



Legislative Assembly
of Ontario

First Session, 38th Parliament

Assemblée législative
de l'Ontario

Première session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 7 April 2005

Jeudi 7 avril 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 7 April 2005

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 7 avril 2005

The House met at 1000.

Prayers.

**PRIVATE MEMBERS'
PUBLIC BUSINESS**

CONSUMER REPORTING
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI SUR
LES RENSEIGNEMENTS CONCERNANT
LE CONSOMMATEUR

Mr. Ruprecht moved second reading of the following bill:

Bill 174, An Act to amend the Consumer Reporting Act / Projet de loi 174, Loi modifiant la Loi sur les renseignements concernant le consommateur.

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

Mr. Tony Ruprecht (Davenport): I will share my time with the members from York West and from Ottawa–Orléans.

Bill 174, An Act to amend the Consumer Reporting Act, speaks to a number of issues that have to do with the financial sector in our province and indeed in Canada. I am going to divide my speaking time into three aspects of this. The first has to do with identity theft and what happens when your identity has been stolen, the second has to do with the inquiries that affect your credit score, and the third item has to do with the correction of errors on credit files and the 30-day notice that should be sent out by the banking and financial sector.

Let me first of all speak to the item of identity theft in this bill. I woke up to identity theft on February 1, 2005, when one of my constituents came to my office. He was devastated by what had happened to him. He came to my office with a tax bill in his hand and he said, "Mr. Ruprecht, the first I noticed that my house was being stolen was when the tax roll was sent to me and another person's name was on the tax bill." That's the first he found out about this: when his parents informed him about the change in the name on the tax roll.

What had actually happened was that his house had been sold twice within the previous 18 months. The owner of the house didn't even know what had happened. But to get his name back on the deed and to get the

registrations all in order, he would have to pay his lawyer \$4,000 just to get back to normal.

Identity theft, as you know, is the fastest-increasing theft that takes place in North America. For most people, identity theft doesn't mean very much. But when you're being affected by it in this way, you know that this is a major crime. The devastating consequences of identity theft come home to all of us when we are directly involved. In this case, it was the son of Italian parents who didn't have a clue what actually had taken place. But when they found out that the house had been sold, and when many other people—in fact, hundreds of other people are going to find out that mortgages have been taken out on their homes. Then, of course, alarm bells begin to ring.

The seriousness of this type of crime is really enormous. We know that over a million people in North America are affected by identity theft. The cost to these million people has been over \$5 billion. So the whole question of identity theft is really foremost in our minds today.

As you know, in March 2004 we all got notice that there was a massive identity theft from Equifax Canada credit bureau. Over 2,400 consumer files were compromised and private information stolen by thieves pretending to be legitimate clients of the credit bureau. Just last month, a large American consumer data repository, ChoicePoint of Atlanta, reported that 144,778 people might have been affected by ID thieves using previously stolen identities to open accounts. These were criminal elements, foreign criminals, who compromised very important private data.

What was the response of the government? The response was simply, "We would expect that if your identity has been stolen and your financial file has been compromised by these credit bureaus, then they should inform you, because you should be on the lookout for what happens to your credit card and your credit file."

It is one thing to sit here in this Legislature and talk about stolen credit, but it is totally another when you are being directly affected by it, as a million consumers have been. It is incumbent upon us today to ensure that we are the protective agent for our consumers in Canada. When we get to know that these thefts have taken place, what should be the response of this government? Yes, it is true that our consumer and business minister, Jim Watson, as soon as he got to know about the identity theft, did a great job in trying to ensure that the businesses were informed, that businesses were being told, "Here is a kit

for you. You can protect the identity of your consumers.” He also said, through an education campaign, to everyone else who hasn’t accessed their credit file, “Please check it out.”

1010

You and I both know that when we look at our own credit cards, on many occasions there are some wrong items on the card. Of course, we call in and, sometimes, as should take place, these erroneous entries are taken off, but at other times they are not. So let me briefly speak to the whole question of the 30-day notice of correction. As it stands today, we have a law in Canada, but we have no law in Ontario. That’s why, of course, in this specific aspect of Bill 174, we’re trying to amend the Consumer Reporting Act in 2005. We’re trying to bring it in line with the federal government.

We’re also trying to bring it in line with what happens in California. In California, when ChoicePoint compromised over 144,000 people’s security, they were not told to inform all the consumers all over the United States; they were told only to inform the consumers who had been affected in California. Why California? Because California has a specific law, known as SB 1386, which says that once a company has files and those files have been compromised, the credit agency must inform the consumer that his files have been compromised. The law requires companies and agencies that do business in the state of California and that process personal information to report breaches in the security of personal information in their possession. So companies are forced to act quickly in notifying customers in writing or, for that matter, electronically, posting the information on their Web site that your file has been compromised.

Please check it out. Please ensure that nothing will happen to compromise your credit rating. We don’t know how important this really is because each one of us, whether we know it or not, has a credit file. Each one of us, whether we know it or not, has a credit number. That number is determined on many variables, but one of the most important variables, of course, is how you pay back your loans, how you pay back your credit card and the dates that you pay it back. It is very important that we, at least to some degree, say to those who have confidential information—and that also includes government. It doesn’t only include the banks; it also includes credit information and credit-granting agencies. They were saying, through this bill that, yes, you have not only a right but a responsibility to ensure that every client, every customer of yours, is informed when their credit file has been breached.

We say it very clearly today in the bill: Inform consumers, because consumers have a right to know, and consumers have a right to check out every day what happens to their credit rating, because of its importance. It is clear that this bill, then, will speak directly to the information requested by the consumer through the credit-granting agencies.

I am going to take three more minutes, I think, of my time.

The Deputy Speaker: You’re out of time.

Mr. Ruprecht: I’m out of time now, but I’ll be speaking on this later. Thanks.

The Deputy Speaker: Further debate?

Mr. Gerry Martiniuk (Cambridge): Good morning. It’s my pleasure to rise today to speak to Bill 174, An Act to amend the Consumer Reporting Act. I commend my friend and colleague the member for Davenport for bringing this important bill before the House. It becomes even more important when reading today’s news clips. The member for Davenport talked about a change of ownership of land where the real owner didn’t know anything about it. In today’s paper, the law society is presently investigating 72 Ontario lawyers in regard to a very widespread fraud of mortgages, where just that happened: a number of properties were transferred to straw people, probably—persons who don’t really exist—by fraud, and then mortgages were obtained. So it is most topical that we start talking about identity theft.

I must say, however, that I believe that this really should have been brought by Minister Watson who, to date, has been concerned with bringing your own wine to restaurants and things of that ilk rather than the important matters which are affecting our citizens every day around identity theft. There is a growing problem in Ontario of identity theft.

This bill has a number of guidelines for the preservation of private information in various credit bureau files so that it would remain private rather than being open to misuse by various illegal persons in our province. Secondly, it provides—this is most important—that in the event that the security of the credit bureau’s files is breached by any third party, notice would be given to those individuals whose files are now in the hands of criminals.

One would think that, in this day and age, a credit bureau, immediately upon seeing that their security had been breached and information had been leaked or stolen, would automatically do just that: go to the individuals who are affected and tell them about the problem. Unfortunately, we can no longer rely on many corporations to do the right thing. I think that if it takes legislation, this particular bill would provide that security for individuals to preserve their integrity.

I do, however, find fault with some portions of the bill. I hope the member for Davenport will request that this go to the appropriate committee for study. I would like to hear from various areas—both consumers and industry—as to how they would be affected, because some of the provisions seem to be somewhat nitpicking. For instance, subsection 12(1) deals with the credit score that’s presently used by credit bureaus to rate individuals. This subsection 12(1) attempts to tell the credit bureaus how to use their own rating system. It reads:

“(f) the current credit score or the most recent credit score that was previously calculated by the consumer reporting agency, including,

“(i) the range of possible credit scores under the model used,

“(ii) all the key factors that adversely affected the score,

“(iii) the date the credit score was created, and

“(iv) a summary of how the credit score was calculated, including the method used.”

That seems unworkable, quite frankly. Our telling the credit bureaus how they are to rate individuals—I think we are in some difficulty.

However, there are provisions dealing with disclosure to consumers and putting on a time limit. I understand that possibly some of the credit bureaus may not have addressed the matter of consumer complaints about the accuracy of information within their possession too expeditiously, and this will put time frames on it.

As I say, I commend the member for Davenport for bringing this bill before the House.

1020

Mr. Peter Kormos (Niagara Centre): My colleague Gilles Bisson, from Timmins–James Bay, will be speaking to this bill as well.

I'm pleased to support this legislation. I think it's important that this chamber pass this bill today and get it into committee. The mere fact that it has generated squeals of protest from Equifax Canada Inc., the mere fact that it has generated squeals of concern from Trans-Union—they were but two of the companies. Look, these people are perfectly entitled, but this is pretty remarkable. Here's a private member's bill that hasn't even been passed and it has already generated submissions to committee. That means that Mr. Ruprecht is on to something.

I want to talk about credit in general for a moment. Let's refer back to Bill 70. You recall Bill 70? That minister? Oh, that minister. Talk about squealing: the one who squealed about the need to get his Bill 70 passed because Bill 70 contains some amendments to the Consumer Reporting Act too. It still hasn't been proclaimed. My goodness. What is the minister talking about, or is he just talking through his hat? Bill 70 contained amendments to the Consumer Reporting Act, purportedly to protect consumers, because he is purportedly the minister of consumer protection, yet here we are again. The minister, the one making the big bucks, one Honourable Jim Watson: Does he deliver? No. It takes backbencher Tony Ruprecht to deliver the real goods. Why, it's Mr. Ruprecht who should be getting into the limo at the end of the day. It's Mr. Ruprecht who should have the appellation “honourable.” It's Mr. Ruprecht who should be making the big bucks, because it's he who's doing the hard work. Here is Ruprecht doing the tough slugging. Does he get credit? No. Watson doesn't even proclaim bills that he squeals about having to get passed, and he's the one with the limo, the key to the executive wash-room, and he broke the \$100,000 club, easy, with his ministerial salary.

There should be a broad-based debate around consumer credit in this province, in this country. You can't pick up a newspaper, a magazine or a journal of any sort without reading incredible—Linda Leatherdale, for whom I have the greatest admiration and respect and

affection, writes often about the crisis of consumer debt. This preoccupation with governmental debt is one thing, but consumer debt is yet another. The escalation of consumer debt and the crisis that will be prompted by even a small increase in interest rates and the loss of equity in their homes, for instance, that people will suffer with the increase in interest rates will generate untold and unprecedented tragedy for working folks, small business people and families.

I've had occasion to comment on the credit card industry alone. Heck, in our lifetimes we have seen the proliferation of credit cards. Back in the 1960s, American Express was at the vanguard of the credit card industry. It was considered a very exotic sort of thing. I remember back when I was a kid in the 1950s, it was incredibly exotic for somebody to have a credit card. It was considered the privilege of the very wealthy, the Hollywood-Fifth Avenue set. Yet in a period of a few short decades, there isn't a kid in the province who doesn't have at least one credit card. If they don't have a credit card, they're getting the applications for them or they're getting them sent to them pre-approved.

As I say, we need a broad-based discussion on consumer credit. I have serious concerns about the incredible irresponsibility of the credit card industry in terms of who they grant credit to, the basis upon which they grant it and, quite frankly, the usurious interest charges that accompany it.

Make note of this: This is but one observation. I'm going to tell you how to get your credit limit increased. If you've got a \$5,000 credit limit, don't pay it down. The credit card company has no interest whatsoever in the person who pays off their account every month. If you've got a \$5,000 limit and you pay your account off every month, you're never getting to get an increase. If you've got a \$5,000 limit and you let it linger at four or four and a half grand, you'll get bumped up to \$7,500 automatically. Then, if you let it linger at around \$6,500 or \$7,000, they'll bump you up to 12 grand.

It is an irrefutable fact that the credit card industry—it's almost like the government's casino policy, which focuses on the most addicted gambler. The credit card industry focuses on the most irresponsible borrower, because the person who pays their card off every month is of no interest to the credit card company. The person who pays their balance off every month costs that company money, especially if it's one of these airline miles—what do they call them? There's a name for that, when they give points, prizes or gifts.

For the life of me, I can't understand why the whole credit industry—department store credit cards. You're talking about interest rates that are in the high 20s, for Pete's sake. Heck, what's the prevailing rate of interest out there? It's around 5% or 5.5% if you go to your credit union or your bank, if you have a relationship with the bank. Incredible. This is no comment of detraction. I'm not detracting from the thrust of the bill, because the bill has a very specific goal. But really, a debate around these operators, with their 28% or 29% interest rates—or even

their 18% and 19% interest rates on the Diners Club etc. credit cards.

Look, I use credit cards. We are becoming a cashless society. But having said that, I'll simply make this observation: We could avoid all of this grief if only people would join credit unions, participate in them and develop a relationship with credit unions. They'll find that they can avail themselves of appropriate levels of credit, with fair interest rates and useful assistance in terms of how to arrange one's own financial affairs in terms of credit and how much debt load you can responsibly assume. We wouldn't have a problem around identity theft and the irresponsibility of Equifax. How many names, Mr. Ruprecht, did Equifax get pilfered? Hundreds, as I recall Mr. Ruprecht saying.

Mr. Ruprecht: It was 2,400.

Mr. Kormos: Some 2,400 were pilfered from Equifax. Although, on the one hand, we Canadians applaud ourselves for not being as litigious as our American neighbours, it's in instances like this that I wish we were more litigious. People should be suing the tail off of Equifax and other companies like it; suing the daylight out of them and getting judgments of punitive damages that make the suckers sit up straight and pay attention.

This bill has to go to committee. I'm confident that Mr. Ruprecht will be successful in referring this bill to committee. I understand that Mr. Ruprecht anticipates sending it to the finance committee, which is an entirely appropriate committee.

Clearly, Equifax, TransUnion, companies like this, want to have their say, but there are victims of identity theft. There could well be some Equifax identity theft victims. There are advocates for responsible debt management who, I'm sure, want to have a say in this.

1030

I would go one further, because I anticipate, if and when this bill goes to committee, moving an amendment to the following effect, so pay attention, Equifax, TransUnion and other credit reporting agencies: that every time a request is made of one of these companies about any given person's credit rating, that that person be advised of the fact that a request was made, whom it was made by and the information that was given to them. That's only fair. It's the responsible thing to do.

There are no secrets any more. I talked about American Express back in the 1960s. It was the word on the street in the 1960s and in left-wing magazines and newspapers that the CIA used American Express credit transactions to track people in those post-McCarthy, paranoid decades. I don't know for a fact whether that's true, but it doesn't seem unlikely, does it?

The fact is that today the prospect of the CIA using its insidious tentacles to access American Express records is silly in comparison to how readily any one of us in our spending habits, where we are at any given point in time, can be tracked—everything from the gasoline we purchase through to bank transactions.

Look, when you go to the bank and deposit or withdraw money, they know exactly how much you deposited

and they know in what denomination of bills. When the clerk writes down one 50, two 20s and a 10 when you're withdrawing 100 bucks from the bank, that's a permanent record of exactly what denomination of bills you withdrew.

There are no secrets any more. I believe that puts the onus increasingly upon us to ensure that the privacy rights of people are protected and to ensure that people aren't slandered. That's why I stand firmly behind the proposition that a request for a credit report should be reported promptly to the person about whom it is being requested, along with the information that was conveyed, so that that person can move quickly to correct erroneous information before it percolates out there into the broader community, causing even more damage than it would in the first instance.

Thank you kindly. I look forward to supporting this bill.

Mr. Phil McNeely (Ottawa—Orléans): I'm pleased to rise and join the debate today. I'd just say that I commend my colleague the member from Davenport for bringing forth this legislation and the member from Niagara Centre for trying to get him a limousine.

I think this is very important legislation—some of us have seen in the Toronto Star today the headline about the 93 lawyers being part of a theft squad—and the timing is perfect. I don't know how you have that control with the press.

Mr. Mario Sergio (York West): Seventy-two lawyers.

Mr. McNeely: Seventy-two.

In the short time I have, I want to focus specifically on the first aspect of the legislation, which is the subject of identity theft. I suspect that all members view identify theft as a serious threat to the safety of Ontarians because, simply put, it can happen to anyone.

When most of us think about personal security, we tend to focus on things like locking doors and avoiding alleyways that we shouldn't be in, but theft today is of a different nature. In this day and age, we need to start focusing and protecting more than just ourselves and our possessions; we need to protect our identities. Of course, that is much easier said than done. It doesn't take more than a few strokes at the keyboard for thieves to steal our personal information right out from under our noses. They don't just rob us; they can literally become us.

Thankfully, the people of Ontario know this is happening. The problem is that they don't always know when it has happened. It is very possible for a person's information to be stolen and used without the victim even knowing about it until it is too late. Without a doubt, people feel vulnerable to this kind of assault. That is why, in an Ipsos-Reid poll conducted last month, 79% of Canadians said that the government should help to protect them from identity theft.

This survey was done nationwide—it is not specific to Ontario—but it points to a growing need for action to be taken.

Of course, part of what people need to do is ensure that they are protecting themselves. There is always an element of protection that must come from the individual regardless of what is threatening them.

The Minister of Consumer and Business Services has already helped seniors be aware of what they need to do to protect themselves by providing them with fraud-free calendars. I commend him for that. Those have been a real winner in my community. Seniors appreciate the fact that we're helping them in this.

As the member for Davenport has stated, companies such as consumer data repositories and banks do not have to inform customers if personal information has been stolen or has gone missing. Surely they must protect that information when we give it to them. This makes protecting one's identity that much harder, considering that the public has faith in these companies to keep their information confidential.

In the same poll I mentioned earlier, 87% of people thought that banks should be working to protect them; 85% said that credit card companies should do so; 75% said that credit bureaus and 72% said that retailers should do their part. I think the message is loud and clear: People want to know that their personal information and identities are safe, and they want to help businesses and government do that.

This bill takes us in that direction. This bill would help make Ontario a leader in the fight against identity theft by requiring people to be informed when their identity is stolen or goes missing. It will also ensure that people have access to reports about their credit that are distributed to third parties. I believe that this is also very important because people have the right to know what is being said about their credit and whether what is being said is accurate.

I must say I can't find a reason not to provide the people of Ontario with more protection for their identities and better access to their own personal information. I'd like to thank my colleague for bringing forth this legislation. I would urge all members to help the people of Ontario by supporting this bill.

Mr. Ernie Hardeman (Oxford): I'm pleased to speak to Bill 174, An Act to amend the Consumer Reporting Act, 2005. I commend the member for bringing this bill forward, as it is an important issue on the minds of a lot of my constituents. I also want to say that this isn't the first time this type of bill has been before the House. In fact, it's been passed by this House a couple of times because of the problem that's out there in our communities.

I do want to point out, though, that although it appears to go a long way to solving some of the problems, it also puts in a lot of red tape and regulations that will not necessarily benefit society as a whole. Most acutely, it's in the area of taking away personal responsibility and putting the onus on all the credit providers in what they do with information, how they must deal with keeping track of it and how they must inform the consumer. It takes away a lot of the onus that would be on what the consumer needs to do.

While this bill goes to some length to provide people in Ontario with more up-to-date and substantive information about their own credit history, it takes much of the responsibility out of the hands of the individual and places it primarily in the hands of businesses in our community, and they don't need more onus put on them, more cost of doing business that they must put. I was talking to a farm implement dealer the other day; it was nothing to do with this bill but it was on the same type of thing: The federal government's privacy laws were being implemented. As he looked through what he needed to do, he had to hire another person in his office just to do what this bill was asking. I have some concern that this bill that's being proposed here today is going to do that to a greater extent. There are a lot of other areas where the McGuinty government has been putting more cost on our local small businesses already, and I think this would go one step further in adding a little bit more to that.

It's important that we deal with the personal information that's flying out there in space and the new modern technology we have and what can be done and how quickly this can travel. I think it's important that people know where it's going. I'm just reminded here of a story in the news that the CIBC was faxing their clients' personal and credit information to a scrapyard in the United States, and the people in the scrapyard had absolutely no connection to it. It's very important that we have legislation that deals with that.

The primary purpose of this bill, I understand, is the issue of credit and credit information. The bill will prevent a consumer credit check from being used as a key factor in determining a consumer's credit score. In order to provide more transparency, any credit check used to build a consumer's credit score must be disclosed to the consumer upon request. If credit is being denied, I think it's appropriate that the consumer is informed why their credit is being denied and what the credit check had produced.

1040

The bill also requires that when an adverse action is taken against a consumer—again, this would be when the loan or the money was not granted—based on any information contained within a credit report, the company or individual taking said action must inform the consumer of the action, provide the consumer with a copy of the report and notify the consumer of the right to correct incomplete or inaccurate information. That sounds appropriate, but at the same time we need to be careful that we don't take from that that no one can be denied credit because they haven't got all this information. I think this information should be made available if it's there and the consumer doesn't know it's there. I think that's appropriate.

The bill provides that where a consumer reporting agency discovers that there has been an unlawful disclosure of consumer information, it should immediately report to and inform the affected consumer. That may be the most important part of the bill, and I think that would be enough to make me vote in favour. When a mistake

has been made, the person making the mistake, as when the CIBC bank faxed the information, should be obligated to immediately inform the people on whose behalf they made that mistake.

I would like to go on, but I know we have other members who would like to speak. I will be voting in favour of the bill, and it is because of that: People are entitled to know about their own credit information. It is inappropriate that someone could be denied credit and could have all kinds of things imposed upon them and find out that people have been depending on erroneous reports, that the credit is really not what the report says. For that, I commend the member for bringing this forward, and I will be supporting it.

Mr. Sergio: I am delighted to join my colleagues in the House to speak in support of Bill 174, which is much needed and has been introduced in such a timely way by our colleague Mr. Ruprecht from Davenport. It is timely indeed, and much needed. Until a few years ago, we didn't have this particular problem. It seems that as soon as the criminal aspect out there, the fraudsters, find a new way to defraud the public, bingo, it mushrooms, and then we have the problem that we have today.

The Canadian credit reporting agencies report more than 1,800 identity theft complaints each month—each month. That is a lot of people, a lot of individuals, a lot of businesses affected, because businesses are also caught in the same situation. Believe you me, when you are caught, it's shocking. It's not a very pleasant thing to know that someone has stolen your identity. If you were to speak publicly, people would say, "Oh, come on. How can somebody steal my identity?" And then the problem begins, and they will feel the effect when it happens to them.

Seventy per cent of all of that begins with identity theft—personal information. The ministry, Mr. Watson and our government have put a lot of information out there on how to protect from this possible type of fraud.

Two very important aspects of the bill: I should say that, hand in hand, amendments should be made to the Consumer Reporting Act, as this bill today calls for, and at the same time we should be dealing with collection agencies. The way collection agencies go about conducting their business is absolutely not acceptable and is, I say, criminal. I hope Equifax is listening today, because I have had a run-in with them as well, and it wasn't very pleasant. I hope that by supporting this bill today in the House, sending it to committee and bringing it back, we can send a very strong message to Equifax and all the other credit reporting agencies to clean up their act and act in the interests of the consumers here in Ontario.

I don't have time, but just quickly, a very important point: What does the act intend to do? It says:

"(1.1) No consumer reporting agency shall provide a consumer report to any person without first obtaining,

"(a) a copy of the consent by which the consumer authorized the communication of personal or credit information."

In my own personal case, a fraud was committed. I never signed any piece of paper requesting a credit report. It was done fraudulently. Go and try to tell Equifax. Go and try to solve it yourself.

Another important aspect of the bill:

"(3.1) No consumer reporting agency shall consider as a key factor in determining the credit score of a person the fact that there is an inquiry record or that a personal or credit information has been obtained."

At the moment, the way agencies operate is up to them. They do whatever the heck they want to do and how they want to do it. If you want to put a claim on anybody's credit, Equifax and other reporting agencies say, "Well, it's not up to us. This is the information we have received." They assume that the information or the query they have received is sacrosanct and that they are right and the public is wrong. This must stop. This bill, if approved in the House, will go a long way to correct some of these inequities that affect individuals and small businesses in Ontario.

I laud my colleague the member from Davenport for bringing this forward. I hope we can approve it, bring it back, and then send a message to the public out there.

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I'm pleased to join the debate on Bill 174, An Act to amend the Consumer Reporting Act, 2005, which has been introduced by the MPP for Davenport.

I certainly agree with the intended purpose of this bill. It is extremely important at this time that we have legislation in the province of Ontario that protects our citizens from identity theft and also alleviates the numerous inequities that presently exist between the consumers and the banking industry.

I support the changes provided for in this bill, particularly that if a consumer reporting agency discovers that there has been an unlawful disclosure of consumer information, it should immediately inform the affected consumer. We know what has happened in the past here and in the United States, and it's important that we have this type of law in Canada.

I also support the fact that this bill provides that, upon request, consumers are entitled to a copy of the report obtained by a third party so that the consumer is able to challenge its accuracy. Of course, there are guidelines here for storing and safekeeping of consumer information, including electronic signatures, because we know that today, with increasing technology, there is a very, very serious problem with identity theft. This bill would certainly help to minimize and protect against identity theft.

I also support the fact that it's going to deal with the whole issue of application for credit. I don't think most people know that when they apply for credit at present, it lowers their credit score. This would put into effect the fact that "consumer credit bureaus and other persons may not consider, as a key factor in determining the credit score of a consumer, the fact that a consumer report has been requested."

It also provides that “a consumer reporting agency shall only report” credit “inquiry records resulting from actual applications for credit except in a report given to the consumer.” I think that’s extremely important. I don’t think people in this province have any idea of what happens behind the scenes when they currently apply for credit and how it affects their future applications for credit and ability to obtain credit.

The third point I just briefly want to speak to is the fact that this bill would actually correct errors that would be on our personal credit files. In the United States, they have legislation; we do not have such legislation. This bill would provide that “consumer reporting agencies shall investigate disputed information within 30 days and correct, supplement or delete any information found to be unconfirmed, incomplete or inaccurate.”

I support this bill; I support it going to committee for further debate and discussion.

1050

Mr. Gilles Bisson (Timmins–James Bay): I want to say that I have no problem supporting this legislation. In fact, I’ve had a number of people in my constituency who have been taken by some of these organizations in two ways—one, by way of people who go to these payday loan organizations. Oh, my God, I’m telling you, it’s unbelievable, the amount of interest that people have been charged.

I was just reading some of the notes in the file, and I noted the judgment from Ottawa in regard to some of the interest rates that were charged to individuals. Now, we know—all of us in this Legislature—that there is a law that says the maximum allowable you can charge is 60% on one year; anything above that is criminal. I think anything around 60% is criminal. I think what I’m paying on my credit card is kind of criminal, but that’s another story. In the particular cases in Ottawa, you were looking at rates of 1,000% and 2,000% that were charged to individuals on some of these payday loans. Give me a break. I bet you loan sharks in New York City or Boston or any of those places back in the 1930s would have been doing backflips in their grave if they could have gotten that kind of money. These people did it in the guise of a business with a sign on the front of their office saying, “Come in and we’ll help you out in order to bring you to your next payday.” I’ll tell you, it’s pretty disgusting.

I just want to say that I support the member on two fronts. One is that we need to deal with the payday loan organizations, because the problem is that they’re taking advantage of those who least should be taken advantage of. Normally, people who go into these institutions—I wouldn’t even call them institutions; that would be giving them credit—who go into these businesses are those who normally can’t do business otherwise. They can’t get money from a finance company. They can’t get money out of a credit card. They’re at the point of credit where they’re not able to do it. So these people say, “Gladly. Come on in and we’ll charge you a huge amount of interest in order to lend you a few bucks until next payday.” And they’re never able to pay back the money.

We’ve had cases come into the office where people are making the payments that they need to make and then some, and they owe more money than they did when they started. We need to deal with that.

The other issue, and I think it’s wise of the member to bring this forward—I want to echo what my friend Mr. Kormos from Niagara Centre said. In fact, I’m surprised that the minister of consumer and corporate relations has not come forward with such a bill. I have to ask myself, where is the minister of consumer and corporate relations when it comes to this issue? I certainly hope that he and the rest of the people in cabinet are going to support what Mr. Ruprecht, the member for Davenport, is trying to do because, quite frankly, this should be a government bill.

I commend the member for bringing it forward. Maybe, as Mr. Kormos said, we should give you the keys to the limo and let you take over the ministry. I think you would have an interest in making this pass. Anything we can do to help you to move Mr. Watson along, we would so gladly be there to assist you.

The Deputy Speaker: Further debate? The member for Davenport.

Mr. Ruprecht: I just want to ensure today that two items get placed on the record: One is the application for credit affecting the credit score, and the other is the correction of errors on credit files.

Only a small percentage of people know that the actual act of applying for credit, notwithstanding whether it’s approved or not, lowers the consumer credit score. Each time a consumer applies for credit, his or her score is lowered by 6 to 8 points, depending on their overall credit score. An average consumer who has a score of 640 to 680 is particularly affected, as lowering the score by 20 to 25 points as a result of as few as three or four applications for credit may render such an individual unable to apply for a mortgage or otherwise, disqualifying him or her for favourable rates.

In their zest for consumer business, financial providers fail to inform consumers that applying too many times for credit leads to lowering their credit score and therefore their creditworthiness. In the United Kingdom, applications for credit do not affect the composition of credit scores. There is a good example that Ontario might be looking at. In short, Bill 174 provides that consumer credit bureaus and other persons may not consider as a key factor in determining the credit score of a consumer the fact that a consumer report has been requested—simply requested. In addition, credit scores and the key factors used to determine them are added to the list of information to be disclosed to the consumer upon request. Bill 174 provides that consumer reporting agencies shall only report credit inquiry records resulting from actual applications for credit, except in a report given to the consumer. This is indeed a very effective way of saving millions of dollars to consumers whose credit scores have been lowered simply by their making an application for credit. We’ll talk about that some more.

Finally, let me talk about the correction of errors in credit files, which is another abomination in the industry.

As you know, half a million consumers in the United States were asked the question, "Have you had a chance to look at your credit file, and how many errors have you seen?" To my utter amazement, 47% of a half a million Americans responded and said, "You know what? On my credit file is an error." There's been erroneous information, either narrative comments or other types of information: wrong names, wrong numbers. Sometimes they have been cross-filed and mixed-filed. Forty-seven per cent—that's unheard of. That's almost every second person who has a credit file. Forty-seven per cent said there was an erroneous comment or erroneous information on their credit file, which directly affects the credit-worthiness of each consumer.

In the United States, they have legislation which prohibits consumer files from being affected by unconfirmed information beyond a 30-day limit. Upon receiving consumers' complaints or disputes, American credit bureaus must delete any unconfirmed information within this time limit. Unfortunately, this is not the case in Ontario. Our Consumer Reporting Act in Ontario provides that the credit bureau shall—note this—"within reasonable time" investigate disputes. But experience shows that a reasonable time may extend to several months or even several years. There is no obligation on credit companies to ensure there's a response within 30, 60 or 90 days. "Reasonable time" leaves the door open to abuse. Why should we in Canada be considered second-class citizens to the United States, when they have a very specific law which says that within 30 days there has to be a response to any inquiry? This in Canada, in Ontario, is leaving our hapless consumers to suffer the damages as a result of unconfirmed information on his or her credit report.

Therefore, Bill 174 "provides that consumer reporting agencies shall investigate disputed information within 30 days and correct, supplement or delete any information found to be unconfirmed, incomplete or inaccurate." We want to ensure that our consumers do not suffer.

Yes, it is true that our Minister of Consumer and Business Services is informed about this and wants to make some changes. We simply want to ensure that Ontario law, the Ontario Consumer Reporting Act, is in line with what Canada actually says. Did you know that the Canadian federal law says that there shall be a 30-day limit? Consequently, there is a question: Is the Ontario consumer protected within that 30-day limit because of the Canadian law or do we in Ontario have the Consumer Reporting Act saying that a "reasonable time" is requested for the credit grantor to respond? Since that is not clear, why don't we in Ontario make sure that our consumers are being protected? They too should come under the same legislation; namely, if you make a request to a credit granting company, to a credit reporting agency, then you have the right to have a response within 30 days. If you don't get the response, then they must make sure that that information is being deleted, because it is not accurate.

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

1100

Mr. Ruprecht: I want to make sure that I say my thanks to those who are supporting this bill. I want to thank the members from Cambridge, Niagara Centre, Timmins–James Bay, Ottawa–Orléans, York West, Oxford and Kitchener–Waterloo. I understand that the vast majority of the members here today will be supporting this bill, and I appreciate that very much. It is about time that we bring the Ontario Consumer Reporting Act of 2005 in line not only with what's happening federally but also with what's happening in the United States. There should be a dovetailing effect taking place, and we should ensure that our consumers in Ontario are being protected.

I want to make one short comment about what the member from Niagara Centre said. I want to show you, Mr. Speaker, that as you know, we are being inundated by credit card companies to take credit. I get at least one credit application to be filled out once a month. I know that some of my residents and some of my constituents come to my office, and there are some who do not speak English that well. They ask me whether they should fill out a form and get more credit. Some, to my utter amazement, come into my office with 20 credit cards in their pockets because they thought for some odd reason that they had an obligation to fill them out. I know this is not the case with most of us. But we owe it to those who are not totally informed to try to ensure that we are being fair. What I hear today from those members who have spoken to this bill, each one of you has said that fairness is important to the consumers of Ontario. Let's open the door a bit more. Let's be fair to ensure that this reporting act is justice.

ELECTED OFFICIALS IMMUNITY ACT, 2005

LOI DE 2005 SUR L'IMMUNITÉ DES ÉLUS

Mr Ouellette moved second reading of the following bill:

Bill 165, An Act to provide elected members of municipal councils and school boards with certain privileges, immunities and powers / *Projet de loi 165, Loi octroyant certains privilèges et pouvoirs et certaines immunités aux membres élus des conseils municipaux et des conseils scolaires.*

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

Mr. Jerry J. Ouellette (Oshawa): This is a small bill, and it intends to extend section 37, the privileges of speech under the Legislative Assembly Act, which reads, "A member of the assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing the member brought by petition, bill, resolution, motion or otherwise, or said before the assembly or a committee thereof."

First of all, I'd like to thank my staff for the hard work they did in assisting with this bill—Paul, Al, Lori, Cathy and Candy—and in getting the information out on this particular bill.

I'm going to discuss some of the issues. I know that there are some strong concerns, that the members may feel the expected outcome of this legislation will be an increase in unfounded claims or untruths and increase in poor behaviour in the chambers of other elected officials. As expressed in the speech by my party's own new leader, we must attempt to raise the level of decorum in our own chambers to set a new standard, to lead by example. Quite frankly, I believe that those small numbers of individuals who may abuse a given privilege should not take away from the individuals who respect and honour the privilege given to represent a constituency.

I have met with local papers, and we discussed this very issue about decorum somewhat extensively. A concern was brought out that certain individuals will act as clowns, calling each other names and acting like misbehaving school kids in a schoolyard. Well, quite frankly, people deserve the people they elect, and if someone steps out of line or misuses a privilege, then it is clearly the ability of the electorate to see at large exactly the sort of person they have elected.

I hope the members will try to understand the reason that I brought this legislation. I was approached by an elected official's spouse—because the actual elected official was somewhat concerned about approaching me—who proceeded to explain to me that during their council sitting, for several months now, they had specifically asked for pertinent information as it relates to an issue that was being discussed before their chamber. They stated at that time that the staff members had been unable or unwilling to provide the information, so again a deferral notice was put in on this specific information.

After the session, one of the staff members approached this elected official and specifically stated that if the individual ever stated in that fashion again at a public meeting that they could not or would not provide that information, they would sue that elected official. You can just imagine how this individual responded, and to my knowledge is still reluctant to speak their full minds. I believe those individuals who may be perceived as setting a bad tone should not disallow hardworking individuals the ability to effectively perform their job.

As I started doing further research for this legislation, I began asking questions of other elected officials who currently don't have the same privilege we have in the Legislature and on Parliament Hill. I was rather surprised at the response. It would appear that it's not just the bureaucracy or staff members who were threatening elected bodies and stopping people from fully expressing their opinions, but organizations, businesses, special interest groups and others of similar fashion had approached elected officials and to an extent threatened those elected officials that if they said anything negative

regarding their specific issue, they would have them in court so fast their heads would spin.

How can an elected official make an informed decision or inform their electorate when they can't receive the information from the other members when they are trying to discuss it; when they can't express a belief about a particular issue that is being brought forward; if afraid of the reprisals when they represent their constituency; if they are unable to speak their minds? It's called going in camera. In order to openly and fully discuss these issues without reprisals, in our "ever quick to get to the courts and take you to court" society, elected officials could be forced more and more to go, in secrecy, behind closed doors, which I believe is not in the best interest of the public at large.

It's been stated that there are already enough protections in place for these elected officials and it's not in the best interest to extend these privileges. I'm sure you're all aware here in our chamber that there are exemptions in our privileges that exclude us from complete court immunity. I did state to these people that I would look into this situation and, if I was able to, I would assist in rectifying these situations.

That's why I'm here today. I bring forward a bill to hopefully receive a full debate on this issue. Hopefully a majority of members will support Bill 165, the Elected Officials Immunity Act, to possibly move forward to gather further information on this particular issue. I hope this information goes much further than just this, that possibly we have the opportunity to receive other information from the municipalities.

During our deliberations and research on this particular legislation, we contacted municipalities throughout Ontario and received a wide range of responses, as I would hope members received on this particular issue, and I want to bring a couple forward.

One from the town of the Blue Mountains states: "That this council does hereby endorse and support the private member's bill introduced by Jerry Ouellette, MPP, and title Elected Officials Immunity Act, 2004, which, if enacted, would"—and this is the key point according to the town of the Blue Mountains—"at long last provide elected members of municipal councils and school boards the same privilege, immunities and powers presently granted to members of other levels of government in Ontario and Canada."

We've received a large number from individuals, in particular councillors, as well as councils that "fully support the initiative and would appreciate being updated as it proceeds through the Legislature." That's from a councillor in the Ottawa area.

Quite frankly—and I'm going to be honest—we didn't receive full support for it. There was one municipality, and only one, to my knowledge, that got back to us and said they were not, and that was Brockville. They said: "That council finds no reason to change the status quo in reference to the private member's bill Elected Officials Immunity Act." Other than that, we had one other coun-

cillor who was opposed to it, and, to my knowledge, those were the only two.

We received responses from all across Ontario: Fort Frances, North Grenville, French River, the municipality of Bluewater, Sioux Narrows, Nestor Falls, Chapleau, Tweed, and the list goes on; a large number of municipalities all responding on this issue.

Some of the other concerns are that if an elected official, a councillor, reads a petition in their chamber—they may not be aware of this—they could be held liable for the words contained within the petition. So if they're presented a petition to read within their chamber, they may effectively be charged or taken to court for the contents of that, being that it could be detrimental to an individual or not in a positive light with regard to a certain entity as brought forward on issues discussed within councils or school boards.

With that, I'm going to conclude my remarks. I think I've expressed the key concerns: It's trying to extend the Legislative Assembly Act's provision number 37. I'll read it again just to make sure that people are clear:

"Privilege of speech, etc.

"A member of the assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing the member brought by petition, bill, resolution, motion or otherwise, or said before the assembly or a committee thereof."

Other municipalities have asked for further extensions beyond section 37, but I believe the spoken word is a good start.

1110

The Deputy Speaker: Further debate?

Mr. Peter Kormos (Niagara Centre): Let me commence by indicating that I'm going to support this bill. I believe it's important that it go to committee because it raises a number of issues that warrant some broad-based discussion. I support the bill with some caveats, but again, precisely the reason why it should pass on second reading and go to committee.

Like the author of the bill, I come from down in Niagara—I'm not like him in that regard, because he doesn't come from Niagara; he comes from the Oshawa area. But, like him, I know that the councillors and trustees on city councils in communities in Niagara, Welland, Thorold, Pelham, St. Catharines and Port Colborne—I'm talking about small-town Ontario here—are incredibly hard-working individuals. It's hard to criticize any one of them for not having commitment and passion about their involvement as an elected representative. When I say "small-town Ontario," I want you to know these people are not making the salaries of Toronto city councillors. They don't have the budgets of Toronto city councillors; they don't have the staff of Toronto city councillors; they don't have the research facilities of Toronto city councillors, or probably Ottawa or communities like that, that effectively have full-time city councillors.

As a matter of fact, Councillor Mary Ann Grimaldi raised this bill with me several weeks ago when we were

at the opening of the new YMCA in Welland. I told her I was looking forward to Mr. Ouellette having his private member's hour—to wit, today—so that I would have a chance to speak to the bill, because I was on a small-town city council too. I was on Welland city council for three years prior to being fortunate enough to be sent here by the folks down there. Maybe they just wanted to get me out of town, but I'm grateful to them.

I understand the libel chill and the bullying that can prevail in these councils. One of the problems—it's not a problem; it's a reality—is that councillors, like I'm sure the ones Mr. Ouellette and I are both talking about, get advice from the city solicitor about what can or can't be done. The city solicitor inevitably, in his or her wisdom, tenders very conservative counsel and errs on the side of caution. I've got councillors coming to me, saying, "Geez, I'm told I can't say this or I can't raise this issue or I can't mention this." I say, "Horse feathers. Tell them to go pound salt."

I recognize that they're receiving the advice that errs on the side of caution. That city councillor is relying upon a city solicitor who doesn't want to stick his or her neck out and have the councillor knocking on his or her door after the fact, saying, "Whoa, you told me I could do this and now I've got some maniac serving me with a statement of claim and dragging me through the courts." Especially when you're dealing with high-priced people who may not like what you're saying about their interests, their financial interests—developers. Say it. That's what you mean, isn't it, Mr. Ouellette? That's what we're talking about, among other things. Mr. Ouellette didn't say it, but I've said it. Developers have been there with the threats of litigation.

There are lawyers in this chamber who could give you legal advice; I'm not about to. As I recall it, it's a truism that truth is always a defence to libel or slander. But it's the mere process of being sued: of having to hire a lawyer and of being drawn through the courts, especially if you've got a wealthy protagonist like a rich developer dragging you through the courts; or like this government. Look what this government has done, dragging people through the courts. Look what this government has done dragging those families, those parents of kids with autism, through the courts and then still saying it's going to appeal.

It's a very sound, firm, well-reasoned decision, because the government has deep pockets. The government has its arms out there, its tentacles picking the pockets of every taxpayer in the province. It's got to do another round of litigation in the Court of Appeal? No problem; they just go to general revenues and cut a cheque. But the poor parents, who then have to litigate in the Court of Appeal after having won their victory in the Superior Court of Justice, don't have deep pockets.

I understand the sentiment and I appreciate the clarification by the member that he wishes his bill to reflect only the immunities provided by section 37 of the Legislative Assembly Act. He'll agree with me that that's not the bill as written. That's where we've got to have

some discussion about this in committee. Do you understand what I'm saying? This bill prompted me to go back to Maingot's text on Parliamentary Privilege in Canada, second edition. I'm grateful as well for the counsel of the clerk's table over the course of years, quite frankly, through this very thorny maze of privilege. Privilege is far more than just the immunity to litigation for libel or slander; it's the immunity to civil arrest, for instance. It's the privilege not only of the individual but of the collective.

An interesting thing happened in Canada with the introduction of a patriated Constitution in the Charter of Rights and Freedoms. There had been a long-standing tradition in the courts of what Joseph Maingot refers to as "judicial deference to parliamentary bodies," which is no longer the case, because even Parliament now, although supreme, has got to govern itself by the Constitution, which includes the Charter of Rights and Freedoms. The references are readily available in Maingot: a number of court interferences with parliamentary internal decision-making, to the extent that that decision does not comply with the Charter of Rights and Freedoms. We all understand that; it has become a day-to-day fact of life for all of us.

It's good to understand that it's not the broader range of parliamentary privilege, that common-law privilege—common-law, but also derived through the British North America Act—that the member wants to deliver to elected trustees and councillors. I appreciate that, because nothing rotted my socks more when I was on city council than these in camera meetings. I'd say, "Why are we going in camera?" because it didn't fall into one of the three categories of finance, personnel or property. "We're going in camera because people can say things in camera that they may not feel comfortable saying on the record." For Pete's sake, if you're not comfortable saying it on the record, maybe you shouldn't be saying it.

Let's not use section 37 of the Legislative Assembly Act and the application of the immunity from litigation in section 7 to other elected officials as an excuse for gutlessness on the part of elected officials—please. If you really want something to be said, you've got to say it, and if you're worried about litigation, once again, the fact is that truth is an absolute defence to libel or slander. If you're unsure whether it's true, then maybe you should be a little more cautious about whether or not you say it.

1120

I understand the broader, overall libel chill phenomenon, so part of the discussion at committee should be around the availability of libel insurance to other elected officials. Members of the Legislative Assembly have libel insurance by virtue of being elected. That doesn't protect you, insofar as I'm aware, from being sued but it does protect you from being nibbled to death by ducks, if you will, by virtue of the expense of litigation that may be capricious or downright malicious and designed to silence you, to control you, just because of the expense of litigation, even though the litigation has no substance.

A committee would be so delightful in this regard because one of the privileges a Parliament has is the power to organize its own affairs internally. Again, notwithstanding the indication by Mr. Ouellette that he merely wants the immunities in section 37 of the Legislative Assembly Act, it has been a question of whether or not this Parliament, the source of municipalities by statute, wants to relinquish any control or all control over the manner of proceedings within that municipal structure to the municipality, and whether citizens, residents of Ontario want to see that done as well, such that they don't have a court of last resort—to wit, their provincial Parliament—when they're expressing concern about the conduct of a municipal council.

I'm pleased to support the legislation. I'll be pleased to tell councillors and other elected officials down in Niagara if and when this receives second reading. I encourage the member to insist that public hearings on this issue be broad-based because there is the at-first-blush observation but then there are a whole lot of secondary considerations, little undercurrents, that are worthy of consideration and debate.

Mrs. Donna H. Cansfield (Etobicoke Centre): I rise to speak to this bill. When I first read the bill, I thought it was a good beginning. I wished it had been a bit broader in its thinking. I'm only going to speak to it from my particular background. I'm going to share my time with my colleague from Scarborough.

Having been an elected representative for 15 years at the municipal level as a school board trustee, I have some experience to be able to speak in terms of wanting or not wanting any kind of immunity. I had hoped there would have been another part to the bill. You're right in that with this bill would come immunity, but I looked also for the obligation, the responsibility for the integrity part. That's what's missing, and I say that quite sincerely.

The governance issue has been an issue for a long period of time at the municipal level. This is not something new. It has always been fascinating to me that rather than looking at how we could build consensus and work together, we are looking constantly to find ways to protect ourselves from things such as libel. I would think that people who are speaking to one another or looking for information should be able to do it in such a manner through their governance structure that you don't need to go to the more punitive part. You should be able to go to a more constructive part.

However, I'm also not naive. I'd been there for a few years and I recognize some of the challenges. I think the member said it himself: You get the people you elect. I appreciate that, and that's the wonderful thing about democracy. We do in fact get the people we elect.

Having said that, there is nothing that prevents that elected official from, first of all, acting in a responsible way. There's nothing that prevents that elected official from acting ethically. There's absolutely nothing that prevents that official from working with his or her colleagues to establish rules around how they can work together. There's certainly nothing that prevents that

individual from helping to maintain and establish good working relationships among municipal officials, because, from what I gather in looking at this, the challenge is within that working relationship. I understand that exists.

There are things you can do municipally, where you can build those structures and put them in place, without having to resort to only the one part of this bill. If you had brought the other part, I would have been more comfortable because you would then have looked at the whole issue of structuring of governance. Governance at the municipal level, certainly within the school board, has been an issue for a long period of time. How people act, how they interact and how they establish relationships is a really important way, because no individual at a school board level has any authority at all. It's only when they act in concert with one another to form a majority that they in fact have any authority, and yet I've seen officials who have abused that significantly.

You would think we should be looking at how we put in place a better governance structure dealing with all of the issues, not just some of the issues, around the school board governance issue. We should be looking at ways to be able to say, "If you can't work together, why not?" and how that too can be adopted.

Interestingly enough, to use the particular example, there was information that was not forthcoming and, when called upon, gave the impression that the individuals were not going to be supportive. There still is freedom of information. You can access that. These are public records. But my first question would be, why did you not try to convince your other colleagues and make it a requirement of that council that that information come forward? Like most things, there are always two sides to every story. Again, there are rules that are already established that enable school boards to work that way if they choose to work that way.

For me, putting in libel insurance and immunity doesn't address some of the very serious underlying issues in governance. To me, more important is the issue of integrity, how, once you are elected, you serve the people. With that obligation, there are those responsibilities that come. How are they defined in this legislation? Only part of it is defined in it, not the other part, and I think they need to be in concert with one another.

I know that if we just send it to committee, the committee could only deal with one part. You can't amend this to that extent to put in the other. That is a concern for me, I must admit. So I look at this and I say it's broad and it's got good intent. It covers part of the real challenges that face people on a day-to-day basis when they are trying to access information. Nobody who is an elected official should be put in a position where they feel they are being bullied. For heaven's sake, we suspend children for that. That's not how we want to act, out of respect for one another in terms of the governance of that particular municipality, school board or whatever.

I would like to support it, but I can't because I need the other part of it. It's not enough to say it will go off committee and it will come together. I think what you

have is a really good beginning, something we could build on and take a little further around actually looking at the structure of governance in school boards as it enables them, on a day-to-day basis, to work with their colleagues.

I like your intent, I think it's important, but I would prefer that it had the two parts to it or that it had a broader meaning where it could actually turn around and say, "How do we work together to make this happen from both the bureaucracy side and the elected side?" At the end of the day, if you don't work together, you're not going to get anything done. It's really quite simple. If you find yourself at loggerheads on a constant basis where you're feeling threatened on either side—not just on the member's side but if that bureaucrat feels threatened as well—then that's not constructive either.

The whole issue of governance needs to be defined more clearly for me. I think that discussion needs to take place at the municipal level. That's where you need the really good foundation of, "How do we build? What's really wrong there? What's missing? And what is it that we can do to work with them to make it happen?" Imposing something down may keep that particular councillor happy, but is it going to keep the bureaucracy happy? I don't know, because there's no immunity for them. So then, do you just turn the bullying around? I certainly would hope not—it's not the intent—but I would like to think that we could find a compromise.

Anyway, I'd like to thank you for bringing this forward. I really do think that it has the merit of something that's worthwhile, but unfortunately, because it doesn't share the other side, I'm not able to support it.

1130

Mr. Brad Duguid (Scarborough Centre): I want to begin by thanking the member for Oshawa for bringing this bill before us today. He is a dedicated member of this chamber, and he's actually a very good defenceman, believe it or not, on our parliamentary or legislative hockey team. I'd like to say that I can support this bill—and I would, because of his defensive abilities on the ice—but, unfortunately, I can't say that I can support the bill. Let me explain why.

I think the intent of the bill is very supportable, and as the member defined it this morning and really homed in on exactly what his intent is, I think that's extremely supportable and it makes sense. Unfortunately, the way the bill is written, it's a little too broad in what it currently captures. I'll explain a little bit what I'm talking about.

The bill states, "An elected member of a council of a municipality or of a school board has the same privileges, immunities and powers as the law confers on a member of the Legislative Assembly of Ontario." It sounds simple, but I'm not quite sure what it actually means. It's a little bit too broad. It's unclear as to what this means. It's a little too unclear for me to support it at this time.

Bill 165 may be intended to deal with the issue of privilege of municipal councillors and I think that's what it's meant to do: to speak to their council meetings and

their proceedings. Unfortunately, it's a little broader in the wording and purports to give municipal councillors all the privileges, immunities and powers as those of members of the Legislature—some of the privileges and powers that the member for Niagara Centre spoke to earlier. Again, we really have no idea what that means. It could be interpreted, in the extreme, as giving school trustees and councillors all the privileges that we have here, including the privilege of coming in here and taking a seat and participating in debates and what not. That's extreme, but you never know.

If it's reasonably interpreted, however, some of the privileges that we're talking about here would likely include the freedom from being arrested in civil actions during a session of the Legislature and 20 days before and after a legislative session. I'm not sure why we would want to extend that kind of a privilege to trustees or councillors. That's clearly not the intent of what the member has put forward, but unfortunately, with the wording that we have before us right now, that would actually be the impact of it.

Ineligibility to sit on a jury: That's something I would support. I've experienced that as a member of council, where I've missed a good part of an important council meeting because I had to do jury duty. That is something I believe we're immune from, but maybe that's something we should perhaps consider for school trustees; certainly for councillors.

The rights and powers of a court for inquiring into and punishing members for a variety of behaviours: I'm not sure how that would apply to members of council or trustees, or whether, in fact, it should.

The right to expel members from the Legislature: I don't think that's something we would want to give our local councillors the right to do. Certainly, that could create problems for many of us. I know it would have for the previous government while I was a councillor.

Some of these are obscure rights. It may well be that we should extend or consider extending some of these privileges and rights, but I'm not sure how some of these could apply or be relevant to elected officials, whether they be trustees or councillors.

Before I could vote in favour of this bill, I'd need to know what privileges we're talking about here and consider what is and is not appropriate to pass on to those local representatives. It would have to be, I think, written into the legislation to ensure that that's there. Now, if this bill was intended to deal only with the issue of privilege—and that appears to be what the member intends—the bill still needs to be narrowed in its scope so that it can be made a little more clear.

We have here in this Legislature what they call absolute privilege; councillors have what they call qualified privilege. Our absolute privilege is interpreted to include statements made at judicial proceedings; statements made by one officer of the state to another; statements made in parliamentary and legislative proceedings; fair and accurate newspaper or broadcast reports of court proceedings. I'm not sure whether the intent would be to extend privi-

lege for members of council or trustees to all of these four—maybe it would be; maybe it should be—but it's something I think we'd have to look at in terms of the details to see whether all four of those are appropriate.

I was a city of Toronto councillor for Scarborough for nine years, and I haven't seen a circumstance come before me or come to my attention where this was something that was very urgent or a problem. However, the member did raise an issue that has come to his attention, and just because there may not be a hue and cry for reforms in this area, it doesn't mean that the suggestions the member's coming forward with don't have merit and it doesn't mean we shouldn't give it some consideration.

That's why I say to the member for Oshawa that there is some merit to what he's suggesting. There may be some good ideas in there. I would strongly recommend, as we're reviewing the Municipal Act, which we are right now, that he bring those ideas a little more specifically, the specific changes he'd like to see, to the attention of the minister or even forward it to me in writing if he likes, and we'll certainly make sure this gets full consideration as we go through consideration of the Municipal Act. I think the member does have some good ideas, it does have merit in what he's bringing forward here, and his statements today brought some comfort to me that I think I know now what he's trying to accomplish. I'd be happy to work with him to try to achieve that as we go forward looking at changes to the Municipal Act. I don't think that would be all that difficult to try to achieve.

Again, I thank the member for bringing this forward. It's commendable; it's laudable. Because of the way the bill is written—and I'm not trying to find a way not to support this. In fact, last night, when I looked at this, I was trying to find a way to support it, and unfortunately I just couldn't because it was just a little bit too broad. But I'd be happy to work with the member in the future, if this does not pass here today, to see if there's another way we can fulfill the intent that he set out to accomplish here today.

Mr. Frank Klees (Oak Ridges): I'm pleased to rise and participate in this debate on Bill 165, brought forward by my colleague from Oshawa. I want to commend him, first of all, for taking this initiative, as is typical of the member, in response to an issue that was brought to him by a constituent. This bill before us today is in response not to a theoretical issue but to a very practical issue that is being faced by someone who, on the one hand, is attempting to provide public service and, on the other hand, is finding obstruction in doing that.

I must say that when I first saw the bill, I had some of the concerns that are being expressed by some of our colleagues, because it is in fact written in a very broad context. When we talk about extending privilege, it is something that we as members of Parliament, provincially as well as federally, take very seriously.

I want to read into the record Erskine May's definition of parliamentary privilege. It reads as follows: "Parliamentary privilege is the sum of the peculiar rights en-

joyed by each House collectively ... and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law.”

Marleau goes on to explain that when we speak about the peculiar rights that are extended to members of the Legislature, there are basically four categories: One is freedom of speech; the other is freedom from arrest in civil actions; the third is exemption from jury duty; and the fourth is exemption from attendance as a witness—very powerful exemptions.

1140

Specifically with regard to the issue of freedom of speech, I want to again make reference, to provide some context, to a ruling by Speaker Fraser on the issue of this very important privilege that members of the Legislature are extended when it comes to that category of freedom of speech. That ruling is stated as follows:

“There are only two kinds of institutions in this land to which this awesome and far-reaching privilege ... extends—Parliament and the Legislatures on the one hand and the courts on the other. These institutions enjoy the protection of absolute privilege because of the overriding need to ensure that the truth can be told, that any questions can be asked, and that debate can be free and uninhibited.”

He goes on in his ruling to talk about the important aspect of these matters of privilege. What is important to me is the clarification that the member from Oshawa has presented to the House this morning in terms of his intent with regard to this legislation. He has very clearly stated in his address that he wants not to extend those broad privileges that members of the Legislature and Parliament have but, rather, that they be limited to section 37 of the Legislative Assembly Act. And those are in fact very narrow. I want to read that into the record for the benefit of members. It states as follows:

“A member of the assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing the member brought by petition, bill, resolution, motion or otherwise, or said before the assembly or a committee thereof.”

This goes to the heart of the member’s intent with regard to this bill. I am disappointed to hear the members from Etobicoke Centre as well as Mississauga West, I believe it was, who said that while they agree with the intent of this bill, they find they cannot support it because it doesn’t go far enough, doesn’t have one aspect they would like to see included or perhaps needs some refinement. I want to remind members of this House that on second reading, the vote in favour of any legislation before us is a vote in principle. It does not address the specific aspects of a piece of legislation. That’s what the next step is for, which is committee. And it is in the context of those committee hearings that we can then refine the legislation. If it’s found that the legislation doesn’t work, for whatever practical or legal reasons, as a

result of the debate we have in committee, then of course it wouldn’t be referred to the House for third reading.

I do believe that the member has addressed something very important, and that is that he wants to ensure that members who are elected to the municipal level of government, who take their seats at the council chamber in representation of their constituents, can do so without impediment; that they can do so with a sense of freedom; that they can, whether it’s requesting information from staff, whether it is making statements and calling on certain truths to be tabled so that they can more effectively deal with the issues before them, whether it’s a member of a board of trustees in our school board or whether it is a member of council—surely in this place, we should do what we can to empower those individuals, to protect those individuals from in any way being prohibited from doing their jobs.

So I encourage this House to pass this bill on second reading, which is before us today. Refer it to committee so that we can discuss all those details that the member has indicated, issues that have been raised by our colleagues in this House. I will be supporting it for that reason. I believe, in principle, the member has it right. Now it’s up to this House to ensure that we deal with this legislation in committee to ensure that the details are dealt with accordingly.

Mr. Garfield Dunlop (Simcoe North): I’m very pleased to be here today to speak to the private member’s bill, Bill 165, An Act to provide elected members of municipal councils and school boards with certain privileges, immunities and powers. I think the explanatory note says it all: “The purpose of the bill is to extend to elected members of municipal councils and school boards those privileges, immunities and powers presently enjoyed by members of the Legislative Assembly of Ontario.”

I would like to congratulate my colleague Jerry Ouellette, the member for Oshawa, for bringing forth this legislation, which he introduced in the House last December. I will be supporting this legislation as well.

First of all, I want to say that I was pleased to see that the bill was circulated to municipalities across the province. I know that two of the larger municipalities in my riding, the town of Midland and the city of Orillia, both supported this bill. I have a lot of confidence in the workings of those two municipal councils and the staff that work for the towns of Midland and Penetanguishene. I also understand that the member for Oshawa received support from the township of Ramara on this private member’s bill as well. I’m not sure what other ones came in from my municipality.

Mr. Speaker, as you probably are aware, a lot of us in this House have been members of municipal councils over the years. I myself had 18 and a half years in municipal council work, and I felt that as a municipal council member I worked just as hard at doing my job as a councillor, a reeve and a deputy mayor as I do representing the people as an MPP, if you look at the responsibilities we have.

I think the errors and omissions aspect of the legislation is what bothers me. There is a certain protection we have in this assembly, and we get that protection during all the debate times, during question period. As you know and as the member brought forward, those same privileges are not extended to municipal council members and a lot of people on school boards as well. I think they deserve that right.

People who are on municipal councils—most of them are not full-time jobs. In a lot of cases, these people run businesses, they are teachers, they belong to other professions. A lot of people join municipal councils as a result of their strong support for and love of their communities. They want to make their community, whether it's a township, a city or a small village, a better place to live. I think in a lot of cases, because they don't have the privileges that are extended to the 103 MPPs here, that may be a reason why people would not run for an elected position on some of the councils. That is hindering the process in a certain way. Just because of this aspect alone, we might be turning our back on a lot of very good elected officials across this province who may like to run.

I don't see what the downside of this is. I would hope that every member in this House would be here to support this legislation. I'd like to see it go to committee and have a lot of people come to that committee. Let's have members from AMO, ROMA and the Ontario Good Roads Association come to those meetings and discuss this. I'm sure we'd get support from all those organizations. I don't know that for a fact; maybe the member for Oshawa, in his wrap-up, can mention whether he's talked to AMO on this particular piece of legislation. I would think they would support that. This would be something that could be lobbied for right on the floor of the annual convention of the Association of Municipalities of Ontario.

I know the member has looked into this. He has talked to a number of stakeholders. As I said earlier, I was pleased he had taken the time to write to municipalities to see what their response would be to his bill. From everything I've read here, I'd say that he's had a very positive response and that the members of municipal councils and the administrators of municipalities would want the Parliament of Ontario to support this private member's bill.

1150

I've said it before in this House: Some really important legislation is passed through this House. This is one of them: helping to protect our municipal councils. I think of Mr. Gravelle's bill on the insulin pump. That's a bill I'm sure should be passed through this House. We seem to introduce it in each Parliament and it dies on the floor. The Ministry of Health gets their hands on that bill and we never hear of it again. But I can tell you that in my riding, Bill 55 is an important bill. We have a number of people who require insulin pumps, and the funding is not available through the health care system to allow them to have that. As a result, the lobby continues, but nothing is done about it.

As I said earlier, I think that in private member's hour we often turn these bills down; we often don't see them go to committee. This is an opportunity today to prove I'm wrong in that assumption. Let all the members of this House support Bill 165 and move it forward through the committee hearings. We've done a lot worse. The bring-your-own-wine bill, for example, is really a nothing bill. The marijuana grow-op bill isn't too important. There's all kinds of legislation that we've debated here that hasn't had the impact this could have on our fellow politicians across the province.

So I would ask every member in this House to support this. I hope the member can see it brought forward to committee hearings and passed into law as early as the spring of this year.

With that, I'll be happy to thank you for this opportunity to stand here today and speak in favour of this bill. I congratulate the member from Oshawa for bringing forth such an important bill to help municipal governments across this province.

The Deputy Speaker: Member for Oshawa, you have two minutes to reply.

Mr. Ouellette: We, as members, have been granted a privilege and an honour. We are all honourable members. I want to thank the members from Niagara Centre, Etobicoke—Lakeshore, Scarborough Centre, Oak Ridges and Simcoe North for their comments today.

In this bill, there are some not-defined areas—as I've expressed, and even the member from Niagara Centre—that need to be refined and defined. I'm hoping that, through the committee process that can take place, we can take this to committee to get a fleshed-out bill, fully discuss the impact and give those municipalities that have that concern—I know the Northwestern Ontario Municipal Association is meeting in Kenora at the end of this month, and there was huge support from the municipalities in the north. I fully expect there will be something come forward at that municipal meeting in that part of the province at that time.

The intent in bringing this forward was, as specifically stated under the Legislative Assembly Act, to extend the privileges of speech. I'll read it again:

“37. A member of the Assembly is not liable to any civil action or prosecution, arrest, imprisonment or damages, by reason of any matter or thing the member brought by petition, bill, resolution, motion or otherwise, or said before the assembly or a committee thereof.”

I'm hoping the members here will enable it to move forward to the committee process so that there's full and complete debate, so that we can actually develop the bill if, in their eyes, it doesn't fulfill the needs they feel are there, and so that we can move forward with a bill that will help us and our municipal and elected school board trustees in providing better, more informed debate, and give those individuals the ability to better represent their constituents as well.

I thank all for the opportunity to debate this bill today.

The Deputy Speaker: The time provided for private members' public business has expired.

CONSUMER REPORTING
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT LA LOI SUR
LES RENSEIGNEMENTS CONCERNANT
LE CONSOMMATEUR

The Deputy Speaker (Mr. Bruce Crozier): We will first deal with ballot item number 57, standing in the name of Mr. Ruprecht.

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

Mr. Tony Ruprecht (Davenport): On a point of order, Mr. Speaker: I'd like to have this referred to the committee on finance and economic affairs, if I might.

The Deputy Speaker: Mr. Ruprecht has asked that this be sent to the standing committee on finance. Agreed? Agreed.

ELECTED OFFICIALS
IMMUNITY ACT, 2005

LOI DE 2005
SUR L'IMMUNITÉ DES ÉLUS

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 58, standing in the name of Mr. Ouellette.

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

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1155 to 1200.

The Deputy Speaker: Mr. Ouellette has moved ballot item number 58. All those in favour, please rise.

Ayes

Arnott, Ted	Hardeman, Ernie	Martel, Shelley
Baird, John R.	Horwath, Andrea	Ouellette, Jerry J.
Bisson, Gilles	Jackson, Cameron	Prue, Michael
Chudleigh, Ted	Klees, Frank	Rinaldi, Lou
Churley, Marilyn	Kormos, Peter	
Dunlop, Garfield	Leal, Jeff	

The Deputy Speaker: All those opposed, please rise.

Nays

Broten, Laurel C.	Kwinter, Monte	Ramal, Khalil
Brownell, Jim	Marsales, Judy	Ruprecht, Tony
Cansfield, Donna H.	McMeekin, Ted	Sandals, Liz
Caplan, David	McNeely, Phil	Sergio, Mario
Delaney, Bob	Meilleur, Madeleine	Van Bommel, Maria
Dhillon, Vic	Mossop, Jennifer F.	Zimmer, David
Duguid, Brad	Patten, Richard	
Hoy, Pat	Peterson, Tim	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 16; the nays are 22.

The Deputy Speaker: I declare the motion lost.

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

The House recessed from 1202 to 1330.

WEARING OF RIBBONS

Mr. Ted Arnott (Waterloo-Wellington): On a point of order, Mr. Speaker: I'd like to seek unanimous consent of the House to allow members to wear this yellow ribbon in recognition of the Canadian Cancer Society and the fight against cancer.

The Speaker (Hon. Alvin Curling): Do we have unanimous consent to wear the yellow ribbon? We have unanimous consent.

MEMBERS' STATEMENTS

HURONIA REGIONAL CENTRE

Mr. Garfield Dunlop (Simcoe North): I rise today to draw to the attention of all members of this House and to all the citizens of our province the uncertainty that will be faced by the 340 residents of Huronia Regional Centre and their families when the Orillia facility is closed. We have now received thousands of signatures from citizens from across our province asking the government to carefully reconsider what has become a decision that clearly is a mistake and has no plan behind it.

On Saturday, April 9, between 1 p.m. and 3 p.m., the Huronia Helpers Family Organization will meet at the Royal Canadian Legion in Orillia to discuss further intentions. These friends and family members are afraid for their loved ones who reside at the Huronia Regional Centre. Most of the residents have very special needs, are elderly and have called HRC their home for most of their lives.

I have visited the HRC many times over the last few months. The facility is clean, neat, and its residents live in family-like units, not in the jail cell atmosphere that some would make you believe is the case. The 680 employees who care for the residents in a very kind and professional manner are part of the culture of Orillia and area. Their payroll contributes \$29 million to the local community.

Although I support the mandate and intent of community living associations, I still feel that there is a need to accommodate the residents with very special needs who continue to live in the three remaining facilities. I urge all Ontarians to support the continuation of HRC by signing petitions and by telling Dalton McGuinty that the closure of HRC was not part of his 2003 election platform.

LE PAPE JEAN-PAUL II

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell): C'est un monde en deuil, et demain Rome s'apprête à accueillir plus de deux millions de personnes aux funérailles du Saint-Père, le Pape Jean-Paul II.

Au nom de tous les citoyens et citoyennes de Glengarry-Prescott-Russell, je désire me joindre à la population entière afin de réitérer nos profonds senti-

ments d'angoisse, d'amour, de vénération et de respect pour cette sainte personne, la pierre angulaire de la religion catholique, qui s'acharnait constamment à resserrer les liens entre toutes les dénominations religieuses.

Notre Saint-Père était un grand défenseur des droits de la personne, ayant un profond amour et une dévotion incontestable pour la jeunesse. Doté d'un charisme hors de l'ordinaire, il instillait en nous des sentiments de paix, d'amour et d'amitié.

Je ne peux que me remémorer avec émotion sa visite à Ottawa en 1984, alors qu'avec mes confrères Sires Chevaliers, nous formions la garde d'honneur du Saint-Père Jean-Paul II, et sa visite à Toronto en 2002, alors qu'avec plus de 200 personnes de Prescott et Russell, nous avons pris part à des activités sur le terrain. Là, comme l'ensemble des gens, j'ai été fortement touché par sa force spirituelle et humanitaire.

Votre Sainteté, nous garderons toujours en nous votre éloquente présence, bref, cette personnalité majestueuse.

AUTISM SERVICES

Mr. Frank Klees (Oak Ridges): Children and young people with autism and severe mental and physical disabilities brought together Christians and Jews at an historic event last night.

Major General Doron Almog, former head of the Israel Defence Forces' southern command, whose 21-year-old son, Eran, is autistic, characterized the event as a gathering of "the strongest for the weakest."

The event, whose honorary chair Gerry Schwartz, raised in excess of \$400,000 in support of the Aleh Negev project in Israel, where children and young adults with autism receive compassionate care and benefit from rehabilitation therapies.

Present at the event was the Israeli Vice Prime Minister, Mr. Ehud Olmert, who praised supporters for demonstrating in such a tangible way that they care for the human needs of people.

I was honoured to be in attendance at this event. I was inspired by the support for the Aleh Negev project and the generosity of the supporters. It was heartwarming to see what is being done for autistic children in Israel.

But as a member of this Legislature, I also felt a sense of shame for our own province, because rather than forging similar coalitions and demonstrating political and moral leadership on behalf of autistic children, our Premier, Dalton McGuinty, and his government are refusing to provide even the basic care and therapies ordered by the Ontario Superior Court.

I call on this Premier and this government to reassess their priorities.

LITERACY TESTS

Mr. Mario Sergio (York West): It is with great pride that I rise today to congratulate the literacy achievements of hard-working students in my riding. The C.D. Howe Institute recently released a study of Ontario schools that

wrote the Education Quality and Accountability Office tests. The grade 3 test performance of Driftwood Public School in the Jane and Finch area has put them in the top 10% of schools in the province.

Driftwood stands as testimony that students can obtain success once given proper instruction and the necessary pooled resources. Effectual results came from collaboration between teachers, leadership from the principal, outreach to parents and literacy programs.

Teachers at Driftwood do not allow excuses such as poverty or living in high-rises for poor performance levels. The teachers at Driftwood inspire their students and motivate them to learn. They are an example for all schools to follow. The tough love and discipline implemented by the teachers and principal have been rewarded with a 64% student passing rate. I am confident that the continuing work at Driftwood will mean that next year even more students will achieve a high level in reading and writing.

I applaud the positive forward steps taken by the McGuinty government. They are much needed with respect to the funding allocations for our community schools, such as \$3 million for community use of school initiatives; \$175 million to address the Good Places to Learn initiative; and the very important primary class size initiative, which has been designated over \$12 million.

I congratulate Driftwood and I hope they will continue to do and deliver excellent work in our area.

HEALTH CARE

Mr. Robert W. Runciman (Leeds–Grenville): Over the last several days, the Premier and the Minister of Health have been playing fast and loose with the facts around their illegal health tax.

People in good faith believed Dalton McGuinty when he looked into the camera during the last election and said, "I will not raise your taxes," but in his first budget he broke that promise, and since then he has broken many more. From the solemn pledge to fund the treatment of autistic children to his pledge that he would freeze hydro rates, this Premier has demonstrated that he simply can't be trusted. Each day he comes in here and plays the people of Ontario for fools.

The Premier's lack of a plan for health care has put the system the people of Ontario depend on in jeopardy. Just this morning, his health minister said that hospitals will offer fewer services in the future, and further from home. This government is spending their illegal health tax dollars this year alone on fewer hospital services, firing 757 nurses or buying back MRIs that were already providing services to patients with an OHIP card.

John Tory has made a commitment to return the money that has been taken illegitimately from the people of Ontario. John Tory will not take one cent out of health care. John Tory has promised to spend health care dollars wisely and get down to the real hard work of finding waste in government, something this government refuses to do. John Tory and the Ontario PC Party will replace

the Liberals' illegal health tax with a competent government that has a plan for health care.

DAYCARE

Mr. Gilles Bisson (Timmins–James Bay): Well, well, Tories advocating for public health care. I've seen everything.

We have with us today a number of people from across Ontario who are here to lobby members of this assembly to talk about moving forward on the daycare issue. We know that, in the previous election, the Liberal government—at the time in opposition—came forward and said they were going to do something. What have they done? The federal government said, "Listen, we're prepared to put forward \$300 million to assist you, the province of Ontario, to develop a daycare program."

The government announced that they've got this wrap-around program. They're going to deal with four- and five-year-olds only. Well, children are not just four and five years old. It's from birth up to grade 12—I should say age 12; sometimes I think grade 12—that we need to have daycare programs for our children.

This government still does not want to commit itself to making sure that whatever expansion we make in the daycare system is done in the not-for-profit sector and that we move away from the policy of the Conservative government that moved us into the private sector when it comes to daycare.

I say to the government, you need to start to show your colours. You certainly spoke a good line when you were in opposition, you certainly spoke a good line in the last election, but when it comes to your being in office, it's the litany of broken promises that we have seen from this government since the day they were elected—making promises before the election sounding like New Democrats, but reigning like Tories.

1340

WINCHESTER DISTRICT MEMORIAL HOSPITAL

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): It is with great pride that I rise today and acknowledge the outstanding efforts of the Winchester District Memorial Hospital's Renewing the Vision campaign and the generosity of the late Francis Bazinet.

While the House was in recess, the campaign announced that it had raised \$15 million toward the re-development of the hospital. Considering that Winchester is a small community without the resources of cities like Toronto or Ottawa, this is a remarkable achievement. In addition to the \$15 million in provincial funding, this money will allow for improvements in emergency, operating and patient care rooms. This will ensure that state-of-the-art equipment and quality treatment will continue to be available to the residents of Winchester and the surrounding area.

The Winchester District Memorial Hospital first opened its doors to the community in 1948, with the mandate to "relieve human suffering." For more than half a century, it has held true to that mandate, providing health care service to more than 27,000 people annually. The dedication of Winchester's health care professionals inspired the late Mr. Bazinet to bequeath over \$900,000 to the Renewing the Vision campaign.

The people of Winchester have a strong sense of community and a determination to keep their community strong. Thanks to the donations of people like Mr. Bazinet, a revitalized Winchester District Memorial Hospital will be ready to continue its mandate, providing the community with the best of health care for another half century and beyond.

APPRENTICESHIP TRAINING

Mr. John Milloy (Kitchener Centre): There was more good news for our province yesterday, with the announcement of an additional \$37 million in funding for apprenticeship programs across Ontario. This announcement illustrates our government's ongoing commitment not only to Ontario's apprentices but also to our province's future economic success.

For my community, it will have a positive effect through the support it offers Conestoga College. Yesterday's announcement will mean over \$1.3 million for the college. I want to applaud the good work being done at Conestoga College to train the next generation of tradespeople.

Yesterday's news complements a number of other initiatives announced in the past few months by the Ontario Women's Directorate. For example, on February 25, we announced that we would provide nearly \$200,000 in funding to allow up to 20 unemployed and low-income women to receive pre-apprenticeship training in general carpentry at the Guelph campus of Conestoga College.

Shortly thereafter, it was announced that Conestoga College would receive an additional \$360,000 grant to deliver an information technology certificate program. This grant is also geared to unemployed or low-income women, new immigrants with IT skills and women with disabilities.

As employees in skilled trades, women have been underrepresented too long. These initiatives demonstrate a commitment to our tradespeople and to creating a more inclusive workforce for a strong economic future.

RWANDAN GENOCIDE

Mr. Shafiq Qadri (Etobicoke North): I rise today in recognition of the Rwandan genocide memorial day, a day when the world remembers unspeakable horror.

In 1994, racial hatred and genocide stalked Rwanda, leaving 800,000 people dead in just 100 days. As the world stood by and watched, Hutu militias killed as many as 10,000 Tutsis a day, face to face, with clubs and

machetes. The number is more incomprehensible when we consider that Rwanda has just seven million people, about the same number that live in the Golden Horseshoe.

The world's silence is difficult to comprehend.

Today I invite my fellow Ontarians and all the members of the Legislature to remember this tragedy in Rwanda. I also invite you to reflect on three qualities that we may take for granted here: dignity of life, respect for equality, and the value of our diversity. These qualities form the basis of life in Ontario.

We live in one of the most culturally diverse societies that humankind has ever known, from hundreds of different heritages and backgrounds, yet sharing one common vision: a vision of equality for everyone, where everyone can contribute to their potential and make their dreams come true. That is the vision we are all striving for. That is the dream called Ontario.

We must be ever vigilant against the nightmare of intolerance. Today, let us join with people around the world and say that we will never let ourselves be silent to such cries again.

Ms. Andrea Horwath (Hamilton East): On a point of order, Mr. Speaker: I rise to seek unanimous consent for second and third reading of Bill 170, the Fred Gloger Tenant Protection Amendment Act (Vital Services), on behalf of tenants at 355 Melvin Avenue in Hamilton, in order to restore their disconnected gas, heat, hot water, washers and dryers, that they have—

The Speaker (Hon. Alvin Curling): Thank you. I got the information. Do we have unanimous consent? I heard a no.

INTRODUCTION OF BILLS

FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L'INCENDIE

Mr Prue moved first reading of the following bill:

Bill 184, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes / Projet de loi 184, Loi exigeant que le code du bâtiment et le code de prévention des incendies prévoient des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.

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

Mr. Michael Prue (Beaches–East York): This bill contains two provisions, and I think they are two very common sense provisions. The first is that all of the fire alarms in any existing structure that has more than two units within the building must be interconnected, so that

if one fire alarm goes off, the other does. The second one, I think, is self-evident: The fire escapes cannot be made of combustible material, as most of them are in Ontario, so that a person going down the fire escape knows that they're not going to be burned alive.

VISITORS

Mrs. Julia Munro (York North): On a point of order, Mr. Speaker: I would like to recognize in the gallery today the mother, brothers, sister and grandparents of our page Peter Entecott.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

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

The Speaker (Hon. Alvin Curling): Do we have unanimous consent, as the House leader has requested? Agreed.

Hon. Mr. Duncan: I move that, pursuant to standing order 96(g), notice be waived for ballot item 61.

The Speaker: Mr. Duncan has moved that, pursuant to standing order 96(g), notice be waived for ballot item 61. Is it the pleasure of the House that the motion carry? Carried.

1350

ORAL QUESTIONS

HOSPITAL SERVICES

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is for the Premier. At a news conference this morning, your health minister made a shocking admission and revealed what appears to be the true plan you have for hospitals in Ontario. He said, and I quote, that your government would “extricate and consolidate” services from hospitals, and he said that hospitals will not operate with as broad a range of services as they currently do. Premier, specifically, what services is your health minister stripping from our hospitals?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I'm pleased to take the question, and I know that in the supplementaries the minister will want to speak to this.

Let me just tell you about the record. Rather than speculating about the future, let me tell you a bit about the record. We have been very proud to invest \$1.7 billion more in our hospitals this past year alone. We're

now working with our hospitals to help them balance their budgets by 2006, and half of them, I believe, have already done that. So we are pleased and proud to be able to make that investment.

I want to compare and contrast, because it's important for the people of Ontario. The Tories cut \$557 million over two years from Ontario hospitals. They closed 28 hospitals. They closed 5,000 beds in their first two years. A legacy of cuts; compare and contrast that with a legacy of new investment, new and better health care for the people of Ontario.

Mrs. Witmer: The Premier knows it is not true. Our government added about \$10 billion to the health care budget. We increased access to cardiac care, cancer care, dialysis, MRIs. It is simply incorrect.

I say to you, Premier, just yesterday a report commissioned by your government was released that talked about wait times. Earlier this week, you refused to commit to meeting recommended wait times that were released by the Canadian Medical Association. Well, today we know why. Your health minister said this morning that hospitals are not going to be delivering in the future the level of services they do today. Premier, tell the patients in Ontario what hospital services you'll be cutting, and also let us know about your hidden agenda, just as your health tax was a hidden agenda.

Hon. Mr. McGuinty: The most energy I'm expending right now is restraining the Minister of Health, who wants to get in on this. But I want the opportunity to speak to this.

What the minister did talk about was our responsibility to look for ways that we might consolidate surgical services. We don't believe it's efficient to do hip and knee replacements, for example, in 57 places across the province of Ontario. We should be looking at the best and most effective ways to use the limited number of health dollars that we have. But what we have done—and the member opposite will know this—is spend \$107 million specifically to reduce wait times. We have 1,680 more hip and knee replacement surgeries happening as a result of that investment, 1,700 more cancer surgeries, 7,800 more cardiac procedures, 2,000 more cataract procedures. So if people want to know where we're going, they should take a look at what we've done thus far. Our plan is to make new investments in health care in order to reduce wait times.

Mrs. Witmer: I would say to the Premier, you're not going to be reducing wait times by using your illegal health tax to fire 757 nurses, as you have just done. I say to you again, your minister this morning said that the McGuinty Liberals will "extricate and consolidate" services from hospitals. In other words, people in this province are paying more because of your illegal health tax and they're going to get fewer hospital services.

Let's take a look, Premier, at the Lake of the Woods hospital in Kenora. It's 482 kilometres from the Thunder Bay regional health centre. That is a long way. I want you to guarantee the citizens in Kenora and hundreds of other communities that you won't cut their hospital

services and that you're not going to force them to drive for five, six or even 10 hours to receive the treatment that they need and deserve.

Hon. Mr. McGuinty: This is blatant scaremongering. Obviously, we're going to take into account regional differences and distances and driving time and the like. But I want to remind Ontarians that this member speaks on behalf of a party which is committed to removing \$2.4 billion from health care. We've invested that money in order to provide better quality services to the people of Ontario.

I ask the member opposite: What would be wrong, for example, if we consolidated all of our cataract surgeries into one location in downtown Toronto instead of all the various institutions that are offering that service at present? How would that be contrary to the interests of Ontario patients? How would it be contrary to the interests of our doctors? How would it be contrary to the interests of taxpayers who are working hard to fund good-quality public services? I think this very member would agree with that approach. I think the people of Ontario want us to find ways to consolidate services in a way that does not compromise the quality of their health care. That's exactly what we intend to do.

ENVIRONMENTAL LEGISLATION

Mr. Robert W. Runciman (Leeds-Grenville): Again, to the Premier, and unfortunately, we have yet another example of this Premier's questionable judgment. After no movement for six months on the environmental spills bill, suddenly it was referred to committee this week without having any debate in this House. This is the same bill for which your top political fixer, Warren Kinsella, is receiving big cheques as a lobbyist from those opposed to the bill. Premier, why did you allow Warren Kinsella to attend your cabinet meeting on March 23, the date you discussed this legislative session? Do you not see a massive conflict of interest here?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I can appreciate the inference that the member opposite would like Ontarians to draw from this, but I can assure you that Mr. Kinsella did not in any way, shape or form broach that particular topic of Bill 133. I'm not sure why the member opposite would draw a negative inference from our determination to send Bill 133 out to committee. Would he have us keep this in-house? Would he have us adopt their particular approach, which was contrary to openness and transparency? We think the people of Ontario have something to offer when it comes to improving the quality of our legislation, so we're proud to take this bill and put it out to committee.

Mr. Runciman: We don't mind it going to committee; we just want to know the reasons behind this massive flip-flop.

This is how it looks to those who weren't in your cabinet meeting: First, your Chrétien-era crony strategist—the man who, according to the Ottawa Citizen

article, recommended Chuck Guité be put in charge of the federal sponsorship program—registers in March to represent those opposed to your bill. A week later, he was invited to attend your cabinet meeting where you discussed this legislative session. Media saw him walk in; he was there. Then, suddenly, you send this bill to committee before any debate in the House, indicating you're prepared to make substantive changes to your flawed legislation.

Premier, Warren Kinsella wants to see this bill die. He's being paid to ensure that happens. How can you possibly justify this conflict of interest? How can you possibly give the key to the cabinet to Warren Kinsella?

Hon. Mr. McGuinty: I want to thank the Conservative Party staff for their creativity in that particular matter.

If I might be serious about this issue, we have decided to proceed with this legislation. I believe this is the fifth bill, in fact, that we're sending out to committee right after first reading. We think it's an important way for us to better engage the people of Ontario and to make sure that we're getting the best possible advice when it comes to moving forward with this. I know what the member opposite is really saying is that he personally, and his party, stand fully against Bill 133. I think that is what this is really all about.

1400

The Speaker (Hon. Alvin Curling): Final supplementary? The member for Haldimand–Norfolk–Brant.

Mr. Toby Barrett (Haldimand–Norfolk–Brant): When your environment minister introduced this legislation, she said, “We believe this bill demonstrates our commitment to protecting the environment.” Now we see your Chrétien crony, Warren Kinsella, lobbying your cabinet directly to send this bill to committee.

Interjections.

The Speaker: Order. Could I ask the government members to come to order while the member asks his question? And while the member from Haldimand–Norfolk–Brant asks his question, could you put away that prop? It has become a prop now. Thank you.

Mr. Barrett: Premier, now we see your Chrétien crony, Warren Kinsella, lobbying your cabinet directly to send this bill to committee, never to be seen again. Obviously, Warren Kinsella is more powerful than your Minister of the Environment.

Premier, my question is about your judgment; my question is about your integrity. Why would you allow the main lobbyist against one of your government's bills into your cabinet meeting, as we now know, while the bill is still before the Legislature? Why would you do that?

Hon. Mr. McGuinty: The member is in effect questioning this government's commitment to the environment, and I want to tell you about some of our initiatives. We've increased the operating budget by 12.5%, notwithstanding our deficit. We've hired 33 more water inspection staff, increasing the number by 25%. So far, we have cut electricity generation from our dirty coal

plants by one third. We've already fulfilled 28 recommendations of the Walkerton inquiry. We have received the proposals for 395 megawatts of new renewable energy.

Ms. Marilyn Churley (Toronto–Danforth): Is that all?

Hon. Mr. McGuinty: We're investing \$400 million to support source-to-tap drinking water initiatives.

I am never looking for endorsement unqualified by the critic for the environment of the NDP but I think, for most objective people, we're doing a pretty good job.

HEALTH CARE

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Yesterday you said that New Democrats “enjoy bringing families into this place on a regular basis.” You said that that may be the leader of the third party's style, “but it's certainly not my style, and I want to make that perfectly clear.” Yes, Premier, while you're listening to developers at a \$10,000-a-plate dinner and while you invite your cronies like Warren Kinsella to cabinet meetings, I'm determined to make sure that ordinary families are heard in this place.

I'll tell you what their priority is. They want to know about our health care system and waiting lists, because they're still waiting. They're still waiting for what you promised. So far, they're paying more for health care and getting less health care. Premier, how much longer will ordinary Ontario families have to wait before you keep your promise to shorten wait times at our hospitals?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): Well, we already have. And I'm pleased that yesterday a report came out that was made public, where we established a baseline against which the members opposite and the people of Ontario will be able to measure our progress. No government before us had the fortitude and the commitment to take that on. This is not an easy thing to do.

As I said a few moments ago, we have made some specific investments to reduce those wait times by increasing volumes. We had 1,680 more hip and knee replacement surgeries that we funded in a very specific way, 1,700 more cancer surgeries, 7,800 more cardiac procedures, 2,000 more cataract procedures.

Just recently, notwithstanding the agreement that the leader of the NDP criticized that we've entered into with the doctors, we are lifting the cap on specialists, because we've all heard those stories about doctors working eight or nine months of the year, not because they chose to but because they weren't being paid to work longer. And we've all heard about the patients waiting in line—

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

Mr. Hampton: This is certainly an exercise in spin, because the wait list report that I read yesterday said that waiting lists are dangerously long in some cases.

I want to talk about another wait list. Ontario families are waiting and worried about the prospect of more cuts

by your government to our hospitals. You forced our hospitals to submit reports on what services they would cut as a result of your underfunding. We're now into the new fiscal year and they still haven't heard where your government is going. Will you force them to shut more beds, lay off more nurses, eliminate more services? Premier, how much longer will ordinary Ontario families have to wait before they learn about more cuts by the McGuinty government to their local community hospitals?

Hon. Mr. McGuinty: I know the leader of the NDP would like to convey that we've been cutting, but I don't call investing close to \$3 billion more in health care a cut. I don't call investing close to \$1.7 billion more last year alone in our hospitals a cut. We're now working with our hospitals to ensure that they can balance their budgets.

I want to remind you of something that the NDP did when they had the privilege of serving Ontarians as a government. They cut medical school spaces for doctors. They cut our hospital budgets by \$268 million. They cut funding for OHIP by \$315 million. Again, compare and contrast. Those were real cuts; they were specific cuts. On the other hand: \$3 billion more in health care and \$1.7 billion more in our hospitals.

Mr. Hampton: The Premier might want to recognize that someone named Paul Martin cut all budgets for all provinces in terms of medicare.

But I want to ask the Premier about this. Your Minister of Health today announced that the plan is to start centralizing hospital services, to take them out of some communities and centralize those services in other places. Premier, I want to ask you what this means for people in northern and rural Ontario who, in some cases, already travel hundreds of kilometres. What does it mean for them when your Minister of Health starts taking hospital services out of their community and centralizing them somewhere else? How long will patients have to wait? How far will they have to drive in order to get the hospital services that right now are being provided in their home community?

Hon. Mr. McGuinty: Obviously, there will be some cases where it makes sense to consolidate, as in larger urban centres. But there are some other areas—northern and rural communities—where we are not going to compromise accessibility to good, quality health care. That is not our intention. We are bound and determined to move forward in a way that makes sure that all Ontarians are getting the very best for the limited amount of money that we have available to invest in health care. Yes, we have invested \$3 billion more in health care, we've invested \$1.7 billion more specific to hospitals and we feel a corresponding responsibility to make sure we're using that money in the best way possible. So, yes, we are looking at the kinds of things that the member referenced, but not in a way that's going to compromise accessibility to good, quality health care in our northern and rural communities.

GOVERNMENT SERVICES

Mr. Howard Hampton (Kenora–Rainy River): Premier, I want to ask you about some other wait times: the wait time for you to keep your promises; the wait time that autistic children and their parents have already put in. They're waiting for you to respect their constitutional rights and human dignity. They're waiting for you to stop denying the IBI treatment to them that you promised during the election. They're waiting for you to stop dragging autistic children and their parents through the courts. They're waiting for you to keep your promise. How long are autistic children and their parents going to have to wait before you keep the promise you made to them before the election?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): The leader of the NDP would create the impression that our government is not committed to children in the province of Ontario. I want to tell you about what we've done so far. In our first year alone, notwithstanding the \$5.6-billion deficit we encountered—the leader of the NDP doesn't believe the deficit is any kind of an issue and should not factor in in any way when it comes to delivering, but let me tell you about some of things we've done.

First and foremost, we have created a ministry responsible for children and youth services—the first government in Ontario. They had their chance and they chose not to do that. We have invested \$156 million over three years for a new vaccination program: free vaccines for children in Ontario. We've invested \$1.1 billion, as well, in our first year in new education funding. I look forward to telling the member more about some of the new investments we're making for Ontario's children.

1410

Mr. Hampton: The question was, how long will autistic children and their parents have to wait for the Premier to keep the promise he was so proud of and easily made before the election?

I want to ask about another wait list. I want to ask about the 158,000 families in this province who are on a wait list for affordable housing, the one out of five tenants who are at risk of becoming homeless. You promised them 20,000 new affordable housing units. We got it from the assistant deputy minister today. Do you know how many you've built? Eighteen. Eighteen out of 20,000. Those people will be on a waiting list for the rest of their life. Premier, those people are waiting for you to keep your promise. How long are those people who need affordable housing going to have to sit on a wait list for you to keep your promise?

Hon. Mr. McGuinty: The Minister of Public Infrastructure Renewal.

Hon. David Caplan (Minister of Public Infrastructure Renewal): Affordable housing is an area we've made significant progress in. In fact, we've announced funding for 3,600 units of affordable housing, the single largest affordable housing expansion in the last decade in the province of Ontario. In addition to that, my colleague the

Minister of Municipal Affairs has introduced a rent bank in Ontario to help low-income tenants have housing security. In addition to that, I have announced project development funding up to \$100,000 available to community groups and organizations to develop affordable housing proposals that we can fund jointly between the federal, provincial and municipal governments.

This government has done considerably more than previous governments did as far as delivering affordable housing is concerned. I'm very proud of the record and I think the members opposite would want—

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

Interjections.

The Speaker: Let's get some order.

Mr. Hampton: The question was about affordable housing. I wasn't ready for the Minister of Housing to launch into a sales campaign for upscale condominiums.

I want to ask about another waiting list: This is children and families who are waiting for child care. They're waiting for the McGuinty government to invest the \$300 million of provincial money that you promised would be invested in child care. They are waiting the 10 years it will take for your Best Start program to be implemented. They're waiting for the Premier to keep his promise.

I say to the Premier: Stop listening to your \$10,000-a-plate private developer guests, stop inviting Warren Kinsella to your cabinet meetings, and tell the people waiting for child care when they are going to see the \$300-million investment in public, regulated, affordable child care that you promised before the election.

Interruption.

The Speaker: Order. May I ask the people in the gallery not to partake in the applause. You are welcome here, but are not in any way to demonstrate in any sort of demonstration. If you persist, we may have to ask you to leave.

Minister?

Hon. Mr. Caplan: I'll refer that to the Minister of Children and Youth Services.

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): We are embarking on the most ambitious and most progressive expansion of child care in the history of this province. For the first time in a decade, we invested in new child care spaces. We are not only on our way to creating the 4,000 spaces this year, but surpassing the number of spaces. I also want to inform the honourable leader of the third party that \$600 million a year is presently spent on child care. Less than 10% of that is federal money; the majority of it is provincial money. I'd also like to inform the leader, if he missed the announcement of our Best Start plan in December, that phase one starts immediately—not in 10 years, but immediately, in the fall—with wraparound JK and SK programs. We have three demonstration sites that will fast-track the whole program, which will inform us and guide us in our implementation.

TTC SERVICE

Mr. Frank Klees (Oak Ridges): My question is to the Premier. I want to raise an issue today that I'm sure you'll agree is on the minds of some 1.3 million people in the GTA, users of the TTC. Every day some 35,000 passengers use the TTC just to come to work in the city. In every sense of the word, I'm sure you'll agree that the TTC is an essential service. What we would like to know is whether or not you have, in place and ready, draft back-to-work legislation if indeed—

Mr. Gilles Bisson (Timmins–James Bay): They haven't even finished negotiations.

The Speaker (Hon. Alvin Curling): Order. Member from Oak Ridges, complete your question, please.

Mr. Klees: I appreciate the help from our friend. In the event that we face a strike, Premier, do you have back-to-work legislation in place to ensure that people can in fact use that TTC service on Monday?

Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs): I'm going to acknowledge the wisdom of the NDP in this regard. I think we owe it to the parties to allow them to continue to negotiate. I'm not as pessimistic as the member opposite. Believe me, I've given this some thought. In fact, there are two members of my household who are reliant on a daily basis on the TTC.

I can say that we are ready, willing and able to offer whatever assistance the TTC folks might require, if there's any way we can act to help to broker a solution that serves the interests of all the parties and, of course, most importantly, the public. But I think we owe it to the parties involved to give them time to work things out.

Mr. Klees: Premier, I also think you owe it to some 1.3 million users of the TTC to be prepared. We hear—and the media are full of reports—that a strike could be upon us by Monday. On behalf of the 1.3 million users of the TTC, apart from all of your good intentions, we would like to know: Are you prepared, and will you in fact step in to ensure that those 1.3 million commuters will have a way to get to work on Monday?

Hon. Mr. McGuinty: I understand that TTC users are concerned, but I also think that, were they given the opportunity to hear us converse about this today, they would think it is reasonable and appropriate that we allow the parties involved to continue to speak, to let them know that we are united here in this House when it comes to them coming up with a resolution that ensures that service remains uninterrupted.

I've been handed a note here saying that we have our director of labour management services at the table, assisting the parties in any way we can. I remain optimistic, and I would recommend to the member opposite that he do the same.

AUTISM TREATMENT

Ms. Shelley Martel (Nickel Belt): I have a question for the Minister of Children and Youth Services. On

February 24, you told my colleague from Beaches–East York that there had been 1,200 children on the waiting list for IBI and that your government had decreased that waiting list to 800 children. Can you tell me, of the 400 children who came off the waiting list, how many of them actually qualified for and started IBI?

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): I thank the honourable member for the question. I can get the specific numbers to the honourable member by the end of the day.

I am very proud of the fact that we did reduce the waiting list for assessment by 72%, because, quite frankly, kids were waiting on the waiting list to get assessed, first of all, on whether they truly had autistic spectrum disorder and, second, whether they qualified for IBI. We've reduced that list by 72%. We've also increased by 25% the number of children under the age of six who are receiving IBI therapy.

I'd be pleased to get that specific number to the member by the end of the day.

1420

Ms. Martel: I actually asked the ministry for this specific information over a month ago, and the reply I got back yesterday never answered the question. I think the reason I didn't get a straight answer is that you and the ministry would like the public to believe that once people come off the waiting list for an assessment, they automatically get IBI service, when nothing could be further from the truth.

You told this House in November that, under your government, 250 children have come off the waiting list, and you wanted to leave the impression that these children got IBI. But your ministry had to provide information to the public accounts committee in December that showed that of the 250 who came off the list, 91 never qualified, never received a day of IBI at all. I think that same thing has happened to the 400 children who you now claim have also come off the waiting list.

Minister, I ask you again, of the 400 children who you claim have come off the waiting list, how many actually received IBI?

Hon. Mrs. Bountrogianni: I'm disappointed that the honourable member would actually believe that I would want to mislead the parents on the waiting list. I've always said that this is a very difficult file, a very difficult challenge. The number that I do know to be a fact is that 25% more children are accessing IBI treatment. I will endeavour to get the specific number the honourable member asks by the end of the day. I will try my best.

VETERANS

Mrs. Donna H. Cansfield (Etobicoke Centre): My question is for Minister Gerretsen, who is responsible for seniors. Like virtually everyone in this House, I have veterans in my community such as Bruce Melanson, who was responsible for spearheading the Juno Beach memorial. May 8 is VE Day, Victory in Europe Day. I'd like to

ask what we're planning to do as a government to acknowledge those veterans in our community.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I thank the member for her question. It's certainly relevant as we get closer to May 8.

On May 8 our government, in co-operation with veterans from Ontario, Veterans Affairs Canada and the city of Toronto, is planning the 60th anniversary celebration at Exhibition Place. As many of you may know, Exhibition Place played a significant role during the Second World War, serving as a barracks and training centre for troops. So it's a very appropriate place to hold these kinds of celebrations. There will be four components to the day: There will be a victory parade, a reflective ceremony, historical exhibits and a victory dance.

It will also launch the kickoff of the Memory Project Road Show, which will visit seven different communities throughout Ontario to record the veterans' stories to ensure they can be shared with future generations.

Mrs. Cansfield: That's wonderful to hear. The Dominion Institute and Rudyard Griffiths have done phenomenal work dealing with the memory workbook and ensuring that the stories of the veterans are here for all of us in the future. I guess I'd like to know—it's a wonderful opportunity—who is coming to the party. Who gets invited?

Hon. Mr. Gerretsen: We're obviously inviting the veterans and their families, but we're inviting the general public as well to come to Exhibition Place on May 8. We hope to see many members of the House there as well, or, if they're not able to come, to join similar festivities throughout the rest of Ontario.

This is the Year of the Veteran, in which we recognize the tremendous contributions of veterans of not only the Second World War but of other wars that Canada has been involved in over the last century or so. We ask everyone to remember that these men and women gave unselfishly of their lives and made a tremendous contribution so that you and I can enjoy the kind of country we have today. I invite everyone to Exhibition Place on May 8 to truly remember those veterans who did so much for us.

LABOUR UNIONS

Mrs. Julia Munro (York North): My question is to the minister of democratic renewal. Since coming to office, you and your government have claimed repeatedly that you stand for democratic renewal. In a press release on March 7, you claimed, "The McGuinty government is continuing its efforts to strengthen Ontario's democracy." Then why, Minister, is your government removing the democratic right of Ontario construction workers to decide whether or not they want to join a union? As the minister in charge of safeguarding the democratic rights of Ontarians, why do you support abolishing the secret ballot for construction workers?

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): If the question is about democratic renewal, I'm happy to speak to the most ambitious democratic renewal agenda in the history of Ontario. However, I think the question was really more about labour relations, and I'm happy to say this to the member and provide any further details in the supplementary.

We are delivering real, positive change by introducing fair and balanced legislation that would promote labour stability and make Ontario strong, healthy and prosperous. What this is going to mean, contrary to what the member suggested, is that, if this bill is passed, we would be restoring powers to the Ontario Labour Relations Board to ensure that they could effectively deal with circumstances where an employer or union violates the Labour Relations Act during an organizing campaign, and I know the member would want to support that.

Mrs. Munro: Your government has devalued faith in our public institutions through your broken election promises. You claim to promote democratic renewal, yet when the people chose your platform in the last election, you betrayed them. Now you will not even allow workers in one industry to have a free choice through a secret ballot. Secret ballots are used in our elections to promote free and fair voting, to guard against intimidation or bribery of voters. Minister, will you guarantee in this House today that no Ontarian whose right to a secret ballot is protected by our laws will have that right removed by your government?

Hon. Mr. Bryant: I'm surprised to hear this. Bill Davis thought this was the right approach, and I'm surprised John Tory doesn't think this is the right approach. This bill would restore the Ontario Labour Relations Board's power to certify a union as a remedy where there has been employer misconduct during a certification campaign or an organizing drive. The OLRB would also be given the power to order a first-representation vote as an alternative to remedial certification where a union fails to obtain membership support sufficient for a first-representation vote as a result of employer misconduct.

It is balanced. It is fair. It was good enough for Bill Davis. I know this is not the approach John Tory is taking, but we believe this fair and balanced approach is in the best interests of Ontarians.

AFFORDABLE HOUSING

Mr. Michael Prue (Beaches—East York): My question is to the Minister of Public Infrastructure Renewal. Earlier today, people gathered in this Legislature and listened to housing analyst Michael Shapcott provide an update on your government's housing initiatives.

To put it bluntly, your government should be ashamed of itself. In a report dated April 5, 2005, signed by the ADM of the housing division, he says that you built only 18 units in the province in the fiscal year 2003-04, and of those 18, the province only funded 11. The federal government has committed \$358 million toward a program,

but Ontario is a non-player. In the three years since that has been signed, you are no different than the Conservatives. You have done absolutely the same as them. You have chosen to build nothing. Your government's record on housing is nothing short of a disgrace.

Will you do the right thing for hundreds of thousands of Ontarians and match the federal housing funds so we can finally do something to alleviate the crisis of housing in this province?

Hon. David Caplan (Minister of Public Infrastructure Renewal): I'm not surprised that a former NDP candidate would be critical of our government, but here are the facts, unlike what the member opposite has presented.

The city of Peterborough: two housing projects, 90 units, \$3.4 million.

The city of Ottawa: six housing projects, 298 units, \$8.1 million.

The city of Kingston: three housing projects, 105 units, \$1.9 million.

The city of Toronto: eight housing projects, 895 units.

Region of Peel: three projects, 384 units, \$5.5 million.

Region of York: two projects, 118 units, \$3.2 million.

City of Hamilton—I recall the member for Hamilton East came and lobbied me specifically for those two projects: 60 units, \$1.6 million.

Simcoe region: two projects, 45 units, \$1.2 million.

Niagara: eight projects, 188 units, \$4.8 million.

1430

Mr. Prue: You know full well that none of these housing units have been built and occupied. You know that they are all a dream in your head. You know that they are announcements. You know that they are nothing except what you read from a piece of paper.

Minister, the most recent example of your lack of progress came from ISARC today, who was meeting here. They come here twice a year. Not one Liberal chose to show up to address them about your housing units, because you can't.

I want to tell you that they have passed a motion, and I'd like to read it to you. It is their motion, not mine. They simply ask that your government include in its 2005 budget a socially and fiscally responsible affordable housing budget program that includes, number one, at least 9,300 new social housing units; number two, \$72 million for 2,400 social housing units as Ontario's share of the federal-provincial affordable housing program, 37,000 new rent supplements and \$200 million for housing rehabilitation.

Minister, will you commit to that? Will you do it?

Hon. Mr. Caplan: It's very interesting. I attended the Ontario Non-Profit Housing Association. Not one member of the NDP even bothered to show. So I don't take any lectures from that member when it comes to supporting housing providers in this province.

But I want to continue.

Region of Waterloo: 15 housing projects, 597 units, \$8 million.

City of London: seven housing projects, 251 units, \$6 million.

Wellington county: four projects, 94 units \$2.4 million.

Home ownership alternatives: This member knows we've already broken ground at the Scarborough site. He was there at the announcement, so I don't understand the over-the-top rhetoric from earlier. Some 382 units, \$2.3 million.

Frontiers Foundation, a wonderful partner project: one project, 100 units.

That's 66 projects, 3,607 units, \$75 million. We have put \$85 million in the budget—

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

ADOPTION DISCLOSURE

Mr. Brad Duguid (Scarborough Centre): My question is to the Minister of Community and Social Services. As the minister knows, adoption is a very sensitive issue, especially if you're a birth parent or an adoptee.

I was reading an article on the weekend on this very issue, about how some adoptees would rather not contact their birth parents whereas others have wonderful stories of reuniting with their birth parents.

Through the legislation that you put forth last week, what provisions are there in the bill that allow for no contacts if either party wishes not to be contacted and what provisions are in place to ensure that those who wish to be contacted can be contacted?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): What's important to note about the adoption bill—and it is a proposed bill which will have hearings and we'll have ample opportunity to hear feedback from all our communities. I can tell you that, overwhelmingly, the response has been incredibly positive. All members of this House likely have been receiving the same kinds of e-mails from around the world and certainly here in Ontario. We appreciate that kind of feedback.

On the notion of people who do not wish to be contacted, it's important to remember that we are proposing the inclusion of a no-contact notice. What people will have an opportunity to do is place "no contact" on their file. If they should do that, they would then be asked to fill in several forms which gives us a wealth of information that potentially would include their medical information and perhaps the circumstances surrounding the adoption. That's the type of thing that people typically want to know about their history.

Mr. Duguid: I'm glad to hear that this government is respecting a person's right to choose if they will or will not be contacted by their birth parent or child. It's very important that we never forget that. Balancing the rights of a birth parent to not be contacted with the needs of an adoptee is very challenging, but I believe this government has struck the proper balance. Minister, can you tell us what the reaction of adoption agencies and organizations has been on this matter?

Hon. Ms. Pupatello: We had the opportunity to hear from a number of organizations prior to the introduction

of the bill, where they participated literally at our table in the development of it, where they were very critical, for example, of initial conversations. As we move forward in its development, they are either still offside or onside. The point is, we were very prepared to listen to all sides of what in some instances can be fairly controversial.

There is the issue around retroactivity. May I just say clearly, it is important to note that retroactivity is the fundamental part of introducing the bill. It is for the 250,000 records here in Ontario. Organizations like the Ontario Association of Children's Aid Societies have been tremendously supportive of us. They understand that since the 1980s, the shift had already begun about the secrecy around adoption, and that they would counsel parents when adopting to make sure that children knew they in fact were adopted.

JUSTICES OF THE PEACE

Mr. Cameron Jackson (Burlington): My question is for the Attorney General. On March 2, Keith Bird, Oakville councillor and chair of the Halton Police Services Board, wrote you a rather lengthy letter expressing concern that Halton, in particular, and the southwest region were short some nine provincially appointed justices of the peace and that that shortfall was destined to grow to about 16. In a report by the Ontario Association of Chiefs of Police, who wrote to you last December, they expressed this alarm that there could be a shortfall of over 100 justices of the peace. Minister, considering your responsibility as the chief minister responsible for the administration of justice in our courts in this province, why have you not been able to respond to not only the police but to court officials who are concerned that delays may compromise our justice system in Ontario?

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): As the member knows, having served in government, the process for filling justice of the peace vacancies is initiated at the request of the Associate Chief Justice, co-ordinator of the justices of the peace. We then respond to those and come forward with appointments, as appropriate. In some cases, it is about taking non-presiding or part-time justices of the peace and making them full-time; in some cases, it is making new appointments.

Last December, I announced the appointment of three new full-time presiding justices of the peace and announced four part-time non-presiding JPs to be re-appointed on a full-time basis. We are also undertaking a reform of the appointment process to create a more transparent and independent process for appointing justices of the peace. But I say to the member, I will certainly consider the request as the Associate Chief Justice brings forward recommendations that affect your riding.

Mr. Jackson: They don't affect my riding; they affect every corner of the province. Apparently we're short 100 JPs, and we're not getting a valid response.

In the report from the chiefs of police, here is the kind of pathology that we're experiencing in our court system: As of this date, 50 Provincial Offences Act court days in Milton and Burlington were lost; for part III trial dates for the most serious traffic offences, involving alcohol and careless driving, there are no available dates until after August; there are very few to no available trial dates for Oakville platoons until the fall of 2005; there are no lengthy trials being accepted in Halton because it ties up too much court time; and 41 Liquor Licence Act charges were stayed by the provincial prosecutor due to a lack of court time.

Minister, these are serious concerns, signed by the chiefs of police of our province, saying that our court system needs your attention now. When will you answer the chiefs of police? When will you reassure the public that prosecutions will occur—

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

Hon. Mr. Bryant: I want to assure the member that I'm working with the Associate Chief Justice to ensure that—the member is right—every corner of the province in fact receives the justice system—and a timely justice system, at that—that they deserve. The appointments that I made were in Newmarket, Kitchener and Toronto, as well as in Cornwall, London, Sault Ste. Marie and Dryden.

As for the chiefs of police, I want to thank the chiefs of police for their support of the justice of the peace bench modernization project that we are undertaking. They are very supportive of our approach with respect to the way in which we are going to be appointing justices of the peace, and I can tell you that they see it as a vast improvement over the way in which the previous government did. I will continue to ensure that our justice system has the tools in place—whether it be Ontario Court of Justice appointments or JP appointments or other court officials—to ensure that people get timely justice in the province of Ontario.

1440

CHILD CARE

Ms. Andrea Horwath (Hamilton East): My question is to the Minister of Children and Youth Services. If you don't heed the very best advice on child care, you won't be able to provide the universally accessible high-quality regulated child care in Ontario that you've promised. Today, the Ontario Coalition for Better Child Care issued a negative assessment of your child care program in Ontario. The coalition notes 10 serious deficiencies in your Best Start program. For example, you won't be providing child care to families with infants and very young children ages zero to three or for kids over six. Families need child care now, yet you're content to have them wait 10 years at least for child care. Minister, why are you making families wait 10 years for child care for their infants, very young children and kids over six?

Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): I thank the honourable member for her question. Nothing could be further from the truth. We have already established 4,000 new spaces this year—actually, we've surpassed our goal of 4,000; the first new spaces in a decade. The first phase of our Best Start plan starts immediately, in September: the wraparound JK and SK. As well, communities have the flexibility to give proposals to us for the younger groups. We have to be flexible for the rural and urban communities.

This is the biggest expansion of child care in Ontario's history, and I know the honourable member knows that. In fact, her riding has one of the three demonstration sites which will fast-track the full Best Start plan and model, which will inform us in implementing Best Start in the years to come.

Ms. Horwath: Well, Minister, your response reminds me of a famous children's story: the emperor has no clothes. Is this a Best Start or a better-than-nothing child care program? What the coalition is urgently trying to tell you is that it's not good enough. We're hoping for visionary leadership here, and we're disappointed that none has emerged. On this side of the House, we have been connecting with real people and listening to what families are saying.

Minister, why don't you try playing the visionary today? Send a strong signal to these very families and advocates and commit to a vision of provincially funded not-for-profit child care spaces for children of all ages. Tell the big-box for-profit child care retailers that they're not welcome here. Will you please speak up for non-profit child care all the way, Minister, or will you stay silent and let this big-box private industry come into Ontario?

Hon. Mrs. Bountrogianni: I have to say that I am disappointed in the coalition's response to our Best Start plan. I respect their opinion and their right to their opinion. I'm meeting with them again this afternoon, but I believe they are wrong. I believe that in most of their criticisms, they are completely wrong. In some, there's room for agreement. And I am very disappointed in their response to our Best Start plan.

Let me tell you what other groups say about our Best Start plan. Jane Bertrand from the Atkinson Centre, Human Development and Applied Psychology at OISE: "The framework is there for transformation to happen. This is the best thing that has happened since McCain and Mustard issued their Ontario Early Years Study, 1999. Finally, the key recommendations of their report are on the road to being implemented."

As well, Mayor Miller, the mayor of the city of Toronto—

Hon. Joseph Cordiano (Minister of Economic Development and Trade): No, not that NDP mayor.

Hon. Mrs. Bountrogianni: Yes, that NDP mayor: "We're pleased that the province is listening to what Toronto and other cities have said about child care and early learning."

I'm very proud of our Best Start plan. It is visionary, it does create a seamless stay for parents, and there will be curriculum development. All of the criticisms that are unfairly put forward by the Ontario coalition are actually being addressed.

ASSISTANCE TO FARMERS

Mr. Pat Hoy (Chatham–Kent Essex): My question is for the Minister of Agriculture and Food. I have been receiving calls from my constituents, and I'm sure others have received calls as well in this matter. They're trying to understand how they can access the \$79 million in market revenue funds for our grains and oilseed farmers that you just recently announced. You've stressed that these funds will flow in time for spring planting, and I note that the machinery is coming out of the sheds and farmers are preparing for the springtime as the weather warms up in recent days.

All of us want to make sure that our farmers are given the opportunity to access the funds in a timely way. How will this support be delivered, and what do my constituents have to do in order to qualify for these funds in a timely manner for this spring?

Hon. Steve Peters (Minister of Agriculture and Food): I would like to thank the member from Chatham–Kent for the question and just welcome a good friend of mine, Dave Kerr, here to the Legislature today.

Those farmers who were eligible under the market revenue insurance program will not have to do anything. Agricorp, which delivers our financial assistance programs, has all that information, and those cheques will be very quickly delivered in the mail. We made it clear when the \$79 million was announced to help our grains and oilseeds farmers that it would flow in exactly the same fashion as the \$88 million that was delivered under the market revenue program in March. We wanted to make sure, and we will make sure, that farmers receive this assistance before spring planting.

There will be, though, a handful of producers who have not enrolled in the program. The deadline was at the end of February. I encourage those producers who have not received a cheque to contact Agricorp. We'll ensure that they do become registered and enrolled.

Mr. Hoy: My constituents appreciate the delivery of Ontario's full share, its full portion of assistance, under the 2004 MRI program. I've received lots of compliments that should be directed to you for your endeavour in this. I know many farmers are breathing a sigh of relief with this new funding. But in addition to the immediate concern, I know that farmers are also thinking forward to what will happen in 2005 and beyond. They will be heading to their fields soon, but they do have a concern about the future.

You established a business risk management advisory group to look at the system that we have now and to provide direction on where we go from here. Could you give us an update on what is happening to this date?

Hon. Mr. Peters: I'm extremely proud of the advisory group that we have appointed. They have had their first meeting and they have been given their mandate. We have instructed them to take a step back from the immediate issues that we are dealing with and to look at developing options for the long term. The previous government dropped the ball in that regard. In 2001, the minister at the time talked about the made-in-Ontario safety net solution that they were going to have, and they didn't bring any plan forward. We recognize that the assistance that we have provided is for the short term and we do need to look at the long term. That is what I've asked the advisory group to do: to look at how the CAIS program is working and what the shortfalls are within the CAIS program; how is the production insurance program working and how is it not working?

I also want to stress that this is a very encompassing process, and I want to encourage farmers and commodity organizations to use this as an opportunity to put your position forward and help us plan for that long-term safety net program.

KARLA HOMOLKA

Mr. Robert W. Runciman (Leeds–Grenville): I have a question for the Attorney General. As the Attorney General will know, 89 days from today, Karla Homolka is slated to be released from Joliette prison in Quebec. Yesterday, I tabled a resolution in this House that will be debated next Thursday. One element of that resolution calls on the House to "immediately convey to the Attorney General of Quebec the recommendation and request of this Legislature to the Attorney General of Quebec that, should Karla Homolka indicate plans to reside in Quebec or not disclose such information ... the Attorney General of Quebec invoke section 810.2 of the Criminal Code prior to her release to seek an order from the court to protect the public, especially by including a reporting-to-police clause in any recognizance she is required to enter into."

Could the minister indicate to the House today what position his government will take on this resolution, and especially this specific aspect?

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): First, I'd say to the member that I know he will want me and our government to be working closely with the victims and the family victims on this particular issue. I have said before and will say again that we are working with all our provincial partners to ensure that all legally available means to protect the public, including a recognizance order, are available and in place when she is released.

I do want to provide the member with some details, and I will be providing the member and the House with some details at the appropriate time. The appropriate time is once I have had the opportunity and am satisfied that the victims themselves involved here have had appropriate notice and have been given the opportunity to

provide some feedback. I know the member will also want us to respect the victims' rights in this regard. I can assure him that we will be providing all that information and all those details when the appropriate time comes, and he will be the first to learn.

1450

PETITIONS

HURONIA REGIONAL CENTRE

Mr. Frank Klees (Oak Ridges): I have a petition here, "Save Huronia Regional Centre, Home to People with Developmental Disabilities." It's addressed to the Legislative Assembly of Ontario, and it reads as follows:

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

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

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

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

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

I'm pleased to sign this petition, and I trust the government will respond accordingly.

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I keep getting petitions about the special bridge on St. Clair Avenue West and Old Weston Road. The petition reads as follows:

"Whereas GO Transit is presently planning to tunnel in the area just south of St. Clair Avenue West and 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-Old Weston Road bridge; and

"Whereas this bridge (1) will be too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; and (2) won't be safe for pedestrians and (3) 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 St. Clair Avenue West, thus eliminating this eyesore of a bridge 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 100%, I am delighted to sign my name to it.

HURONIA REGIONAL CENTRE

Mr. Norm Miller (Parry Sound—Muskoka): I have a petition to the Legislative Assembly of Ontario.

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

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

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

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

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

I've signed my name to this petition.

WOMEN'S SHELTERS

Ms. Marilyn Churley (Toronto—Danforth): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas abused women need safe places to go, in the form of shelters, to flee abusive situations;

"Whereas shelters are being forced to turn away women in need as they are filled to capacity;

"Whereas shelters are scrambling to raise the money they need to keep up with the rising demand for services;

“Whereas shelters, especially in poorer regions of the province, cannot rely solely on fundraising dollars to meet program and bed shortages;

“Whereas the Dalton McGuinty Liberals promised to provide adequate, sustained funding to shelters when they signed the emergency measures document brought forth by the cross-sectoral Violence Against Women Strategy Group in 2000;

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

“Immediately ensure stable funding for women’s shelters by providing annual funding increases linked to inflation and need.”

I will affix my signature because I fully support this petition.

ANAPHYLACTIC SHOCK

Mr. Bob Delaney (Mississauga West): I have a petition to the Ontario Legislative Assembly from a group of parents on Harvey Crescent in Mississauga.

“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.”

It’s a good petition. I agree with it. I’ll sign it, and I’ll ask Alexandre to carry it down for me.

VOLUNTEER FIREFIGHTERS

Mr. Ted Arnott (Waterloo–Wellington): I have a petition to the Legislative Assembly of Ontario that 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 Employ-

ment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

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

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

This is signed by a number of my former constituents and, hopefully, future constituents in Puslinch township. I certainly support this petition.

HURONIA REGIONAL CENTRE

Mr. Brad Duguid (Scarborough Centre): I have a petition here that reads as follows:

“To the Legislative Assembly of Ontario:

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

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

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

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

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

1500

LESLIE M. FROST CENTRE

Ms. Laurie Scott (Haliburton–Victoria–Brock): “Save the Frost Centre.

“To the Legislative Assembly of Ontario:

“Whereas the Leslie M. Frost Natural Resources Centre has a long history in the county of Haliburton and provides an important historical link dating back to its use in 1921 as a chief ranger station; and

“Whereas the history in the use and management of natural resources in Ontario stretches back to the 1600s and forms an integral part of the overall history of the province and Ministry of Natural Resources, and the

history of the ministry and the Frost Centre itself easily qualifies as a significant historic resource; and

“Whereas the Minister of Culture, Madeleine Meilleur, has said, ‘The McGuinty government values and is committed to conserving Ontario’s heritage for the enjoyment and benefit of present and future generations’; and

“Whereas the Frost Centre is an important educational resource for the community, being described on the Ministry of Natural Resources Web site as ‘Ontario’s leading natural resources education, training and conference centre’; and

“Whereas closure of the Frost Centre would cause economic hardship in the local communities of the county of Haliburton and district of Muskoka due to direct job losses and loss of tourism dollars spent in local communities; and

“Whereas the local community has not been consulted about the closure plan;

“We, the undersigned, petition the Parliament of Ontario as follows:

“The Dalton McGuinty Liberals should not close the Leslie M. Frost Centre.”

It’s signed by many people from my riding, and I support that.

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

Resuming the debate adjourned on March 31, 2005, on the motion for second reading of 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 Speaker (Hon. Alvin Curling): Ms. Broten has two minutes for a response.

Ms. Laurel C. Broten (Etobicoke–Lakeshore): I’m pleased to respond to the members for Halton, Niagara Centre, York Centre and Simcoe North, who made comments on our last day of debate. I want to respond in particular to two points that were raised.

The first was, why start with marijuana and why not start with an entire program on many other fronts? According to Forbes, the US business magazine, which is very well known, the marijuana industry has emerged as Canada’s most valuable agricultural product, bigger than wheat, cattle or timber. Forbes also suggests that the Canadian marijuana trade is worth about \$4 billion. That is why I believe starting with marijuana is a good place to have started.

The other issue is that marijuana grow-ops are a profitable business and so are attractive to gangs and organized crime. That is another great reason to start here in dealing with marijuana grow operations and combatting those indoor residential operations.

We’ve also listened very closely and worked closely with law enforcement officials who indicate that the majority of the marijuana harvested in Canada is exported to the United States in exchange for guns and other drugs, such as cocaine. So, in turn, by dealing with the issue of marijuana grow operations in Ontario and really cracking down on these residential operations, we will have a cumulative effect on the other drug imports into Canada and the sale of other drugs, such as cocaine, that come into our country.

Another issue that was raised was that, instead of hiring 1,000 police officers—I want to say loud and clear that our government is committed to funding the hiring of 1,000 police officers on a cost-shared basis with municipalities. We’re talking right now with police services, municipalities and others about how we’re going to get these officers into our communities, working on high-priority issues, and on our streets in each of our communities, like my own in Etobicoke–Lakeshore.

The Speaker: Further debate?

Mr. Frank Klees (Oak Ridges): I’m pleased to rise and speak to this bill before us, the Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2005, Bill 128.

At the outset, I want to commend the minister for bringing forward this legislation. I made that statement during second reading debate as well. I have the highest regard for the Honourable Monte Kwinter, and I know that he has the best interests of community safety in mind when he brings this legislation to the House. I also have the highest regard for the police services in our province, who carry the burden of ensuring that—whether it’s this legislation or other statutes, it is to enforce those statutes and to ensure that the intent of this House is in fact carried out.

Where I have some concerns—this is not by way of being negative, or in any way wanting to take away from the legislation itself or the intent of the legislation. Rather, it’s with a view to being helpful in terms of ensuring that we achieve the objective that has been spelled out by the minister and by the government as inherent in this legislation, and that is to make our communities safer. It goes to the heart of what is missing in this legislation, because what we effectively have here is

yet one more zero-dollar announcement by this government.

Statutes in and of themselves are empty if there aren't the resources and the funding available to ensure that the intent of the legislation can in fact be carried out. So in this case, I want to ask the government: Where are the 1,000 new police officers that they promised during the election campaign, when they were scratching for votes behind every issue? There seems to be no promise large enough, no issue that they couldn't find at least 10 or 12 promises to attach to.

The people of the province listened to those commitments. The people of this province took Mr. McGuinty and the various members who were on the election campaign trail at their word. They wanted to believe that behind the rhetoric of the promises was substance. We have now had this government in office for more than two years, and where are the results?

Well, we have before us a piece of legislation, Bill 128, that is intended to address the issue of marijuana grow operations. It's a serious issue. I want to relate just one example in my own riding. This is in the town of Richmond Hill. This was really the first time that I came face to face, as a member of the Legislature, with the various implications of these grow-ops: how practical it is and how devastating it can be for innocent bystanders in this process.

If I can set the stage for you, this e-mail was sent to me and subsequently I had meetings with my constituent. This is an immigrant family who made an investment in the community. It was in a residential home that they then fixed up and put on the market to lease out, which they did. They had tenants. The tenants were responsible for the hydro bill and, of course, for the maintenance of the property. The landlord would drive by periodically to check out the property. Everything looked fine, until one day they received the shock of their lives. I want to read to you what my constituent wrote to me:

"I'm writing to you in concern of a matter which has occurred to my rental property. I have recently found out that my rental property has been used to grow marijuana. The tenants are nowhere to be found, and after one year of rental, Richmond Hill Hydro only recently discovered that there was an excess of hydro use, \$20,000, to be exact. My question is why did it take so long for our hydro company to discover this suspicious act. Also, the house was left in complete damage. Who is responsible for the hydro bill of \$20,000 and the damages caused to my rental property?"

1510

At the end of the day, after working through this with my constituent, my constituent found out that he in fact was responsible for the \$20,000. Even though it was a criminal act that took place without his knowledge, it's his property, and there was nothing he could do under the circumstances. The tenants are gone, nowhere to be found, and he's faced with damages and a \$20,000 hydro bill because of the diversion of hydroelectric power that had been initiated by the tenants.

I mention this case because this is a practical issue that I don't see addressed anywhere in this legislation. In fact, I would put it to the minister and to the government that, similar to other acts of crime, there should be some way for innocent victims of crime to be compensated under these circumstances. The proceeds could well come from the proceeds of crime. We have a similar fund in this province that victims of crime can apply to. I would just ask the minister to give that consideration, particularly in circumstances like this where it involves residential properties, where you have innocent bystanders and victims of crime. Where do they go? In this particular case, these people don't have the \$20,000. This was their only investment. They will now face, and are facing, first of all, the repairs, some of which may well be covered by insurance, but they're not sure about that in terms of how extensive the damage is and whether the insurance program they have will cover it all. So that's a recommendation I would make.

I would encourage the minister to accelerate the commitment they made as a political party and that the government continues to say they will honour, and that is, the funding of 1,000 new police officers so that police services on the front lines across this province will have the resources to ensure that this legislation is supported, that we have the manpower on the front lines of police services to enforce it.

With regard to enforcement, there's another aspect. There are the police services, but then we also have the challenge for municipalities and hydro utilities to deal with this and to be properly resourced to be able to respond, so that when there is an indication of excessive use of hydroelectric power, which is reflected, obviously, in the billings, there is a mechanism and the resources are there so the utilities can respond in a timely fashion, and the municipalities are appropriately notified as well that something may well be taking place that deserves the attention—demands the attention—not only of the police services but building inspectors and various bylaw officers within the municipality.

I want to take this opportunity as well to encourage the minister, who I know has excellent relations with his counterparts in Ottawa—and it's interesting that we are here dealing with this matter of marijuana growing operations within our neighbourhoods and in our industrial parks across the province. It's a serious problem, which is why the minister has brought this forward.

At the same time, we have the minister's federal cousins talking about making marijuana effectively an across-the-counter item, to decriminalize it, to make it an unoffensive practice to use marijuana. I would ask him to use his good sense of persuasion, which I know he has and he does so well. He can sit down over a cup of coffee with his counterpart in Ottawa and say, "Look, don't you understand where all of this is leading? Don't you understand that you're opening a door here that, once open, will be impossible to close?" and help us ensure that the problem we're trying to address here in terms of the grow-ops—that we have the assistance from the

federal government to shut down this wrong-headed idea they have, this message they are sending to our society that marijuana use is OK, that it's something we endorse.

Mr. Richard Patten (Ottawa Centre): It is OK.

Mr. Klees: The Liberal member opposite says, "It is OK."

Mr. Patten: I think it is.

Mr. Klees: You're entitled to your opinion. Mr. Patten, the member of this Legislature from Ottawa Centre, has made the statement in this House, in response to my comments, that marijuana use is OK.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): That's not what he said.

Mr. Klees: That is exactly what he said.

Mr. Patten: I never said that. I said marijuana—

Mr. Klees: He's correcting me to say, "Marijuana use is OK." The member is saying that growing marijuana is not OK but marijuana use is OK. Perhaps the member can tell his own constituents, who would be interested in that, how he can justify that. Well, I want to be on record, and I'm sure I'm joined by my colleagues in the Conservative caucus, to say that marijuana use is not OK.

I'm simply saying that I believe the direction of the federal government to send the signal that marijuana use is OK, as Mr. Patten, the member from Ottawa Centre, endorses, is wrong. The next step on this slippery slope is, what other drugs then become OK? At some point, this is all reduced to a society that has standards or a society that is simply guided by situational ethics, that depending on what appears to be OK or what people think they want, we simply endorse it. I believe it's wrong. I believe the minister, who has brought this legislation forward, can use his good offices, can use the relationships he has in Ottawa to advocate with us to shut this down.

As well, I want to take this opportunity to commend our police services in York region, who have been responding very effectively, even with the limited resources they have, to the proliferation of grow-ops throughout York region. I want to take this opportunity to commend Chief La Barge for the good work and leadership he is showing, and I want to encourage him and the members of his force to continue to do the good work they're doing. I know they too are appreciated by the minister, by this government and by every member of this Legislature.

I want to wrap up my comments by saying that this is a bill I will certainly be supporting. But I want to ask, I want to implore the minister one final time that when he sits with the Chair of Management Board, the Honourable Gerry Phillips, who is here as well, who knows full well the importance of prioritizing and allocating funds to ministries—this legislation that's being brought forward is empty without the Chair of Management Board's support for the necessary funding, whether that's for police officers or other resources. So I implore him to support the minister, the Honourable Monte Kwinter, in his efforts to bring this legislation forward in a practical way. There's a huge gap between policy and imple-

mentation, and that's the challenge the government has. That's the challenge that municipalities have and that police forces have across this province now. We want to work together to ensure that that is achieved.

I thank you, Speaker, for the opportunity to address this issue.

1520

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 to the Legislature the business of the House for next week.

On Monday, April 11, in the afternoon, Bill 110; in the evening, Bill 128.

On Tuesday, April 12, in the afternoon, Bill 155; in the evening, Bill 144.

On Wednesday, April 13, in the afternoon, opposition day; in the evening, Bill 164.

On Thursday, April 14, in the afternoon, Bill 110.

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

(continued)

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

(suite)

The Acting Speaker (Mr. Joseph N. Tascona): Questions and comments?

Mr. Rosario Marchese (Trinity–Spadina): I just want to say that I'm going to have 20 minutes on this bill in just about eight minutes or so. It will be with pleasure that I speak to this bill to show some disagreement with the member from Oak Ridges moraine and some of the Liberal Party members.

On the other hand, there is something that the member from Oak Ridges moraine has stated that we do agree with, and that one particular point has to do with the hiring of 1,000 policemen and policewomen. In this regard, we know that the Liberals, prior to the election, made a promise to hire 1,000 police, and now we hear that they might be hiring, or at least giving money for, 500 policemen and policewomen as long as the municipalities put up the rest. We don't know, out of that, whether or not municipalities are going to buy into it, because they don't have the money. So the promise of the 1,000 police may or may not happen. I suspect it won't happen. In that respect, I, as a New Democrat, agree with the member from Oak Ridges moraine with respect to this bill.

In every other regard, this bill is nothing but fluff, with all due respect to my colleague and friend Monte Kwinter. I will speak to the weakness of this bill in terms of

being tough on crime and tougher on the causes of crime because, as I review the bill, I just wonder, where are we tough on the causes of crime? Nowhere in this bill do I read anything that says we will get to the causes of crime, except the image of going after crime and the causes of crime. This takes nothing away from the respect I have for Monte Kwinter, but this bill is fluffy. It's just got nothing, much like what the Tories used to do when they were in power. I will speak to that in about eight minutes.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I just wanted to respond to the member from—

Mr. Marchese: Oak Ridges moraine or Trinity–Spadina?

Hon. Mr. Kwinter: Trinity–Spadina and Oak Ridges, not Oak Ridges moraine.

Mr. Klees: Thank you.

Hon. Mr. Kwinter: To the member from Oak Ridges, I understand where he's coming from and I appreciate his comments. The thing that a lot of people don't understand when we talk about decriminalization—this is a federal responsibility. It isn't as if they're saying, "We're going to make the use of marijuana legal." What they're saying is that at the present time, if a student at a university is caught with a small amount of marijuana, under the present legislation that person will be charged and, if convicted, will have a criminal record that will stay with them for the rest of their lives. This is for a very small—in the United States it would be called a misdemeanour. What they're saying is that it isn't legal. If you are caught smoking marijuana, you will be charged, you will be fined, or whatever penalty it is that's doled out. The only thing about it is that it will not stay with you for the rest of your life. Once you get to a certain level, then it will stay with you for the rest of your life.

So that's what they're talking about when they talk about decriminalization. It isn't a mixed message saying, "How come you're getting tough on this, but you're getting not so tough on that?" It's just a matter of dealing with the reality.

Getting back to Trinity–Spadina, I should tell you that we are committed to the 1,000 officers. This particular piece of legislation is just the first step. Much of what has to be done falls under the Criminal Code of Canada. I have no ability to change that. I have the ability to lobby to have it changed, but I cannot force the federal government to do anything unless they want to do it.

This is a result of the Green Tide Summit. They said, "Here are certain things that you as a province can do to make it more difficult for these people to operate," and—

The Acting Speaker: Thank you. The Chair recognizes the member from Burlington.

Mr. Cameron Jackson (Burlington): I'm very pleased to acknowledge the effort my colleague from Oak Ridges has made in this debate and to reinforce some of the important points that he has put on the record. I want to say this: Frankly, we're seeing a little bit of a disconnect between the office of the Attorney General, responsible for the administration of our courts

of justice, and our Solicitor General, who is the chief officer responsible for law enforcement. We're seeing this pattern continue.

The minister is in the House. I recall that Halton had the distinction—George Kerr, my predecessor, was for the first time in Ontario's history one and the same: the Attorney General and the Solicitor General. So the minister couldn't play this game at the federal forum of, "Well, that is a matter for our federal justice department versus a provincial law-enforcement issue." And so—

Hon. Mr. Kwinter: On a point of order, Mr. Speaker. With all due respect to the member, I just want to correct him—

The Acting Speaker: Minister, unless you're specifying a rule—do you have a rule?

Hon. Mr. Kwinter: No.

The Acting Speaker: Then it's not a point of order. If you've got a rule, that's a point of order.

The member from Burlington.

Mr. Jackson: If the minister had been listening, which I had hoped he would, he would recall that I said he was the first in Ontario, and he was. I'm not referring subsequently to the minister.

However, since the minister was able to take 30 seconds of my time, let me just simply say to the minister that unless he's prepared to commit the dollars and the resources to our police, this is yet another example of the Liberals wanting to make sure they have a public pronouncement. The minister knows, as I have stated publicly, that the child sex offenders, that the broken promise of this government to support police departments in this province—so what do they do? They had a grand announcement with the OPP. They haven't had a meeting, they haven't flowed the dollars, but you know what? They sure look good in the media.

Ms. Marilyn Churley (Toronto–Danforth): I'm happy to respond to the member from Oak Ridges. I had an opportunity last week to be in the House and to listen to various people debate this bill, and nothing has changed since then.

Mr. Marchese: Nada.

Ms. Churley: Nada. Should I call this smoke and mirrors? Should I call this the minister blowing a lot of hot air, or just smoke? Because that's all we have here. There's nothing of substance in this bill. If you look at it and pick it apart, there's a lot of spin.

I like this minister; a lot of us say this. We're very fond of him. Not that that helps when we're going to criticize this bill, but we like you, Monte. But we don't like this bill. It's not an attack on you; we're separating the issue.

You've been urged to come forward with another smoke-and-mirrors bill that says to the public, "Look, we're tough on crime." That's what you're trying to say, but when you look at implementing this, it really is all smoke and mirrors.

It's been raised, and I'll talk about it later as well—the 1,000 new cops on our streets. But we still have not seen those cops on the street. Last month, the Liberals an-

nounced \$30 million to fund the new program, but at most, we've been told that this will cover only about half the cost municipalities would incur hiring new cops. We've had mayor after mayor say that this program will be too costly for their cities to participate in, since the province is asking civic governments to ante up at least half the cash for the new officers. Sarnia mayor Mike Bradley was one of those who said the plan would require the city to spend \$50,000 per officer, and others said the same thing. So the plan is not going to work. It's not going to make a dent in the problem.

1530

The Acting Speaker: The Chair recognizes the member from Oak Ridges in response.

Mr. Klees: I'd like to thank my colleagues for their comments, and I want to thank the minister for his explanation of decriminalization of marijuana. I fully understand that, Minister. But even given that explanation, my concern is that the signal that is being sent, that the federal government of Canada is decriminalizing marijuana, is a wrong signal. Even our friends to the south, the United States of America, are raising concerns that if in fact our federal government moves forward with this decriminalization, there will be serious implications at the border. They are concerned about the proliferation of trafficking as a result of that alone. I realize that the two, in many ways, are disconnected. But there is a signal that is being sent by the government of this country through that very initiative, and I'm asking you to put a stop to it, because I know you can. It is a federal matter, but you can impress on your colleagues that while the intention is good, the end result will be negative.

What we can do, though, is through your good offices encourage the federal government to do what the Ontario Association of Chiefs of Police are calling on the Premier to do. I'd like to read this: "Be it resolved that the OACP call upon the Premier of Ontario to represent the interests of law enforcement and community safety within Ontario by urging" once again "the government of Canada to enact immediate [legislation] to provide for minimum sentences of two years as a deterrent for the cultivation of marijuana...."

What the chiefs of police are saying is, "Help us by deterring this growth of marijuana in our country." It is consequences under the law that ultimately will resolve this issue.

The Acting Speaker: The Chair recognizes the member from Trinity-Spadina.

Mr. Marchese: I'm happy to have this opportunity to speak to Bill 128 and to welcome the citizens of Ontario to this parliamentary channel. It's 3:35 on Thursday afternoon.

We've got a lot to say on this bill, and I'm going to start by talking about the Conservative Party and how they used to be tough on crime. Remember that gang? Some of you Liberals on the other side remember some of those bills. You remember when they used to go after the squeegee kids, those really tough, crime-related squeegee kids just cleaning windshield wipers. Boy, they

were going to put them out of business and go after them, because they used to go after everyone: young, middle-aged, senior. Good God, they were a big part of the crime in Toronto and beyond. Those were the Tories, the tough-on-crime Tories. What an image they had.

Do you remember when they introduced the Victims' Bill of Rights? Some of you Liberals will remember that. They introduced a bill called the Victims' Bill of Rights, the intent of which was to support victims, until a judge ruled that victims had no rights in that bill. It was all PR. It was all intended to create an illusion of being tough on crime, an illusion of giving victims some support, and there was nothing in that bill that gave victims any support. It was all PR. These were the Tories: tough on crime, on squeegee kids; a Victims' Bill of Rights that contained nothing further.

They went after making parents pay for the misdemeanours of their children if they committed some small crime, and we used to say to the Tories, "Sorry; these rights you're introducing in this bill are already contained in existing law."

You are introducing nothing that is new to the powers that the police, that the provincial government gives them to go after parents, if they wanted to, for the misdeeds of their children. In fact, we used to argue with the Tories that the current law that was in place was better than the law they introduced. But it didn't matter to the Tories. They wanted to appear to be tough on crime, so they just introduced another bill attacking crime in the province.

Do you remember another bill that was called—I forget the bill, but it had to do with giving justices of the peace the power to issue restraining orders on some individual who had been abusing their ex-partner, or could potentially threaten an abused partner with further injury. This was supposed to make it possible for these justices of the peace to help victims of abuse. They never proclaimed that bill. That bill never saw the light of day, not to mention the problems contained within the bill: that we didn't have enough justices of the peace to begin with and that they should be properly trained. That's another issue. They were going to be tough. They were going to protect victims, and they never proclaimed the bill. I think some of you watching this program, and many of the Liberals who are sitting in this Legislature listening to my comments, will understand. It was just PR.

With all due respect to Mr. Kwinter, your government is doing the same. This bill is nothing but PR. This bill says we're going to be tough on crime and tougher on the causes of crime, and I don't see either of those two, as you break them down, in operation in this bill. It's not tough on crime and it certainly isn't tougher on the causes of crime, because nothing contained in this bill deals with either: being tough on crime or the causes of it.

So when the Liberal members stand up to say, "We are dealing with the issue of the marijuana grow-ops in a way that is going to be tough on crime and the causes of

crime,” when you listen to that, you just have to think of the Tories because the Liberals are doing the same.

When Tories and Liberals speak about marijuana as if somehow no one is engaged in smoking marijuana, I’ve got to tell the member from Oak Ridges that 30% to 50% of Canadians aged 15 to 24 have used marijuana. That’s a whole lot of young people. This fact comes from Statistics Canada. That’s a whole lot of people trying marijuana. I suspect some of those young men and women are probably supporters of the Conservative Party, supporters of the Liberal Party, supporters of the NDP. Approximately 7% of Canadians smoke marijuana recreationally. That’s a whole lot of people.

Mr. McMeekin: How many per cent?

Mr. Marchese: Seven per cent.

Approximately 25% of adult Canadians have tried at cannabis some time in their life. That’s a special Senate committee report. There are a whole lot of people doing it. I suspect there are a whole lot of Tories doing it, a whole lot of Liberals doing it, a whole lot of New Democrats doing it.

Interjection: At least we don’t do it on the job.

Mr. Marchese: It’s unlikely that they would be smoking in the Legislature, but they are smoking it somewhere; I can guarantee you that.

So when you have the member from the Oak Ridges moraine making it appear that somehow this isn’t happening and we’ve got to stop this reefer madness, I just don’t know. It reminds me of the old Prohibition days against alcohol. It reminds me of that. Of course, that was dealt with a long time ago, in the same way as smoking. Smoking kills; indeed it does. There’s a campaign against smoking reminding people that if you smoke, you’re going to be one of those people who dies. Smoking is not illegal, but governments remind you that, when and if you smoke—and you see that on the package—you could be one of those people who are going to die. It’s as simple as that. We don’t ban cigarette smoking, but we remind them it’s lethal to your health. We don’t ban alcohol drinking, but we remind them it can kill you.

1540

When it comes to this marijuana thing, I’ve got to tell you, I’m not one of those who does it.

Mr. Klees: You sound like one.

Mr. Marchese: Frank, I’ve got to tell you, I did try it two or three times in my whole life, just to know.

Mr. Shafiq Qaadri (Etobicoke North): Did you inhale?

Mr. Marchese: Yes, I did. It shakes you up a little bit. It shakes you up like a bad cigar, and you’re not going to want to do it too often. If you smoke bad cigars, you ain’t going to want to smoke bad cigars, because it shakes you up in ways that you don’t feel good. I wonder if Frank tried smoking a bad cigar, because the effect is almost the same.

I suspect that a whole lot of users—Tories, Liberals, New Democrats—don’t do it too often. That’s my feeling, in the same way that I believe a whole lot of people don’t drink excessively, in the same way that I think a lot

of people these days don’t smoke cigarettes or cigars excessively. That’s what I think. I could be wrong.

But this reefer madness: I’ve got to tell you, 75% of drug-related criminal charges are connected with marijuana—75%. The member from Ottawa Centre, do you know what that means? Frank from Oak Ridges, you’ve got cops writing reports, a couple of hours each at a time, for possession of a small, little reefer, possibly, right? Then you’ve got to take that guy to court. You clog up the court system with some guy or woman who was caught with a reefer or two. Ted, do you agree with me? Some 75% of drug-related criminal charges are connected with marijuana, clogging up our court system. No wonder we don’t have enough judges to deal with the real problems. We don’t even have enough court reporters, for God’s sake, to deal with these issues. We don’t have enough of these people to deal with real crime; we have them all engaged in dealing with marijuana-crime-related activity and possession of a reefer or two or whatever it is.

Where are you, Tories and Liberals, on this issue? Speak up. We should be dealing, Frank from Oak Ridges, with Internet luring, where a whole lot of kids are lured by these crazies—

Mr. Qaadri: Lured.

Mr. Marchese: The good doctor reminds me that it’s pronounced “lured.” Thank you. I think the good doctor probably believes that luring these kids is bad and it could lead to some pretty bad stuff. Right, Doctor? That would be a serious crime, in your mind, wouldn’t it? That’s what we should be doing.

What about going after the cocaine pushers, the real cocaine kings? What about going after them? Why don’t we spend some real time dealing with that?

Come on. What are we dealing with here, in terms of an issue connected to this? When we get to dealing with this particular issue, what’s contained in the bill?

This legislation inappropriately puts part of the responsibility for detecting and dealing with marijuana grow operations on to safety inspectors and electricity distributors, rather than focusing on more effective policing-based solutions. The bill requires safety inspectors to inspect marijuana grow houses within a reasonable time. Are we hiring more inspectors to go do that? Is this one of the few powers you’re going to give the inspectors: to check up on grow-ops?

We already have Karygiannis going out there sniffing for marijuana houses and grow-ops. We need Karygianis to do the real member of Parliament work, not sniffing around, house to house, looking for grow-ops, for God’s sake. We need cops, not Karygiannises, going door to door.

Are you going to hire more inspectors and put them at risk, possibly, in terms of the implications of sniffing around for grow-ops? It’s certainly going to help Karygiannis, because, I’m telling you, eventually something could go wrong. He’s not a cop; he’s a member of Parliament. You guys should pull him back. He could get into a whole lot of trouble.

So they're going to get inspectors to check up on these marijuana houses. OK. There's no mention about hiring more cops, but inspectors.

Maximum fines for violation of the building code are doubled. Interesting. How's this going to help in dealing with the causes of crime when we're doubling fines for violations of the Building Code Act? I don't see dealing with the causes of crime when we propose this in the bill.

Two new positions are created in the Ministry of the Attorney General: the director of asset management-criminal, and the director of asset management-civil, who will be responsible for property that is either being managed by or is forfeit to the crown in Ontario under various statutes. I'm saying to myself, what are these two new positions going to do? What power do they have that the current government doesn't already have to be able to deal with this? Why are we creating two new positions to deal with this issue? You understand what I'm talking about, that it's just like a PR exercise.

Let me go on. The director and all Ministry of the Attorney General employees acting on his or her behalf are protected from all lawsuits. OK. All right.

Electricity distributors are given the power to initiate an emergency shut-off of service. I hope we don't shut off the service in a way that would put some people at harm who might need the electricity running in their home, but OK; let's just say that they can do that. But I don't see how, currently, they don't have that right to do that or the power to be able to do that.

Let's see if there's anything further. Maximum fines for violation of the Fire Protection and Prevention Act, 1997, are doubled. Is this dealing with the causes of crime? No. It just means that we're doubling fines for violations of the Fire Protection and Prevention Act and for violations against the building code.

OK, let's see if there's something else that goes after the causes of crime here. The municipalities are allowed to negotiate with persons or entities in order to coordinate law enforcement initiatives. I thought they had the power to do that now, and they do. So why are we including something in a bill that is already within their jurisdiction to do, except for PR and making it seem like something is new in this bill, when there isn't?

The director of asset management-civil is given new powers to manage, sell or otherwise dispose of property that is forfeit or that is the subject of an interlocutory order. I thought they had that power right now. Why is something contained in this bill, and made to appear as if it's a new part of a law, that is already contained in current laws? I don't get it.

The director of asset management-civil is allowed to use money from the sale of forfeit property to reimburse the crown for expenses incurred in relation to that property. Interesting. This money may also be used to compensate persons who suffered related losses or to assist victims of crime, but the crown's reimbursement takes priority unless the director waives that priority. Now, doesn't that strike you as something that says that the new money we're going to collect as a result of the

building code violations and the Fire Protection and Prevention Act violations is going to be used to pay the Attorney General's staff and possibly victims of crime, but that the Attorney General's staff is going to be paid before the victims of crime, and that we're using those proceeds to pay the Attorney General's staff? It seems weird.

What is new in this bill and tough on crime and the causes of crime? Nada, zip, nihil, nyet, niente, zero—zip, if I haven't included that. So you wonder, when the government talks about being tough on crime, where that is. There is no mention of more funding to hire inspectors or to create the offices of the directors of asset management, no mention of more money. The legislation seems to place responsibility for policing marijuana grow operations with everyone but the police. All the increases in fines may be just an attempt, as I see it, to raise some extra funds. That's how I read it. If the Liberals were on this side, they'd probably say the same of their own bill. That's just as funny as it is. We've got to deal with the real problems.

1550

You made a promise to hire 1,000 cops, and just a month ago or so, whenever you promised the \$30 million that you had promised a year ago—and maybe this money will flow or maybe it won't; I don't have a clue. It hasn't flowed for a year. It may not flow for another year because you guys are short of money, and you say you want to hire 1,000 cops, just like the Tories did. When the Tories were in government, they were going to hire 1,000 cops too. Well, it never happened.

Hon. Mr. Kwinter: Of course it did.

Mr. Marchese: Oh, it did? OK. So the Tories hired 1,000 cops. I didn't see them. The Liberals now are going to hire another 1,000 cops, they said. Finally, when clarity came to this issue, we discovered that it was only 500, because the other 500 have to come from municipalities, the municipalities that have been dumped on for years by the Tories and continue to be dumped on by the Liberals—to a lesser extent, I would argue, than the Tories, but they continue to dump and download on the municipalities. Where do these fine Liberals, including city councillors at the city of Toronto and other places, think they're going to find the money? Duguid, where do you think you're going to find the money to be able to pick up on the other 500 cops, and the money to hire those 500 cops, that you people are promising? Mike Colle, you tell me that. Where do you think the city is going to find the money? When they are broke, and tired of having to go after the property owner for the money, where do you think they're going to find the money? They're already spending \$650 million to \$700 million for the police out of property taxes alone. Where do you think, Duguid, they're going to find the money which is requested and required from the Minister of Correctional Services to hire the other cops? It's not there.

This bill is fluff; there is nothing here, just like all the bills the Tories used to pass. It gives an illusion of being tough on crime and, oh my God, even tougher on the

causes of crime, but when you review, detail by detail, everything this bill is about, it's empty; it's zero; it's an empty shell. There's nothing in it to go after the people with who are the real criminals in this regard.

The Acting Speaker: Questions and comments?

Mr. Peter Fonseca (Mississauga East): I have to address some of the comments that were made by the member from Trinity–Spadina. He's living in a fictitious world. We are holding to our commitment where we would pay 50%, as has always been said, of the costs of those 1,000 officers to bring them on line. The previous government would only pay 50%; we are committed to paying that 50%.

I have to commend the Minister of Community Safety on Bill 128, the grow-ops. This is an issue around safety, community safety; it's a health issue. Many residences in Mississauga, in Peel region, are being affected by these grow operations. These operations are destroying homes and causing major health issues within our community. We have people living in these homes that are mould-infested, who are tapping into our grid and stealing electricity, driving prices up for everybody else, and the involvement of organized crime in these grow-ops is unbelievable. As is well known, much of the marijuana being grown is pushed south of the border by organized crime, to then purchase narcotics and weapons that are causing more crime. This is trafficking in crime, and I'm so happy that the minister is cracking down on this very important issue that is affecting so many communities across our province: residential properties being destroyed, the humidity that is drawing serious health threats to our residents. Many people are being affected.

This is something that has been waiting for too long to happen, and I'm glad the minister has taken an initiative to crack down on grow-ops.

Mr. Jackson: I was quite disappointed in my colleague from Trinity–Spadina and his railing at the past government's commitments to—

Interjections.

Mr. Jackson: I think it's worthy to note for the record. He has conveniently forgotten at least seven or eight bills that I tabled in this House and that were successfully passed. One was the pedophile registry bill. I remember distinctly the day it was first raised by my colleague Mr. Turnbull and I, and the NDP government of the day thought we were sick. Those were the words used in Hansard, that we were sick because we felt the public needed added protection from pedophiles. Your long history of social conscience, of social democracy and that, may cause you to look with a much more open mind on the matter than we certainly did, but I make no apologies.

The changes to the Coroners Act; the DNA data bank and testing by lobbying the federal government; the first of its kind in North America, the Office for Victims of Crime, which the current government has dismantled; the victims' fine surcharge; the victims' justice fund, a \$50-million fund that the current Attorney General is sitting on and won't free up to revamp the criminal injuries

compensation system in our province; a proceeds of crime act that I tabled to deal with the Homolka-Bernardo case, which my colleague Bob Runciman has raised; and the child porn funding that we provided for police forces in this province, which this government pulled back. Even though they promised they'd give that money, they didn't.

That's the issue here for all these bills. Bill 128 is a clear example that unless you're going to resource the police services in this province with the necessary funds, the tools and the support, then all this is is a public statement of intent. The police forces in this province have clearly stated to the government that unless you're prepared to resource them, they cannot do their job to keep this province safe.

The Acting Speaker: Questions and comments? The Chair recognizes the member from Trinity–Spadina—sorry—Toronto–Danforth.

Mr. Marchese: Close.

Ms. Churley: Very close, actually.

I'm pleased to respond. I've got to read Hansard later, but if I heard the member for Burlington correctly, and I hope I didn't, but if I did, the member actually accused New Democrats of being at least soft on or supportive of pedophiles, which is an absolutely irresponsible and shocking thing to say. I hope that if that's what he meant—you know, I remember in the last federal election, Stephen Harper came out and accused the federal Liberals of the same thing, and the NDP as well for not supporting various components of a bad bill, which is what this was all about here. Just because New Democrats did not support aspects of a bad bill does not make New Democrats, in any way, shape or form, sympathetic to pedophiles. That is an absolutely shocking thing to say.

I'm sure the member didn't mean it in his anger as a response to the member for Trinity–Spadina, talking in general about how so many bills from the Tories before and now the Liberals get a lot of smoke and mirrors, a lot of, "Let's get tough on crime," but the bills were either not passed or not proclaimed. I assume the member for Burlington was not thinking clearly and was responding in anger and frustration because of the good work he feels he did when in government.

But I would expect him to stand up and clarify those remarks, because the reality is that the point the member for Trinity–Spadina was making is indeed an important point for us all to hear, because it is not fair and it is wrong to let the people of Ontario believe something is happening to improve safety in their communities when it isn't actually happening, and that's the case with this bill.

1600

The Acting Speaker: The member from Ottawa.

Mr. Patten: Ottawa Centre. "Member from Ottawa" sounds pretty good to me, but it's Ottawa Centre.

I have to introduce an element here that transcends and weaves its way through clarity to some of the responses. We get a response from the Tory side that

we're not tough enough on crime. That has nothing to do with this particular bill. It has something to do with federal legislation, if you're talking about the use of an illegal substance.

The member from Trinity–Spadina: “This is smoke and mirrors.” Well, there certainly would be a lot of smoke if, in some of the houses in which there are grow-ops, the electrical wiring that's been tampered with all of a sudden lit up a wall board or the curtains, and the house burned down. This is what we're talking about. We're talking about the growing of an illegal substance for the obvious purpose of trafficking.

We have some suggestions here. The minister has said that this is obviously not an all-encompassing thing around the issue. It is a good start, following consultation—with whom? With all levels of government, with the police services, with public utilities folks, with the private sector, under the rubric of a Green Tide summit. I respect that and I applaud the minister for his effort in doing that.

We have a problem of people being in business. They're not paying tax on any of this. They're growing an illegal substance, they're making a lot of money and they're doing it in a dangerous fashion, not only to themselves but to others in the particular neighbourhood. This bill attempts to address that.

The Acting Speaker: Response?

Mr. Marchese: Thanks to the foes as well as the friends.

We're opposed to marijuana grow-ops. We think they're bad, dangerous and a cost to the taxpayers, and we believe organized crime is involved in this. The response by the government, through this bill, is to increase the fines for fire code violations, increase the fines for building code violations and involve inspectors to go and do audits. We don't know whether they're going to hire more inspectors; we suspect they're not. This is not going to do anything.

So when the member from Ottawa Centre pretends that you can just say what you want and make it appear that this bill is going to do it—sorry, member from Ottawa Centre. Violations of building and fire code aren't going to do it. Increasing the fines for that is just not the way to do it.

We know what it takes. We suspect the police know where these grow-op operations are. And we suspect they know there's a lot of criminal activity engaged in by organized crime. Thermal imaging probably could, in an instant, reveal where these places are, just like that. Why don't you deal with that? Why don't you help get those police officers out there? Why don't you give them the tools so that they can do their job?

If you did something like that and then talked about the causes of it, in terms of arguing the debate, having a real debate on the reefer madness, I think that would get to the causes of crime. I think we need that debate. But I really do believe that if you're going to deal with marijuana grow-ops, it's the police that have to get there and solve the job, not Karyiannis; not saying inspectors will

go and do it and increasing the fines for the building code and the fire code. Sorry, this bill is public relations and nothing more.

The Acting Speaker: Further debate?

Mr. Brad Duguid (Scarborough Centre): I've got to tell you, I'm extremely disappointed with the way the NDP is approaching this particular issue. I'm not surprised. I'm not surprised at all, because this is what they always tend to do. They think everything can be solved by waving a magic wand; that if you bring something forward that's helpful—if you bring something forward that stakeholders from the police, from the municipalities, from all of those involved in this particular effort are asking for—just because you're not solving the entire problem in one fell swoop, it is not worth supporting.

I think that's a very unconstructive approach. It's an approach that I am very disappointed in from the member for Trinity–Spadina. I wonder: Why would the member from Trinity–Spadina be opposed to allowing an electricity distributor to disconnect hydro without notice in accordance with court orders or for emergency safety or system reliability reasons? Why would he be opposed to that? That makes sense.

No, it's not going to wipe out all the grow-ops across the city and across the province, but it's going to help us get a handle on it and shut some of them down. Why the heck wouldn't he want to do that? It's a step forward. It's going to help. The cities want us to do it. Why would you not want us to do that? I don't understand that. Why would the member from Trinity–Spadina not want us to require building inspections of all homes that police confirm contained grow-ops? Why would he not want building inspectors going into those homes to ensure that they're safe, so they can get those homes back up and maintained again so they're not eyesores in their particular communities?

I don't get why the NDP would not want to make sure those inspectors are in there, making sure those homes are safe and making sure that the next person coming in to buy that house doesn't get ripped off buying a house that's going to need thousands, if not tens of thousands, of dollars of repairs.

Why would the NDP be opposed to doubling the maximum penalties under the Fire Protection and Prevention Act? That I don't get. Don't they understand that doubling the fines is a significant measure that sends a very strong signal out there? These grow-ops are 40 times more likely to go up in flames than a regular private dwelling. I don't think they get that. I don't think they understand that. I don't think they care about the impact fires have in communities, not only in the house that goes up in flames but in the entire neighbourhood around it that is also endangered.

I don't understand why they would be opposed to setting up a special-purpose account so that proceeds of grow-ops and other criminal activities, such as real estate, vehicles and other equipment, can be spent on enforcement, the very enforcement they're calling for. Well, this legislation sets up a fund that's going to help

fund some of that crime prevention. This member talked about going after the root causes of crime. This legislation is going to help us find some funds to assist us, maybe not in great measure but at least in small measure, in going after it and in compensating victims as well, an important part of this legislation.

I really don't understand how the member from Trinity-Spadina would oppose this. I just don't get it. But I guess he wants to play politics with this issue. If he wants to do that, by all means, he can do that.

Just as an aside, Mr. Speaker, I will be sharing my time with the member for Etobicoke North.

I want to tell you, as the member for Scarborough Centre, that this is a serious issue in our community, as it is in communities right across Toronto, as it is in communities right across Ontario. When you look at the proliferation of these grow-ops, they've gone up about 700% in terms of grow-op dismantling in Toronto, from stats our police have provided us. In 2001, 33 grow-ops were dismantled; in 2002, 140; in 2004, they are estimating 248—a 700% increase. Some of that is because police are dedicating more resources to busting and dismantling these grow-ops, but the fact is that these things are proliferating at a very rapid pace. I'm very, very grateful that our minister is providing additional tools, taking this initial step forward that's going to help get a handle on this problem. Is there more to do? Absolutely. There is more to do, and we're moving forward.

Look at the Green Tide action group that's been set up; they're continually working on this problem. We're going to be developing new protocols for interaction between the police and municipal building departments. We're going to be developing an investigative protocol that will give police and municipal officials the clout they need to ensure that the same standards are in existence throughout the province. We're going to be developing a house entry protocol to protect people from entering a home that was used as a grow-op and is unsafe.

We are committed to funding the hiring of 1,000 police officers on a cost-shared basis with municipalities, which is something we've said from the get-go.

My time is running out. I want to thank the minister for bringing this very important legislation forward. This government cares about getting those grow-ops closed down. We're working toward it. This is an important step forward and we're going to get the job done.

1610

Mr. Qadri: It's a privilege and a responsibility to rise in support of Bill 128, the Law Enforcement and Forfeited Property Management Statute Law Amendment Act, known colloquially as the grow-ops operations bill.

This, as you'll know, is the first step in a comprehensive provincial strategy to actually address this widespread problem. There are a number of aspects: the vision, the aspirations for stronger communities, safer communities. In particular, as you'll appreciate, a number of these operations are in close proximity to schools and other community venues. It is a bill that has been

executed in partnership with law enforcement agencies and various levels of government, particularly municipalities. It comes forth very responsibly, and we should salute the Minister of Community Safety, because all the bills he presents to this Legislature are not only well-thought-out and well-presented, but also much-needed for the broader interests of the province of Ontario. In particular, the grow-ops operations have actually undergone what we could describe as an explosive growth, and this in particular is one of the reasons this bill is coming forth.

There are probably about 15 or 20 different points or highlights about this particular piece of legislation. First of all, the financial cost alone exceeds something on the order of \$100 million annually. There are many reasons. For example, it is known that grow-op operations, the sites that are chosen to be grow-ops, are an extraordinary fire hazard. They have run the numbers, the statistics, and a grow-op operation actually has something like 40 times more likelihood of fire in that particular location than other private dwellings.

A point perhaps not appreciated widely with regard to the grow-op operations is the potential for abuse of children. Sadly, I have to report that kids and families are all being used as what we might describe as crowsitters, or front men almost, to come and babysit the particular venue to make it appear to onlookers that it is a legitimate family residence. And this, of course, is tantamount to full child abuse.

As I mentioned, unfortunately these are attempts to camouflage, to hide the operations, which really are in the midst of usual communities, in the midst of subdivisions. For example, it was discovered that in York, Peel, Waterloo, something like 20% of these grow-op operations were actually within walking, striking distance—smoking, wafting distance, if you will—of a primary or secondary school.

I might also shed light for a moment on the medical risk. Of course, as you reorient ventilation to hydroponic cultivation, you are going to introduce moulds, gases, chemicals, carbon dioxide, carbon monoxide, and that will do that much more to increase the incidence of a number of medical conditions that arise from those areas.

Just within recent memory, within, say, the year 2000 and beyond, something like 300 grow-op operations have been dismantled by the Toronto Police Service. This is a massive and growing problem, not only for the items that I have just highlighted, but, for example, we know that organized efforts of this nature, of this calibre, are not, let's say, mom-and-pop operations; these are attracting gangs, organized crime, people who are actually engaged in trafficking of a widespread, even export-based, nature. This is why this type of empowering and enabling legislation is required to deal with this explosive growth.

Once again, to salute the Minister of Community Safety, with this legislation, if passed—once passed—we're actually providing leadership to the rest of the provinces in our Confederation on this particular issue, whether we're dealing with the increasing of fines, the

increased ability and availability of inspections, the empowerment of electrical utility distributors to dismantle electricity or the recapture of the costs of these ill-gotten gains.

This Legislature and the province of Ontario should support Bill 128, the grow-ops legislation, the first step in a comprehensive provincial strategy for stronger communities, safer communities, executed in partnership based on wide consultation to deal with a problem that is undergoing explosive growth.

The Acting Speaker: Questions and comments.

Mr. Ted Chudleigh (Halton): Much has been said about this bill by the two members who just finished sharing their time. It's unfortunate that the government of the day doesn't seem to get the concept that in order to stop crime, you have to have police that go into the situation and arrest people. If I were a criminal and I were running a grow operation, and I heard that the Ontario government is going to pass a piece of legislation that is going to turn off my hydro, oh, my goodness, I might consider another line of work. Well, I don't think so. Obviously, I'm being sarcastic. The way to stop crime is to put police into that situation, detect the grow-op house and then shut it down.

This piece of legislation doesn't involve a police raid on a grow-op. No, they take a building inspector and send him in unarmed. "And when you come out, building inspector, if you come out, let us know what you see in there. See if there are lots of houseplants growing in there. Let us know about that, and then we'll get a warrant and proceed with the process." That's basically what the bill does: You send in a building inspector, and you ask him, "What's going on in there? Were there lots of little plants? Were there little plants growing, and were they being watered and fertilized?"

Mr. Mike Colle (Eglinton–Lawrence): On a point of order, Mr. Speaker: I think it would be helpful in this debate—

The Acting Speaker: What's the rule?

Mr. Colle: —if the member—

The Acting Speaker: Please continue.

Mr. Chudleigh: When the government of the day wants to put real money into the protection of Ontario residents, then you'll start to solve the problem. Sending a building inspector in won't do it.

Mr. Peter Kormos (Niagara Centre): The first thing you do on a point of order, Mr. Colle, is to cite the standing order so that the Speaker, obviously, can refer to it. So the Speaker's ruling was interesting. It is a precedent now. Speaker, I say I want this to be a red-letter day at Queen's Park. The clerks will be putting into the file of precedents that, upon standing on a point of order, it is essential that a member of this House—Speaker Tascona has ruled. I'm not about to challenge the Chair. Far be it from me to criticize the Speaker's ruling. I am not about to challenge the chair. The Speaker has made it very, very clear that when you rise on a point of order, you've got to cite a standing order, and I'm going to be referring to this event: April 7, 2005, afternoon sitting of the

Legislature in the first session of the 38th Parliament; ruling by Speaker Tascona.

I was so pleased to have heard the contribution of my colleague the member from Trinity–Spadina, one Mr. Rosario Marchese, to this issue. The impression I get from what he's saying is that tonnes of stuff are being grown in this province. Tonnes of marijuana are being grown on an annual basis in Ontario alone. What's remarkable is that I go to corner store after corner store, and there's a full display of rolling papers on the counter but I don't see any of those packages of bales of tobacco on the counter. Corner stores are selling rolling papers but they're not selling tobacco. There is a disconnect here. Somebody is smoking tonnes of pot a year in this province, and they'd better put their hands up now. It's not phantom; it's real. Every time you bust one of these grow-ops, two more pop up right next door. This isn't the solution. Marilyn Churley is going to give you a solution in short order.

1620

Mr. Lorenzo Berardinetti (Scarborough Southwest):

In the few moments that I have to speak, my experience has been quite different. I remember when I turned 16 and 17 years old, which was a while back, I used to go down to Yonge and Dundas. We would go in the record stores, and right beside the record stores there would be all sorts of paraphernalia shops that sold everything you could possibly need to smoke or roll or do whatever you wanted to with marijuana. Well, guess what? They are gone. You don't see them around any more. Someone—I don't know if it was the Conservatives or the NDP who were in power at the time—did something about it and put them out of business.

You've got to continue to battle the problem. To sit back and say there is marijuana growing everywhere and you really can't fight it and you've got to look at the issue of why they are smoking it—well, that's a debate for another day.

The bill in front of us today is legislation to combat residential indoor grow operations. We see on the news every night that there are more and more of these grow operations right across Ontario, and you've got to do something about it. This bill is so plain and straightforward. It speaks clearly, and it's clearly a way of dealing with the problem. It is a first step—that's been mentioned several times—to solving the problem of grow operations in indoor facilities. This is the right way to do it. You amend legislation and various acts that need to be amended. You allow the police authorities and other officials to have the powers they need to stop these operations. This is the right way to go. It's a first step, and I support it 100%.

The Acting Speaker: The Chair recognizes the member from Scarborough Centre.

Mr. Marchese: Speaker, only three people have spoken.

The Acting Speaker: Oh, OK. The Chair recognizes the member for Trinity–Spadina.

Mr. Marchese: I did want the two minutes just to repeat a couple of things. Even the member from Scarborough Centre and others, and my friend from Niagara Centre, mentioned as much: These marijuana grow-ops are proliferating. Why? Because there is organized crime connected to this. There is pecunia—big money—involved in this, and we're doing nothing to deal with the problem. What you're saying is, "There is a problem, and what we're going to do is increase the fines on fire code violations and building code violations." How are you going to catch them like that? Oh, inspectors. I see. And maybe they'll—

Mr. Kormos: Jim Karygiannis.

Mr. Marchese: Yes, they're going to replace Jim Karygiannis. I mentioned him too, by the way; I thought that was cute. I thought it was cute that an MPP was playing the role of Inspector Karygiannis.

What you need is to give the police the resources. First of all, get the police there. Hire more police. Peter Kormos mentioned this when the Tories were in power for eight years. What you need is more police to do the job of cracking down on the real crime out there, not the fluff the Tories are putting there and not the fluff you guys are putting there. You've got to put more police there and then you've got to give them the tools, member from Scarborough Centre. The tools are not the fire violations, even though that's OK, but if you give the cops the helicopters with the thermal imaging to get around the city and the province to find out where they are, we'll catch them in a snap. Why don't you give them those tools and more cops to be able to do that? Then, member from Scarborough Centre, we would be talking. But unless you do that, please, you've got nothing here.

The Acting Speaker: In response, the Chair recognizes the member from Scarborough Centre.

Mr. Duguid: I'm pleased to respond. One of the things I recall from my councillor days, something I was involved in extensively—I don't know whether it was the chair of works or the chair of community services—was an effort that we called hit teams, which we put out to shut down and improve problem properties, which are a scourge in all communities.

We worked with the police, and if there was a crack house or something, the police would try to get in there. But quite often they wouldn't have enough evidence to shut it down. They'd be in, they'd be out, but they wouldn't get enough evidence. So you had to bring together all stakeholders. It wasn't just the police; you had to bring in property standards people who could go in and do some things with regard to property standards. You had to bring in the fire people to go in and inspect. You had to bring in the utilities. And bit by bit, you would find ways to ensure that you could shut these places down.

These are some of the tools that will work with the police to help them, municipalities, ourselves and, ultimately, the federal government as well, if they can come forward with changes to the criminal law, to ensure that we get these places closed down. It takes a co-

operative effort, and this is something that has been asked for for a very long time by the other stakeholders. It's something that will help them in their efforts and help us in our efforts to eradicate these things once and for all.

As I said before, these grow-ops are a blight on our communities. They're a problem when it comes to health and safety. They're a problem when it comes to the health and safety of the kids, who are often used as fronts, who are living in these places. They're also a problem in terms of the impact on the communities and neighbourhoods that they go into. We've got to shut them down. This isn't the be-all and end-all—nobody says it is—but it's a very important step forward.

The Acting Speaker: Further debate?

Mr. Robert W. Runciman (Leeds-Grenville): I appreciate the opportunity to participate in the debate on Bill 128.

The member who preceded me described this legislation as an important step forward. Although at the end of the day our party will probably support the legislation, it's certainly not an important step forward. That is spin that I guess the government backbenchers have to deliver as part of their responsibility to support the government's legislation. But the reality is that at the end of the day this legislation will have no real, meaningful impact on the growth of grow-ops in Ontario.

We've heard some discussion about more police officers. Certainly, our party supports the addition of officers in the province of Ontario. Part of our platform in the last election was another 1,000 police officers. During our previous tenure in government we did add 1,000 new officers under our community policing program, and we committed to doing the same.

The Liberal government has made that commitment, but we're now a year and a half into their mandate and we have yet to see anything meaningful happen in that direction. So, knowing the hiring process—the involvement of the municipalities in the decision-making and the hiring—it's doubtful that we're going to see any meaningful move in that direction either.

What has to happen, in my view, is—we pressed this, when I was justice minister, at the federal, provincial and territorial conferences of justice ministers, and had the support of most other jurisdictions—minimum sentences that will be required for grow-house operators. I think that is the key to having a real, meaningful impact. Of course, we understand that that requires federal legislation. It requires amendments to the Criminal Code of Canada, and the federal Liberal government has been loath to make those changes.

I noticed Anne McLellan, following the tragic shootings of the RCMP officers in Alberta, suggesting, "Well, maybe we will take a look at minimum sentences." I don't think necessarily that minimum sentences would have happened in that case. But in any event, I found it passing strange that Ms. McLellan, in the wake of that tragedy, was suggesting that maybe we should look at it. She was the justice minister when I appeared at a number

of meetings, and she and her government were completely unwilling to consider the concept of minimum sentences for the operation of these grow-ops.

I'm sure that the current Minister of Community Safety has the same issue note that I have with respect to this; it has probably been updated to some degree. But I just want to put on the record some of the situations that are occurring. I'm giving you an example of the low-penalty-risk and high-profit business that this is. There's no wonder why it's growing so rapidly.

A small indoor grow operation—that's described as 50 plants produced times three grows a year; 150 plants a year, a very small operation—can yield a profit of \$175,000 a year. That's a profit. Being caught with 150 plants in various stages of growth would get the offender a jail sentence of 60 to 90 days at most, but more often than not it's a conditional sentence. That's a reality. A conditional sentence, and you can make \$175,000 a year.

1630

Now we'll move on to an average indoor grow-op. At 300 plants produced—that's the capacity—times three grows a year, 900 plants can yield a profit of approximately \$1 million a year. So what does getting caught with 300 plants in various stages of growth get you? What's the experience in the Ontario judicial system? What it gets you is a short jail sentence of up to nine months, but more likely, on average, a conditional sentence. So you can make \$1 million a year in the province of Ontario and you might, but the odds are against it, be sentenced to nine months in a provincial facility, and you'll be out in three—that's the likelihood with parole—or, more likely, a conditional sentence. A million bucks versus that. That indicates very strongly why so many people are quite willing to get into this business.

A large grow-op would see approximately 20,000 plants produced, totalling \$30-million profit in a year. Even in these instances, the individual would be subjected to an 18-month period of incarceration in a provincial facility, and the likelihood is, they're not going to complete a full sentence before they're released. That's a pretty good basis on which to take the risk, take the gamble, when you look at the very modest cost associated with this.

In Canada, a marijuana grower found guilty of possessing 45 kilos of marijuana will receive a maximum sentence of two years less a day. In the United States, the same offence could receive as much as 20 years in a federal prison. That's the contrast, that's what we're dealing with and that's what the federal government is unwilling to come to grips with.

To date, there has been some indication that our current government is prepared to call for minimum sentencing but they're certainly not making it a priority. I'm not seeing a strong stance or a strong effort to embarrass the federal government, as they're doing on the fiscal situation, very vigorously attacking their federal colleagues when they can't manage their own finances. Here is a situation that's jeopardizing many communities and individuals and children, but they don't seem to be

prepared to launch the same kind of campaign to ensure that we get tough minimum sentences in place at the federal level. So the government's answer is this legislation. As I said, I don't think this is going to have any impact whatsoever. It is a very modest measure.

I think one of the things the government should commit itself to doing, through the Attorney General's office, is that every sentence where a grow-op operator is brought before the courts—and I've seen it in my own riding, where the provincial judge is giving these people a slap on the wrist, no jail time, perhaps house arrest or a conditional sentence. I think it offends most citizens, but this is what the judiciary is doing so often, and there's no crown appeal. I think the Attorney General should be instructing the crown law office in every one of these instances, setting a bar, directing the crowns across the province that we're going to appeal every damned one of these things. We're going to appeal them and we'll take them to the Supreme Court of Canada if we have to. We are not going to sit by idly while you allow this proliferation of grow-ops in this province to occur, not just in Ontario—but Ontario, I understand, is now the largest producer in Canada. Whether that's accurate or not, perhaps the minister can comment on that. That's what I'm being told. When I was the minister, in the note I was given, they were estimating indoor operations were generating about \$1 billion a year in the province of Ontario, and I understand it's quite a bit higher than that now.

I think there are two elements here that the government should be proceeding on very vigorously. One is a multi-pronged campaign, and certainly they'll have the support of the chiefs of police, the policing organizations and people who care about children in getting after the federal government in a very vigorous, high-profile campaign, making sure that Ontarians understand what's happening here and do their part in embarrassing the federal Liberal government to take action and amend the Criminal Code so we can have a meaningful impact on stopping the proliferation of these operations.

I do want to talk about a couple of other things. I know that the minister and his government, the Attorney General and the justice ministers, certainly want to project an image. We heard this from the NDP member earlier. I disagree with some of the things he had to say about our government. I could be critical of his party when they were in power, with respect to justice issues, but I'm not going to do that. Maybe I'll do it at a later date. He's not here, so I don't think it serves any useful purpose.

I do want to put on the record a number of things that have happened during the 18 months the Liberal government has been in power. One, of course—and we've talked about it, but it hasn't received much attention—is effectively the dismantling of the victims' office, which fell under the Ministry of the Attorney General. That has been torn asunder. The vice-chair of the victims' office was released from his responsibilities. I'm not sure exactly what's happening there. Of course, the Attorney General and the government have access to the funds in

the victim fund. Hopefully, we can monitor the utilization of those funds to ensure they're being used in an appropriate way.

I want to talk about a couple of things. Policing costs: I wanted to reference that.

We have called for the additional 1,000 police officers. We've put pressure on the minister to make good on his promise. I don't object to that. I support it. But our police are so overburdened today with red tape that I think that's something we should be looking at seriously.

Before I left the ministry, I asked a gentleman by the name of Ron Bain, who is the deputy chief in Peel region—I understand he's now the ADM of policing services; an outstanding police leader—to conduct a red tape review of policing. I understand that review was completed but never released, let alone acted upon.

There are so many things out there taking up the time of police officers. That's one of the reasons we're having so many problems in terms of police officers not being able to respond, with communities facing this ever-growing policing cost but still not being able to adequately police their communities. We have to take a look at this, and we have to do something about it.

I was told a couple of months ago that if you want to apply for a search warrant in Ontario, the application is in excess of 30 pages. If that's a national problem, I guess we have to deal with the national government. The chiefs of police I was talking to were telling me, "Well, you can contrast that with Quebec." A Quebec application for a search warrant, which has some applicability when we're talking about a grow-op, is very few pages when they're making an application to a justice of the peace or to a judge for a search warrant. If that's the case, why the devil aren't we doing something about that?

In fact, we're letting this report, which I commissioned, sit in a desk of the ADM of policing services rather than bringing it forward, making it public and then saying, "We're going to do something about it." If the minister wants a meaningful agenda for the next two years, I would encourage him to get that report out of Ron Bain's desk, make it public, and then act upon it. You would have, I think, a real, meaningful impact on freeing up police to do the job they should be doing.

An impaired driving charge can take seven, eight, 12 hours. If it's a serious accident, it can take an officer off the road for two or three days. Whether you want to talk about domestic disputes—and many of them are not real domestic disputes—again, you're looking at a minimum of seven or eight or nine hours of that officer's time that is going to have to be devoted to all of the paperwork and report-filing required by government to deal with these situations.

1640

I can go on and on, but I think the minister—and he's here tonight—should be taking a look at this report. He may not even have been aware of it, but he's aware of it now and he can't excuse inaction in the future. At some point, I may be asking him about this because I am

making him aware of it today, and encouraging him to look at it, to consider making it public and talking to other stakeholders about it.

I can assure him—and I'm sure he would feel comfortable—that anything Mr. Bain does is going to be done well and any recommendations he makes will have merit. The minister can feel comfortable in proceeding. It will provide him with a meaningful and effective agenda for the next couple of years. That's my suspicion. It's only a suspicion, but I think a solid one, because I never got to see the final report before I left the Grosvenor Street office.

There are a number of other things. I mentioned the government tearing asunder the victims of crime office. We also know they closed down Project Turnaround, the strict discipline camp for young offenders which had a very beneficial effect in turning around young offenders' lives. The recidivism rates of graduates of Project Turnaround were dramatically better than those across the system. But the Liberal government, for ideological reasons, has done away with the strict discipline concept.

Another element—and this is a strange one. As I understand it, they've disbanded the Ontario Crime Control Commission, which I think did some good work. They could have utilized a number of their backbenchers and a number of their parliamentary assistants, as we did when we were in government, travelling the province, listening to people, talking to victims, talking to others who had interests in issues that affected public safety.

They've quietly closed down the crime control commission, yet the strange thing, if you go in the phone book, there's still a number there for the crime control commission. I gather someone still answers and says, "Crime control commission." So this is a façade with respect to the fact that they've actually done away with the crime control commission with no public explanation or public declaration. In fact, they're trying to give the public the impression that this office is still in operation. In reality, it's something quite different.

I quickly want to mention a couple of other things. The security council—I know the minister, when I raised this with him some time ago, said, "Well, you know, their time was up. You hadn't renewed them." The fact of the matter is, we had General Lewis MacKenzie and Norman Inkster, the retired commissioner of the RCMP, serving on that security council, along with Jim Young, the province's medical officer of health and the minister's security adviser. I think they were performing an important role in terms of monitoring security matters in the province of Ontario, but one of the first orders of business of the minister and his government when they assumed office was to disband that and really wash their hands of these kinds of issues, indicating, "Those are federal responsibilities. We're going to rely on our federal friends to take care of those matters." I think that's a serious mistake. We can point to failings of the federal government in this area ad nauseam. But I wanted to point out today that this is the first opportunity I've

had to respond to that comment the minister made in question period.

He also mentioned St. Lawrence Valley in a response the other night, that St. Lawrence Valley wasn't going to proceed regardless of whether the Liberals had formed the government or not. That is not accurate. St. Lawrence Valley would have been completed. We had started phase two and there was a strong commitment, even within the senior levels of the bureaucracy, to the project and the concept of creating a centre of excellence for a variety of treatments for people incarcerated in the provincial correction system. In fact, Mr. McGuinty, when he was Leader of the Opposition, visited Brockville a couple of months prior to the election and made a commitment to the community that that project would be completed. But of course we've learned about Mr. McGuinty's comments in so many areas in so many parts of the province.

Finally, I want to mention the question that I put on the order paper, the resolution regarding Karla Homolka and the fact that Ms. Homolka is going to be released from Joliette prison in 89 days. The Attorney General and the government have talked about doing something, going to the courts to invoke section 810 of the Criminal Code to place conditions on her release, including, as I suggested, if she comes into Ontario, electronic monitoring. That would have to be an amendment to our policy, but I think it's an amendment that the people of Ontario would support.

One part of my resolution calls on the Legislature to ask the Attorney General of Quebec—that's the jurisdiction that she will be released in, and strong indications are that she will be resident in the province of Quebec for some period of time. So I'm asking my colleagues in this House to join with me in asking the province of Quebec to appeal to the courts to utilize section 810. If that doesn't happen, and we are not certain of her whereabouts, I think the Attorney General of Ontario should move quickly to make the same application to the courts in Ontario.

We will, in all likelihood, support Bill 128, but I want to reiterate that this is not going to have any meaningful impact on the growth of these operations in the province of Ontario.

The Acting Speaker: Questions and comments?

Ms. Churley: I have the opportunity in a few minutes to speak at length, but I want to respond to the member for Leeds–Grenville. I don't understand why anybody would vote for a bill that is clearly not going to do what it says it's going to do. I know it can be a problem for oppositions sometimes because of the general perception, the spin that's put out there—the title-of-the-bill spin—that if you vote against it, you're soft on crime. Of course, the government of the day will use that to its utmost advantage. I presume that's part of the problem and why the Tories feel that they have to vote for it. But just admit it: Given all of the problems with this bill, it's not going to do what the minister says it's going to do, and it therefore gives the false impression out there that this bill is actually going to crack down on grow-ops.

I think we all have stated different opinions, given what's going on in Ottawa with the decriminalization of marijuana: from the real hardcore crackdown on marijuana usage of any kind, in any way, shape or form, to those of us who say that if you're going to go that far, you've got to deal with regulation—how it's sold, essentially—to get rid of the crime that's behind the grow-ops. I'll be talking a bit more about that. But this bill is not going to do it, so it really is smoke and mirrors.

I see no reason in the world to support this bill, because it's not going to do what the government says it's going to do. The grow-ops are going to continue out there because the real remedies that we need to get rid of them are not provided for in this bill.

Mr. Pat Hoy (Chatham–Kent Essex): I'm pleased to make some comments about the bill before the House today and talk about grow-ops, or marijuana operations, in residential homes.

It's been stated by others that in 2002, in the York, Peel and Waterloo regions combined, 17% of grow-ops were located within 500 metres of primary and secondary schools, and there were other statistics given on the urban incidence of these grow-ops. I can tell the Legislature that it's not confined to urban Ontario, of course; we have these situations in rural Ontario as well. People do have a very serious concern about these operations.

I'm told and I read in the press that they do from time to time operate near schools. I have read in the press that persons on wonderful residential streets come to find out that these operations are indeed operating, and that they've actually destroyed the house. They've destroyed the house with the moisture content; there might be earth and whatever else that might be in there that's beyond my knowledge. The values of the homes around them tend to go down after that. I think that's something we should consider as legislators, that we eradicate these grow-ops, because for the people in some areas—not all of them—there is a certain aura about them that devalues the homes around them.

Yes, there is going to be action taken here. We should also support the idea that disconnecting hydro that costs us \$100 million a year in stolen hydro should happen, support giving the Fire Protection Act more teeth, and of course support ensuring that any profits from these operations are returned to police enforcement and other good works that we can do as a province. I support the bill. I would imagine the opposition will give strong consideration to supporting this bill.

1650

Ms. Laurie Scott (Haliburton–Victoria–Brock): It's a pleasure to rise today to comment on the words from the member from Leeds–Grenville, who was in the former Ministry of Community Safety and Correctional Services and who made the point that a lot of work had been done there, and how he would like to see those reports brought forward. I think the minister should take that advice and look into the solutions that are maybe already sitting on his desk, in respect to a lot of issues in this file.

I'm glad that the member from Chatham-Kent-Essex brought forward the rural issues. In my riding, I think probably the best crop growing lately is the marijuana crop. It gets the best prices. There's a large issue in rural Ontario in respect to the grow-op houses. I know the urban issues have been brought forward a lot, but there are a lot of empty farmhouses and vacant land that's hidden, similar to what has occurred in Alberta. If we had more police officers, we could investigate. They could be monitored. It could be enforced.

The bill, in principle, is good, but it does not give the authority or the tools to the police officers to decrease the number of grow-op houses in Ontario. There are many empty houses that the police are suspicious of and would like to enforce and investigate further, and they are unable to do so.

There was a \$3-million bust in the city of Kawartha Lakes recently, last October, which was a grow operation. I thank the police for their involvement and investigation of that. Maybe we could get on top of these things sooner. Maybe we could decrease crime. Organized crime has been mentioned several times. Definitely this is a profitable business, and we're not giving the police officers the tools to deal with it.

Project Turnaround was brought up. I think we need to encourage more projects like that for our youth and for our young offenders, and decrease recidivism.

The Acting Speaker: The Chair recognizes the member from Leeds-Grenville in response.

Mr. Runciman: I appreciate the input. I said our position is that we would probably, at the end of the day, support this legislation. That isn't finalized, but I think, from our perspective, that it's probably the best we could hope for from the Liberal government.

I think the bill will do what it says it will do. Unfortunately, the government is suggesting it will do much more than what the bill actually outlines, and is suggesting that it is going to have a real and meaningful impact on the proliferation of grow houses in Ontario. It's truly unfortunate that the government persists in saying that. I don't think there is anything whatsoever in this legislation that will have a meaningful impact.

The member mentioned children. My notes suggest, and this was a 2003 note, that Operation Green Sweep found 44 children living in grow house operations. That was in 2003. So this is not just a neighbouring schools and neighbours problem. They're actually housing kids in these grow operations.

Organized crime certainly is key: Biker gangs are key operators of these facilities. There are also questions about money being funnelled to fund terrorist organizations. These are serious issues that the government has yet to come to grips with. There's an awful lot of opportunity out there to play a meaningful role in combating these operations. The minister has some tools at his disposal, and I would encourage him and his colleagues in government to utilize them and take action to have a real and meaningful impact. This legislation will not do that.

The Acting Speaker: Further debate?

Ms. Churley: First, let me say I'm pleased to see that the minister has been here for most of the debate to date.

Hon. Mr. Kwinter: All of it.

Ms. Churley: All of it—he may have slipped out for a moment or two—and I mean last week as well, when the debate started. Of course, that's not always the case. I know ministers are busy; it's not a criticism—

Mr. Runciman: He's old school.

Ms. Churley: He's old school; that's right. That's a compliment, I guess. Not all stay, because they're busy people, but I appreciate, as we all do, the minister taking the time from his busy schedule to stay in the Legislature and listen to our comments.

I want to follow up on the comments made last week by our critic in the area, the member from Niagara, who had a whole hour and had a whole lot of fun with the bill, although he gave some extremely serious criticism as to why this bill is not going to be able to do what the minister hopes it will do.

I just have to say this at the beginning because my brother was an RCMP officer. He's retired now. He got in very young, as many do, and retired relatively young, and continues to work in enforcement in various ways. I remember just recently, when the tragic incident happened where four RCMP officers were slaughtered, and we were first told on the news that it was the result of a grow operation, and we of course consequently found out that in that case it wasn't. The situation that happened was so tragic and so awful that it hardly matters whether it was a grow-op or not. It did highlight for a short period of time when we all thought it was a grow-op, how dangerous those places can be. As it turned out in this case, we were dealing, as we found out, with a sociopath type of personality who clearly, from what we've seen about his past, should have been jailed or dealt with far more vehemently than he had been. Nonetheless, certainly any of us who have, or have had, relatives in the law enforcement business, every time—and those people in particular, like my brother. Our heart leaps to our throat because we've been close enough, as I have, to family members in that area who have had close calls of their own.

I mention that simply because, even though in this case it was not a grow-op, as it turned out, we are all aware that grow-ops are a problem, and a huge problem for all of the reasons that have been outlined by the minister and others. I don't think there is any disagreement among all of the parties that they are a problem. There are disagreements about the best way to deal with it, and rather big disagreements particularly between New Democrats and Conservatives, and I expect Liberals have different opinions on where the whole marijuana debate should go, given the federal bill that's before the House now, where they're embarked on a pretty clear course of decriminalization, and where that leads us. As our member, our critic in the area from Niagara, Peter Kormos, said, that clearly leads to the next step: looking at controlling and regulating it.

As has been pointed out, this really comes down to criminal activity. You separate out to some extent what the views are around marijuana and the usage of marijuana because the fact is, there are a lot of people using it and will continue to use it, and will get it any way they can. That's what's happening; we all know that. And because of the way it's dealt with now—it's completely illegal—criminals, and hard-core in many cases, are the ones who are controlling and regulating this substance and making a lot of money off it, stealing power from communities and causing dangerous, unhealthy atmospheres. We sometimes read after busts about children who are living in these grow-ops. It's a criminal activity that is very hard to get at.

1700

Just outlining my position on this, I totally agree that we have to deal with the grow-ops and find a way to lessen the criminal activity involved in it. This is not going to do it. Reportedly this bill is supposed to make it easier for police to dismantle and prosecute marijuana grow operations, but when you look at the bill, it really is smoke and mirrors. You've got to ask what the minister was smoking when he came up with this bill, because it tends to change very little, and the few changes that are in it don't really make that much of a difference to the present situation.

The bill is primarily for PR purposes. The government knows that the public wants to see something done about crime and wants to see something done about grow-ops. This is one of those bills where you put it forward—others have said this—and talk up the best you can all the pieces in it that are going to make the changes and allow people to believe that it's really going to make a difference. But when you look at the bill, when you examine it closely, you will see that it's not going to do that. It inappropriately puts part of the responsibility of detecting and dealing with marijuana grow operations on to safety inspectors and electricity distributors, rather than focusing more on effective policing-based solutions.

It has been said by my colleagues, and it will be said again, that what we're not seeing is what the government promised in the election campaign, and that was to put 1,000 new cops on the street. We're not seeing that happen.

There are other parts of the legislation that are overly broad and could be applied to things other than their intended uses. Maximum fines for violation of the Building Code Act are doubled, but these fines are not limited to violations related to grow-ops and can apply to any violation of the code. It could include things like improper sewage systems, letting the public into the building too early etc., and could be unduly punitive and broad in these cases. There are a number of other parts as well that I think have been clearly defined by others in this House.

I want to get to some of the solutions to the problem, given that my contention here is that this is not going to solve the problem. I hate to say it, but I don't know if the minister has read this from the Fraser Institute. I don't

often quote the Fraser Institute. I know you, Mr. Speaker, and your party quote the Fraser Institute from time to time. I don't often agree with them. I have to say that this really surprised me because the Fraser Institute, a very right-wing, conservative think-tank, actually says to legalize it. That one goes further than some of the lefties out there. Let me quote from what the Fraser Institute's Professor Stephen Easton argues.

Mr. Chudleigh: They're academics, not real conservatives.

Ms. Churley: Oh, the Conservatives are saying these are academics, not real conservatives. OK. You make that distinction when you don't agree with them, but when you agree with them, they're real Conservatives.

Let me read to you what this academic from the Fraser Institute says about marijuana growth in BC: "This paper raises several issues that have the cumulative effect of suggesting that in the long term, the prohibition on marijuana cannot be sustained with the present technology of production and enforcement. To anyone with even a passing acquaintance with modern history, it is apparent that we are reliving the experience of alcohol prohibition of the early years of the last century ... the broader social question becomes less about whether we approve or disapprove of local production, but rather who shall enjoy the spoils. As it stands now, growers and distributors pay some of the costs and reap all of the benefits of the multi-billion dollar marijuana industry, while the non-marijuana-smoking taxpayer sees only costs." That is directly from an academic conservative who wrote for the Fraser Institute, and I think it sums up the problem we're facing here.

I listened to some of the speeches in the House. I look around, and some of them aren't here. I'm certainly not going to name names, so don't get worried. But some members stand up on their hind legs and are just incredibly self-righteous and pious. They talk about how bad marijuana use is and they should all be thrown in jail etc. Well, I've seen some of those members in certain circumstances drunk as skunks, from time to time. It's been legal. I haven't seen them get in a car and drive, so I'm not criticizing. It's legal in our society, as long as you don't hurt anybody else, to go to a party or whatever, drink alcohol, stagger around and do whatever. I have seen members in this House from time to time in that state, but that's OK because it's legal. Well, let's not get too pious about that. Let's not get too self-righteous about that.

There is an overwhelming amount of evidence—and I'm not saying any drug, including alcohol. We know the incredible harm that alcohol can cause to humans, both financially and psychologically: the breakup of marriage, drunk driving, fights, kids; you name it. It's an incredibly harmful substance, like tobacco. But because it was legalized, for whatever reason—because people liked it and were using it anyway, somewhat as the Fraser Institute said is happening with marijuana right now—society agreed that every method they tried to bring in to stop the sale and to ban these illegal substances, par-

ticularly alcohol, was not working; just as the Fraser Institute said that marijuana is a multi-billion-dollar industry controlled by crime and that society in general does not reap any benefits from it but in fact pays the price.

I was looking today at another article about the possible medical benefits of marijuana. I don't know if any of you have friends who are licensed. Eventually that got taken care of, but it took a long time. I have a friend, James Wakeford, and some others who are living with AIDS and were finally licensed. There are all kinds of illnesses that we now know about, and the federal government allows them to smoke marijuana to help with their symptoms. But they were put in a position where they had to go and buy it from the biker down the street or downtown or wherever, because there was no legal way to get it. What a ridiculous position. Also, I think my friend James was arrested, or at least threatened with arrest, for growing his own, even though he was ill and was allowed to smoke it, because it was still illegal to grow it. He didn't want to go out there and deal with crime. He was growing his own quite openly and was at least threatened with arrest.

I was reading a very interesting article today—I don't know if anybody here saw it—in the *Globe and Mail*. “Not Ready for ‘A Joint a Day’” is the title of this article. They've just done some initial tests on mice, and it says:

“Low doses of the main active ingredient in marijuana slowed the progression of hardening of the arteries in mice, suggesting a hint for developing a new therapy in people.

“Experts stressed that the finding does not mean people should smoke marijuana in hopes of getting the same benefit,” at least at this point.

“...‘A joint a day will keep the doctor away,’ I think is premature,” said Dr. Peter Libby”—

Mr. Patten: It's worth a try.

Ms. Churley: Mr. Patten says, “It's worth a try.” Hey, if it can keep the arteries from hardening—“chief of cardiovascular medicine at Boston's Brigham and Women's Hospital.”

Then he goes on to talk about what the study showed. But it just makes me aware, and we all should be aware, of what an incredibly dangerous drug culture we live in.

My colleague Peter Kormos, for fun, read into the record the other day a recipe for majoun. I travelled in Morocco when I was a young woman and actually came face to face on some occasions with majoun. He read into the record what it is and how to make it.

1710

You mix up a quarter ounce of the tops, just the tops, of cannabis sativa—I believe that's the flowery part—of the sweetest kif you can get, crumbled, stems and seeds removed, a cup of chopped dates, half a cup of raisins, half a cup of ground walnuts, a teaspoon of ground nutmeg, a teaspoon of aniseed, a teaspoon of dried ginger, half a cup of honey, half a cup of water—use more if needed—and two tablespoons of melted butter or ghee.

It even tells you how to cook it. It says, “In a dry skillet, toast the marijuana over very low heat until it begins to release an aroma. Combine it with the dried fruit, walnuts, spices, honey and water and cook until the ingredients are soft. Remove to a heavy bowl and mash the pulp until the ingredients are well blended, or put into a food processor and blend, using several short pulses. Add the butter and stir until blended. Spoon into a jar and store in the refrigerator. Serve on crackers, eat by the fingerful or use as a filling for mamoul.”

I remember when I came face to face with this as I was travelling around Morocco. There was chocolate, sometimes, mixed in with this fruit as well, which I hear could make it extremely delicious. When people started to eat it, because of the chocolate in it, one of the problems was that, because of the impact of the marijuana, they couldn't stop eating it. You just kept wanting to eat. I've been told that's what happened.

The reason I bring this up—this was many years ago, when I was a young woman travelling around—is the difference in cultures. I don't think it was necessarily legal, although it might have been over there, but it was a complete reversal of our societal attitude toward alcohol and marijuana. I'm just giving you this information to illustrate how different it can be.

In Morocco, I was stunned to see and find out that everybody ate majoun. They had their little sipsis with sweet kif at the end of them—their little pipes—and sat around in cafés smoking it. It was pretty much part of normal life. But alcohol was frowned upon and illegal. I remember the perversity—it's just the opposite of what we see here—of some local people coming to me and some of the Westerners who lived there at the time and asking if we could go and buy them a bottle of wine. We would meet in some dark corner somewhere and I would hand it over. I would get nothing in return. Don't think there was any exchange going on; I would do it as a favour.

I'm not kidding. It's the complete reverse of what happens over here in the Western world with marijuana. The bottles would be hidden under the djellaba, and off they'd go. It just goes to show that where you have a prohibition on a drug, there's much more likelihood that it's going to be used in an unwise way. There's no control over it whatsoever. People are sneaking around, like they are now, with marijuana. It is not in any way controlled or regulated by the government.

I see that my time is rapidly running out here. I just have to end with this. The legislation before us is not going to stop this problem. It's hardly going to make a dent in it. We have to look at what they're doing on the federal level. I support what they're doing but I believe that we cannot stop there. The next step is for the government to start controlling it and regulating it. That would stop the criminal element, it would regulate it properly and it would increase the revenue for the government by many billions of dollars, I believe. I hear Mr. Klees sighing. But if you look at the evidence and read the Fraser report, the Fraser Institute agrees with me on this.

Mr. Klees: I'll cancel my subscription.

Ms. Churley: You'll have to.

The Acting Speaker: Questions and comments? The member for Halton.

Mr. Chudleigh: Thank you, Mr. Speaker. It's—

Hon. David Caplan (Minister of Public Infrastructure Renewal): Did you get the recipe down?

Mr. Chudleigh: No, I have no use for that recipe. I pride myself on cooking, but not those kinds of recipes. I have a very nice recipe for a baked salmon with some spices on top. It's a regular salmon; it's nothing un-toward.

It's not very often that I agree with my NDP counterpart, in even the smallest degree, but when she talks about this bill being somewhat inadequate to attack the problem that is before us, I do agree with her on that. The fact that the solution might be to legalize marijuana I take great issue with. If we legalize marijuana, the next drug begins to become more acceptable, and that creates a huge problem in our society. We have been very active in our society in eliminating tobacco use, and the more we progress in that area, we don't want to backslide in the area of marijuana. Therefore, continuing the pressure on tobacco is the direction we want to go in, while taking into consideration that tobacco currently is a legal form of use and that anyone who has been impacted negatively by government action on tobacco should receive some type of compensation, be that whatever different type of compensation. I don't have time to go into them now, but it would be reasonable to look at bars and restaurants that have installed very expensive fans, for instance, as being one of those groups of people that might want compensation in that area.

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): It's a pleasure to speak on Bill 128, on the grow-ops. I was going through a well-known business magazine, *Forbes*, which gives details about the whole thing. It says that the marijuana industry “has emerged as Canada's most valuable agriculture product—bigger than wheat, cattle or timber.” This magazine also suggests that the Canadian marijuana trade is worth more than about \$4 billion. In 2002, the grow-ops were estimated to have cost this province nearly \$100 million. The Green Tide report, published by the Ontario Association of Chiefs of Police in the fall of 2003, states that about \$80 million in electricity is stolen by illegal grow operators every year.

I support this bill because what the Minister of Community Safety has done is brought and proposed a bill that, if passed, will make our communities safe from crime, safe to live in and will also affect the health of the people of this province. That's why I support this bill.

Mr. Klees: I want to comment very briefly on the comments made by the member for Toronto–Danforth. It's opportunities like this where, clearly, it's very obvious to observers of this House that there are differences of opinion on many issues, and that's the purpose of debate. I must say that I do find it somewhat disconcerting, regardless of the member's position with regard to marijuana use or what her liberal views might be on

that—and she's entitled to that. I do think that for us to come to a point where, in this Legislature, a very public place—we have pages sitting here and observing these proceedings. Students across the province have an opportunity to observe this debate. There are Hansard records. I know the member is going to suggest that this is some form of judgmental comment that I'm making, and it's not meant to be that at all. I do say that as members of the Legislature, for us to use the time and debate for a bill as important as this to provide a recipe for marijuana cookies really is beyond the limit. It really is beyond the pale, and I'm offended by it. We can disagree on the issues of legislation before us, and we obviously do, but I question the honourable member's judgment with regard to that.

1720

Ms. Scott: It is a pleasure to rise today to speak to the comments by the member from Toronto–Danforth on Bill 128, the Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2005. Certainly, there are challenges out there. I noticed that the minister, in his introduction of the bill, mentioned that it was a first step, and we hope that is true.

The police need more tools. They need another 1,000 officers. They have some good tools right now that I know are valuable up in the rural parts of Ontario. I'm looking for them. They have the FLIR, which stands for “forward looking infra red” radar, which is a thermal imaging camera. So if you hear the choppers flying overhead, they are seeing inside your house. Those are more of the types of tools that we need, especially with the grow-operations that are happening in rural Ontario. Keeping our young people out of crime, trying to limit organized crime from forming up in the rural Ontario areas—to see the charges in the newspapers, to draw attention to the areas in this matter, is not what any of us wants to see.

When we said that the bill is a first step, we hope that they bring more police officers in. We hope that they give more money to the OPP and to the other municipal police officers so that they can enforce, track down and capture these criminals who are doing that.

There are certainly many opinions that can be shared. I know the third party has certainly spoken a lot about legalization of marijuana. That's for the future to decide. There's a lot more testing on the effects that it will have on our society. So I welcome more comments and debate on this bill.

The Acting Speaker: In response, the Chair recognizes the member from Toronto–Danforth.

Ms. Churley: I thank all the members for their interesting comments to my remarks. I'm sorry that I offended the member for Oak Ridges. I must say it's not the first time that I've disappointed and offended people. I apologize for offending him. It's possible that I could be accused of creating a collector's item of Hansard today to get this recipe—and I'd be happy to sign it—but somehow I don't think that people are going to go rushing out to get copies of Hansard. But if they are,

perhaps the Legislature could make some money off it. It could start selling this new psychedelic cookbook with majoun. They're not marijuana cookies; it's called majoun. It's an ancient Arabic recipe, as I understand it. Come on. Even the member for Oak Ridges is laughing now.

What I was getting at here in talking about the hypocrisy that we sometimes show when it comes to this kind of stuff was to describe how different cultures look at drugs differently. That recipe I read out and the usage of marijuana and hashish in some countries is much more acceptable than alcohol, yet we talk about drinking alcohol as though that's fine. We can get up and give a cocktail recipe for a Pink Lady, a Rusty Nail or whatever, and that would be fine because we sanction it.

I was just trying to make a point here. One of the points I was trying to make is that this is a very important social issue I believe we're debating now. It's not just about grow-ops. As I said, we live in a heavily drugged society. People are getting prescriptions for all kinds of drugs—mood altering, sleeping, etc.—causing all kinds of damage. Let's look at this whole issue realistically.

The Acting Speaker: Further debate?

Mr. Mario G. Racco (Thornhill): Hearing the comments of the member for Toronto–Danforth makes me wonder. We are working to eliminate smoking in public places and there are people in this House who are potentially promoting the use of marijuana. Certainly, it's another world to me.

Having said that, I want to make some comments today on Bill 128. I want to share my time with my colleague from Pickering–Ajax–Uxbridge.

On behalf of the people on Thornhill and Concord, I want to thank Minister Monte Kwinter for bringing forward second reading of Bill 128 today. The bill combats residential marijuana grow operations. Unfortunately, there have been a number of homes affected in the vicinity of my riding of Thornhill and Concord. Therefore, it is important that we pass this legislation as the first step in a co-operative and comprehensive province-wide strategy to protect all members of the community from the many dangers posed by marijuana grow operations.

Bill 128 is the first step in addressing the issue, an issue on which we, as a province, are limited in what we can do. Criminal activities are dealt with at the federal level. I trust and I note Minister Kwinter has and will continue to communicate the message to our federal colleagues.

I am pleased to report to the House that my police chief, Armand La Barge from the region of York, is fully supportive of Bill 128. If Chief La Barge supports it, I feel comfortable that my constituents of Thornhill and Concord also support Bill 128.

My constituents are aware that Minister Kwinter has already put together a joint committee of the Ontario Association of Chiefs of Police and the Ontario Police Association so that, together, they can come up with a plan that will work for Ontario. They are the ones who

will have to deal with the marijuana growers and, therefore, they are the best ones to make recommendations on how the legislation should proceed.

Minister Kwinter has made it clear that Bill 128 is the first step in developing a comprehensive provincial strategy to help create stronger and safer communities by dealing with the proliferation of residential indoor marijuana grow operations that threaten the safety of our communities. When this House allows the passage of this bill, it will allow, for instance, an electricity distributor to disconnect the hydro without notice in accordance with a court order for emergency safety or system reliability reasons. It will also require building inspections of all homes that police confirm contain a grow-op. If municipal officials judge the property to be unsafe, they are required to issue orders for repair. This will protect people from purchasing a property that would require thousands of dollars of repairs. At the city of Vaughan, councillor Linda Jackson, for instance, was trying to introduce such a bylaw so that the purchaser of a home would not be stuck with significant bills to fix a house, and that is one way of addressing such an issue.

1730

Also, this bill will allow doubling the maximum penalties under the Fire Protection and Prevention Act. Most importantly, it will be setting 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, crime prevention and compensating victims. That is a very important section. Money coming from those criminal activities will be allocated to fight the same crime. Ontarians have been asking for that type of legislation, and I'm happy that Minister Kwinter has done so.

This bill addresses the issue raised by the Green Tide Summit, which brought together for the first time ever, in the same room and at the same time, representatives from the various levels of government, police services, public utilities and the private sector to seek solutions to the problem of grow operations. The summit recommended forming the Green Tide action group to ensure that we are continually working on this problem so that the issue will not disappear. In other words, we will continue to find ways to solve the problem. It will be, by developing new protocols for interaction between the police and municipal building departments. That is a very important area, because quite often municipalities don't really know where to go to solve the problem.

We are also committed, as you know, Mr. Speaker—the government did commit, before the election, to hiring an additional 1,000 police officers in Ontario. I am convinced that when this bill is passed, when it receives final approval, the minister can also try to coordinate so that some of these new police officers, especially in areas like Concord and Thornhill, will be used to fight marijuana grow operations.

It is a good bill. It is a bill that we should be passing as quickly as is possible. I trust that all of us will do exactly

that so that our communities, our province, will be a better place with this bill, Bill 128.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): I appreciate this opportunity on Thursday afternoon, as we wind our way toward 6 o'clock to wrap up our activity for the Legislature during this week, and all of us will be returning to our constituencies to start our weekend work tomorrow, for the next three days. It's a never-ending cycle.

I'm pleased to add my comments and thoughts to Bill 128. I recognize the member from Toronto–Danforth, who commented on the minister's presence throughout all of the debate. He's still here, and that's a credit to him, to hear all of us in the debate that goes on.

The legislation in Bill 128, as has been referenced before, will amend some seven acts. I think it's part of a package of tools and that law enforcement, the judicial system, the support agencies and community functions will need to continue to wrestle with the issue, principally, of grow-ops.

I want to take a minute. Each of us in our own communities has current experiences or a recent experience with grow operations. Just this week in the papers, there was an incident in my riding, a result of a case that's been winding its way through the courts for some time. Unfortunately, the case has been dismissed. It was dismissed because the police in this instance had entered on to the property without a warrant. That occurred because they were called to the site as a result of vicious dogs running at large in the neighbourhood around the house, one chained, I believe. When they arrived on the site, one dog, I believe, was shot at. It ran into the house. The door was wide open, and the police officer, feeling it was a safety issue, followed the animal in. When he went in, he discovered the grow-op, in effect. The warrant was subsequently acquired. The police did all of the work they needed to do, but as this thing wound its way through the courts, the absence of the warrant on the first entry, chasing the dog, ended up having the whole matter dismissed. That one certainly has some attention in our community, but I think it just adds to the need to ensure that we have all the tools possible, and this legislation will be one more piece. It won't be the be-all and end-all—that's been said here today and in past debate—it won't meet all of the needs, but it's going to help address some of the needs we have in trying to address the grow-ops in our communities.

The legislation will deal in particular with a variety of powers and enforcements. It'll deal with the simple things, like doubling fines under the fire and fire code acts. The likelihood of a fire occurring in a grow-op is some 40 times higher than in a regular residence, probably primarily as a result, often, of the bypassed hydro systems and the amount of juice being punched through the home. Clearly, to the extent that those kinds of provisions will help to discourage that, or at least make people accountable for it at the end of the day, adding one little piece I think will be helpful.

In 2001, Toronto Police Service dismantled some 33 indoor marijuana grow-ops—not a big number, maybe, for a city the size of Toronto—but by 2003 that had risen to some 140. This year, 2004 moving into 2005, I guess, they're up to about 250-plus. Certainly it's a growing business, a growing problem in our communities, and we probably find in each of our communities that more and more of them are being identified. I mentioned the one that's been working its way through the courts, and the dismissal in that one. There's another one in my community that came to light fairly recently as a result of grass not being kept on the boulevard. Can you imagine that guys operating a grow-op of that size wouldn't be smart enough to cut the grass on the boulevard? So the municipality was called. They went out at the request of neighbours and cut the grass on the boulevard to tidy the place up, and they saw that the place looked unusual. It didn't look like it was being used in the normal, regular kind of fashion, which then resulted in the police taking the types of actions necessary to get access to the property, and that matter is before the courts. These are two homes in subdivisions in a suburban community—with neighbours living close by, with the schools close by, with the kids close by—that have affected the community.

More than one member in the Legislature today has made reference to what that does, potentially, to property values and the sense of community. When you see the spread of grow-ops into various neighbourhoods, you can get a sense of the impact that has on the feeling of the community that they're safe from organized crime, that they're safe from crime of a nature that reaches right into their backyard, in essence, in a very real way.

One of the huge issues that cropped up with grow-ops in the early days, when they were first being identified, was the matter of hydro issues—bypassing meters, hooking directly into the power supply to get the power needed, stealing millions of dollars' worth of power—but also the safety issues around that. This legislation will provide for another tool in that process, and that will allow for the disconnect of power when there is strong enough evidence that there will be a risk to safety as a result of the hydro being routed and/or a risk to the distribution system. It's another small but I think important tool, because hydro becomes one of the key indicators for us of the existence of grow-ops, and it's one of the things we as taxpayers and ratepayers in essence end up paying when millions of dollars' worth of power is being stolen out of the system on fairly regular basis.

1740

The setting up of a special-purpose account, in effect, to manage and deal with the proceeds of crime will be a helpful amendment to legislation. The establishment of a director, when there are proceeds of crime in large amounts that will be able to be managed in an effective way, will help not only in this matter of the grow-ops but also in other matters of significant crime. One only has to see the damage done to a property as a result of a grow-op to understand the impact on homes and on com-

munities: tons and tons of earth being hauled into the homes, walls effectively being knocked down, structures being modified in one fashion or another to allow the grow-ops to continue, the rerouting of wiring throughout the property, the growth of mould within the home, the addition of chemicals in large amounts for the grow operation itself that disrupts the home.

In some cases, when you have the home sitters there to provide some presence on-site, it is not unusual that you have young children, it seems, in those environments as well. When we see some of the news articles that come out and see the police reports of the conditions in which these children are living, it is clearly something we need to work harder at, in removing more of the grow-ops from our communities.

There is probably a long list of issues that we each face in our community. I think our police forces are doing a commendable job. I know the chief in Durham region, Kevin McAlpine, has been a leader in the Green Tide activity. Our police force generally has been very active in this regard. We had the pleasure of being one of the early municipal forces in the area to have a dedicated helicopter. Actually, we shared that initially with York region for a year or so before we acquired our own. It provides the level of surveillance that can come with a helicopter presence that is helpful in this regard.

These are, I think, all elements of a package. This is a piece of legislation amending some seven other pieces of legislation that will add a set of tools—not the only tools. As we continue to add that and as we continue to work toward enhancing and increasing the availability of police in our communities, it will make an impact on the grow operations. It will impact on the criminal activity. It will impact on the organized crime that is behind many, if not all, of these operations. It is good legislation. It will be effective legislation. It obviously won't solve all the problems related to this, but it will be a significant step in that regard.

The Acting Speaker: Questions and comments?

Mr. Chudleigh: The member spoke to the bill with some sympathy. It is always interesting to listen to the government side of the bill because it tends to hit the high points, the good points, of the bill.

As was mentioned earlier in the day by one of our speakers on this side of the House, we will probably be supporting this bill unless something comes to light in the debate that would move our vote in another direction.

Our concern is not with the highlights of the bill, as the two speakers so eloquently pointed out; our concern is that the bill doesn't go far enough, that it's far too weak and far too soft. The softness has even led some members of the House to suggest that perhaps the legalization of marijuana would be the solution to the proliferation of these kinds of grow-ops. We in this party, of course, are very much opposed to that. We oppose it on the basis of health reasons, which obviously would be one of the highest reasons. People tend to think that smoking tobacco is injurious to your health. Smoking

marijuana would be equally injurious to your health as you would inhale that substance.

Those kinds of things can do nothing but harm our society, so bringing in a meaningful bill with some real teeth in it that would let people know where this government stands as far as law and order is concerned would be something that this side of the House would very much like to see.

Ms. Churley: Of course, there's always majoun and/or brownies, I would say, and tobacco is legal, although I'm predicting that maybe—I don't know how many years it's going to take—even though it is legal, more and more people are going to stop smoking it and people aren't going to start up again, and that's a good thing. But in the meantime, at least there's an ability, while it is legal, for government to be, perverse as it is, making billions of dollars on the taxes from it and to be able to regulate it and make serious attempts to keep it out of the hands of the young.

Let's just look at the statistics here for a minute. We've got to stop this, as we put it, reefer madness that's going on here, not looking at the evidence before us, but the growing threat of extremely serious crimes, like we've been talking about Internet luring. It's a huge problem now. It is pointless to be wasting our police resources on marijuana usage. Even if you were to hire the 1,000 cops that you said you were going to do and haven't done yet, there are so many serious crimes going on out there that we need these cops to be working on.

We know that millions of Canadians use it. Whether you like it or not, they are. Some 30% to 50% of Canadians aged 15 to 24 have used it. That's from StatsCan. Approximately 7% of Canadians smoke marijuana recreationally. Approximately 25% of adult Canadians have tried it sometime in life. According to a UN study of drug use, 147 million consume marijuana worldwide, but at the same time we spend millions of dollars turning those people into criminals. Some 75% of drug-related criminal charges are connected with marijuana—and on and on. Look at the stats of what people are doing out there, and let's get real about how to handle it.

1750

Mrs. Liz Sandals (Guelph–Wellington): I'd like to thank my colleague from Pickering–Ajax–Uxbridge for his very helpful comments, and I'd like to comment, actually, on the member from Halton, who said we need some teeth here. I would like to suggest to him that there are real teeth in this act. For example, the penalty for violating the fire code has been raised to \$50,000 or one year in jail, or both. Why is that significant? Because often these grow-ops have had the wiring destroyed in such a way that they violate the fire code in order to steal electricity. This now means that the people who are responsible may be liable to imprisonment simply for violating the fire code in terms of the way that they've rewired to steal electricity.

We've also got a requirement that the police will notify the municipality and have the municipal building inspectors come in and check out the marijuana grow-op,

because in many cases the marijuana grow-op, the residence, has been rendered unsafe. If in fact that happens, then the building inspectors can order total repair of the grow-op and rehabilitate it for residential occupancy so that some poor unsuspecting homeowner isn't stuck with a house that could be both a safety trap and a health hazard as a result of former use as grow-ops. So in my mind, we have teeth.

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

Mr. Racco: I would like to thank the member from Pickering–Ajax–Uxbridge, the member from Halton, the member from Toronto–Danforth and the member from Guelph–Wellington.

At the end of the day, there are many crimes that, unfortunately, we have to deal with, but marijuana grow-ops are a major problem. We have communities, very peaceful communities, that people have lived in for many, many years, and then all of a sudden they discover that their neighbour has been growing marijuana next door to where their kids are growing, where their kids go to school, where nobody ever expected any of these things to happen.

This bill, in fact, will address this issue that may not be as bad as many other problems that we are facing today in Ontario, but it certainly is a bad problem, and it's a problem that will become even bigger, more problematic, unless we address it today or as soon as we can.

This bill, again, is only the first step in addressing the real big issue. The minister has already initiated discussions with the OPP and with the Ontario police association to make sure they will tell us what tools they need to be able to do their job.

It's a bill that has taken the first step, but it also says to all of us, "We know that we're able to speak among ourselves to find the best solution." It is happening right now. We are planning that the next bill that will be introduced will deal with the problem fully. The minister has made it clear: This is the first step. It's a step that should be supported.

I am comforted by the comments that I hear from the Conservative Party. I would like to hear better comments from the NDP. I thank you.

The Acting Speaker: It being approximately 6 p.m., this House stands adjourned until Monday at 1:30 p.m.

The House adjourned at 1755.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma–Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration
Ancaster–Dundas– Flamborough–Aldershot	McMeekin, Ted (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Barrie–Simcoe–Bradford	Tascona, Joseph N. (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hastings–Frontenac–Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of the Environment / ministre de l'Environnement
Beaches–East York / Beaches–York-Est	Prue, Michael (ND)	Huron–Bruce	Mitchell, Carol (L)
Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brampton West–Mississauga / Brampton-Ouest–Mississauga	Dhillon, Vic (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Brant	Levac, Dave (L)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Burlington	Jackson, Cameron (PC)	Lanark–Carleton	Sterling, Norman W. (PC)
Cambridge	Martiniuk, Gerry (PC)	Leeds–Grenville	Runciman, Robert W. (PC)
Chatham–Kent Essex	Hoy, Pat (L)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Davenport	Ruprecht, Tony (L)	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Labour / ministre du Travail
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London–Fanshawe	Ramal, Khalil (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Markham	Wong, Tony C. (L)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Transportation / ministre des Transports
Durham	O'Toole, John (PC)	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Eglinton–Lawrence	Colle, Mike (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Elgin–Middlesex–London	Peters, Hon. / L'hon. Steve (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Erie–Lincoln	Hudak, Tim (PC)	Nepean–Carleton	Baird, John R. (PC)
Essex	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Donna H. (L)	Niagara Falls	Craitor, Kim (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Nickel Belt	Martel, Shelley (ND)
Etobicoke–Lakeshore	Broten, Laurel C. (L)	Nipissing	Smith, Monique M. (L)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Northumberland	Rinaldi, Lou (L)
Guelph–Wellington	Sandals, Liz (L)	Oak Ridges	Klees, Frank (PC)
Haldimand–Norfolk–Brant	Barrett, Toby (PC)	Oakville	Flynn, Kevin Daniel (L)
Haliburton–Victoria–Brock	Scott, Laurie (PC)	Oshawa	Ouellette, Jerry J. (PC)
Halton	Chudleigh, Ted (PC)	Ottawa Centre / Ottawa-Centre	Patten, Richard (L)
Hamilton East / Hamilton-Est	Horwath, Andrea (ND)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa South / Ottawa-Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Stoney Creek	Mossop, Jennifer F. (L)
Ottawa West–Nepean / Ottawa–Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Ottawa–Orléans	McNeely, Phil (L)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa–Vanier	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thornhill	Racco, Mario G. (L)
Oxford	Hardeman, Ernie (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Parkdale–High Park	Kennedy, Hon. / L'hon. Gerard (L) Minister of Education / ministre de l'Éducation	Thunder Bay–Superior North / Thunder Bay–Superior- Nord	Gravelle, Michael (L)
Parry Sound–Muskoka	Miller, Norm (PC)	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources / ministre des Richesses naturelles
Perth–Middlesex	Wilkinson, John (L)	Timmins–James Bay / Timmins–Baie James	Bisson, Gilles (ND)
Peterborough	Leal, Jeff (L)	Toronto Centre–Rosedale / Toronto–Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Toronto–Danforth	Churley, Marilyn (ND)
Prince Edward–Hastings	Parsons, Ernie (L)	Trinity–Spadina	Marchese, Rosario (ND)
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Vaughan–King–Aurora	Sorbara, Hon. / L'hon. Greg (L) Minister of Finance / ministre des Finances
Sarnia–Lambton	Di Cocco, Caroline (L)	Waterloo–Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Sault Ste. Marie	Oraziotti, David (L)	Whitby–Ajax	Flaherty, Jim (PC)
Scarborough Centre / Scarborough–Centre	Duguid, Brad (L)	Willowdale	Zimmer, David (L)
Scarborough East / Scarborough–Est	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor West / Windsor–Ouest	Pupatello, Hon. / L'hon. Sandra (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough Southwest / Scarborough–Sud–Ouest	Berardinetti, Lorenzo (L)	Windsor–St. Clair	Duncan, Hon. / L'hon. Dwight (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York Centre / York–Centre	Kwinter, Hon. / L'hon. Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough–Rouge River	Curling, Hon. / L'hon. Alvin (L) Speaker / Président	York North / York–Nord	Munro, Julia (PC)
Simcoe North / Simcoe–Nord	Dunlop, Garfield (PC)	York South–Weston / York–Sud–Weston	Cordiano, Hon. / L'hon. Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe–Grey	Wilson, Jim (PC)	York West / York–Ouest	Sergio, Mario (L)
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

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

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

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Cameron Jackson
Vice-Chair / Vice-Président: John O'Toole
Wayne Arthurs, Caroline Di Cocco, Andrea Horwath,
Cameron Jackson, Kuldip Kular, Phil McNeely
John Milloy, John O'Toole, Jim Wilson
Clerk / Greffier: Trevor Day

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-Président: Phil McNeely
Toby Barrett, Mike Colle, Pat Hoy, Judy Marsales,
Phil McNeely, Carol Mitchell, John O'Toole,
Michael Prue, John Wilkinson
Clerk / Greffier: Trevor Day

General government / Affaires gouvernementales

Chair / Présidente: Linda Jeffrey
Vice-Chair / Vice-Président: Vic Dhillon
Marilyn Churley, Vic Dhillon, Brad Duguid,
Linda Jeffrey, Jean-Marc Lalonde,
Deborah Matthews, Jerry J. Ouellette,
Lou Rinaldi, John Yakabuski
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

Chair / Président: Tim Hudak
Vice-Chair / Vice-Présidente: Andrea Horwath
Lorenzo Berardinetti, Michael Gravelle,
Andrea Horwath, Tim Hudak,
David Oraziotti, Ernie Parsons,
Laurie Scott, Monique M. Smith,
Joseph N. Tascona
Clerk / Greffière: Susan Sourial

Justice Policy / Justice

Chair / Président: Shafiq Qaadri
Vice-Chair / Vice-Président: Bob Delaney
Michael A. Brown, Jim Brownell, Bob Delaney,
Kevin Daniel Flynn, Frank Klees, Peter Kormos,
Shafiq Qaadri, Mario G. Racco, Elizabeth Witmer
Clerk / Greffier: Katch Koch

Legislative Assembly / Assemblée législative

Chair / Président: Bob Delaney
Vice-Chair / Vice-Président: Mario G. Racco
Donna H. Cansfield, Bob Delaney,
Ernie Hardeman, Rosario Marchese, Ted McMeekin,
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio
Clerk / Greffier: Douglas Arnott

Public accounts / Comptes publics

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-Présidente: Julia Munro
Laurel C. Broten, Jim Flaherty, Shelley Martel,
Bill Mauro, Julia Munro, Richard Patten,
Liz Sandals, Norman W. Sterling, David Zimmer
Clerk / Greffière: Susan Sourial

**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Marilyn Churley
Vice-Chair / Vice-Président: Tony C. Wong
Gilles Bisson, Marilyn Churley, Kim Craitor,
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 Craitor,
Peter Fonseca, Jeff Leal, Rosario Marchese,
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

TABLE DES MATIÈRES

Jeudi 7 avril 2005

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 2005 modifiant la Loi sur les renseignements concernant le consommateur, projet de loi 174, <i>M. Ruprecht</i> Adoptée.....	6046
Loi de 2005 sur l'immunité des élus, projet de loi 165, <i>M. Ouellette</i> Rejetée.....	6046

DÉCLARATIONS DES DÉPUTÉS

Le pape Jean-Paul II M. Lalonde	6046
---	------

PREMIÈRE LECTURE

Loi de 2005 modifiant des lois en ce qui a trait à la protection contre l'incendie, projet de loi 184, <i>M. Prue</i> Adoptée.....	6049
---	------

DEUXIÈME LECTURE

Loi de 2005 modifiant des lois en ce qui concerne l'exécution de la loi et l'administration des biens confisqués, projet de loi 128, <i>M. Kwinter</i> Débat présumé ajourné.....	6083
--	------

CONTENTS

Thursday 7 April 2005

PRIVATE MEMBERS' PUBLIC BUSINESS

Consumer Reporting Amendment Act, 2005, Bill 174, Mr. Ruprecht	
Mr. Ruprecht.....	6031, 6037, 6038
Mr. Martiniuk	6032
Mr. Kormos	6033
Mr. McNeely	6034
Mr. Hardeman.....	6035
Mr. Sergio.....	6036
Mrs. Witmer.....	6036
Mr. Bisson.....	6037
Agreed to.....	6046
Elected Officials Immunity Act, 2005, Bill 165, Mr. Ouellette	
Mr. Ouellette.....	6038, 6045
Mr. Kormos	6040
Mrs. Cansfield	6041
Mr. Duguid	6042
Mr. Klees	6043
Mr. Dunlop	6044
Negatived.....	6046

MEMBERS' STATEMENTS

Huronia Regional Centre	
Mr. Dunlop	6046
Le pape Jean-Paul II	
Mr. Lalonde	6046
Autism services	
Mr. Klees	6047
Literacy tests	
Mr. Sergio.....	6047
Health care	
Mr. Runciman	6047
Daycare	
Mr. Bisson	6048
Winchester District Memorial Hospital	
Mr. Brownell	6048
Apprenticeship training	
Mr. Milloy	6048
Rwandan genocide	
Mr. Qaadri	6048

FIRST READINGS

Fire Protection Statute Law Amendment Act, 2005, Bill 184, Mr. Prue	
Agreed to	6049
Mr. Prue.....	6049

MOTIONS

Private members' public business

Mr. Duncan	6049
Agreed to.....	6049

ORAL QUESTIONS

Hospital services

Mrs. Witmer	6049
Mr. McGuinty	6049

Environmental legislation

Mr. Runciman	6050
Mr. McGuinty	6050, 6051
Mr. Barrett.....	6051

Health care

Mr. Hampton.....	6051
Mr. McGuinty	6051

Government services

Mr. Hampton.....	6052
Mr. McGuinty	6052
Mr. Caplan	6052
Mrs. Bountrogianni	6053

TTC service

Mr. Klees.....	6053
Mr. McGuinty	6053

Autism treatment

Ms. Martel.....	6053
Mrs. Bountrogianni	6054

Veterans

Mrs. Cansfield.....	6054
Mr. Gerretsen	6054

Labour unions

Mrs. Munro	6054
Mr. Bryant.....	6055

Affordable housing

Mr. Prue	6055
Mr. Caplan	6055

Adoption disclosure

Mr. Duguid.....	6056
Ms. Papatello.....	6056

Justices of the peace

Mr. Jackson	6056
Mr. Bryant.....	6056

Child care

Ms. Horwath.....	6057
Mrs. Bountrogianni	6057

Assistance to farmers

Mr. Hoy.....	6058
Mr. Peters.....	6058

Karla Homolka

Mr. Runciman	6058
Mr. Bryant.....	6058

PETITIONS

Huronia Regional Centre

Mr. Klees	6059
Mr. Miller	6059
Mr. Duguid	6060

GO Transit tunnel

Mr. Ruprecht.....	6059
-------------------	------

Women's shelters

Ms. Churley	6059
-------------------	------

Anaphylactic shock

Mr. Delaney.....	6060
------------------	------

Volunteer firefighters

Mr. Arnott.....	6060
-----------------	------

Leslie M. Frost Centre

Ms. Scott.....	6060
----------------	------

SECOND READINGS

Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2005, Bill 128, Mr. Kwinter

Ms. Broten	6061
Mr. Klees	6061, 6065, 6079
Mr. Marchese.....	6063, 6065, 6069, 6072
Mr. Kwinter	6064
Mr. Jackson.....	6064, 6068
Ms. Churley	6064, 6068, 6075, 6076, 6079, 6082
Mr. Fonseca	6068
Mr. Patten	6068
Mr. Duguid	6069, 6072
Mr. Qaadri	6070
Mr. Chudleigh.....	6071, 6079, 6082
Mr. Kormos	6071
Mr. Berardinetti	6071
Mr. Runciman	6072, 6076
Mr. Hoy	6075
Ms. Scott.....	6075, 6079
Mr. Kular	6079
Mr. Racco	6080, 6083
Mr. Arthurs	6081
Mrs. Sandals	6082
Debate deemed adjourned.....	6083

OTHER BUSINESS

Wearing of ribbons

Mr. Arnott.....	6046
-----------------	------

Visitors

Mrs. Munro	6049
------------------	------

Business of the House

Mr. Caplan	6063
------------------	------

Continued overleaf