention Act, 1997, by doubling the maximum penalties under the act for any contraventions of the Ontario Fire Code, such as tampering with wiring that would cause excessive heating that would lead to a fire, something commonly done in grow-ops."

That's probably one of the better parts of the bill, in my opinion, because if there's an area that we need to save money on, we don't need our fire departments running around putting out additional fires in homes of any kind. Certainly, there's a huge cost to the insurance industry, but of course there's a tremendous cost in the value of life and the safety of our fire services as well, and I think it's important that we mention that as part of the comments today. The fact that the bill calls for

doubling those penalties may in fact help us out somewhat.

The minister said in his comments—and I don't have one of these ministry speeches that the minister and his parliamentary assistant had. It might be handy if we did have kind of an opposition speech to give sometimes. My speech is all over my desk here, and there are a number of comments I wanted to bring forward on that.

But what I want to talk about for a moment is something that former minister Frank Klees had actually mentioned in his comments, and that's the need for more resources. In the last election, both the Progressive Conservative Party and the Liberal Party promised 1,000 new police officers for the communities in Ontario. I know that the minister and the Premier tried to commit to that promise. It was last October 24, I believe, when they made an announcement somewhere over in town here. It said that they're going to implement \$30 million to go toward these 1,000 new police officers.

At the time, I was fairly excited about that because I thought, at least they're starting to fulfill this commitment. The problem is that we can create all these bills we want, as far as making the building department do something is concerned, or the public utility or the fire department, but in the end if you take a look at the grow-ops that we have in Ontario, at some of the ones that have been discovered like the one in Barrie at the former Molson's plant, we need more resources for our police services. That doesn't need to come in the hands of the building inspector, if you're going to deputize a building inspector or a hydro inspector. The police services in Ontario need additional help.

You have said already that this is a growing business, the marijuana grow operations, and we know that, as we speak, it's growing even faster because the police can't possibly keep up to the pressure they're under in trying to fight this battle.

What does it really cost to put 1,000 police officers on the street? I've had this argument with a few people around, but I wanted to add a few comments. In a press release to mark the launch of Crime Prevention Week, the Dalton McGuinty Liberals found the nerve to drag in their election promise to put 1,000 new officers on the streets for community policing. Cautiously, Minister Kwinter's quote in the press release omits what has become to the McGuinty Liberals the dreaded P word, "promise." Kwinter opted instead to use the word "commitment" in his quote, which essentially means the same thing, but apparently to the Liberals isn't as hard-hitting.

Kwinter's quote is as follows: "And our focus on crime prevention is why the Premier recently announced a commitment to adding 1,000 police officers across the province."

For those not familiar with the Liberals' election promises, Kwinter makes this sound like McGuinty just came up with a so-called commitment. More importantly, nowhere in the release does Kwinter mention that his government will only contribute a measly \$30 million

over the rest of its mandate to hiring 1,000 officers. If McGuinty were to phase in the 1,000 officers over the remaining three years of his mandate at 333 officers per year, costing roughly \$100,000 each, which includes the benefits etc.—and in some places you might even put in the cost of the vehicles the officers have to drive—this is how it would calculate in the final price tag.

Year one—we've already missed out on any new police officers for the year 2004-05, because I think the year ends tomorrow and I understand there hasn't been a cop hired anywhere under the announcement. But if we had done that at the time of the announcement back on October 24 and phased in 333 officers up until the end of March of this year, which of course is today—maybe Dalton was out today making an announcement of 333 new police officers, I don't know, but I don't think that happened today—I can tell you that this would have cost roughly \$33 million. With three years left in the mandate, if you would have placed that \$33 million per year into the next two years, that would have been \$99 million.

The same thing happens the next year, and that's supposing the police officers don't receive a raise. You hire another 333 officers at \$100,000 each, and there's two years left in that mandate. That's another \$66 million.

In year three, the final year, you would only have the one year left and that's the year 2006-07, you'd have \$33 million.

That would cost you roughly \$200 million to the taxpayers of Ontario, whether it's the municipal police services paying part of the money, the councils, or it's the Ontario government.

The bottom line is that someone has to pay to have those police officers on the street. I think my numbers are fairly accurate when it comes to the amount of money. So far we have \$30 million committed over three years, which was my understanding from the Premier's announcement, and it's going to cost \$200 million. You're going to get away with a little less than that because now you can divide that into—well, I don't have the right calculations for that, but it would cost less now because you've missed this first year of the announcement.

That's the part I find quite disappointing, that we're making so called be-all and end-all announcements. It's not the be-all and end-all, it's only a first step, but I thought that if you're going to make a step toward helping combat marijuana grow-ops, and I'm not an expert in this area, but I thought you needed more resources. I thought the police needed more help. I've talked to a number of police stakeholders at the Police Association of Ontario, at the OACP, and to a number of police officers that I know in the OPP, and everyone that I talk to tells me that it's people out there in cars and uniforms, detectives finding out how you combat this, finding out how you can actually stop them from even happening in the first place. So we don't have to worry about a real estate agent peeking his nose in the door of a garage or something and saying, "Oh, oh, I think we've got a grow-op here. I better call the building inspector,"

and the building inspector calls the police. It's sort of a cycle that I don't think is really the intent of the legislation.

1600

I think what we need to do is to have police officers out doing their jobs. That would mean, of course, hiring more police officers, and I thought that's what the government promised to do. The Premier had done a press release on the hiring of 1,000 new police officers. Your government promised 1,000 new police officers, and your Premier recently promised that some of these new officers would target, and I quote from the Premier's press release, "organized crime, particularly marijuana grow-ops."

So I'm looking for this next step. I think that's going to be very important, what the next step is in this fight on the marijuana grow operations. I'm thinking that what the government actually does is going to be very important. If it's going to be going to the fire department or to the Rotary Club or something like that and helping them fight grow-ops, I don't think that's going to be the answer. I think we have to go back to the original intent of the role of government, and that's to hire the police services they need. I think police services today are under tremendous pressure no matter where they are, from a wide variety of things, including things like child pornography and the Internet luring etc., that we hear different kinds of announcements on. They simply do not have the presence and the numbers of officers to fight the grow-ops in their present form.

I think the other thing that's really important to this legislation and to fighting grow-ops is stiffer penalties from Ottawa. I did hear the minister comment that he was lobbying Ottawa for more help on this. It's my understanding the Ontario Association of Chiefs of Police would like to have a two-year minimum sentence for those found guilty of producing grow-op operations, not an expensive \$5,000 fine or something like that, where it's the price of doing business. They need to be locked up and put in jail. I understand it's all part of the Criminal Code of Canada.

In a press release that the minister put out on December 18, 2003, shortly after he became minister, he actually said that he would be working with Ottawa about increasing penalties for these types of crimes. I hope someone from the government can give us a summary on this at some point during part of this debate. I'm hoping that they can come up and tell us what they've actually done to date, since December 18, 2003. Have there been a number of meetings? Has there been like a Green Tide Summit with the federal guys, so they can talk about what kind of fines the Criminal Code may be changed to? Or has nothing been done? There's been a couple of fancy little letters sent off. The feds, we know, haven't been doing a lot, and you people right now are not very friendly with the federal government. It used to be the Conservatives—whenever we mentioned the federal transfers or about the Canada health and social transfers

or the shortage of funding for health care, it was called federal-bashing from us.

I listened yesterday to Ernie Parsons. I'm sorry I used his name. I know you're supposed to use his riding, but I can't remember what riding he's from.

The Acting Speaker: Prince Edward–Hastings.

Mr. Dunlop: Prince Edward–Hastings. I'm sorry about that.

He did a two-minute hit on fed-bashing. I don't know if anybody heard that yesterday. He was bashing all of the federal members in Ontario who are not sticking up for the provincial government. That's what he said. I found it alarming, because if we had done that, or if we did that today and bashed the Right Honourable Paul Martin, you'd probably be upset. But I think the tides have changed. Now we find that this government is not getting along as well with the feds as you might expect.

I remember Mr. McGuinty tried to set up a special meeting not too long ago with the Prime Minister, and I understand they wouldn't meet with him. Danny Williams from Newfoundland got all the money. He was the first guy. He was the smartest guy. He got there first, and now the other folks are all falling in behind, trying to come up with special arrangements on the transfer payments. I understand that when Dalton went to talk to them, the door was slammed in his face.

So unless this minister's got a lot more power than I think he has, I'm not so sure we're going to see these changes to the Criminal Code, but I really do hope. I think if you hire more police officers and put them in this program and increase the penalties, that's two of the key recommendations that came from the Green Tide report. I think it's really important that we as politicians try to make sure that's implemented to help out the police officers and to help out this terrible—I call it a disease.

I want to let you know, I'm against the decriminalization of marijuana and the legalization of it. I don't know if that's the feeling of everybody in this House, but if we're trying to get rid of cigarettes and we're trying to stop people from smoking, I don't think we need to do anything with trying to legalize marijuana or even decriminalize it. I wanted to make sure I got that on the record as well, because I think it's important that that is stated.

I might not be able to make a whole hour. There's a lot to talk about here, but not that much.

Mr. Michael Prue (Beaches–East York): Peter won't have any problems.

Mr. Dunlop: I do want to leave some time today for Mr. Kormos. I know it's important that he finally gets on the record. He's not acknowledged very often and doesn't get a chance to speak too often.

Hon. David Caplan (Minister of Public Infrastructure Renewal): He's so shy.

Mr. Dunlop: He's very shy about these types of issues. I hope that I am allowed a little bit of time to turn over to him. It's important.

To make a long story short, it is important, I think. I've been talking about this for a long time in my role as

critic, and as I said, this is our first opportunity to debate a community safety bill in this House. We have done after first reading—we did the mandatory gunshot bill, and that has passed through the committee, without any of the amendments adding knife wounds, I might say. I don't know why the parliamentary assistant was adamant that knife wounds not be included in that piece of legislation. I was disappointed in that. I thought that would be a progressive step in that particular piece of legislation. However, we have had committee on that, and now we're working on finally having a House bill debated here in the Legislature from the Minister of Community Safety.

I wanted to add another thing on the resources available to the police services. I know not everybody agrees with this, but I was disappointed in the announcement last fall when the minister removed option 4 from the police services, because that was a source of revenue to hire more policemen in a lot of cases. We don't have that option available any more in Ontario, and I'm disappointed, because there was not a lot of consultation done with the chiefs of police on that. They of course have to go to their councils and police services boards with their budgets, and they have to find money somewhere for additional resources. What's happened is that we are now seeing, in a lot of cases, higher than normal taxes in a lot of the different municipalities, Barrie being one example. I know the chief of Barrie was very disappointed that option 4 was removed without a consultation process and a makeup for it.

1610

I want to touch on another public safety issue from the Minister of Community Safety: his announcement more recently, just a week ago, on March 22, on the additional money, the \$30 million, for fire services across our province.

My initial reaction is that any money that we can help our fire services with—they can always use money for training and equipment, that's a known fact, and a lot of police and fire services have mentioned that as well. However, when we didn't have any money for police services and there was no money for the 1,000 new police officers, I was amazed that in a year when the government had just found out that their deficit has ballooned to close to \$7 billion—and that \$7-billion deficit is with an additional \$7 billion in revenue that you've added in extra taxes and health premiums.

What's disappointing is that they would make an announcement like that \$30 million—something that wasn't budgeted was put in the budget. They made an announcement three days after they found out they had close to a \$7-billion deficit. I'm surprised they did that when in 2003-04, right after what you call the Magna budget, there was \$40 million put in that budget for fire services plus a helicopter for the Toronto Police Service. You removed the helicopter and certainly didn't do anything with the \$40 million that was budgeted for the 2003-04 budget, because you said you had a deficit. So you have a deficit in 2004-05, and you're starting out

2005-06 with a \$7-billion deficit, and now you suddenly have money for fire departments. It seems ironic. My best bet is that now you're likely to make an announcement for the helicopter, maybe two helicopters. That's what I find a little bit ironic about some of the actions the government is taking in the community safety area.

I'm not going to spend any more time on this bill. I'm wearing thin as far as something to talk about, other than that it is a bill we can support. But as the minister has said, it is not the be-all and end-all and it's a good first step. What we'll be looking for is what the next step is. I hope the next step is at least a third to a half of the police officers that you promised in your election platform. You're already known for being a government that breaks promises; we know that. It doesn't matter where you go, at an event on a weekend or anywhere you talk to people, if you're at a banquet or any type of function, what you hear about Dalton McGuinty is that he breaks promises. That's what we hear all the time.

Surely we're not going to go through—this government that's now tough on law and order; we heard the parliamentary assistant say that. She gave us a Wild West type of speech over there. For a government that is tough on law and order, we certainly expect to see in this coming budget at least a third to half of those 1,000 police officers that were promised in Dalton McGuinty's platform in the fall of 2003, when they were elected to government. We'll be watching that very, very carefully, especially when they make announcements for money in areas like firemen, where it wasn't budgeted, like that \$30 million, and we see money that wasn't budgeted for a casino—\$400 million. We know what that was all about. That was because you had to keep Duncan and Papatello happy. But the bottom line is that those were not budgeted items, as far as the budget we've seen that Mr. Sorbara presented to us last year. It's important that the next step be additional police officers, additional resources. Let's get a final report from the minister, and I'd like to see something come back to this House showing the negotiations that have gone on with the federal government and how to stiffen these penalties. It's got to be important. If nothing has been done in that particular area, then that's actually criminal, because certainly we know that tougher penalties, minimum two-year sentences, would be supported by most of the police stakeholders and I think would be a giant step in eliminating these marijuana grow operations.

I'm just trying to figure out how much time I've got left. I don't know what happened to the clock; something happened to the clock, I talked so long. In the end, after debate, our government will be supporting this legislation.

I've got a little note here to mention something about the building code possibly. It's important that the comments coming from the parliamentary assistant and the minister today basically talked about residential grow-ops. I'm not so sure when I read the bill and listen to the comments—

Mr. Kormos: What about Molson's in Barrie?

Mr. Dunlop: Yes, and that's the question we have. How do municipalities—and I'm thinking of the city of Barrie and the township of Oro Medonte, which had another large grow-op just north of Barrie, in the township, right on the highway, almost identical to the operation we saw at Molson's, only a smaller building but it was a commercial building. Mr. Speaker, I'm not telling you anything because you know the operation in Barrie. You've seen all the publicity about it, Chief Frechette's comments and the work done by the Ontario Provincial Police. You know the size of those grow-ops.

I'd like to get clarification from someone on the government side on just how far this legislation will allow building departments and utilities to actually go. I'm hoping they will include all that, but from the conversations we've heard today, it sounds like it's more on a residential basis, with larger homes and subdivision developments, that sort of thing, probably where the bulk of the grow-ops are today.

I'm going to wind up now. I appreciate the opportunity to make a few comments on this and I thank the minister for bringing forth this piece of legislation. It's been a long time. I've wanted to debate the bill for quite a while and I'm glad we finally had this opportunity today to get this debate started.

I will be supporting the bill. I know I'm quite negative in a lot of areas today, but anything that starts the process we will be happy to support. But I hope the next step will help our police services in some of the recommendations coming from the Green Tide Summit.

The Acting Speaker: Questions and comments?

Mr. Kormos: I'm going to be embarking on a lead-off—it will take us to around 5:30; 4:30 to 5:30—in around eight minutes' time.

Look, I already told you that I like the minister. I have regard for him. I have known him a long time and I consider him capable. However, I don't anticipate being as enthusiastic about this legislation as, for instance, the members of the official opposition.

Quite frankly, I am a little surprised. I thought there was going to be some arm-wrestling here between the Conservative opposition and the Liberal government about who was going to out-law-and-order the other. That may still be coming. I anticipated the Conservative members wanting to prove themselves as even firmer and tougher and harder on scofflaws, and indeed outlaws, than the Liberals ever could be. I expected them to paint the Liberals as soft on crime, soft on criminals, and even to drag in, to demonstrate that relationship, not just the association but the kinship, the sanguine intimacy between provincial Liberals and federal Liberals. If federal Liberals are soft on crime, therefore provincial Liberals must be soft on crime, and vice versa. I expected the Conservative opposition to talk about the Young Offenders Act, among other things. I expected the members of the Conservative opposition to talk about the need to vet judges before they're appointed, and indeed to, after the fact, have political—

Interjection.

Mr. Kormos: Well, I expected that. Did you expect that, Mr. Caplan? It wouldn't be an unfair anticipation.

I know the Conservatives are going to have a chance to participate in this debate and I appreciate—

Interjection.

Mr. Kormos: Mr. Dunlop, who has a busy schedule, has had a full week. But you Conservatives should rise to the occasion. This is your opportunity.

1620

The Acting Speaker: The Speaker would like the members to recognize, in the east members' gallery, the member for Middlesex in the 33rd and 34th Parliaments, Doug Reycraft. Would you recognize him.

Questions and comments? The Chair recognizes the minister.

Hon. Mr. Kwinter: To the member from Simcoe North, just a comment. He spent a lot of time talking about the 1,000 officers, and some of his information is incorrect, with all due respect. We have committed to the 1,000 officers. That \$30 million was what it would cost per year. But there's no provision that would say there have to be so many this year, so many next year and so many the next. We will do it over the length of our mandate.

We know what the amount is, and it's going to be based on a formula similar to what you had, where under the community policing program there was a shared cost. When you had your particular bill, it was a maximum of \$30,000. Whether that's a relevant number now, we don't know. But certainly, the idea is that we have to work with the communities, because some communities can't afford it no matter what the shared cost is. They say, "You pay 100% or we can't hire anybody." That's a problem, because this has always been intended—we stated it in our platform—to be a shared program.

We will deliver on those 1,000 officers. It doesn't have to be evenly over the term of our mandate. We could do it all in one year; we could do it in two years. But we will do it. But what we have to do, and what we are doing, is to make sure that we consult with the various municipalities. There's a special interest in the north; there's another interest in other municipalities.

We just announced today our new community partnership program, which provides funding for police services. That's what we have to work through, because there are a lot of inequities out there. We have to make sure that we do it and we do it right. I just wanted to say that.

I also have some interesting comments—I don't know whether you meant it; I got the impression you were supporting option 4, which is kind of an interesting thing when in the previous government your minister at the time was opposed to it. Tony Clement was opposed to it. Most people are opposed to it. It's over. I think it's the right thing to do, and I think that it will show the people of Ontario that justice is even and it's dispensed.

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I'm pleased to congratulate the member from Simcoe North for his comments on this legislation. I know that as the critic responsible for community safety, he does take all

of these issues very seriously. He certainly has made a concerted effort to ensure that the communities and the people in the province of Ontario are as safe as they possibly can be.

This whole issue of the grow-ops is extremely serious. I can remember, when I became an MPP, having gone to the police station and having seen firsthand what the police were collecting when they went into the homes where these operations were going on. I remember thinking, what a terrible waste of our human resources in dealing with these particular situations. I think it is important that we take whatever action we can in order to get tough on these grow-ops.

I was really quite concerned to learn, when a study was done in 2002, that if you took a look at York, Peel and the region of Waterloo, where I live, combined, 17% of the grow-ops were located within 500 metres of a primary or secondary school. I think we all recognize that for children living within those homes, it's a very unhealthy and unsafe environment. We also know that many children—it was estimated that in 2002-03 there were 10,000 children who might have resided in these grow-op buildings. It is extremely important that everyone work together and do what we can to make our communities safe and certainly to protect the health of our children and families.

Ms. Marilyn Churley (Toronto–Danforth): This bill, as I understand it, is supposed to make it easier for the police to dismantle and prosecute marijuana grow operations. I understand that that's what it's all about. But as I paid some attention to this debate today, overall it tends to change very little, which is typical of this government. There's a big to-do about all these grand changes that are going to be made and hearing all of this, but looking at the bill, the few real changes that it does make are overboard. The bill is primarily, as with a lot of Liberal bills, for public relations purposes. When you look at the bill, Mr. Speaker, as you know—because you've been listening carefully as well—this bill right here, Bill 128, makes very few actual changes. The Premier and the minister just want to be able to claim that they're tough on crime, while doing as little as possible. That's what's really happening here today.

I'm profoundly disappointed in it, but I'm also disappointed in the rhetoric around these things. I mean, earlier today, I raised—and it was raised by the Conservatives as well—the issue of crime, a man who—it was witnessed—has been charged with first-degree murder of his wife, so-called domestic violence. He's going to be out on bail. I've got to tell you, when we're talking here about crime, I really hope that we don't find out that there was a deal between the crown and the defence on this.

We weren't given any reasons today. I asked a question in the House about this today, and I want to see the government walk the walk when they come in here and start talking about changes they're making. I would much prefer to be talking today about how we're going to

beef up bail charges and make sure that women are safe when there's domestic violence involved.

The Acting Speaker: In response, the Chair recognizes the member from Simcoe North.

Mr. Dunlop: I'd like to thank the minister, Minister Kwinter. I'd like to thank the members from Kitchener–Waterloo, Toronto–Danforth and Niagara Centre for their comments on my initial leadoff.

The bill doesn't have a tremendous amount of substance. We know that. As the minister said, it's a first step, and I think there's an opportunity to support it. There may even be some amendments we could make to the bill. I spent so much of my time today speaking about the 1,000 police officers, and if you can add 1,000 police officers in this mandate and actually have them working, I'll be extremely amazed. I can tell you that right now. I don't think it's going to happen.

It's taken us 18 months to get to the first step in this marijuana grow-op bill. I don't know if it's another 18 months to the second step. Then, we're a few months away from an election. I'm not so sure we're going to see those 1,000 police officers, although I want to say that that's the key part of my thoughts on this bill, because I think it's important that we understand that the police services across our province, across our country, are finding more and more difficult crimes all the time to deal with, and they require more and more resources. So obviously, they become a very big budget item.

If we're going to live in a land of law and order and have safe communities, then I think we have to follow through and provide these organizations with the resources they need ASAP, as quickly as possible. I know that some of the organizations like the municipalities have pressures, but in the end, if we're going to keep communities safe and strong, we have to have the police resources to back that up. Thank you very much.

The Acting Speaker: Further debate?

Mr. Kormos: As I indicated, I'm pleased to participate in this debate. I've already expressed my personal affection for the minister authoring the bill. I've already expressed my surprise that the Tories haven't seized this opportunity to try to out-law-and-order the Liberals and to paint them as soft on crime and indifferent when it comes to the safety and welfare of folks in the community. It won't surprise the minister when I tell him I saw that happen in committee around the gunshot reporting bill.

The Tories were going to outdo the government in committee. They were going to report gunshots. They were going to report hockey stick attacks. They were going to report knife wounds. Everything. They were going to report people stumbling on cracked pavement, skinning their knees.

Mr. Dunlop: We were not.

Mr. Kormos: I'm being hyperbolic, Garfield. For Pete's sake, don't get your knickers in a knot. I'm being illustrative. You don't have to get too fancy, but you know darn well, Mr. Dunlop, that the Tories were trying to out-law-and-order the Libs. But it seems that in this

instance the Tories are ad idem with the Liberals. The Tories are in sync. There has been a convergence.

1630

Now, that doesn't surprise me particularly. We noticed it earlier this week when we were talking about Bill 144, the amendments to the Ontario Labour Relations Act, where we saw Dalton McGuinty rejecting the labour relations policies of Leslie Frost and John Robarts, Dalton McGuinty rejecting the labour relations policies of Bill Davis, Frank Miller, even David Peterson, but Dalton McGuinty planting himself firmly with Mike Harris and Ernie Eves when it comes to labour relations, to wit, denying the vast majority of Ontario workers the right to join a trade union and to certify that union local by virtue of a card-based certification.

You will know that down where I come from, down in Niagara, just a couple of weeks ago there was a much-publicized grow-op out on Highway 3 in Wainfleet. What had happened was that the fuel-driven generators—I don't know for sure whether they were gasoline or diesel—apparently caught fire. It was our firefighters based down in Port Colborne, a strong volunteer component, who had to first enter that greenhouse. Literally it was a historic greenhouse. They had to first enter that operation. They are the ones who identified the plants and reported it to the police, and then the police took over an investigation.

I don't know whether any arrests have been made. I do know that that property—because I was flabbergasted, I was rendered speechless by going to the Web site of—what was it?—the Niagara economic development commission and seeing a copy of a glossy brochure they had been distributing not that long ago advertising Niagara as a place to grow crops, and indeed promoting the Niagara region with its unique climate and soil as a place to engage in horticulture. In fact, listed on the other side of this glossy front page were a number of potential properties for purchasers interested in the growing opportunities in Niagara. There it was, that Highway 3 Wainfleet location being promoted by public tax dollars, and obviously somebody took it seriously, somebody took them at their word.

Let's be fair. Quite frankly, although that's illegal, and we are conceding that, that's not the type of grow-op the minister is talking about in terms of this bill—not bang on. I was at the Green Tide conference kick-off, and I'm grateful the minister's staff accommodated me there. It was a good opportunity to talk to a whole lot of chiefs of police and other policing personnel.

I understand the concern—quite frankly, even out in Wainfleet when they were using diesel or gasoline generators—I don't know which—fuel-driven generators to provide the electricity, it's either an attempt to avoid being bona fide electricity users and thus tipping off the authorities, in this case the local hydroelectric—although I would suspect that since it was a greenhouse operation, it would be expected to have high electricity consumption in any event, right? So I suspect as well that it may have been just an effort on the part of the resident of that

property to avoid having to sign the contract with hydro, or perhaps they were just bona fide back-to-the-earth people, libertarian types, who didn't want to involve themselves in the corporate structure of the community by virtue of being bona fide subscribers to hydro.

I don't dispute that if somebody has a grow-op in a residential setting, as compared to this greenhouse operation out on Highway 3 in Wainfleet, people are going to jump the meter. I've got to tell you I haven't seen that just in grow-ops. I have been to real folks' homes, and I'm shocked and amazed because it's an incredibly dangerous thing to do, although not horribly difficult, and I've seen family heads jump the meter when, for instance, their electricity has been cut off because they haven't paid the bill. Mind you, in those instances there is less likely to be an imminent danger other than the lack of code in the jumping of the input, jumping the meter, because you're not engaging in an extreme consumption of electricity.

The problem, as I understand it, is that if you jump the box, you jump the fuse. You have two fuses. You have the fuse panel and then you have the cartridge fuses, which are before the panel. So if you jump the box, you jump the fuse, in which case have you no fuse whatsoever. Is that a fair understanding of it? So you have no fusing, and that means you're capable of drawing huge amounts of electricity that the wiring is incapable of handling and then inevitably you start fires, so the argument goes, and this is in residential places. Again, Jim Karygiannis is out there, ever vigilant. He's like my old Charley the beagle, sniffing out these marijuana grow operations. I understand that, first of all, they stink. Police will tell you that.

That Molson brewery up in Barrie, in your neck of the woods, Speaker, put Barrie on the map more than once, didn't it? Tragically—not only a maker of fine beer in its day—you'll see that Molson just shut down another factory in Toronto. Did you read about that? Hundreds of jobs were lost there. You'll see that Molson factory on Highway 400. Every time you'd drive up to Barrie or beyond, you'd see the old Molson factory. It was just before the Green Tide, if I recall, that the huge arrest had taken place in the Molson factory. That was one heck of an operation. There was a lot of pot growing there, as compared to down in Niagara, because the problem is that the firefighters were in there. They were putting out a fire right down in Niagara, down at Wainfleet, Highway 3. You see, it was a cucumber operation. I don't know if you've ever grown cucumbers, but cucumbers and the harvesting of cucumbers are critical. The problem is that cucumbers grow incredibly quickly. They will literally overnight increase substantially in size, and you can literally watch a cucumber grow. It's mostly water.

If you grew up down in Niagara like I did, in cucumber farming, cucumber production, because that's what the primary crop was at the greenhouse down in Wainfleet, a so-called grow-op—it was a cucumber grow-op. The problem is that people like Bicks, for instance, have very tough specifications on the size of the cucumber that

they'll accept. So the difficulty in growing cucumbers is not cultivating them, it's in harvesting them, because you've got to work 24/7. Do you understand what I'm saying? If those cucumbers grow an extra half-inch, forget it; the crop is of no value whatsoever because the real consumer—and just the proliferation of cucumbers. You can get a whole lot of cucumbers out of a relatively small number of plants. The problem with cucumbers is that you've got to get them harvested. So cucumber growers will work through the night, frantically harvesting these cucumbers. The problem is that the firefighters, in the context of the confusion around putting out a fire, doing their job and wanting to protect property and life, in this case their own—because the first report is that there were thousands and thousands of marijuana plants in the grow-op down in the greenhouse on Highway 3. Of course, that made good news, and for the briefest of moments Niagara displaced Barrie as the marijuana capital of Ontario. For a moment I felt some pride, and I was actually thinking about you, Speaker. I thought, "Well, I got one up on Tascona." He was proud of Barrie being the marijuana capital of Ontario. But Wainfleet had outnumbered Molson's in Barrie. Alas, it didn't last long. Because once the police got in there and the fire was out and the police were doing their investigation, they realized the firefighters had identified a whole lot of cucumber plants as marijuana plants. I don't know if you have ever tried smoking a cucumber. I've talked to people, and they tell me it's not an easy thing to do.

1640

Mr. Klees: Chewing is a lot better.

Mr. Kormos: Mr. Klees prefers his pickled and brined.

So that's the Highway 3 marijuana grow-op—well, it is—that was promoted at taxpayers' dollars. Again, all I knew was that there was somebody sitting in their home with their lawyer's business card in one hand and the phone in the other. I don't know if any arrests have been made, but it's not rocket science, this one. It's not going to be hard to find the person who leased the property. Whether that person is clever enough to have distanced himself or herself from the actual operation remains to be seen.

Mark Evans is a criminal lawyer down in Welland for whom I have high, high regard. In fact, he wrote a letter to the editor a few weeks ago refuting some of the allegations made about the nature of grow operations. It was right after the Wainfleet arrest. He's a very good criminal lawyer. He's very bright and very capable. He was my former partner; I should mention that as well. He started working for me as an articling student. I'm very proud of how well he has done. I suspect that a clever lawyer like Mark Evans will go through every legal trick in the book to try to distance whoever is charged with the actual cultivation. Because it's true what the minister and others have said.

I took a look at the latest edition of Clayton Ruby's *Sentencing*, and the very last entry, in terms of the sentencing ranges for various offences, is on the cultivation

of marijuana, with a maximum sentence of seven years. He notes that the potential sentence is often higher than that or could be higher, because you've got not only cultivation but possession, then, for the purpose of traffick-ing, although he notes still once again—and you'll under-stand this—that the totality principle prevails. In closing this brief section, Ruby, in his text *Sentencing*, says, "Penalties for cultivation tend to range on a lower scale than those for trafficking, particularly where the offender has no prior record or where the commercial enterprise is a small one."

Then it goes on to talk about 15-month community-served sentences, a \$6,500 fine and 12 months' proba-tion. Oh, my goodness, here are 1,535 plants. That's a pretty big operation, with a value of approximately \$500,000.

He writes that the British Columbia Court of Appeal—oh, that's British Columbia—"substituted a three-month custodial term with a one-year conditional sentence." In other words, the British Columbia Court of Appeal said no jail term and a one-year conditional sentence.

What we do know is that there are tons and tons of this stuff being grown out there. I bet you that if you were to canvass this chamber—notwithstanding that there are tons of this stuff being grown, it seems that nobody's smoking it. Think about it. There are tons and tons and tons and tons being grown, and there's obviously a whole lot of money being made doing it.

I had an opportunity to do a little talking head exchange with the chief of the Hamilton police force, whom I know and for whom I have great regard.

I've heard the comment about Canadian pot travelling across the border and being smuggled into the United States. Understand, the huge amounts of pot that people traffic in to make the huge amounts of money we're talking about are literally in bales of pot, like hay bales or similar to it, I presume. They take a whole lot of space and, quite frankly, they stink. Have you ever been to a rock concert? Do you know that funky, skunky, barn-yard smell? That's not Daily Mail tobacco, Speaker. Well, it isn't. You're going, "What the heck? Did some-body just walk through a barnyard on their way here? Did they forget to take off their work boots?" That's kids—as it is, more often than not, their parents—smoking pot. I don't care whether it's Neil Diamond or Neil Sedaka. That's what that smell is.

So the stuff stinks to boot. As a matter of fact, one of the ways that people detect marijuana grow operations, these residential grow houses, is the smell. One of the problems that I presume the grow operators have to deal with is the smell of their operation, because that, I'm sure, gives a police officer reasonable and probable grounds to get a search warrant and barge in there.

If I'm not incorrect, Jim Karygiannis talked about sniffing at the front doors of houses he knocked on. An unusual sight: Here's your local member of Parliament sniffing as you open the door to say hello. He's not extending his hand saying, "Good afternoon, sir or

madam"; he's there sniffing like a character out of a John Waters movie, for Pete's sake. The stuff stinks.

I have concern about the claim—this is just an aside—that our marijuana, Ontario pot, is being smuggled across the border. I don't know about you, but especially since 9/11, I can't go over to Buffalo and get a Ted's hot dog and get that back. No disrespect, but I can't get that back without an astute customs and immigration officer want-ing to know where the hot dog came from, how much I paid for it and is there anything else in the trunk? So I don't understand how what have got to be huge cube-truckfuls of pot are getting across the border.

Indeed, some recent news reports in the Toronto Star suggest that there have been relatively infrequent—they've occurred, but infrequently—busts, arrests, of big amounts of marijuana crossing the border.

Now, I saw that movie with Johnny Depp about drug smuggling, cocaine. The reason why these guys smuggle cocaine is because it has high value and is very compact. It's easier to smuggle. Hashish is easier to smuggle. These pills, Ecstasy and—I'm not sure how much am-phetamines are being transported, but 30 years ago amphetamines were a street drug, a very dangerous one, that was common—are being smuggled because you can get a huge concentration of drug in a small package.

So I'm not sure. I hear what people are saying about marijuana traveling into the States. I'm also hard pressed—here we are, a province of, what, 12 million or 12.5 million, and we're supplying a 300-million-popu-lation America? I've heard people talk about Tijuana gold, but I've never heard anybody talk about Barrie gold.

Look, there's this huge unprotected border between Mexico and the United States, and it seems to me that all of that southern United States—I like the South, I really do. I like American people; I like the southern US. But you've got places there that are remote. You and I both read about these back-to-the-woods people, these sur-vivalist types, in the United States, the ones who reject government, sometimes dangerously so. But I'm hard pressed not to believe that there are huge amounts of pot being grown, especially in the southern United States, with its 12-month growing season.

For the life of me, in terms of the population, I am hard pressed to believe that Ontario is feeding the de-mand in the United States, because I do know this: There's a tremendous demand for this stuff. If there weren't, people wouldn't be growing it. Especially pot, because, as I say, there are other drugs which people have predilections for as well that are more compact, more concentrated and would seem to be more profitable at the end of the day.

So there's clearly a huge consumer base for this stuff. It's not just a couple of people smoking it; it's not just a handful of people smoking it. I suspect, being part of that post-war baby boom, with all the things that accom-panied growing up in the 1950s and the post-Eisenhower era, you remember that well. We're talking Woodstock here. We're talking about a generation then that was

exposed to marijuana in a way that their parents never were, simply because it became ubiquitous. It did. So you talk about a generation of parents who probably spent their adult lifetimes hiding their stash from their kids, rather than their kids hiding their stash from them. It's true.

1650

I'm not saying smoking marijuana is good for you or good for your body. I'm loath to endorse yet another drug, because we are an incredibly drugged society, an incredibly drugged culture, if not by our doctors, then self-medicated, or the collaboration of the two. You see how we've got ads in magazines now, Time magazine and so on, where the drug manufacturers want to appeal directly to the consumer: "You want drug XYZ. Go to your doctor and prescribe for yourself." And doctors, busy as they are, may from time to time be inclined to say, "If my patient says he or she wants mood modifier XYZ, and they read about it in this glossy, full-page ad in Time magazine"—as I understand it, it's only the Americans who permit that kind of advertising. We don't permit it yet in Canada, but of course, there's the crossover that's incredible. You've seen it as well in television advertisements.

We are a heavily drugged society. Whether your choice of poison is good old-fashioned hard liquor or any number of sophisticated and increasingly complex designer-type mood modifying drugs or, as I believe it to be for a huge number of people, pot, people are taking these drugs. Is it a good thing? No, of course not. But unfortunately, we're not debating that broader social issue here and now.

So let's talk about what? Accepting the fact that a grow-op—and we're talking about a commercial-size grow-op. Hell, my old man, before he died, had a marijuana plant. He was 80 years old. It grew outside his back door, out at his farmhouse. It's a true story. I never asked him whether he smoked it or not. He was as straight as an arrow, but he just got a kick out of growing a marijuana plant. I don't know what he did with it. He loved tinkering with stuff. He kept bees for a while and made honey. I remember he borrowed a still from Atlas Steels and created an industrial-type still from the lab. He was making moonshine in the still, just to be able to do it. He made his own wine, so he wanted to see the distilling process. He'd read. He'd get books and he'd research these things, and he had this marijuana plant growing outside his back door. As I say, he's dead now. There's nothing you can do to him. The plant died too. It's but a memory.

All I'm saying is that this stuff is ubiquitous. So I appreciate the frustration, because when we hear about the number of grow-ops, these grow-ops are ubiquitous as well. You go and get these hydroponic grow lights and you use the hydroponics, where you grow it in water, right? You don't need sandy soil. What we learned is that it's not too hard to grow this stuff. I don't know whether it has to be cured the way tobacco does, hung and basically fermented over a period of time, or not. But

people seem to know how to do it, and Lord knows, there are any number of resources available at Indigo bookstore. You don't have to go underground. You don't have to go to your local corner book dealer, who pulls out of his or her jacket in a plain brown envelope some book about growing pot.

Mr. Mike Colle (Eglinton–Lawrence): Remember, the pages are listening. Be careful what you say.

Mr. Kormos: No, on the contrary; you don't have to. You think these young people don't know it? I'm not accusing or suggesting any of them of misconduct, but this is the brightest generation that the province has ever enjoyed. These kids are on the Internet. They're into books and reference materials that we wouldn't have even thought of at their age. They're grade 7 and 8 students.

So here's this ubiquitous weed and this admitted problem around residential grow-ops. Problem: Why? The electricity issue—and I agree with that. I don't dispute that at all, because I know enough about electricity and wiring to know how dangerous it is. Then, of course, it's not just that the house is going to burn down, but that firefighters have to respond, and every time a firefighter or other emergency response personnel member attends to a place like that, they put themselves at risk, and of course neighbours, with houses, especially in cities like Toronto or newer subdivisions, where you can't even walk between the two houses. So I understand that problem.

But for the life of me, I'd like somebody to explain how it is that the local hydroelectric commission can't pull the plug on an electricity consumer who's jumped the meter in any event. It seems to me that we don't need legislation to permit the local hydroelectric commission from clipping the wires, proverbially, to a house where somebody's jumped the meter. That's, of course, as far as I know, an offence in and of itself. The Attorney General could do some research on this if he wanted to, perhaps hire some high-priced legal help, but, heck, it's theft. So that's an offence in and of itself.

Again, I appreciate that it becomes even more dramatic when it's a grow-op because of the high consumption of electricity, presumably because of the lighting that's used. But it also seems to me that the local hydroelectric commission has the capacity to detect and identify this, because this bill doesn't enhance the capacity to detect or identify.

We've also, insofar as I'm aware, read court rulings where clever defence lawyers, people like Mark Evans down in Welland—it's amazing how many of his clients are innocent—have done their best. Well, no, it's amazing. Look, the police go to all this work. There are piles and piles of evidence at trial. Mark Evans goes in with them, and they're found not guilty. So I just shake my head. What's going on? All these innocent people. How come Mark Evans gets all the innocent clients? Think about it.

Charlie Ryall is another one. All of his clients are innocent. There are some other lawyers who handle

nothing but guilty clients, but Charlie Ryall and Mark Evans, all they've got are innocent clients. This must be the most concentrated miscarriages of justice that you ever saw. All the innocent clients just go to Charlie Ryall and Mark Evans. I can't understand it.

First of all, there's the Criminal Code. It's theft. Secondly, Hydro, it seems to me—and somebody's going to correct me if I'm wrong—doesn't need any legislation to pull the plug to clip the wires on an operation where the wires are illegally hooked up or hooked up contrary to code such that they constitute a hazard.

As I was getting back to the lawyers, notwithstanding the best efforts of those clever defence lawyers, the Mark Evanses and Charlie Ryalls of the world, it seems to me that the appellate courts have just ruled that it's OK—correct me if I'm wrong—for the police to use the airplane-helicopter surveillance detecting hotspots, basically, that that is not an unlawful search. What an incredible tool for the cops.

The problem is, as we all know, the cops don't have the staff, the helicopters or the finances to finance those helicopters when they're up in the air, because it's expensive to keep one up and utilize the various thermal imaging, that type of equipment. The cops have got the law. The law says that that type of surveillance—and apparently a grow house jumps up on this thermal imaging; it's a hotspot—would give the police, again, the legal grounds to get a search warrant, and there may be other things that cause these hotspots, but the police will still get the search warrants. That's the problem as well: getting the search warrants and getting the police officers assembled to do the kind of raids on these places. You can't expect one or two cops to go in alone, because there could be anything in there.

I acknowledge that an outlaw biker gang or an illegal gang, an organized crime gang, that's worried about being ripped off by other gangs is going to utilize things like traps, hazards, for people entering it. So I don't expect the cops to go there understaffed. That's nuts. We shouldn't expect them to go there understaffed. And they don't, by and large.

1700

So where does this take us again? It's not the need for more law; it's the need for more police officers. Of course, it's not just the investigation and then the actual apprehension and the collection of evidence; then you've got the trial process.

I remember as a lawyer being overjoyed with the Rowbotham case. Rowbotham was a hashish smuggler. As a matter of fact, he's a CBC personality now. He is. He's a fascinating guy, and he spent a few years in jail in eastern Canada. Rowbotham was the source of more good case law for defence lawyers than any other single criminal drug dealer in this province. He was just a benign, sort of jolly hashish smuggler. As I say, now he's a CBC celebrity. He's an investigative reporter; he does special programming for CBC radio. But he's been a source of wonderful tools for defence counsel.

The cops have got the law; they just don't have the resources. It's not just the surveillance. Surveillance in and of itself is incredibly labour-intensive, because you not only want to identify the grow-op location, as that seems to be one of the easier things, you also want to connect the operators of it to that location, which means, more often than not, surveillance. Surveillance is a very expensive process. I know that from the old days. Even the slightest gap in surveillance and the case could be shot all to heck.

Once again, this is labour intensive. And then these same police officers, once the matter goes to trial—that's why I mentioned Rowbotham, because lawyers made a fortune and did great work for Rowbotham. But you've got lengthier and lengthier trials taking place. Police officers have to be there during the course of those trials as witnesses and as assistants to the crown, assisting the crown attorney.

I say that regardless of where you are on the marijuana argument, you've got to concede that, at the end of the day, apprehending illegal activity is about more police officers, more trained police officers, police officers with the tools to do the job and the sort of resources dedicated to them.

But I want to go beyond that for just a second because one of the results of that tragedy in Alberta where four RCMP officers were slaughtered—it was just an incredible tragedy. Now, at the end of the day, we learned that this was not primarily a grow operation and that, in fact, even more tragically, these RCMP officers were being sent there, as I understood it, as part of a repo exercise, repossessing a vehicle from a guy who's just a total sociopathic kind of personality. It was inevitable that he kill somebody at some point. I'm sure that over the course of even the next months, there will be all sorts of analysis about how the system failed those four police officers in terms of this guy. Because I believe it mostly is the shortcomings of the system, not the law in and of itself. It's amazing, this guy who slaughtered these cops had lengthy arrest records, some of the most horrendous crimes, but at the end of the day, he never really ended up serving time. Again, serving time? Big deal. For a guy like that, serving six months, a year or two years means nothing. It means nothing whatsoever.

But one of the results of that was a little mini-debate, certainly in Ontario and, I suspect, across the country, about how we really address the issue of the grow-ops and the inherent hazards in grow-ops, conceding that there are inherent hazards, if only for firefighters and police who are called upon to respond to either fires or in the course of arrests. That inevitably took us, then, to the fact that prohibition isn't working. Now, merely saying prohibition isn't working is not in and of itself an argument for decriminalization or legalization. I understand that. There are a lot of laws that are incredibly difficult to enforce. On laws against speeding on the highway—heck, you're on the 400 every night. What does the law against speeding have to do with enforcing the speed limit on the 400? Nothing. So one could similarly say,

“Well, the prohibition against exceeding 100 kilometres an hour on the 400 series highways isn’t working, so let’s legalize 150 kilometres an hour.” So I can see that the mere acknowledgment that prohibition isn’t working is not an argument for decriminalization and legalization.

However, look what the federal Liberals are doing: They seem to be embarked on a very clear course of decriminalization, and decriminalization is but a hair’s width away from legalization. Decriminalization: You might as well say “legalization.” Look, we know that by and large, simple possession arrests are not the priority of police officers, in any event. Contrast that with 30 or 35 years ago when I was a kid and, at that point, people were still going to jail for simple possession of very small amounts. Those days are long gone; they’re over. More and more police officers use their discretion if they find—what is it?—a baggie of weed. They’ll simply throw it away or seize it and not regard it as worthy of an arrest and a charge, because we know what the tariff is in courts for simple possession. If, in fact, somebody ever gets charged with simple possession, the conditional discharge is the common sentence or diversion.

Now, maybe people are proposing returning to a point in time when simple possession got teenage kids—young men and women—six, nine, 12 and 18 months in reformatories. I can’t remember the name of the author of that well-known Canadian play, *Fortune and Men’s Eyes*. As you well know—you recall that play—it was an incredibly graphic, violent play about a young, middle-class kid busted for simple possession of marijuana and tossed into a very dangerous and scary Guelph reformatory, the Guelph reformatory of Roger Caron. You know him, the author who spent most of his life in jail. You’ll recall Caron just beat a number of robbery charges, and his defence was he didn’t do the beggar robberies. He didn’t do what he called “beggar robberies,” where you write a note and hand it over. Caron, with pride would say, “When I rob a joint, I’m in there with a gun. There’s no begging for the money.” He was acquitted on these charges because it doesn’t fit his profile. He’s very sick; he’s a very sick man right now. He wrote *Go-Boy!*, which was his book out of the Guelph reformatory. Then he wrote a wonderful, roman à clef type of book on the Kingston prison riot, which gave rise to the shift over to Millhaven, where they are transferring the inmates. Roger Caron: I commend him as an author; his first and seminal book, *Go-Boy!*, about his time in the Guelph reformatory.

Who wrote the play *Fortune and Men’s Eyes*? Mr. McMeekin? *Fortune and Men’s Eyes*. A Canadian playwright. I need the author. In any event, it’s about a middle-class kid who gets busted for simple possession of marijuana, serving months—because that’s what the tariffs were back when you and I were kids. Pretty horrendous stuff.

So it’s clear that everybody is agreeing—I don’t hear anybody disagreeing—that simple possession should be prosecuted at the same level as it was 35 years ago. If there’s anybody suggesting that simple possession, the

19- or 20-year-old caught with a joint or two joints or however many outside a rock concert should go to jail in the Guelph reformatory and serve six or nine or 12 months’ prison sentence, please say so—and be criminalized.

1710

I’ll put this to you: I’ve known a lot of police officers over a lengthy period of time, and I know lots of stories from police officers about having to bust up drunken barroom brawls and the inherent danger in that. Cops barge into those insane scenarios of people all drunk as skunks and wild. But I’ve never heard of a cop who got his back injured in a brawl between a couple of stoners at a Grateful Dead concert; I just haven’t heard that story yet. I’m not sure that those stories are as frequent. And when I say stories, I’m not talking fiction: A beer room brawl is a very dangerous thing for a cop to wade into. But as I say, I’m not aware of very many police officers who have suffered broken arms, horribly injured backs and have gone on workers’ comp in a brawl between two stoners at a Grateful Dead concert. Again, I’m not saying that that in and of itself justifies the legalization of marijuana.

I do know this: I know that there are Canadians, there are Ontarians who are licensed to possess and use marijuana because it is a proven and effective—the only effective—means of dealing with pain or glaucoma or the nausea that people with AIDS and HIV and cancer victims suffer, amongst other things. For the life of me, I can’t understand why somebody’s grandmother with glaucoma should have to go to the pool hall and buy pot from a biker when she’s licensed and legally entitled to possess it and smoke it as a relevant medical treatment. Why should somebody’s grandmother have to buy drugs from a criminal lowlife when those drugs have been prescribed as an effective and relevant medical treatment? That’s nuts. That’s crazy. That’s not fair.

I read the other weekend another biography of Paul Bowles. He was a composer—Aaron Copland and that group of left-wing composers—and also an author. He and his wife, Jane Bowles, lived in Tangier for all of their lives. She died much sooner than he; she had serious mental health problems. I can remember from reading the book, once he got to Tangier—he got there in the late 1930s and lived there throughout his life; he died just a few years ago, at the age of 87 years old, if I remember correctly from the biography—he lived on a steady diet of majoun, because in Tangier this majoun was served to a guest. In Morocco it was eventually illegalized, but that didn’t stop its consumption. People ate it for breakfast, for Pete’s sake.

Bowles, I’ve got to tell you, remained prolific as a writer, as a thinker, as an intellectual, as an observer of the world. Here’s a guy who sat at the feet of Gertrude Stein in Paris, who, as I say, composed with Aaron Copland, who mentored a young Leonard Bernstein in New York City and who was a very active member of the left in the United States—the hard left—at a time when it

had serious consequences. So he lived on this daily diet of majoun.

In my note to the library, I only spelled it “majou,” but I said to the library, “Could you give me the correct wording?” They actually sent me a recipe for it: “According to Peter Lamborn Wilson,” this one “Sufi order of Morocco is entirely devoted to the ritual, meditational and magical uses of cannabis. Majoun is, perhaps, the most legendary of all psychoactive confections: a potent blend of dried fruits, nuts, spices, honey and cannabis.”

Ms. Churley: And chocolate, sometimes.

Mr. Kormos: My colleague from Toronto-Danforth, who seems to have some expertise, tells me that chocolate can be a component. That may be a New World addition.

Bowles writes about literally writing music after eating majoun; about writing literature after it. Ginsberg and Burroughs were paying homage to him in the 1960s. They were traveling as mendicants to worship Paul Bowles in the 1960s.

“Majoun: ¼ ounce tops cannabis sativa, crumbled, stems and seeds removed; 1 cup chopped dates; ½ cup raisins; ½ cup ground walnuts”—this came from the legislative library—“1 teaspoon ground nutmeg; 1 teaspoon anise seed; 1 teaspoon dried ginger; ½ cup honey; ½ cup water (more if needed); 2 tablespoons melted butter or ghee.”

Then you cook this up—

Ms. Churley: Mix it all up.

Mr. Kormos: Mix it all up, Ms. Churley says.

Clearly, grow-ops fall into at least two classes. One is the hard-core criminal enterprise, and I don't know the proportion. I do know that the Molson operation up in your neck of the woods—Barrie, right in your backyard, Speaker. Couldn't you just smell that stuff as you were driving back and forth to work? These are your constituents.

Surely the Barrie operation, with its size, is a considerable operation, and we're finding out in due course what is happening with those charges. Not a whole lot is happening with those charges, is it? There were some guilty pleas and other people are being cut loose, and the penalties, as Ruby points out in his sentencing text, are not particularly substantial.

I don't know the level of criminality of that group, but I'm going to assume that because of its size and of keeping an operation that big secret, it's organized. And since it's crime, it's organized crime. I'm prepared to go with that. I'm prepared to concede that somewhere there have got to be biker gangs—I say that in the general sense; I should say “outlaw biker gangs”—involved in this. Maybe they're selling it rather than actually growing it.

But I'm also hard-pressed not to believe that, just like my 80-year-old father with a plant behind his house at the back door, there are people who grow it in pots on their window sill—“pots”; in crockery, that you plant plants in—and who presumably then smoke it. I'm sure

there are people with grow-ops in their basement that are not the hypercriminal sorts of activities that the minister and police speak of. I'm sure there are very small operations. There have got to be, because if you read the sentencing reports, there are very small operations, there are mid-sized operations and then there are those full-blown Molson-Barrie operations.

I am not about to deny that the production of this stuff is in the tonnes. We heard that at the Green Tide: a huge amount. Again, much of this is based on speculation. I know it's not just grow-ops. We're talking here about the stuff where you need the lights and you need the electricity because it's not outdoors. If the stuff's growing outside, you don't have the danger of borrowed electricity, right?

Quite frankly, I was so pleased with the Minister of Agriculture for recommending hemp as an alternate product for tobacco farmers out on Highway 3, the Delhi-Simcoe-Cayuga-Tillsonburg area. Boy, Stompin' Tom Connors would have something to sing about then, wouldn't he, down at the German hall in Delhi, with all those Belgian and Hungarian and German tobacco farmers or children of tobacco farmers who are now being put out of business.

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So the question that was raised is, how do you really undermine the criminal operation? Look, nobody seems to care about the person who grows a pot plant on the windowsill. It's illegal. I'm not going to say it's not illegal; it's illegal. The way the criminal law is going to be amended, as it applies to controlled substances, it's not going to be illegal, very much soon down the road.

The problem with the decriminalization/legalization program is that that is the job of the federal government because they write the Controlled Substances Act. But when you decriminalize or legalize a substance like pot, you presumably increase an already high demand for it. You increase the demand because then there is no chance of getting a criminal record if you are in possession of it. But to decriminalize it without controlling and regulating it means that you make even more money for the illegal drug dealers. To decriminalize/legalize marijuana without controlling and regulating it, you create greater incentive for grow-ops in the Barrie style or the huge residential ones the minister has often spoken about, with two floors of an apartment building where people drill through the floor to run the cable, I presume. So it seems to me absolutely nuts to talk about decriminalizing or legalizing the stuff without similarly controlling and regulating it.

I actually dusted off the old report of the Canadian Government Commission of Inquiry into the Non-Medical Use of Drugs; the Le Dain commission, Mr. Justice Le Dain and his commissioners. These people, once again, were not Jerry Garcia fans. This was a very conservative group of people, including a highly acknowledged Canadian jurist, I'm sure the Attorney General will agree, Mr. Justice Le Dain. This was back in 1972. Even the most conservative member of that commission

said, because there were a number of reports, "Surely, you've got to decriminalize this stuff." Others talked about it outright because they addressed the control and regulation issue. The fact is that an illegal drug dealer could care less how old the kid is whom he or she sells pot or any other drug to. I agree; get this stuff out of the hands of criminals and don't criminalize the person who possesses one or two joints. Get this stuff out of the hands of the criminals, because criminals could care less whether they sell to a 12-year-old or a 22-year-old.

If we decriminalize and legalize marijuana, as the federal government is about to do, without then addressing the need for control and regulation, we are enhancing the profits for criminal operators and criminal drug traffickers. We are increasing the dangers to the extent that they exist, that have been outlined by the Solicitor General, the Minister of Public Safety, in his criticism, much of it valid in my view, of grow-ops and the need to suppress them.

We take Jim Karygiannis away from the important work that he could be doing in his constituency office. Understand that he is a very important MP. I know him; I like him. He is a character. He has skills that are far too valuable for him to waste his time sniffing at people's front doors across his riding. The image—because he is a big man; he is bigger than I am. I'm no box of chocolates but he is a big guy. The image of Jim Karygiannis down there on his hands and knees on somebody's threshold, sniffing—you know how you can feel the air travel underneath the door if there isn't the gasket there. There is Jim Karygiannis, the slacks are starting to fall down a little bit on his rump and he's bent over; the shirt's pulled up. You've got that unsightly scene. You've got Jim Karygiannis sniffing down at the threshold to see if there's pot in that house, with his posse, with his aldermanic posse. Jim's got more important stuff to do. Look, he's nice. He's very active in the immigrant community, and I know he does a lot of good work with new Canadians; he really does.

Think about that. If you take the profit out of this stuff, you send organized crime packing. You take the profit out of it and control and regulate it, because everybody is agreed—it was interesting. There was a John Stuart Mill reference in the Le Dain Commission report, which I hadn't recalled, perhaps because I read it in the 1970s; it's been 30 years since I read it. The authors of the commission report, in terms of expressing the John Stuart Mill position, that even Mill would advocate controlling access to people who are underage, who are minors, who aren't adults.

So I'm eager to see this bill tested by the debate in terms of this. Requiring building inspectors to go into a place that's a marijuana grow-op: What does that have to do with eliminating the phenomenon of marijuana grow-ops? It seems to me, nothing. It has a great deal to do with building code and building safety. If you're renting a place and you're using it for a criminal activity, you're going to scam anyway. You're not going to stick around. You're not going to say, "Oh well, if there's any damage,

call me. Here's the number you can reach me at." You didn't give the landlord your right name anyway. You'd be a fool to have done that. So sending the building inspector in—God bless—has got nothing to do with controlling grow-ops per se.

Cutting the wires to a place that's got the illegal electricity hookup, where they use jumper cables effectively to bypass the meter and the fuses: Tell me if I'm wrong, but I understand that your local hydro commission has the capacity to move in there and pull those jumper cables, to shut that down, in any event. They do. We now have thermal imaging and the law stating clearly that police officers can scan a whole community. They can scan all of Toronto, however many hours it would take, and pick out every hot spot in the city. The police have got the law to enable them to identify grow-ops. They don't have the staffing to bust them, never mind prosecute them.

So I appreciate the motive of the minister, but I'm saying that if we're going to talk about marijuana grow-ops and organized crime and trafficking in marijuana, we had better reflect on the Le Dain Commission and what the federal government is doing now, and the real need, which is the need to control and regulate. People are smoking this stuff whether you like it or not—sorry; that's just the reality of it—but I want a regime wherein we're as assured as we possibly can be that kids don't have access to it. I want a regime where we're as assured as we possibly can be that the place where somebody gets their marijuana, whether they're a medical user or otherwise, isn't the same guy that's going to be peddling crack cocaine. That's what my interest is.

I'm interested in the debate. I think Ontarians are mature enough, Canadians are mature enough, to have it. I just wish I had one tenth of Paul Bowles's creativity, with or without the majoun.

The Acting Speaker: Questions and comments?

Interruption.

Mrs. Sandals: That's actually not me. Who is making funny noises? Peter? I don't know.

I'm pleased to respond to the comments of the member from Niagara Centre. Let's talk a bit about what this is not about. This is not about decriminalizing the use of small amounts of marijuana: (1) That's a federal responsibility; (2) We agree with it. It's not the issue here.

It's not about the fact that people who have been approved for medical use of marijuana have difficulty in accessing it. That's a federal issue. That's not what we're discussing here. It's not even about the recipe for majoun.

Now, I recognize this is new information, but I don't think this is a large problem in the province of Ontario. We're not dealing with that. In fact, we're not dealing with somebody who's got a couple of plants in the garden shed or on the kitchen windowsill, because what we're specifically dealing with are cases where there is a large-scale grow-op—to answer Mr. Dunlop's question—either in a residence or in some other sort of

building. In a building, you've got a large-scale grow-op. That's what we're dealing with.

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If you've got grandma, who's got a plant on her windowsill, she's not going to be stealing electricity. She's not going to be knocking the house apart and having structural defects created because she's knocked the house apart. She's not going to be violating the building code. What we're specifically dealing with are those things which are a violation of the building code, which are of the Criminal Code, of the fire code, and we are providing extra authority to deal with those issues.

Mr. Dunlop: I'm pleased to be able to make a few comments on the member from Niagara Centre's full one-hour leadoff of the New Democratic Party. It's always interesting to listen to the wide variety of thoughts he has on a particular leadoff, especially one that's as difficult to speak to as this particular piece of legislation.

I caught his comments a couple of times, and I'm back to my thoughts on the resources that the police services need to combat this industry. You can call it an industry. I'm told it's in the hundreds of millions, possibly billions, of dollars here in the province of Ontario. As the minister said earlier, this a first step—it's not the be-all and end-all—but it's a step that will help some of the municipalities with their thoughts and actions on the marijuana grow operations.

He did mention a few times in his comments about the need for additional resources, and that's where I have to back him up 100%. I think it's going to be the step we have to take, that we have to move forward with next, as we look at the next step or part II of actions on the Green Tide report or the Green Tide Summit. I think it's important that this criminal activity not get that far out of reach that we can never catch up to it. The problem we have now is that there are so many areas of law and order where, when you get into gang violence and the distribution of illegal weapons, this sort of thing, we just need so many police officers and resources to fight these kinds of criminal activities.

So, with that, I do appreciate the fact that the member from Niagara Centre has brought some good points forward today. I look forward to further debate on this important issue.

Ms. Churley: I'm pleased to respond to the speech by the member for Niagara Centre. Speaking as a grandma here—I won't go any further—I found the—

Interjection: What's on your windowsill?

Ms. Churley: What's on my windowsill, you ask? You know, the majoun.

Mr. Kormos: A pickle plant.

Ms. Churley: A pickle plant. That's right. I distinctly remember there being lots of chocolate in it. A whole different attitude—and it shows cultural differences as well, where in Morocco, when I travelled there, this was done pretty openly, whereas alcohol was what was taboo, completely the opposite of how we view things here culturally.

What the member for Niagara Centre said that's really critical, and everything that he said in analyzing this bill today, is that it's not going to work without the control and regulation piece of it. It's kind of like the pit bull legislation. People out there are led to believe that it's really going to make a difference and that the pit bull bites are going to stop, but the reality is, when you analyze that bill like this bill, it gives the illusion that this is really going to shut down these places. We're all very concerned about these places. This will be just a drop in the bucket. What the member for Niagara Centre is talking about is that we have to be bold and just say it like it is, as he did: People are using marijuana. I think it should be dealt with.

One of the reasons I always am so vehemently opposed to the privatization of the LCBO, of selling beer and wine in corner stores and stuff, is that we have found a way overall—not perfect, of course—because it's so regulated, to keep alcohol out of kids' hands. It works relatively well; not perfect. We don't have the same situation with drugs because of the criminal element, and we are not dealing with that here. That is my biggest problem with this bill.

Mr. Lou Rinaldi (Northumberland): I have just a few comments on those of the member for Niagara Centre. Now I think I am more conversant on how to grow cucumbers and have a better understanding. I still haven't figured out how to smoke them, though, Peter. I'm sure we'll go there.

When we look at this piece of legislation, it's certainly moving in the right direction. This activity is growing. You're right, it's not an industry, but whatever we want to call it, it's certainly growing. One of the things that worries me if we don't try to put an end to these mega grow operations is that, coming from a rural riding, it's really spreading. I talked to some of the local police chiefs in my area, from Cobourg and Port Hope, and the OPP that patrol the smaller communities, and now they're seeing it quite distinctly in our communities. They get on a remote road somewhere in Cramahe township in my riding—obscure. But at the end of the day they are still abusing the hydro; they're still putting firefighters at risk if there's an incident. So I would probably say it's even worse in rural Ontario because we don't have the resources. We don't have a fire station on every corner. We're not expected to have to deal with it as an everyday issue.

So we need to push this legislation. Will it do away with all the mega grow operations? Well, that's hard to say. But it's certainly a start in the right direction. I think all sides of the House should not have any hesitation to move forward and at least get this done. Give those authorities, whether it's building officials, firefighters or the police, greater authority to deal with the issue.

The Acting Speaker: In response, the Chair recognizes the member for Niagara Centre.

Mr. Kormos: I appreciate the patience that this chamber has had with me today. But the point that you made, sir, is exactly the point, and that is that clearly

there is an incredible demand for this product. An incredible demand. And it's across the province. Because if there weren't, you wouldn't have tons of it being grown—and I don't dispute what you say—in an increasing manner. We don't have enough cops to bust all the grow-ops based on the observations about how quickly these things are growing—that is, the grow-ops are growing. At the end of the day, the real issue surely has to be how you take the profit out of the production of this stuff so that people don't have organized crime, illegal grow-ops of the dangerous sort that you've talked about and that the Solicitor General, the Minister of Public Safety, has talked about, along with so many others.

Now, I do caution the government, because I'm sure that the minister is well aware that professor Alan Young has cautioned the government about this legislation and the prospect of it being ultra vires. We've heard the minister being very careful in his language, because his very skilful staff have explained to him that you've got to be careful to say certain things and not say others so that you can escape the ultra vires argument that was articulated in Westendorp and the Queen, a Supreme Court ruling in 1983 around a Calgary bylaw. So you'll hear the minister persistently trying to couch this in terms of bylaws and electricity and building code, rather than trying to shut down grow-ops. That's why the government can't have it both ways: One is a law-and-order issue and the other isn't. I'm interested to see how the debate develops.

1740

The Acting Speaker: Further debate?

Ms. Laurel C. Broten (Etobicoke–Lakeshore): I will be sharing my time with the member for Brampton Centre. I want to spend a few minutes talking a little bit about why this legislation is important, whom it is seeking to protect and what it will be undertaking.

This legislation is the first step on the part of the government in the development of a comprehensive provincial strategy to help create stronger and safer communities, in my community of Etobicoke–Lakeshore and all across the province.

In the last number of years we have seen across this province, in particular across the GTA, and beyond, a proliferation of grow-ops operating out of residential facilities. There certainly is a consensus among many professionals and experts in the field—community activists, police, firefighters, the private sector, municipal inspectors—that these grow operations are creating threats in our communities. This legislation is starting to create a working partnership between all of those groups that can help resolve this important issue. Working with police, combined with local municipal inspectors, electrical utilities, the private sector and fire prevention officials, we need to start taking a concerted, co-operative effort against indoor marijuana grow operations in a sustained and coordinated way. That's what this legislation is about. It is starting the process to put that in place.

We are also looking at many other options and steps for the next steps that need to be taken in this fight, focusing for instance on giving police and others the tools they need to be able to fight, find and shut down these operations. But I think sometimes in the context of the debate—we heard a lot from the member for Niagara Centre—we forget to talk about why we are doing this and what we are trying to stop.

I want to give a few facts. In 2002, grow-ops were estimated to have cost Ontario nearly a hundred million dollars, and as much as 85% of those financial losses stemmed from the large amounts of electricity that grow operations routinely steal from Ontario's electrical utilities. That is one of the things this legislation is trying to combat: the stealing of electricity that cost all Ontarians a hundred million dollars in 2002.

The other thing that I think is important to talk about is the safety of our communities, that grow operations in a private dwelling are 40 times more likely to have a fire. We just need to watch the nightly news to know what the consequences of a fire in a residential community are for the entirety of that community. Many innocent people are affected by that fire.

We also, in this legislation, need to think about children, who are very much at risk when they grow up in grow-op activity. We often find, when these residential grow-op facilities are found, that children live in the grow-op facilities. To make it seem like it truly is a family home and have an air of legitimacy to the residents, individuals live in there with their families. Thousands of Ontario children have unfortunately resided in these grow-op dwellings over the 2002-03 period.

Because they are in residences, these operations are also in the hearts of our communities, close to our schools and close to other individuals' homes. In 2002, in York, Peel and Waterloo regions combined, 17% of grow-ops were located within 500 metres of a primary or secondary school. Getting at things like that is at the heart of what this legislation is about.

There are also health risks for those living in grow houses, from the mould associated with the hydroponic cultivation to the chemicals used to foster plant growth and the high concentrations of carbon dioxide and monoxide in those operations.

To give us a sense of the magnitude of this problem across the province, in 2001, Toronto police dismantled 33 indoor marijuana grow operations—33; less than 50. In 2003, that number rose to 140, certainly more than three times the amount, and preliminary figures from 2004 show us that already there have been 248 indoor operations dismantled with a street value of more than \$83.2 million. So I think that in the context of the debate that will continue on Bill 128, it's important to have those facts at the forefront to recognize what the ails are in our society that we are trying to combat, what we are trying to do and whose lives we are trying to better when we bring forward this legislation.

Mrs. Linda Jeffrey (Brampton Centre): I'm happy to stand today to speak on Bill 128. In case anybody is

still watching and wondering what we're talking about, we are talking about legislation to combat residential indoor grow operations.

When we're speaking about legislation, I always like to try and relate it to my experience as a former municipal councillor. I can tell you that Brampton Centre has quite a few of these marijuana grow operations. I don't like to think I'm the capital, but there sure were a lot of operations I learned about when I was a councillor in Brampton. I learned about it from real estate brokers and from homeowners.

I can tell you anecdotally of a story where the firefighters in my community went to a house, brought the building officials with them and were attempting to get into a home. The homeowner wasn't there, and the building officials weren't going to go in without the police and the firefighters present because there was talk of these locations being booby trapped. They eventually found a garage door opener and were attempting to open the door. They were standing back a fair distance, and as they pressed the button, a garage door on the other side of the street opened and they found another grow-op.

These are problems that are pervasive; they're expensive; they're dangerous; they're prevalent. I see this legislation as the first step in implementing a province-wide strategy. I personally am not prepared to not move forward, and I see this as a really great step. It's the beginning of trying to address what I know municipalities have been struggling with, that fire departments and building officials have been struggling with. I think we've all heard of the kinds of damage and wreckage that is brought to the owner or to a buyer who buys a home and finds out it's a marijuana grow operation. The walls have been taken out. The electricity has been changed. As a former hydro board member, I can recall many occasions when we determined that a home had extraordinary hydro uses being tapped from a hydro box in the vicinity of the home, but it wasn't clear how the hydro had gotten to the home. So this legislation will also amend the Electricity Act and give the power to distribution companies to give them the authority to cut power without notice. These are tremendously dangerous operations. The kind of power they draw has the ability to cause fires and explosions in neighbourhoods, essentially a lot of danger to neighbourhoods, because these primarily are located in residential areas. They're a really significant fire hazard.

I particularly think this is good legislation because of the danger, as I said, to firefighters and emergency workers. They're at significant risk. They're called out to these locations and have no idea what they're stepping into. The homes are unsafe. There have been changes to the structural inside of the house. Load-bearing walls have been changed. These people need the tools to help them simply do their job. I think this piece of legislation is giving them the tools to deal with this growing problem. It's being given legitimacy.

The organized groups that are building these operations within residential homes are particularly clever.

They know how to provide the odour and the mystique of having a home that's operating. They put tricycles outside the front of the house. They plant flowers. They turn lights on. They know how to make it look like a residential property, and we know it isn't.

We need to make some step forward. I believe this is that step forward. It's time to finally get serious about eliminating grow-ops. If we're going to get serious about this issue, we have to provide some bold, province-wide initiatives. I believe that if this bill is passed, it will be the first step in protecting all members of our community.

1750

The Acting Speaker: Questions and comments?

Mr. Ted Chudleigh (Halton): The member from Etobicoke-Lakeshore spoke well about the bill. The problem with this bill is, grow-ops and producing marijuana in Ontario, or anywhere else, is easily identified. The technology is there. You can fly the area in summer and take infrared photographs. In fact, satellites can take infrared photographs over Ontario, and you can identify marijuana plants from a satellite. That technology has been around. We used to fly Ontario in the 1970s and identify tobacco fields that had nematode problems in them. You can tell the difference in the infrared colour between a tobacco field that is healthy and one that has nematode problems, and that same technology can tell a marijuana plant from 10,000 feet in the air. Today, you can do it with satellites. So you can identify marijuana production and you can identify a grow house, because in a grow house you keep the temperature quite a bit warmer than normal houses, probably 80 or 85 degrees. That temperature is what causes the fungus and the rot in the walls of a house and is why a house is seriously deteriorated after a grow operation has been there.

So the technology of identifying these places is there. All it takes is money. And this bill doesn't put any money at all into fighting the marijuana problem, production of an illegal drug. It just doesn't do the job. It's fluff. If you really want to do the job, if you are really serious about eliminating marijuana production in Ontario, in our communities, then you can do it with the technologies available. All you've got to do is put some real money into it.

Mr. Kormos: Here we are but six minutes before the day is over, and this question has to be put: Where are the 1,000 new police officers?

Garfield Dunlop was at the press conference too. There was fanfare, there were trumpets, there were drummers, there were pom-pom girls—young women with pom-poms—there was the whole shebang. It was like the Rose Festival Parade in Welland. The minister was announcing 1,000 new police officers, and here we are months later. How many—900, 800, 500, 600? One? None. Not one of the 1,000 new police officers.

Policing is expensive. Policing is labour-intensive. Police officers in this province and across this country are reasonably well paid, as they should be. If you want to see underpaid cops, go to places like old New Orleans,

Mexico City, or Bogotá, Colombia, and see what you get there in terms of policing. And police work, notwithstanding everything that is on television and in the movies, is for the largest part plodding, slow, meticulous and with incredible amounts of record-keeping. That's the nature of the beast. Municipal councils across Ontario are struggling with the budget process right now. One of the largest single demands in any given municipality is the cost of policing. This government promised 1,000 new police officers; this province hasn't seen one. That is the real crime here.

Mr. Mario Sergio (York West): I have to commend Minister Kwinter for bringing this piece of legislation forth. Just a few years ago, very recently, we didn't have this particular problem. And I have to say it again: I have to commend the government and Minister Kwinter for bringing this piece of legislation very expeditiously, introducing a comprehensive set of rules and strategies on behalf of the government to deal with this particular problem. And it is a problem; it is a very serious problem. So we are dealing with it. It would be nice to see a particular bill that would solve all the problems and have the opposition say, "Yes, we will support it. Let's go, one, two, three; let's pass it," but this will go a long way in addressing a very serious problem that mushroomed in the last few years. And yes, it will allow all those forces—the police, the local municipalities—to deal with the problem.

It's not so easy to identify a grow-op immediately. If that were the case, we would put them out of business overnight. The fact is that by the time we get to know some of these illegal operations, they may already be causing severe damage and harm to properties and to people's safety as well, not only to the immediate neighbours but to the entire community, let alone the millions in costs to the people of Ontario, because when we say "to the government," well, the people of Ontario are the government. We are trying to accomplish something extremely good: to send a message out there that

the government is here to protect and to eliminate these illegal businesses.

Mr. Dunlop: I'm pleased to respond to the comments from the previous government speakers. The last speaker talked about making the bill more complete, and that's probably a comment that I'd like to zero in on a little more.

I talked today to a number of police stakeholders in the audience and I've talked to some of the folks outside as well. One of the things I can tell you right now that the police stakeholders are looking forward to on this are committee hearings. They already have amendments they would like to present. One of the amendments is, I'll tell you right upfront, why just marijuana? Why not some of the other labs that they do for these different drugs that people take? That's one of the questions they'll be asking. That's why we have to have committee hearings.

Our caucus looks forward to that opportunity. If it's a good first step, and you're saying that today—you say it's not the be-all and end-all but it's a good first step—one thing we're going to have to do is have committee hearings to make this first step as complete as possible. It may not resolve everything, but at least let's correct a lot of the things that our stakeholders may be very interested in.

Of course, most of those stakeholders will be building inspectors, hydro inspectors, real estate agents, people who might have gone to the Green Tide Summit. Those kinds of people will also want to come back now, have a look at this piece of legislation, see what's happened with it and make amendments to it. They'll suggest amendments. We'll be more than happy, as the official opposition from our caucus, to work with any of the stakeholders who want to bring forward any kinds of amendments, and the reasons for the amendments, that they think would make this bill more complete, and a more complete good first step. So I appreciate that opportunity.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 1:30 p.m. on Monday.

The House adjourned at 1758.

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Vice-Chair / Vice-Président: Tony C. Wong
Gilles Bisson, Marilyn Churley, Kim Craiton,
Kuldip Kular, Gerry Martiniuk, Bill Murdoch,
Khalil Ramal, Maria Van Bommel, Tony C. Wong
Clerk / Greffière: Tonia Grannum

Social Policy / Politique sociale

Chair / Président: Mario G. Racco
Vice-Chair / Vice-Président: Khalil Ramal
Ted Arnott, Ted Chudleigh, Kim Craiton,
Peter Fonseca, Jeff Leal, Rosario Marchese,
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

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