



Legislative Assembly
of Ontario
Second Session, 38th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 1 December 2005

Jeudi 1^{er} décembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

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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 1 December 2005

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 1^{er} décembre 2005

The House met at 1000.

Prayers.

PRIVATE MEMBERS'
PUBLIC BUSINESS

HEALTH INSURANCE
AMENDMENT ACT
(INSULIN PUMPS FOR DIABETICS), 2005

LOI DE 2005 MODIFIANT LA LOI
SUR L'ASSURANCE-SANTÉ
(POMPES À INSULINE
POUR DIABÉTIQUES)

Mr. Gravelle moved second reading of the following bill:

Bill 15, An Act to amend the Health Insurance Act /
Projet de loi 15, Loi modifiant la Loi sur l'assurance-
santé.

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

Mr. Michael Gravelle (Thunder Bay–Superior North): Bill 15 is a very straightforward, simple and quite short, one-page piece of legislation. However, if this bill is supported by my colleagues today, and subsequently receives the support of the government, the impact its passage will have on the lives of thousands of people with diabetes will be nothing short of dramatic.

By making the provision of an insulin pump and its supplies a covered service under the Ontario health insurance plan, we will be improving the day-to-day life of people with diabetes by helping them better manage their glucose levels, which is the key to preventing the serious complications that are the frightening reality that people with diabetes live with as they struggle to manage this debilitating and insidious disease.

While the insulin pump may not be suitable or helpful to every person with diabetes, there are thousands of Ontarians who would greatly benefit from it today, who are not able to access this service because they simply cannot afford it. In fact, the Canadian Diabetes Association receives calls every day from people who have been told by their physician that they should be using an insulin pump, but unless they have employer or private health insurance, they are simply not able to purchase it.

I will acknowledge that the costs seem substantial. The pump itself costs \$6,000 and monthly supplies can run anywhere between \$300 to \$400 a month. However, I believe the price of not covering the pump under the OHIP plan is far more substantial. Let's just look at some of the facts. Diabetes is expected to cost \$2.13 billion in direct costs to the health care system in 2005. Diagnosed diabetics comprise 6% of Ontario's population but they account for 51% of new kidney dialysis. Dialysis costs about \$50,000 per person per year and of course is covered by OHIP. They account for 70% of amputations in the province. A leg amputation costs \$70,000, and, again, it's covered by OHIP. They also account for 43% of heart failures. In fact, 80% of diabetics die from cardiovascular disease and its complications.

Type 1 diabetics, who are most likely to benefit from the insulin pump, are approximately 10% of Ontario's diabetic population but account for 40% of the direct costs of diabetes in Ontario—over \$800 million. This is not even taking into account the indirect costs to the health care system and our economy, such as rehabilitation after hospitalization, depression, lost productivity, lost wages, sick days and unemployment.

The facts, as unpleasant as they are, go on and on, but the fact that I want to focus on today is that the provision of an insulin pump can change all those cold and rather grim statistics. Today there are approximately 3,000 Ontarians living with an insulin pump to help manage their disease, and their lives have changed immeasurably for the good. Many of them are with us today in the gallery, and each and every one will tell you how much better their lives have been since they became pumpers. And while that improved quality of life is clearly the greatest benefit of the insulin pump, there is no denying that the health care system is also very much the beneficiary of their being able to access that service. Just imagine the benefits if all those who needed the pump could have ready access to it.

So far, I've spoken about statistics. For a moment, let's talk about people. Since I began this quest to see our government provide the insulin pump under OHIP, I've spoken with hundreds of people—some with a pump, many without it. I've heard from literally thousands of people by e-mail. They all have their own story to tell—sometimes uplifting, sometimes heartbreaking—but in each and every case there is a common thread: Their lives have been altered by their struggle with diabetes.

Those who have been able to access an insulin pump invariably have a life-changing story to tell. One of the most remarkable stories—and I return to it—may be that

of Paul Beckwith, who is in the Legislature with us today. I met him when I first introduced this legislation last year. Diagnosed with diabetes in 1966 at the age of 13—I know my colleague from Simcoe North will want to talk about him as well—Mr. Beckwith spent 30 years struggling to manage his condition, with mixed results. At the time he was finally able to access the insulin pump, I guess about seven years ago, he was in grave danger of having his foot amputated and was not able to work regularly. However, once he began insulin pump therapy, his quality of life improved dramatically. The amputation was averted and he was able to return to work—certainly a wonderful story, but also an instructive one. The long and short of it is that the insulin pump can make an extraordinary difference in a person's life.

Perhaps less dramatic, but no less inspiring, is the story of my constituent Derek Lawrence, a teenager who went on the pump over three years ago. When I met with him, I was struck by how unobtrusive the pump actually was, but more significantly, I was moved and impressed by how the pump allowed Derek to lead a normal teenage life, something he could not do before, something he had been totally denied before and now he could do.

But sadly, for every uplifting story, there are many more stories of lives compromised by diabetes, of people who struggle daily with managing this disease, people such as my constituent, who contacted me recently from his hospital bed, a gentleman who could not afford the insulin pump but who certainly would benefit from it, yet for now is a brittle diabetic who is frequently in the hospital, often for several days at a time.

1010

It's not my intention today to harangue or to guilt our government into supporting this legislation. Indeed, I am incredibly conscious of the financial pressures that face both the Minister of Health and the Minister of Finance as we struggle to manage the ever-growing demands on our health care system in Ontario. We and all those concerned with the management of diabetes in the province are grateful for the financial support the province provides to fight this disease. Included in that support was the announcement earlier this week of a new investment of \$15 million for the development of 69 new diabetes education and care teams across the province. Personally, I was pleased to announce that almost \$2 million of those new funds will be provided to the Thunder Bay region.

These funds are a good investment and much appreciated. But today I ask the minister to once again look positively on the overwhelming benefits that insulin pump therapy does and will provide to people with diabetes and to the enormous cost savings that would result if all people who could benefit from the pump were able to access it. As for the Minister of Finance, I acknowledge the challenges he faces as he prepares next spring's budget. Having said that, I note with some interest that he personally has advocated for this specific legislation himself. In June 2003, while still in opposition, Minister Duncan introduced this exact same legislation into the House. Although it never got beyond first

reading, it certainly indicated that he recognized the enormous benefit of insulin pump therapy. In fact, it was he who first encouraged me to bring this legislation forward for the first time last year. As we move this legislation forward today, I hope the minister will give serious consideration to including the necessary funding for coverage of the insulin pump and the supplies associated with it in next year's budget.

Clearly, there is great support for this legislation amongst my colleagues on all sides of the House. I am grateful for that, as are all the advocates with us in the public galleries and those watching the proceedings today across the province. Yes, the upfront costs may be substantial. I was speaking with the Ontario Diabetes Action Partnership in terms of their advocacy for children with diabetes and type 1 diabetics, and they're looking at potentially somewhere between \$6 million and \$15 million. But it would make such an enormous difference. The reality is that the benefits both to the quality of life and to the health care system clearly outweigh those initial costs. I only hope that today's debate and the support that we expect we will receive at 12 noon when we vote on this will be a crucial step in seeing the insulin pump become a health care reality under the Ontario health insurance plan.

To many of us, this has taken on the quality of a crusade. Indeed, that may be an accurate description of this campaign, and that is because all of us who are waging this campaign have seen the enormous difference an insulin pump can make in the lives of people with diabetes. We want to see those benefits extended to everyone in this province for whom a pump is recommended therapy by their physician.

In the little bit of time I have left, I want to close with a quote from a friend of mine in Thunder Bay. But I want to recognize the great support we've had across the province. We've got some wonderful people in the galleries today, and I do want to acknowledge some of them. Suzanne Sterling, the regional director of the Canadian Diabetes Association, northwest division, Thunder Bay, is here, as are her colleagues Gary O'Connor, area executive director for the GTA-central south, and Alan Marks, the GTA regional chair. Whitney Binns, the marketing and communications officer, is here as well. I mentioned Paul Beckwith, from the Ontario Diabetes Action Partnership, and Terry Anne Thomson, the coordinator for ODAP. Zachary Smith, a great young lad, and Lyla-Kay Collins are here as well, who are both on the pump, and their lives have been changed in a remarkable way.

Let me close by quoting Maggie Bellefontaine, a manager of Diabetes Health Thunder Bay: "It is time to provide people with diabetes equitable access to improved treatments to manage their diabetes. Insulin is not a cure. Managing diabetes is like juggling balls while walking a tightrope between two cliffs, not an easy task at the best of times." Let's make that challenge less perilous today by passing the legislation so that people with diabetes can have a fighting chance.

The Deputy Speaker: Further debate?

Mr. Garfield Dunlop (Simcoe North): I am very pleased to rise today to support the member from Thunder Bay–Superior North, Mr. Gravelle, in private members' time, on the reading and debate on Bill 15, An Act to amend the Health Insurance Act. I think it's important to note that the main section of the bill is section 11.2 of the Health Insurance Act, and it is amended by adding a following subsection: "(1.1) The provision of insulin pumps and supplies for the pumps are insured services." That's what Mr. Gravelle asked for in Bill 55 and that's what he's asking for today in this piece of legislation. I can tell you that from my own perspective, I support it wholeheartedly.

Just to let you know, I have with me today four folks who came up to my office. I welcome everyone who is in the Legislature today to lend us support to the bill, but I wanted to put some faces to the names and tell you a bit of the history of these folks.

Mr. Gravelle mentioned that Paul Beckwith is here. Paul is a person from my township, a resident of my riding. He has been on an insulin pump for eight and a half years. He has had type 1 diabetes for 38 years of his life.

Also with me today from the town of Penetanguishene is Glen Heatherington, who also has a pump. He has had type 1 diabetes for 40 years of his life.

As well, we have Melanie Hellstern. Melanie doesn't have an insulin pump, but she has a 14-year-old son who has had an insulin pump for the last four years. Having the pump has allowed Melanie to go back to work. She wasn't able to do that previously because she had to care for her son. It has allowed her to go back and work at full employment and pay taxes.

Finally, we have a registered nurse with us today, Karen Lyn. Karen has type 1 diabetes. She has been on an insulin pump for six years. I want to show you, with the consent of the House, Mr. Speaker—I'll get this right back to Karen; I won't take it anywhere—one of the insulin pumps we're talking about, with a \$6,500 value. I thought it would be nice to show people just how small it is. It's a very expensive device, but this is making people's lives much more healthy and convenient.

The member already mentioned some of the savings. My understanding is that the cost of dialysis now—you said \$50,000; I understand it's closer to \$65,000. Just to remove a limb costs \$74,000 in upfront costs, but there are all the ongoing costs of the health care associated with that.

Paul Beckwith is a strong advocate for this. I have to give Paul so much credit, because at times his health hasn't been 100%. Let me give you examples of how an insulin pump over the last eight and a half years has changed Paul's life.

Before I get on to that, I want to just very briefly say that Paul presented petitions to me. Paul and his group of people presented over 9,000 petitions to me in my office. I presented about half of them yesterday in the House—the balance will be presented today—in support of Bill

15, previously Bill 55. The intent here is that this is a very important issue to a lot of people in Ontario—not just the people who have diabetes but their families, who are affected by this as well. We're asking for that strong support here.

Here is the story of Paul. He presented this to me. At a period of time when he had four to six injections per day of two different insulins, Paul had over 4,000 shots of laser to each of his eyes. Since he has been on an insulin pump, there has been no laser treatment done on his eyes in the last eight and a half years. Think of that: 4,000 shots. He mentioned that before the insulin pump, his sick days from work were too numerous to count. He was off all the time. In eight and a half years since he has been on the insulin pump, Paul Beckwith has had one sick day. It's an incredible story.

He had two motor vehicle accidents because of low blood sugar, previous to the insulin pump, and since then, thank God, he has had no motor vehicle accidents. Under the injection system, Paul had his licence suspended three times. Since he's been on the insulin pump, he's had a perfect record. In the eight and a half years, he's had no suspensions.

1020

Glucose control 1.2 mmol—I'm not medical. I don't even know what that means, so I'd better not get into that. I'll pass that over to the physician on the other side; maybe he will understand that better.

He suffered from hypoglycemia unawareness and now he does not have that. Finally, 911 was being called two to three times a week previous to the insulin pump; no 911 calls in eight and a half years.

There's one example. There's a lot more detail on this page than just what I have mentioned here today. But I can tell you that it has changed the lives of people like Paul, and it has changed the lives of the other three folks who are here today as well. They're here strongly advocating that we proceed with this legislation.

We've been here before. I hope that in this House today everybody will support this bill. I hope we will send it off to a committee and that at the committee it will get debate. But what is more important is, after the debate and after the committee hearings, that we bring it back for the final reading so that we can actually vote on this bill in this House. It might even be able to be done as early as the end of this session, and if not then, hopefully at the end of the next session.

What is important is that we have an opportunity to provide this assistance to these residents of our province. And what's really important is that we don't not call it. If we have this thing go through committee, to have it sit there on the order paper and to die I think is a mistake. So let's make sure that all members of this House—we can send letters to the Minister of Finance. As you mentioned earlier, the Minister of Finance introduced this bill originally. Possibly it's an opportunity for him to show strong advocacy as well if he pushes this ahead in the spring budget, saying we'll cover it.

I think it will be a cost saving to the province of Ontario. I can't see how it cannot be. However, maybe

there is some data out there that I don't understand, and maybe the Ministry of Finance could send it to all members of this House and tell us why it shouldn't pass. But from my perspective, after listening to this debate a number of times in this House and after talking to my friend Paul Beckwith, who is in my office about once a week advocating on behalf of this piece of legislation, I want to tell you that I think it's important for the citizens of this province that we proceed with it and support Mr. Gravelle's bill.

We know the Ministry of Health has a huge budget. We know there are all types of demands on the ministry, but this appears to be one that's affecting a large number of people in the province. I understand that Quebec has just moved forward with covering the supplies around the insulin pumps. I'm not sure of the full details on that yet. But I think we have to take this very, very seriously in our country.

We have a lot of strong advocates here today—and we have a lot of strong advocates for whom it wouldn't even be possible to attend today—who belong to all the diabetes associations across our province. These people are out hosting golf tournaments, hosting luncheons, and every time you go to one of their events, Bill 15 or Bill 55 comes up: “When is the government going to pass this piece of legislation? When are we going to see action on this?”

I would urge the government members here today—I'm sure you'll be supporting the bill—in your caucus meetings to ask the Minister of Finance, to ask the government to bring it forward. I'm sure you'll get 100% support in this House. I'm sure that it will be a positive story for the government and, God knows, you need a positive story once in a while.

Interjection.

Mr. Dunlop: The fact of the matter is that you do need a positive story, but let's make this bill actually work. Let's get it passed today. Let's get it into committee. Let's get it into third reading, and let's pass this bill in this House so that the people who are here today advocating on behalf of the thousands of people in Ontario who have diabetes can have some satisfaction and some comfort in knowing that the government of Ontario and this Legislative Assembly supports their needs.

Mr. Gilles Bisson (Timmins–James Bay): To my colleague the member from—I don't remember Mr. Gravelle's riding.

The Deputy Speaker: Thunder Bay–Superior North.

Mr. Bisson: Thank you very much. I was going to go by the old riding name. That's my problem. I've been around here too long, and I get the ridings mixed up with what they used to be.

I just want to say to the honourable member, first of all, that we will be supporting his bill. We think this is a good idea, something that's very necessary, as has been spoken to already by both Mr. Gravelle and the previous speaker. Certainly those people watching the debate today and those people who are with us today can speak

volumes on the need to do this, because we do know it's a huge expense to families to be able to provide an insulin pump, and the benefit that is gained from those insulin pumps is immeasurable. I know, in my own constituency, a number of people whom I've dealt with over the years who have had to go on insulin pumps talk about what it has done for their lives after being on the pumps. I want to say up front that we support this.

I want to turn the debate to something that's tied to what we're talking about but speaks more of the process that we're in here in the Legislature. That is, I believe that private members' hour is becoming more and more the model of how we should run this place. I want to say, with all sincerity, that far too often the work that is done in this Legislature by way of government bills tends to be pretty one-sided. I don't care if it's Liberal, Conservative or NDP; all governments have their bills, and the majority, which is the government, decides what they want as far as business of the House. Far too often, even backbench members of the government are stuck in debate on bills that they may not feel very strongly about. I find that private members' hour is one of those times in this Legislature where we can really do meaningful work. An example of this morning: Mr. Gravelle brings to the floor of this Legislature an issue that's important to a number of people in this province. What better way for us as legislators to spend our time than trying to do something to improve the lives of our constituents and make the greater constituency of Ontario a better place for people to live in?

That's the point I want to make. One of the things we need to do at one point in a future Parliament is take a look at how we're able to increase the participation of members by way of introducing bills into the Legislature, and being able not only to debate them and pass them at second reading but actually get the bills passed into law. It seems to me that's what this Legislature was supposed to be all about. It was supposed to be about members being elected individually in their own constituencies, coming to this place, raising the issues that are important for their constituents and having actual legislation, or motions or initiatives passed in order to affect what happens to the people back home.

Instead, what has happened over the years is that the Office of the Premier—and I don't care which government it is; it's always the same—decides what the direction is, and 99% of the time of this assembly is then taken up by the business of the inner cabinet and the Premier and, quite frankly, we as legislators are here doing the business of unelected advisers who work for the Premier. Basically, that's what it comes down to. We're here to do their political work, and the people in the backrooms make all the decisions. It seems to me that's an inverted situation.

This Legislature should be about 103 members coming to this House, introducing at their occasion bills that are important for their constituents and having a debate among the elected officials about what the agenda of this Legislature should be. I just think that it's high time that we try to figure out a way to make that happen.

However, with this particular bill, I'm afraid the possibility exists—and it's a great possibility—that, yes, we will pass this bill at second reading, we will probably get it into committee, I would think we might even get some hearings on it; but the likelihood of a private member's bill becoming law is a really small one. Just look at the history of the last two years: Of all the private members' bills that were introduced in this Legislature—I'm the whip of our party; I don't even think there's one that's actually passed.

Mr. Kim Craitor (Niagara Falls): Anaphylactic.

Mr. Bisson: Anaphylactic. That was a bill that Mr. Levac originally brought forward in previous Parliaments. It was a huge amount of work, and there was one for yourself, Mr. Speaker. The point is, it took those members four, five, six, seven years to get those bills passed, and it didn't happen on the first attempt. Normally, they get it passed at second reading and it dies on the order paper. They bring it back the next time they get a ballot item. They put it in a second time and the same thing happens: The bill gets passed but dies on the order paper, but eventually, members persist, and this is what Mr. Gravelle is doing. He wants to have his bill passed, and I just think it's a shame that members are put in the position where they're really not able to get the legislative time they need in this House to deal with these important matters. This is an opportunity for us to raise it, because I think his bill is a primary example of how we can do some good work in this Legislature.

1030

I just say to members across the way that we, as individual members, at some point need to take control of this Legislature. We need to take the control away from those unelected people who work for Premiers and ministers. We end up doing their bidding, but it should be the other way around. I think there are a couple of ways we can do that. I believe the best way is to change the way that we elect people in this place. The first-past-the-post system that we have in Canada, as we do in Great Britain, is a tried-and-true system, but it's getting kind of old. If you look at most modern democracies, they've moved to a system of proportional representation, the idea simply being that if a party is elected with, let's say, 42% of the vote in a general election, they will get 42% of the seats, and each of the other parties are apportioned seats according to the percentage vote they got. That means that for any government that gets elected—the Liberal Party in the last election would obviously be the government because they were at 42% and they had more votes than anybody else, but they would have to work with the opposition parties. But it would also mean that they would work with their own backbench, and that's the point I really want to make.

Far too often in government, backbenchers are not taken seriously. They need the backbenchers to sustain the government but do not do enough, I believe, to support the needs of the backbenchers. I know that because I've sat in government, as has Mr. Gravelle, and I'm saying that from the experience on sitting on both sides

of the House. In a funny way, you have much more freedom and latitude to get more done in opposition than you do as a backbencher. That's always amazed me. I always used to think, "Man, it's a lot better to be on the government side." It is, from a satisfying point of view, but when it comes to being able to raise the issues of your constituents, it's a lot easier to do it from the opposition benches. Far too often, a government backbencher has to be mindful of what his party and his Premier have to say. If they want to get into cabinet, they really have to toe the party line.

That's why I think we need to change the way we elect people around here, so that every member is taken as an individual member. You may be a Liberal or a New Democrat or a Conservative or a Green or whatever you might be, but at the end of the day, your vote counts. That means that the vote of the people in your constituency counts in the end. Second, when you come into the Legislature as a representative, the government can't take you for granted. That's one of the ways that we can fix this.

Another way is possibly to try to find a way of increasing the time we get for private members' business. I think that would be a thing well done.

The third part is that we need to take control of the assembly in some way so that members are able to get their bills actually passed into law. It should be a decision of the majority of the assembly, not necessarily those people in the back rooms of the corridors of power, as we say.

Back to the issue of diabetes. I needed to put that on the record, Speaker, and I know you were being somewhat patient with me. It is related. I think you agreed with me and that's why you didn't rule me out of order.

Back to the issue of diabetes itself. I represent a constituency in northern Ontario called Timmins–James Bay. In my constituency, diabetes is a huge problem, especially in the northern communities of the Mushkegowuk Cree and also the Ojibways in Martin Falls and Constance Lake and other places across northeastern and northwestern Ontario. Part of it is lifestyle, genetics, but the other part of it is diet. Trying to eat a full, healthy diet in a place like, let's say, Attawapiskat is pretty difficult to do, when a head of lettuce will probably cost you \$5 or \$6 and doesn't look very appetizing. So people tend to eat foods that are maybe not necessarily as good as they need to be for their health.

We have a huge problem with diabetes. I've got to say with some pleasure that, I believe next Friday, Minister Smitherman is going to be coming up to Moose Factory to officially open our dialysis unit. It has taken a lot of years. As the member for Timmins–James Bay, we've been working with Weeneebayko hospital and James Bay General Hospital and other people in the health field in the area for a long time to try to get this dialysis system and up and running and funded. I give the government credit for having listened to the arguments we've made and for finally having funded the dialysis system at the Weeneebayko General Hospital in Moose Factory. I can

tell you, it makes a huge difference. It means that those people who live in the Moosonee, Moose Factory area are able to stay home. They don't have to travel and live in Timmins or wherever it might be to survive. That's really what it comes down to: You're not able to survive without dialysis if needed.

Obviously it's still a problem for communities further up the coast, because there are no dialysis services in communities like Fort Albany, Kashechewan or wherever it might be. One of the things we're going to have to think about as we move forward in the integration of our health care system in the James Bay—as members in this House know, we are now in a process of merging the federal hospital, Weeneebayko General, and the provincial hospital, James Bay General Hospital, into one provincial system. It's high time we did that because I think the federal government is abysmal at running things. When it comes to running hospitals, schools or reserves, you just need to travel in my constituency to find out the degree to which they're ill-suited to manage those services. We have very competent, hard-working people in our aboriginal education system and in the Weeneebayko General Hospital. Pat Chilton, for example, as the executive director, has done an amazing job. But the federal government, I believe, is not well suited to support the work that needs to be done in health care on the James Bay.

I really and truly believe that at the end of the day, integration is the way to go in the provincial system for a couple of reasons: (1) These people are residents of Ontario and they should be part of the provincial hospital system; and (2) the province has the wherewithal to run hospitals. We understand health care because we are the deliverers of health care in Ontario. The federal government is not. They are sort of at the edges of the system. I think we'd be better served.

The key is, we need to make sure the federal government, on the transfer of the hospitals to the province, doesn't just all of a sudden walk away from its fiduciary responsibility and say, "Well, too bad, so sad. Now it's a provincial hospital. We're not giving you any more money." They have a fiduciary responsibility to First Nations and we need to keep the dollars on an annual basis in the budget. The dollars that the province brings into the system can then be used to do real health care planning, such as making sure all of our communities on the James Bay have proper health facilities.

For example, there's no long-term care. Imagine if there were no long-term-care services in the community you live in, and once you need them, you have to move out of your community. That happens in some of our communities. It's just down the highway, and kids can go visit their moms and dads 50 or 60 miles away. If you live in Peawanuk, Martin Falls, Kashechewan or wherever it might be and you need long-term-care service or to live in an institution, you've got to travel out of the community and go to Timmins, Cochrane or wherever it is.

For families, it's traumatic. You're basically talking about a person in their 70s or 80s, who was born on the

land, who speaks Cree and probably doesn't speak very much English. A lot of people don't realize that. Many of my constituents don't speak English. Their language is Cree or Ojibwa. All of a sudden, they're put into a setting where nobody speaks their language. They don't have any of their friends with them in the institution and they find themselves very lonely and, quite frankly, die a lot quicker. They're away from their families, and that's the key thing.

As we move to an integrated provincial health system, we are able to plan and make sure that we have long-term-care beds in provincial institutions that are already existing, in places like Fort Albany and Attawapiskat, but also make sure that those types of services are available as we take over the federal system in Kashechewan, Martin Falls, Peawanuk and those places, making sure that services like dialysis are available in those communities as well.

I say to the member, a job well done. You will have our support. We think this is a good bill. We will support you through the process. I only hope this bill not only gets second reading but ends up as a bill that gets passed. It's going to take a lot of work, as you know, Mr. Gravelle. You've been here a long time. You understand, as I do, the difficulty and challenges in being able to get a private member's bill passed. Whatever we can do from our side of the House to help you, we are more than pleased to do so. I have to say that we've not always been on the same side on all issues. Certainly on the forestry file, we're miles apart.

Mr. Gravelle: No, we're not.

Mr. Bisson: Well, you may not be apart. This goes back to my original point that sometimes when you're in government, you've got to keep quiet. The point is that I think this is one we can work together on. Private members' hour is one of those times when we demonstrate that members of all parties are able to work well together—even though we might be sparring on other issues—for the better good of not only the constituents of your riding but, at the end of the day, the constituents of my riding and everybody else's. I congratulate you for bringing in this bill.

Mr. Craiton: I had the pleasure and honour of speaking to this bill when it was originally introduced in April 2004, so I'm grateful to have the opportunity, along with five of my colleagues, to speak on the bill again.

Congratulations to the member from Thunder Bay—Superior North, Michael Gravelle, for bringing this bill forward. I think every day in the hallway we bump into each other and the first thing I ask Michael—and he'll tell you—is, "How are we doing? Where's it going?"

1040

When I spoke on this bill the first time, I mentioned a couple of names. One was Patrick Cummings, a very close friend of mine for the 10 years I sat on city council. Patrick had diabetes and has since passed away. That's when I really learned what diabetes was all about. I also mentioned an e-mail that I received back then from a Wendy Anderson, who said the passage of the bill is a

life-and-death issue for her and the insulin pump therapy is a necessity, not a choice.

I want to add a couple of other faces and voices to this bill. My good friend Al Greatrix from Niagara Falls has diabetes. My wife's brother, who is seriously ill, is a diabetic.

I recently received a letter from Susan Crane of Niagara Falls. I spoke to her, and she's given me permission to read into Hansard her comments to me. She writes:

"Mr. Craitor

"I am a single mother of three daughters. The youngest daughter (age 13) is an asthmatic and type 1 diabetic.

"It is very difficult for me to understand why it is taking so long for Bill 55 to have its second reading. People with type 1 diabetes have not chosen this medical condition, but the cost in controlling it is huge. I cannot understand why our government, whom I think the world of, cannot get this bill passed through so that children with diabetes can get medicines free.

"My daughter's syringes cost \$1 apiece, four times a day. Multiply that by 30 days per month and the cost is out of this world. My family and I will go without a lot of things to ensure she is kept healthy.

"We have approached all of the service clubs in Niagara Falls to ask for their assistance in obtaining a pump. A pump would enhance her young life and give her more freedom to do some of the things her friends are able to do. Thus far we have received a \$1,000 donation from the Niagara Falls Kiwanis Club. The total cost of the insulin pump is \$6,600.

"I don't know if you can help to push this bill through the parliamentary procedures, but if you can it would mean a lot to her and our family."

I know this assembly is listening. I know it wants to help.

I will also share with the House that two weeks ago the Minister of Finance was in St. Catharines and conducted a round table meeting to discuss our upcoming budget. A young lady made an excellent presentation about insulin pumps. I will also tell you that I could tell the minister was moved, and in fact commented on the bill.

So in closing, I just want to say it's a good start. I'm totally in support of it. Congratulations again to the member for bringing it forward.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I am pleased to rise today to speak in support once again, this time on Bill 15, the private member's bill from the member for Thunder Bay–Superior North which would amend the Health Insurance Act to allow the insulin pump and supplies for the pump to become insured services.

I've had many people come to me in the riding to speak about this bill. We're following it with the Lindsay chapter of the Canadian Diabetes Association—Anne Rink was past president there—but also from the Peterborough area. I'm sure the member for Peterborough has been approached many times by people in his area supporting this.

In January, Mrs. Brown, a constituent of mine, had to quit work in order to look after her child who has diabetes. She wasn't able to get an insulin pump for her; she was a very brittle diabetic, which means unstable. She had to make changes in their lifestyle just to look after her daughter, who could have been assisted by an insulin pump. Her daughter could have much more independence, and thus she herself could have more independence to go back to work etc.

We've written to Mr. Smitherman through the Canadian Diabetes Association, and I'm hoping the member for Thunder Bay–Superior North and other members can pressure the government to bring this to committee so we can have a fulsome discussion about the insulin pump.

The insulin pump itself controls the blood sugar level. I don't know if the member for Simcoe North held up the pump. It's a small device with a catheter. It monitors the sugar level and delivers the insulin accordingly, so people don't have to watch the clock; their lifestyles can be more flexible.

Ron and Cathy Millen in my riding have a son who has a demanding university schedule. This has helped eliminate the chronic high and low blood glucose levels that occur with him. They paid thousands of dollars to assist their son's medical needs, and they're hoping the bill is passed. He's going to be graduating soon, if he can go on to afford that, because it will affect what jobs he chooses and his whole quality of life.

George and Dott Heath from my riding, both diabetics who volunteer with the Canadian Diabetes Association, have e-mailed me in support.

Certainly, in my career as a nurse, I've seen many diabetic highs and lows and how diabetes affects people and their lifestyles. Even recently, in my profession now as an MPP, I still do a lot of medical calls when I'm out in public because they are affected. They're passing out in public. They do have unstable levels. So it's all around us.

We're trying to let Ontarians lead healthy, more productive lives. Statistics have shown the increase in diabetes that is going to be happening. Diabetes is the leading cause of heart disease, kidney disease and blindness in Ontario. More than 850,000 Ontarians, which is 7% of the population—when you think about it, it's quite a lot—have this disease. They account for 32% of the heart attacks, 43% of heart failure cases, 30% of strokes, 51% of new dialysis patients and 70% of amputations. Just last week, or maybe even this week, the amputations that occur were on the news—diabetics not being able to see their lower extremities, especially, facing amputations that could have been prevented. Being able to monitor their blood glucose levels in a more effective way would certainly improve their circulation and save amputations down the road. So that's getting more prominence in the news, the costs to the health care system, which the member from Thunder Bay–Superior North gave very good statistics on. Certainly, I believe the ounce of prevention, the money put forward now, will save the cost to the health care system down the road.

Gilles Bisson mentioned how so few private members' bills get passed. I was fortunate enough this year to have one of my private member's bills get passed, and only 2% get passed. But it's a great morning when we do non-partisan work and try to improve the quality of life for all people in Ontario.

Later this afternoon, at the Speaker's will, I'm going to present petitions on behalf of the member from Simcoe North. There are thousands of petitions. I thank Paul Beckwith, Glen Heatherington, Karen Lynn and Melanie Hellstern for obtaining these signatures.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): I too rise in support of this initiative. When a person with the integrity of the member from Thunder Bay–Superior North asks you to offer a few words, the only possible response is to agree. I've always found that the sponsor of the bill has never had to worry about giving a speech that will bring people to their feet, for his wise and thoughtful words have always served to bring people to their senses. Today is no exception.

Simply put, the bill presented makes sense. It makes sense because diabetics suffer if their disease becomes unmanageable. In simple truth, research on the utility and effectiveness of insulin pumps in achieving and maintaining optimal glycemic control requires us to concede that no diabetes strategy can be comprehensive if it fails to acknowledge the importance and then ensure the broad-base use of insulin pump technology. The benefits of continuous insulin infusion with an insulin pump have been well documented.

That said, the good member from Thunder Bay–Superior North has already provided a comprehensive overview of the serious complications which can result from a failure in disease management. The costs to our health care system are both staggering and growing. In Ontario, there are about 6,500 children who live with insulin-dependent diabetes. On average, each child living with insulin-dependent diabetes will cost our health care system more than \$200,000, the result of disease complications. Contrasting this cost to the cost of the pump and supplies, which the member has outlined, suggests at least a 10 to one health care payback through the early provision and use of insulin pump technology. Investing these dollars to ensure proper disease management will enhance the future of these children and allow them to live healthier, happier, more productive lives. In short, it would be money well spent.

1050

Allow me to close by quoting the words of a friend, the Right Reverend Dr. Tommy Douglas, who said, "If, instead of flowers, we could plant a beautiful thought in the heart of a friend, that would be to give as the angels give." Today we have an exciting opportunity indeed to give as the angels give, to move forward with the beautiful thought placed in the heart of this assembly this morning. Thank you, Michael.

Today we can ensure that the road less travelled becomes the more common path and avoid the fate of Robert Frost's hired hand who, in the end, "Had nothing

to look back on with pride nor forward to with hope." I implore all members of this assembly to act with resolve to embrace this wonderful initiative.

Mr. Jeff Leal (Peterborough): It really is an honour for me to say a few words today in support of Bill 15 and support my good friend the member from Thunder Bay–Superior North. Today in our audience we have a number of fourth-year nursing students from Trent University: Nicole Anderson, Julia Wadsworth, Lai Jeet Yeo, Amarpreet Sikand, Melissa Bennett, Jennifer Nash, Spring Numan and Meredith Alexander. These individuals have been circulating a petition in my community of Peterborough to bring forth support for Bill 15. My friend from Haliburton–Victoria–Brock has mentioned the son of Ron and Cathy Millen, who I know very well, and Dorothy MacDonald, the executive director of the local diabetes chapter in my riding of Peterborough.

In bringing this bill forward today, the member is truly part of the great legacy of Thunder Bay–Superior North, along with C.D. Howe, Robert Andras, Lyn McLeod and others. There is a great tradition of leadership from that part of northwestern Ontario, and this fulfills that great legacy.

Secondly, I believe that Bill 15 is just a logical extension of the legacy here in Ontario of Banting and Best, to bring forward and support this bill to have OHIP support these insulin pumps.

I want to talk about the two First Nations communities in the riding of Peterborough. Chief Greg Cowie, of Hiawatha First Nations community, and chief Keith Knott, from Curve Lake First Nations community, in fact have shown leadership roles as Peterborough has had the opportunity to work with the Kashechewan people in the last number of weeks. They've certainly indicated to me that diabetes is a very serious problem in their communities and they see the funding, through OHIP, of this pump as a very significant step forward in order to manage diabetes in their communities. When you look at the statistics, over a million people in Ontario with either diagnosed diabetes or undiagnosed diabetes is a very serious situation, causing \$2.1 billion in health care costs in Ontario. I think funding the insulin pump through OHIP would be a dramatic step forward to manage this difficulty.

Mr. Khalil Ramal (London–Fanshawe): I'm honoured and privileged this morning to stand up and support Bill 15, An Act to amend the Health Insurance Act. The honourable member from Thunder Bay–Superior North, for the second time in this place, has brought forward an important initiative, an important bill, that will affect thousands and thousands of people across Ontario.

Before we start talking about this bill, let me introduce the people who came from London to be with us this morning to watch the debate about this important bill: Jannet Mundt, Jennifer Kish and Christine Turner. Thank you for coming from London.

Along with the wonderful people from London, many other people from the province of Ontario are watching

us today to see how this debate is going to unfold. I believe this initiative is very important for many families, for many kids, for many people who want to live their lives normally, like everybody else, like you and I. They're going to wake up in the morning healthy, they can go to work, and they can be productive in our community. That's why I am supporting this bill, because the insulin pump is a very important initiative, a very important technique to give us a positive initiative to keep us alive, going to work and doing whatever we want with comfort.

Also, many people talked about it from both sides of the House, from three different parties: Liberal, Conservative and NDP. I believe that everyone is going to support it.

I know the insulin pump is going to cost the government, the Ministry of Health, some kind of money at the beginning. But in the end, in the long run, this will save health care a lot of money, and not just money, but also to create a way for the diabetic people in this province to live their lives normally, like everyone else.

I learned from many people who spoke before me that there are almost a million people who are diabetic in this province, who suffer from this disease. Many people are looking at us today, especially today, to support them, and they want us to pass this bill.

I feel that this bill is going to pass in the future, hopefully. It was first introduced by our Minister of Finance when he was in opposition in 2003. Second, it was also introduced last year by the honourable member from Thunder Bay–Superior North, who has again presented it in this House, seeking support from many members of this House.

I believe that passing this bill will mean a lot to all of us, it will mean a lot to our health care, and it will mean a lot to many thousands of people in this province. I want to continue supporting this bill, and hopefully we will see the passage of it.

Mr. Ernie Parsons (Prince Edward–Hastings): It is also my pleasure to speak this bill. As others have mentioned, we've spoken to it before. I hope to speak to it again, but at third reading this time rather than second reading. I think the fact that it's back before this Legislature is a wonderful tribute to Michael Gravelle; Michael proves that good things do come in small packages. Thank you, Michael.

It's also a tribute to parents, grandparents and community advocates who have not let this bill go away, because they know the goodness that exists within it.

As engineers, when we design a structure, one of the factors we have to consider is, what happens if the structure fails; what are the implications? So when I look at a bill I say, what happens if this bill doesn't pass? It's difficult at times for governments to find funding for what are truly preventive programs, because there isn't that immediate payback that you can calculate and say, "Boy, it's going to save this many dollars." They're long term. But if this bill fails, what are the long-term costs? Let's look initially just at money down the road.

I have been told that if an individual has a heart attack, it's basically \$100,000 when they enter the hospital and the bill goes up from there; insulin pumps substantially reduce that. Vision: The loss of vision for the individual is a loss of independence. It's not just not being able to read but it's losing their independence. There is a high rate of amputations among individuals with diabetes. There's the need for dialysis. All of these represent dollar losses to our province and represent independence loss to our individuals. But folks, to the province it represents the loss of the talents and the contributions that these individuals would have been better able to make had they had not suffered this. From a financial viewpoint, the pumps are a pretty small cost.

All of us are lobbied on a regular basis. When I was first appointed, I was lobbied about insulin pumps, but the impact was really made on me when I was at an event and saw a child with an insulin pump. I know that juvenile diabetes affects more than children, but my first contact was with a young man wearing an insulin pump. I realized that this pump enabled that person to live the same life as all his peers and colleagues, to take part in sports and not go through the challenges of having the needles all the time.

I believe that a child has a right to a childhood. This insulin pump bill, when passed, will enable children to have the childhood they deserve. It will enable them to take part in all the activities and to live as close to a normal life as humanly possible.

I hope, as all of us do, that ultimately a cure for diabetes will be found. But, folks, we have the opportunity here to make life better for innumerable children and adults in this province, and we must not waste this opportunity.

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

Mr. Gravelle: I want to begin by thanking my colleagues who spoke today and all others for being so articulate, so passionate and so supportive of this legislation, particularly the members for Simcoe North, Timmins–James Bay, Niagara Falls, Haliburton–Victoria–Brock, Ancaster–Dundas–Flamborough–Aldershot, Peterborough, London–Fanshawe, and Prince Edward–Hastings. You all were wonderful and I appreciate the great support.

I am most grateful to the Canadian Diabetes Association and the Ontario Diabetes Action Partnership for the great support you've shown. I mean, you won't give up. You shouldn't give up, and we won't give up as well. We believe this is something very important that should happen, and I'm really confident that we're going to succeed.

I don't want this to be misunderstood, but sometimes when you're in this business, when you're a politician, you feel like you are spinning your wheels or you feel like you're not accomplishing a great deal. I must admit, when I first became involved with this particular issue and brought it forward as a private member's bill, I did recognize that this was going to have a positive impact

on a lot of people in the province. It would be something that would make a true difference. Truly, that is why we all come here. We come to Queen's Park or get into elected office or seek public office because we truly want to make a difference. I think that goes for all people of all parties. This is something that, if we are successful not only in getting passage today but in getting our government to support it—very soon, we hope—will make a huge difference in people's lives. That does make a difference. So I thank you all.

I do want to thank those people who came here to try to lend that support. I'm thinking of Zachary Smith and Lyla-Kay Collins. Thank you so much. I know the pump has made a real difference, and I also know what a challenge it has been for you to manage the costs. Hopefully today, with the tremendous support we've received, we will be successful in seeing things change and this legislation will go through and the pump will be available through OHIP in the future. Thank you so much, everybody.

1100

HIGHWAY TRAFFIC AMENDMENT ACT
(DRINKING AND BOATING
OFFENCES), 2005

LOI DE 2005 MODIFIANT
LE CODE DE LA ROUTE
(INFRACTIONS RELATIVES À L'ALCOOL
ET À LA NAVIGATION DE PLAISANCE)

Mr. Zimmer moved second reading of the following bill:

Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences / Projet de loi 209, Loi modifiant le Code de la route en ce qui concerne les suspensions de permis de conduire.

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

Mr. David Zimmer (Willowdale): Bill 209 is aimed at saving lives and preventing bodily injury and ensuring boat safety. As a society, we now understand the message that driving a car while impaired is dangerous. Through the hard work of organizations like MADD Canada, Mothers Against Drunk Driving, and our law enforcement authorities, the message has been clear: If you drink, don't drive. As well, through a strategic campaign of advertisements, RIDE programs and punitive deterrents within our justice system, the culture of Ontarians has been changed and impaired driving is now considered antisocial behaviour. The result has been that thousands of lives have been saved and thousands of injuries have been prevented.

But there is another alcohol-related issue that has long been ignored. Driving an automobile or a snowmobile while impaired has been deemed unacceptable behaviour, but driving a motorboat on our vast waterways seems to have escaped this labelling. Every boating season, there

are serious accidents involving boating and alcohol. Lives are lost needlessly due to impaired boaters. I'm a cottager. I am familiar with the lakes and waterways of our province, as are many, many other Ontarians. Unfortunately, it's not unusual for individuals to choose to operate a motorboat while impaired. The attitude that it is acceptable to operate a motor vessel while impaired is prevalent among many boaters.

Alcohol and recreational boating is an extremely bad mixture. Alcohol impairs cognitive function, judgment and reaction time, and diminishes an individual's ability to survive in cold water. Yet society maintains a much greater level of tolerance for riskier behaviour in boats than in motor vehicles. According to a Red Cross report that looked at drownings between 1991 and 2000, the statistics are even more appalling. Between 1991 and 1995, 26% of drowning victims were above the legal alcohol limit. Between 1996 and 2000, 23% of drowning victims were above the legal limit. Boating and alcohol, snowmobiling and alcohol and the non-use of personal flotation devices accounted for a significant number of these drowning fatalities.

Over the summer break I had the opportunity to visit police units around the province in order to understand the perspective of local authorities. Whether I was in Peel, Bracebridge or Orillia, the message was clear: We need to change the culture that believes drinking and boating is acceptable.

The Ontario Provincial Police statistics effectively illustrate the extent of this problem. Between April 2003 and December 2003, the OPP marine units issued almost 2,000 charges and warnings involving the use of alcohol and boats. During that same period, 33 impaired boating charges or warnings were issued; 33 Criminal Code charges were also issued regarding blood alcohol of more than 80 milligrams per 100 litres of blood.

Here are the facts: 37% of boaters in Canada admit to consuming alcohol on every boat trip; 66% report that they drink alcohol sometimes while boating. Alcohol is a factor in over 40% of recreational boating fatalities. These statistics about the dangers of impaired boating are compelling by themselves, but it is sometimes easy to detach ourselves from the numbers. It is very difficult to ignore the personal tragedies that are faced by families across the province who lose their loved ones to individuals who are driving a boat while impaired.

Pete Crompton, for instance, a 27-year-old man, died tragically two years ago in a boat collision where alcohol was a factor. Ken Crompton, Pete's father, inspired the introduction of this bill. I spoke at length to him. No family should have to endure the loss of a loved one due to the impairment of a boater. I'm committed to ensuring that something positive emerges from the loss that families suffer, such as the Cromptons have had to face.

What will the bill do? The premise of this bill is based on the belief that there should not be a distinction between an impaired driver of an automobile and an impaired operator of a powered vessel. When an individual chooses to drink and drive in any vehicle, they become a weapon and they put the safety of others at risk.

Bill 209, if passed, will amend the Highway Traffic Act so that the penalties that apply to individuals convicted of impaired driving of an automobile will also apply to boaters who drive powered vessels while impaired. Right now, law enforcement authorities have the ability to issue convictions for drinking and boating, but for law enforcement, spotting an impaired boater is much more difficult than spotting an impaired automobile driver. Therefore, it is important that there is an effective deterrent that will prevent boaters from drinking in the first place. As well, theoretically, if an individual who is convicted of driving a motor vessel while impaired is brought ashore by the local police, there is nothing preventing them from going to their car and driving away, in spite of their alcohol-related conviction, because their driver's licence is still in effect.

This bill is about giving law enforcement authorities the tools they need to effectively address this problem. It's about giving the municipalities, especially those municipalities on our waterways and in cottage country, the tools to further ensure the safety of citizens and tourists. It's about ensuring that the millions of tourists and Ontario residents who enjoy boating can go out on our waterways without having to fear for their lives due to impaired boaters.

If passed, this bill will (1) suspend the driver's licence of individuals convicted of an alcohol-related offence while operating a vessel; (2) give enforcement authorities the ability to enact 12-hour driver's licence suspensions if persons are caught operating a vessel while under the influence of alcohol; and (3) the registrar of motor vehicles will be able to enact an immediate 90-day suspension of a driver's licence for an offence involving alcohol and the operation of a vessel.

1110

This legislation is long overdue, and it is not the first time it has been introduced. Bills similar to Bill 209 have been introduced at least four times in this Legislature, and each time the bill has died on the order paper, despite support from all political parties.

I want to thank my colleagues in the House for considering this bill. I hope you will be able to review this bill expeditiously so that I can introduce it.

As legislators, we have a responsibility to ensure safety on Ontario's waterways and roads. People who drink and boat present a safety risk not only in a boat but also if they choose to get into their car following the conviction or a warning for a boating offence. As a province, we do suspend drivers' licences for offences such as non-payment of child support and impaired operation of a snowmobile, so there is no reason why we can't do the same for drinking and driving on the water.

I have been around the province. I have heard from all the police enforcement agencies that operate on or near our waterways. I have had communications from virtually all of the cottage owners' associations, the marine operators' associations—anybody having to do with boats and recreation, whether it was down in the Niagara Peninsula, in Lake Huron, in western Ontario, up in Lake

Superior, in the Kawarthas, in the Muskokas. I've had extensive, huge e-mail response to this. All of the stakeholders, to a person, support this legislation, for the reasons that I've said. I can tell this House that there is one exception: I received an e-mail from someone in northern Ontario—one e-mail out of hundreds and hundreds—that objected to the legislation and said, in effect, "I go out fishing every morning at about eight o'clock, and I have done for 50 years. I've always taken six bottles of beer with me, and I don't intend stopping that." With that one exception, there has been across-the-board support for this legislation.

I can say in the House that I've talked to my colleagues in the Conservative Party and in the New Democratic Party, and I'm thankful for the support that I've received from those caucuses on this legislation.

The Deputy Speaker: Further debate?

Mr. Jerry J. Ouellette (Oshawa): I look forward to debating Bill 209 and the member from Willowdale's presentation.

Opposition's role is to bring forward a lot of questions so that hopefully we can get some answers when bills like this come forward. At the outset, I should say that we'll be supporting the bill.

The member from Willowdale spoke in his opening comments regarding power vessels. We'd like to know what's going to take place when you deal with canoes or sculling vessels, which are the rowing ones, or the rowboats in those actions as well, because it specifically deals with power vessels. What takes place there?

Also, we wonder why ATVs or Argos, those eight-wheeled vehicles, and the other ones that are coming forward now—the member probably realizes that they're under the HTA, or the Highway Traffic Act, but there is currently a movement to have them removed from the Highway Traffic Act. The reason for that is for insurance purposes. According to the Insurance Bureau of Canada, they have to follow the guidelines for the Highway Traffic Act for ATVs and Argos and all those other vehicles for insurance purposes. In order to get changes in the way they can be insured in the same fashion that snowmobiles have been removed from the Highway Traffic Act, ATVs and other vehicles are trying to be removed. We should probably look at that aspect as well for future considerations of what's going to happen in those areas.

Some of the things: What takes place with an individual who doesn't have a driver's licence? You're required to have a boating licence, and I'm going to get into that very shortly, but there's no requirement to have a driver's licence to be out utilizing a power vessel or a canoe or the other ones that we mentioned there. We'd like to know what the intent is, if there is any, to look at those aspects as well.

We realize that the member is trying to move forward. Anything that can take place to make our waterways safer, we'll certainly support.

The licensing aspect is another one. I met with the federal members who were on the committee when the

federal licensing issue took place. I'm sure the member knows that, according to the Canada act from 1982, licensing is retained by the provinces. The provinces are the ones who are supposed to have licensing ability. The committee members were saying that should this federal boating licence go to court, it probably doesn't have a leg to stand on and they expected it to be challenged—so something to ensure that the federal licensing component is reviewed.

Another aspect, of course, is that we get a lot of bills like this, and we need to know where the funds are, or who has the ability to enforce the laws. Conservation officers are constantly checking fishing limits, they're checking fishing licences and those sort of aspects as well, but they don't have the authority to deal with anything outside the Game and Fish Act. They have no authority under the Highway Traffic Act or any other aspects. They are currently seeking that, but then again, they move away from conservation officers dealing with specific aspects of the Game and Fish Act to dealing with all sorts of policing aspects. The way it stands now is that they can detain that individual and have an officer come on to move forward with other charges, and whether that's drinking or other aspects of activity that are illegal, they will be able to deal with that as well.

There are a lot of other boating issues that need to be addressed as well. I know a key one that we get responses from individuals on is whether or not this monitoring of boat speeds will be taken into consideration in one shape or form. Believe it or not, there are limits for individuals and the speed they drive, particularly close to shores, where the wake will actually wash away the shore and cause degradation of those shorelines. It causes a lot of problems with docks and the boats that are out there smashing against the docks and those sort of things.

Some of the other considerations as well: We realize that alcohol is a very serious issue, and anything that we can do along those lines we'd be very supportive of and we will move forward on.

I've given the member a number of key questions regarding these issues: the licensing aspect, the enforcement aspect, the funds to enforce, the other areas that potentially should be looked at, whether it's canoes, sculling vessels, ATVs, Argos and all those other vessels that are looked at being removed from the Highway Traffic Act. We'd certainly appreciate some information or some insight on what potential impacts might be there or could be looked at for amendments at that time.

Hopefully we can get it forward. We will be supporting it, as I said, in moving it to committee so a lot of these issues can be brought forward by groups and organizations that are directly impacted or work with individuals who participate in these recreational activities.

Mr. Gilles Bisson (Timmins–James Bay): First let me say, as the critic for the New Democratic Party for the Ministries of Natural Resources and Transportation, that we will be supporting this bill, because we believe, as does the member, that people should be responsible.

People should not be operating a motorboat or vehicle or anything else when they're intoxicated. It's a danger to themselves and, quite frankly, a danger to others. I think that goes without debate.

I want to put something on the record, because we know that in the future, when this item is brought to court, if somebody gets charged under that, some lawyers are going to go back and take a look at the record of when we had the debate and what the intent was. I want to put a couple of issues on the record and I want people to not misunderstand where I'm going, because it's a bit of a controversial issue.

One of the complaints that I get from people in my constituency quite a bit is that there's this sense in northern Ontario—northern members will know what I'm talking about—that there is less and less of an ability these days to live the life that we traditionally have lived in northern Ontario. People move to northern Ontario because the work is good; they enjoy the lifestyle. In compensation for being further away from the centre of the universe, which happens to be Toronto, you have a positive, which is that you have the outdoors, so people can enjoy themselves when it comes to fishing or hunting, camping, skidooing or whatever it might be.

There has been a move over the past number of years to where it is becoming more and more restrictive for people to participate in those actions. For example, we look at the issue of the moose hunt. Moose hunting is something that is in the blood of people in northern Ontario. It's something that we've always done. My earliest memories as a child were of my father taking my brother and me out hunting. I've got pictures at home where I'm out with my dad; I'm like three years old out in the bush and we're looking for partridge or going along with dad in the afternoon on a cruise of the timbered areas to look for moose. It becomes part of our culture. It's the kind of thing that maybe a lot of people who don't live in northern Ontario don't understand, but it becomes our ethos; it becomes part of what we are.

What has happened over the years is that many of those things that we have done for years are being taken away, or there's a perception that they are being taken away. For example, on the moose hunt, it's almost impossible to get a moose tag these days. I was in the moose tag draw for 10 years and never got drawn, so I finally gave up. I got rid of my guns and said, "To heck with it; I'm not doing it any more," because I'm frustrated that I can't get a moose tag.

1120

The other part is that, as a person who likes to hunt—and I don't hunt any more—I found it was becoming more and more restrictive. The ministry officers, the game wardens, are in the bush with the OPP. You would think, for God's sake, there's a bunch of criminals running around in the bush. Go in during hunting or fishing season; it's absolutely amazing the presence the MNR has out in the bush.

I understand, as a responsible citizen, there's a reason why they're there. We need to make sure people don't

break the law, that people are not out poaching, not doing things that are a danger to themselves or others, etc. I understand all of that. But there's this real sense that the thing we have taken for granted as northerners, the outdoors, is becoming more and more difficult to do because it's becoming more and more restrictive as we pass more and more laws through this provincial Legislature. The complaint and the comment I get from a lot of people, not only in my constituency but from across northern Ontario—and I'm sure if you talk to other northerners, you'll get the same—is that people are becoming extremely frustrated.

In the context of this bill, I want to put a couple of things on the record in the context of what I've just said. People really feel as if things are starting to get a little bit crazy.

For example, last summer I had an older couple in their 50s—actually they're retired, so they might even be in their 60s—come to my office totally beside themselves. They said, "I don't believe this. We've had a cottage on this particular lake for 35 years. Every Saturday night my wife and I, after the kids were old enough that we could leave them alone, would get on our boat and go fishing. We'd fish for an hour, catch a pickerel or two, bring them back and we'd have ourselves a little fish fry."

Every time they'd go, they'd bring a beer with them. They're sitting out in the middle of the lake. They're not hurting anybody. They're responsible individuals who happen to have a beer while they're fishing. What happens? These people are on their boat in front of their cottage. They go out, and who shows up? The MNR along with the OPP. They get charged because they've got two beers in the boat.

I understand people will say, "My God, you shouldn't be drinking and driving." Yes, I agree with you too. I get in my car, for example, and drive from my home to my buddy's place and he gives me a beer; I'm not over the limit. As long as you're under the limit and you're able to drive it's not illegal. You have to be responsible, and you drive back. If you go and have two, three or four beers and you're over the limit, of course you don't drive. You take a cab or get somebody to drive you home.

The point this couple was making and why they were beside themselves—they said, "Here we are for 35 years on this lake and we get charged on our lake for having a beer while we're fishing. What have we done wrong? Have we become criminals?"

I get similar stories from other constituents when it comes to incidences they've had as far as contact with the MNR and the OPP.

Here's a good one. This one's beyond me. A friend of mine, Bob Courchesne in Fauquier, Ontario—I think it was Bob's daughter; I hope I get this right. Bob Courchesne's daughter—at the time she was about 14 or 15—and her friends, as I did, grew up in the outdoors. They wanted to go ice fishing. Bob's got an ice hut out on a lake in behind Fauquier. As all kids: "Dad, can we use the skidoo and go ice fishing?" "Of course, not a

problem." They have a licence. She and her friends get on the skidoo, go out in the bush and get to the lake. Here are three young girls, 14 years old, doing nothing wrong but fishing in an ice hut. Who showed up? The MNR with the OPP. They said, "Get out of the ice hut. We think you guys have got drugs."

It's 30 below zero. Three 14-year-olds are just beside themselves because they don't use drugs and they're doing something that, quite frankly, we should encourage our children to do, and that is, to be responsible young people. They just happened to be ice fishing. They're told to get out of the hut. The MNR and the OPP went in and stripped down the hut. They searched the girls and found no drugs, then left everything on the ice and left.

So Bob gives me a call and says, "Gilles, what the heck is going on when our kids can't go in the bush—they're searched by the OPP and because they happen to be 14 years old, they're drug users? Give me a break."

I say to the member who introduces the bill, I agree with you that people should not be intoxicated driving any kind of vehicle. I'm a pilot, and I well know. The point is, we need to be very careful when we do these things that we don't set them up in such a way that restricts people's ability to do what is part of the natural cycle of things in a place called northern Ontario. I would argue it's probably the case in many other parts of Ontario. I'm familiar with where I come from.

Other stories: Another friend of mine, Len Pigeon, who used to have a cottage two or three over from us and actually used to live there, and his buddy Leo Belec would go trout fishing, on this lake we call Winter Lake, in the wintertime, a really nice lake. We've got nice lakes there, if anybody's watching. It's in behind the Kamiskotia River. Anyway, the point is that he goes out fishing with Leo. They're two retired guys and they're going to go ice fishing.

I'm sorry, but if I'm going to go ice fishing, I know I would bring with me a little mickey of rye or some wine or a couple of beers. I'm going to be out there for the day. So I'm going to get my machine, load up my skidoo and put it on the trailer. I'm going to drive up the dirt road to get to where the lake is. My buddy and me are going to take the machine out, we're going to go out fishing and, yes, we're going to have a couple of beers. But I'm there for the whole afternoon. I'm not over the limit.

What happens to him? He gets a RIDE program in the middle of the bush, for God's sake. I understand if there's a RIDE program on Highway 11, but a RIDE program in the middle of a dirt road? Well, it happens to be covered with snow. What are we thinking? What's the OPP up to and what's the MNR up to? They're sending a signal. Yes, I agree that we need to be responsible and people need to know that they can get caught if they're impaired; that's how we prevent people from drinking and driving. But again, the same thing: They were pulled over; the MNR and the OPP told them to strip the truck. They took everything out of the truck and basically checked everything. They saw that they had four bottles

of beer. Thank God the bottles of beer happened to be in the back of the pickup truck, because if they'd been in the truck, they probably would have been charged. I would tend to put them inside my truck because I don't want them to freeze. It's 40 below zero when I go ice fishing for trout in January. Anyway, the point being, everything is thrown out on to the side of the road. They're made to feel as if they're doing something wrong. Then the OPP and the MNR say, "Be careful," and they leave all the stuff on the ground and away they go.

I go out to the lake the following weekend, to do what I normally do at the lake, to cut some wood or whatever, and Len comes over to my driveway. He is just jumping this high off the ground. He says, "All my life I've lived up here." Then he says, "I'm going to get pulled over by these guys in the middle of the bush. They think I'm some kind of criminal because I happen to be going ice fishing and I've got four beers in the back of my truck. What's going on here?" Following that, he said that he had to pick up all of the stuff and put it back into the truck himself.

For the record—because I know at some point this will be looked at in the transcript of a trial when somebody is charged—yes, we need to do what is right to make sure that people don't drink and drive in any kind of vehicle. As New Democrats, we agree with that. But we need to be sending a message to our police services and MNR that—I don't want to use a word that's too strong; I was going to use the phrase "police state," and that would have been way over the top—they have a responsibility, yes, to make sure that the laws are followed, but at the same time, we should not be doing it in such a way that gives people the feeling that they're being restricted from being able to do what they normally do. I just say that we need to be mindful of that.

Yes, we as New Democrats will support your bill, because we agree with you that there should be a penalty if you're found to be drinking and driving. I don't care what the vehicle is. That is a danger. People shouldn't be doing it, and we should not condone it. We have to be very clear that there are severe penalties if that happens. If it means losing your driver's licence, so be it. I have no problem with that.

But for the record, I want to be very clear that the MNR, the conservation officers, along with the Ontario Provincial Police, need to get a talking to. Somebody's got to sit down with these people and say, "Just cool your jets." Yes, there's nothing wrong with you being out there and having a presence. You have to be there in order to watch what's going on. But in your contact with people, you need to be mindful that they are citizens of this province; they are not a bunch of criminals. They happen to be people who live in northern Ontario who like to ice fish, who like to fish in the summer or skidoo or whatever it is. Yes, if I'm going to go ice fishing, I'm bringing two beers with me; I've always done that. But don't treat me as a criminal because I decide to bring two beers with my lunch as I go ice fishing for the day. I can sit in my home, have two beers, get in my truck at 6

o'clock at night and drive, and if I started having those beers at 12 o'clock in the afternoon, I'm not impaired. The issue is, yes, charge the person if they've been found to be impaired, charge the person if they've done something dangerous, charge them if they're doing something wrong, but don't go there and start penalizing people on the basis of just carrying out a regular activity that you would do as you enjoy the outdoors. I just want to say to the member, I think that has to be put on the record, because there is really a sense of frustration out there.

I would say that another one, a good friend of mine who runs a bait store, who my good friend Mr. Ouellette will know quite while—Roger Cauchon—is at wit's end. Every time I have a conversation with him, it's like, "So tell me what the ministry of no response is doing these days." He calls the MNR the "ministry of no response." He is frustrated, because here's a guy who's the second generation in the business of a sport shop supplying people bait, tackle—whatever they need to go hunting or fishing—and who has done a really good job at providing that service. Quite frankly, it's one of the premier businesses in that area in that particular sector.

1130

What he finds is that over the years, it has become increasingly difficult for him to make a living. Why? Because fewer and fewer people are using the outdoors for the very reason I stated just now, which is that the Ministry of Natural Resources—or, as he would call it, the ministry of no response—and the OPP think they're a bunch of Rambos when they go into the bush. As a result, people get frustrated. They stop fishing, they stop hunting, they stop doing the very things that we take for granted in northern Ontario. As a business person, he says, "My God, what are you doing? You're charging my people as if they're a bunch of criminals. All they wanted to do is go out and catch a couple of fish, maybe shoot a couple of partridges, go skidooing or whatever it might be, and they're being treated like criminals." He gets it day in and day out at his business when he's interacting with these people, because somebody will come into the bait shop, pick up half a dozen or a dozen minnows, take off to go fishing, and all of a sudden they come back and they've got some horror story about how they've been pulled over by the OPP or the MNR for no reason. I would understand if somebody gets pulled over because they seem to be doing something that is illegal, or they seem to be intoxicated and they were worried they might take control of a vehicle; I would understand that. But his complaint is the one I'm raising here, which is that people are just out there doing the regular stuff, they're just fishing, and you've got people being pulled over for no reason.

For the record, I just want to say that we really need to give a talking-to to the officials of both the Ministry of Natural Resources and the Ontario Provincial Police to say, "Yes, you have a responsibility to enforce the laws of this province, but you need to do so with respect for the people you're in contact with. You should not see yourselves as the Rambos of the world. You should see

yourselves as what you are, professional conservation officers and OPP, who are there if there is a problem and to make sure the problem is dealt with, and not to create a problem by trying to treat people who are in contact with the outdoors, as Roger would say, as a bunch of criminals.”

Mr. Kim Craiton (Niagara Falls): I’m sad to say that one of the reasons for Bill 209 was the tragic death of Peter Crompton, 27 years old, on July 13 by the operator of a boat who had been drinking. I was also shocked to learn, and so were many of my friends when I told them, that the driver of a boat who’s impaired is not treated the same as a driver of a motor vehicle. This bill simply will correct that by amending the Highway Traffic Act so that the penalties that apply to impaired drivers will apply to impaired boaters. If you drink, don’t drive. Don’t drive a car, don’t drive a snowmobile and absolutely don’t drive a boat.

We probably all know the song, “Summertime and the living is easy.” A few beers on the dock of the bay can be a cool thing too. This is the romance of summertime on the water all over Ontario. Summer fun and a cool one is a lifestyle too well publicized every night on TV in fantasy ads. What is not glamorized is the death and destruction, the pain and suffering, the loss and anguish of one drink too many on our lakes and on our rivers that we see far too often on the 11 o’clock news. Boating and alcohol is a death warrant, a prescription no one wants to deliver to loved ones at home.

My riding of Niagara Falls is an island, with waterways on all four sides and the Welland River running through the centre. We’re blessed by having Lake Ontario, Lake Erie, the Niagara River and the Welland Canal, and, like many Ontario communities, boating is one of the most popular recreational activities we have. Safe boating is a primary concern not just in my riding, but to everyone in Ontario.

The people in my riding certainly will support any legislation to make our waterways safer, especially after last summer, where we had the unfortunate incident of a loss of life on the Chippawa River. As a result of that, a public meeting was held at the Chippawa Lions Club on how to make boating safer on our rivers and in our community. I was pleased to attend that meeting and share Bill 209 with the public. I’m pleased to tell the House that all three city councils in my riding—the city of Niagara Falls, the town of Niagara-on-the-Lake and the town of Thorold—passed resolutions in support of this bill.

Let’s face it, alcohol impairs boaters. It’s estimated that 50% to 60% of boating fatalities are alcohol-related. Alcohol impairs your coordination, balance, vision, judgment and reaction time. Vision provides us with more than 90% of the information we use while operating a boat. Alcohol impairs vision by causing loss of focus and side vision.

Let’s be clear: We need to understand that alcohol affects you even more on the water. Alcohol and a motor-powered vehicle is a weapon of mass destruction—in the air, on land, on ice, on snow, and certainly in the water.

This province needs to amend the Highway Traffic Act to send a strong message that drinking and the operation of any motorized vehicle does not mix.

Not only do I support this bill but I’m strongly urging every member of this House, as I’m hearing from my own community, that we do the same thing. Hopefully this bill will be passed before this upcoming summer and take effect for the upcoming boating season.

I’m pleased to have the opportunity to speak, Mr. Speaker. I congratulate the member for bringing it forward. I was present when Mr. Crompton was there and spoke to our committee. I would say it was a very emotional committee that I attended, having a parent talking about his son, who, without any question, had a bright future ahead of him, who died tragically under those conditions. Certainly this bill has to go forward. Again, I commend you for bringing it.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): I want to speak in support of this bill and I thank the member from Willowdale for bringing it forward. I think for a lot of us, when it was first brought forward, it was actually a surprise that there wasn’t some serious consequence for drinking in a motorized vessel on the waterways.

In my riding of Lambton–Kent–Middlesex, I have quite an extensive lakeshore. My riding includes communities like Grand Bend, which is quite famous for its summer activities and the waterways. We have Port Franks, and as we move along we have Kettle Point, Walpole Island, and Mitchell’s Bay in Kent county as well. All these communities are famous as a summer resort area, and it’s not uncommon to see people moving with coolers from their cars to their boating vessels.

There is a general perception that drinking and boating is an acceptable practice. More so, the likelihood of getting caught is small, and even if you were to get caught, the consequences are not terribly important and are almost negligible. So people do take the chance of drinking while they’re boating.

There are a lot of myths around the idea of drinking and boating. There is the idea that there is no consequence, but also that drinking can be done safely in a boat. People are thinking that maybe all they have to do is have a drink and enjoy themselves and, if they get drunk, everything will be fine. What they don’t understand is that it is a motorized vehicle and it can harm people.

There are myths around this sort of thing. They talk about things such as standing up; you know, can you stand up in a boat? Apparently 40% of the drownings that occur are related to boating. People fall out of their boats into the water and they are too drunk to be able to recover from that.

One thing certainly struck me, and another member mentioned it as well. I am a member of the standing committee on regulations and private bills. Mr. Ken Crompton came before the committee during its public hearings in September to talk about what happened to him and his family. There was no doubt; you could see the family was still hurting and suffering from the loss of

their son Peter. So he sent a letter to the members of Parliament. I want to read excerpts from that letter:

1140

“My son Pete was killed on July 13, 2003, while a passenger in a boat on Lake Joseph in the Muskokas. Pete was seated between two friends at the stern of the boat, which, at the time, was stationary. The operator of a second boat failed to observe the presence of the boat Pete was in and struck the left rear stern, coming to rest across the boat. Pete died of massive injuries caused by the boat’s prop.

“The operator of the boat was charged with eight counts, including the impaired operation of a vehicle. He eventually pleaded guilty to criminal negligence causing Pete’s death and was given a conditional sentence which consisted of 18 months of house arrest.”

It goes on further to say, “In my discussions with representatives of the OPP, who are responsible for the majority of the policing of the waterways, they have indicated that the abuse of alcohol on the waterways is prevalent. Enforcement, however, is much more difficult than on the highways as in most instances there are no designated routes. The deterrent effect is, therefore, of paramount importance. The 12-hour suspension allows the enforcement officers to remove drivers’ licences and thus prevent individuals who have been drinking to return to their vehicles and drive on the highways.”

In his last paragraph he says, “Finally, in the case of Pete’s death the operator of the boat did not have insurance. Although not confirmed, it is apparent that his inability to obtain insurance was a result of a lengthy record of offences under the Highway Traffic Act. Not surprisingly, there is a direct correlation between the manner in which the same individual chooses to operate a motor vehicle or a boat.”

I think as legislators we have a responsibility to take care of our constituents when they go out on to the water. We need to make sure that it’s safe. It’s important in communities like Grand Bend, where tourists come, that they have the assurance that they can go on to the water and be safe out there; that anyone who is caught impaired out there will be punished accordingly. So I support this particular bill.

Mr. Lou Rinaldi (Northumberland): I guess that saying, “It gives me pleasure to speak to the bill”—I’m not sure how to take that, because after listening to Mr. Crompton in the committee, I too certainly realize, why are we debating a bill that it’s just common sense should have been done years ago? Nevertheless, it’s one of those things that falls through the cracks, and we’re dealing with it today after reacting to tragedies that we realize maybe could have been prevented.

I come from a riding which is surrounded by water on three sides. I’m very fortunate to have the shores of Lake Ontario on the south, the shores of beautiful Rice Lake to the north, and probably one of the best navigable rivers, the Trent River system, to the east, which of course leads into numerous other parts of Ontario. So boating, I guess if I turn around on three sides, is very popular in the summer. Water is very accessible. So do we need boat

safety? For the people who live within the riding, for the visitors who come to the riding to explore those waters, we need to provide a sense of safety, a sense of security.

Just to show how important it is to create a sense of safety in our communities, the first week in May, I believe it is, at the mouth of the Trent River in the beautiful Bay of Quinte, there’s a Kiwanis fishing derby. I don’t exaggerate: There are thousands of boats.

Mr. Ernie Parsons (Prince Edward–Hastings): A wonderful success.

Mr. Rinaldi: Wonderful success. If I stand on top of that bridge in the municipality of Quinte West and look into the bay, I almost get the sense that I could hop off the bridge and hop from boat to boat to boat. It goes on for a whole weekend. There are some fantastic prizes. People come from all over Ontario and probably from all over the northern part of the US.

So do we want to reassure these people that they’re coming to an environment for recreation, for a sporting event, one for a weekend of enjoying themselves—of safety? I think we do.

When we talk about needing to pass this legislation, we need to recognize that when you’re behind the wheel of a motorboat, it’s no different from being behind the wheel of a car. Actually, it’s probably more dangerous, because at least when you’re behind the wheel of a car, you tend to follow the shoulder; you tend to follow the line in the middle of the road. Well, you’re right on open waters. There is no right or left or in-between. So anything that we can do to enhance that safety, I think, we need to do.

I’m not a boater, I will admit, even though I live around bodies of water, but I did have the opportunity on a few occasions, with friends who are boaters, in the middle of the summer to go for a boat ride or be part of a regatta. I must admit that, yes, there was the bottle of beer in that boat, which we tend to enjoy. But I think the fact is that if we send the message out that maybe a bottle of beer is OK, but don’t get behind the wheel of that particular craft, then with all reality, the number of incidents—and I know the member from Willowdale did a pile of research. When I was going through some of that research, some of the incidents that have happened have not been with people who had been drinking and driving a motorboat, but innocent bystanders who were there with their families, their friends, enjoying a beautiful day, a beautiful weekend, whatever the case may be. So it’s the same old story: It’s the innocent bystander who would normally suffer the consequences.

I want to thank the member for Willowdale for not giving up on this bill and for the research he did, because I think all of us in this place certainly have an interest in the best for Ontarians, and this is one of those things that I truly believe fell through the cracks, with the Ministry of Transportation not addressing the consequences that this might cause. So I’m hopeful that everybody supports the initiative that Mr. Zimmer, the member from Willowdale, brought forward. I know I certainly do. I’m here this morning. I don’t normally sit on this committee, but I’m here because I’m committed to this.

Ms. Laurie Scott (Haliburton–Victoria–Brock): It's a pleasure today to rise and compliment the member from Willowdale for bringing forward this legislation and taking it to committee, and for the work he has done on it. The bill has been introduced several times before. I represent a riding, Haliburton–Victoria–Brock, with many lakes and many boating tragedies, unfortunately, every year. So anything that we can do to decrease the number of tragedies on our lakes and protect the people is something we should do.

Bill 209, if passed, will amend the Highway Traffic Act to give provincial law enforcement authorities the power to suspend the Ontario driver's licence of individuals who choose to drive a motorized vehicle on the water while impaired. Certainly, it's interesting. The member said that she didn't realize it wasn't like that already, and I agree. I did not know this either until this bill was brought forward.

I want to commend Mr. Crompton for enduring such a personal tragedy and having the courage to go forth to try and make changes in the system so other families don't endure what he had to endure. I had the pleasure of meeting him, not at the committee but at a function, and he told me about the tragedy with his son Pete and what he was trying to accomplish, and complimented the member from Willowdale for all the work he had done in working with him on that.

The amendments would result, on conviction of an alcohol-related offence while operating a vessel, in the convicted person's automobile driver's licence being suspended. It happens with snowmobiles. Again, it makes sense that it happens with boats. Enforcement authorities will have the ability to effect 12-hour suspensions, and the registrar, upon being notified by the police officer, shall suspend a person's driver's licence for 90 days. This is supported by the Ontario Provincial Police and by Mothers Against Drunk Driving.

Mr. Crompton had been quoted in the newspapers as saying it is a deterrent. The incident occurred in by colleague's riding of Parry Sound–Muskoka and he wanted me to mention that, although we're running out of time for him to speak today, he's very supportive of this bill because of the proximity to him in the riding.

1150

We need, as a government, to make these changes. We need to be consistent in our messaging. We have laws in place that affect when you're drinking with heavy power equipment, with snowmobiles and with vehicles. So it makes total sense that this is extended to boat traffic, to driving boats. I think it's a good prevention measure. It is a deterrent. I know that the member for Durham wants to speak further on this bill as he is our party's transportation critic.

Thank you for the opportunity to speak to this. I'll be supporting this bill.

Mr. John O'Toole (Durham): I'm pleased at the outset to say as the transportation critic for the opposition that we're in support of any measure that makes our roads, waterways and highways safe. That's been the record of this government when we were government,

and certainly in opposition our leader, John Tory, would be of the same view.

We must all recognize that these pleasure crafts, as well as any privilege—it's a privilege to be given a licence. There are rules that much be abided by, and that's really what this bill attempts to do: join the two issues. The enforcement and deterrent that Ms. Scott referred to is part of bringing this forward to make our transportation areas safer. I would say that's pretty much all that has to be said about this bill. I think we'd be supportive of it and anyone who stands in this Legislature on private members' legislation would say that, because there's no other option. I think I'm also just repeating much of the work that's been done by MADD and others, and I compliment the member from Willowdale for taking his time and his ballot item to bring this forward.

As the critic, there are a lot of issues I'd like to put on the record. One of the things I'm getting calls on is the plate denial issue, which is the 407 tolls. There are two or three appeals before the courts on the 407, all to deal with either plate suspensions or other penalties that I don't think are going to be resolved. If the government doesn't look at this issue and the contract that exists—again, the operators of 407 highway as an example—they have no way of denying use of that transportation corridor. As such, this mechanism of resolving disputes—there's quite a long series of steps that have to be engaged before someone's plate is denied—that repeal mechanism, is—

The Deputy Speaker: The member from Durham, take a seat. I'm going to remind him it is private members' business and we are dealing with a bill that relates to boating, and not the subject you're on now. So I'd like you to come back to the bill, please.

Mr. O'Toole: Thank you for that very long interruption. I do appreciate the fact that—

The Deputy Speaker: OK, let's go.

Mr. O'Toole: What I was trying to do is tie in a relationship between resolving disputes. In this issue here, we have supported the government; it's a reasonable action to ensure that we have safety on our roadways, highways and waterways. That's really the linkage here. Reasonableness is really what I was trying to make the link with, respectfully, in resolving disputes. In this case, we're going to empower the police to effect a deterrent on the waterways of persons using, while drinking alcohol, any kind of motorized vehicle. Certainly, we support that.

The government—in this case, the member from Willowdale—is bringing this forward. I was just trying to relate this to other reasonable ways of resolving disputes without the court having to intervene and make some kind of jurisdiction. At the end of the day, it's all about the customer; in this case, the victim. That's really what you're trying to empower here. You have my assurance as the critic that I wasn't trying to be disrespectful to the Chair, but I was trying to find the link. You find this consensus in the House. Whether it's the insulin pump issue or this issue on the suspension of use of alcohol while operating a motor vehicle, you will find the ability

to bring forward what I consider to be fine, meaningful consensus in this Legislature. That's actually the most important message of the day for the visitors here today.

I respect the fact that the two issues before us are being voted on here very shortly. You'll find there is a great deal of harmony, consensus and respect for the arguments made for it. If I'm not digressing, I can say that I myself had a couple of bills. One was on the use of cellphones while driving. I had a private member's bill—it is a bill that will be introduced again—where I ask the Minister of Transportation, through private members' business, to consider modifying the Highway Traffic Act to regulate the use of cellphones and other distractive devices while operating a vehicle. This is very much a part of the argument, and this is the forum for that to happen. I am a little bit off topic, but I'm addressing two things.

As the critic for transportation, we are supportive of this, but there are other consensus-building initiatives, like the use of cellphones or other distractive devices while operating a motor vehicle, that should be brought forward here with a non-partisan—it is the right thing to do. You will find consensus. You will certainly find John Tory and our government supportive because we believe that fundamentally it's this simple: Good policy is good politics.

I think that in looking forward to voting on this bill and the other private member's legislation before us today, we have demonstrated to the public that, at the end of the day, we represent that we can work together and make Ontario a better place to live and keep us all safe and happy. Thank you very much for the time I've been given.

Mr. Norm Miller (Parry Sound–Muskoka): I wasn't planning on speaking to this bill today, but seeing that the member for Durham left me a minute, I'm pleased to get up to say that I think it's a very important bill. I'm glad to see the member for Willowdale bring it forward. Particularly representing an area like Parry Sound–Muskoka, I can tell you we've had some tragic circumstances where alcohol has been involved with boating incidents. I'm completely supportive of this bill. I think that it's an important bill and that you should have the same repercussions if you drink and boat that happen if you drink and drive. It's every bit as serious as drinking and driving an automobile. I'm pleased to see the member for Willowdale bring this bill forward. I know that in the area of Parry Sound–Muskoka there will be big support for this. I look forward to seeing it followed all the way through the process and become law.

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

Mr. Zimmer: Let me say at the outset that nobody enjoys a cold beer or a cold gin and tonic on the lakeshore in summer more than I. But it's incumbent on all of us that if we're going to operate motorboats on the lakes, we do so responsibly. That means to do so without consuming alcohol.

What we're talking about here is operating a motorboat while you're impaired. That's the threshold. We've

already accepted in our society that you cannot operate a car or a truck while you're impaired. "Impaired" means over the legal limit, which is 0.08. We had that law in place for many years, and after due course we extended it to cover snowmobiles because the sentiment developed that people ought not to drive around on snowmobiles while they're impaired. Again, that's the threshold: impairment, over the legal limit, 0.08. What Bill 209 does is extend that same concept—don't drive a car or a truck while you're impaired; don't drive a snowmobile while you're impaired—to cover boats: Do not drive a motorboat while you're impaired. The threshold is impairment, over 0.08.

I want to thank all the members from my party and from the opposition parties for their support of this legislation. All parties have spoken objectively and passionately to this bill. All parties are in support of this bill. It will prevent harm; it will save lives.

The Deputy Speaker: Thank you to all members. The time provided for private members' public business has now expired.

HEALTH INSURANCE
AMENDMENT ACT
(INSULIN PUMPS FOR DIABETICS), 2005

LOI DE 2005 MODIFIANT LA LOI
SUR L'ASSURANCE-SANTÉ
(POMPES À INSULINE
POUR DIABÉTIQUES)

The Deputy Speaker (Mr. Bruce Crozier): We shall deal first with ballot item number 11, standing in the name of Mr. Gravelle.

Mr. Gravelle has moved second reading of Bill 15, An Act to amend the Health Insurance Act.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We will call in the members for a vote on this after we have dealt with the next item.

HIGHWAY TRAFFIC AMENDMENT ACT
(DRINKING AND BOATING
OFFENCES), 2005

LOI DE 2005 MODIFIANT
LE CODE DE LA ROUTE
(INFRACTIONS RELATIVES À L'ALCOOL
ET À LA NAVIGATION DE PLAISANCE)

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 12, standing in the name of Mr. Zimmer.

Mr. Zimmer has moved second reading of Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences.

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

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

We will have a vote on this. Call in the members. I remind you that this is a five-minute bell.

The division bells rang from 1201 to 1206.

HEALTH INSURANCE
AMENDMENT ACT
(INSULIN PUMPS FOR DIABETICS), 2005

LOI DE 2005 MODIFIANT LA LOI
SUR L'ASSURANCE-SANTÉ
(POMPES À INSULINE
POUR DIABÉTIQUES)

The Deputy Speaker (Mr. Bruce Crozier): Mr. Gravelle has moved second reading of Bill 15.

All those in favour, please stand.

Ayes

Arnott, Ted	Hoy, Pat	Parsons, Ernie
Arthurs, Wayne	Jackson, Cameron	Prue, Michael
Bisson, Gilles	Jeffrey, Linda	Qaadri, Shafiq
Brownell, Jim	Kwinter, Monte	Racco, Mario G.
Colle, Mike	Lalonde, Jean-Marc	Ramal, Khalil
Craitor, Kim	Leal, Jeff	Rinaldi, Lou
Delaney, Bob	Levac, Dave	Ruprecht, Tony
Di Cocco, Caroline	McMeekin, Ted	Scott, Laurie
Duguid, Brad	McNeely, Phil	Smitherman, George
Dunlop, Garfield	Miller, Norm	Van Bommel, Maria
Flynn, Kevin Daniel	Milloy, John	Wilkinson, John
Fonseca, Peter	Mitchell, Carol	Yakabuski, John
Gravelle, Michael	O'Toole, John	Zimmer, David
Hardeman, Ernie	Ouellette, Jerry J.	

The Deputy Speaker: All those opposed, please stand.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 41; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Pursuant to standing—

Mr. Michael Gravelle (Thunder Bay–Superior North): Mr. Speaker, I would ask that the bill be referred to the standing committee on social policy.

The Deputy Speaker: Agreed? Agreed.

The doors will be open for 30 seconds before we take the next vote.

HIGHWAY TRAFFIC AMENDMENT ACT
(DRINKING AND BOATING
OFFENCES), 2005

LOI DE 2005 MODIFIANT
LE CODE DE LA ROUTE
(INFRACTIONS RELATIVES À L'ALCOOL
ET À LA NAVIGATION DE PLAISANCE)

The Deputy Speaker (Mr. Bruce Crozier): Mr. Zimmer has moved second reading of Bill 209.

All those in favour, please stand.

Ayes

Arnott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Arthurs, Wayne	Hoy, Pat	Parsons, Ernie
Bisson, Gilles	Jackson, Cameron	Prue, Michael
Brownell, Jim	Jeffrey, Linda	Qaadri, Shafiq
Bryant, Michael	Kwinter, Monte	Racco, Mario G.
Colle, Mike	Lalonde, Jean-Marc	Ramal, Khalil
Craitor, Kim	Leal, Jeff	Rinaldi, Lou
Delaney, Bob	Levac, Dave	Ruprecht, Tony
Di Cocco, Caroline	McMeekin, Ted	Scott, Laurie
Duguid, Brad	McNeely, Phil	Smitherman, George
Dunlop, Garfield	Miller, Norm	Van Bommel, Maria
Flynn, Kevin Daniel	Milloy, John	Wilkinson, John
Fonseca, Peter	Mitchell, Carol	Yakabuski, John
Gravelle, Michael	O'Toole, John	Zimmer, David

The Deputy Speaker: All those opposed, please stand.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 42; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Pursuant to standing order 96, the bill is referred to—

Mr. David Zimmer (Willowdale): Mr. Speaker, I'd like this bill to be referred to the standing committee on general government.

The Deputy Speaker: Agreed? Agreed.

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

The House recessed from 1211 to 1330.

MEMBERS' STATEMENTS

CHILDREN'S GARDEN
NURSERY SCHOOL

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I rise to congratulate the Children's Garden Nursery School of the city of Pembroke, in my riding of Renfrew–Nipissing–Pembroke, as the recipient of the prestigious Donner Canadian Foundation Award for excellence in child care at their awards ceremony last week here Toronto. Out of 842 applicants narrowed down to 31 finalist in nine categories, our very own Children's Garden Nursery School came out on top. This award comes with a \$5,000 prize.

This was not an easy year for the nursery school, as they were forced to relocate as a result of a serious flood in Pembroke this past spring. Instead of shutting down, the school operated out of a nearby church until repairs could be completed. The support of parents, neighbours and the community was vital at that time.

I had the pleasure of visiting the Children's Garden Nursery School personally last year. They were devoting one week of their activities to each letter of the alphabet, and I was honoured to be their special guest during “Y” week. What I saw were happy, cheerful children fully engaged in the broad scope of activities at this wonderful facility. There is no better way to evaluate the performance of a nursery school than to see the faces of the

children themselves. The young faces at the Children's Garden Nursery School score their school an A++.

I know that everyone here in this House joins me in congratulating me executive director Benita Richardson and all the staff at Children's Garden Nursery School, and in thanking them for the excellent job they do for our children.

SANTA'S PARADE OF LIGHTS

Mr. Phil McNeely (Ottawa–Orléans): This weekend, I was part of Santa's Parade of Lights in my riding of Ottawa–Orléans. The parade was produced and hosted by the Ottawa Professional Fire Fighters Association. The parade route was three kilometres long, starting at Youville Drive and finishing at our former city hall near the Orléans shopping plaza.

There were 77 floats involved in the parade, the most impressive floats to date. It is estimated that over 100,000 people attended the parade; this turnout was also our biggest. There was a toy drive to celebrate the Christmas season, and collect toys and money for those in need. The parade watchers were encouraged to bring a loonie or a toonie to support the toy drive campaign. A total of 150 firefighters volunteered for the parade, with 100 of them walking the parade route collecting cash donations as well as new toys for the Salvation Army.

I would like to thank Wyatt McWilliams for letting me drive his team of horses and for the wonderful float he provided, and all the people who participated in our float: Cedric Pelletier, Sara and Mackie Leduc, Katie and Scott Smith, Daniel Kemp, Mary deToro, Sarah Benfield and Dawn Stroz. They were wonderful elves. I also thank Don McNeely for assisting me in driving the horses.

The parade was a huge success, grossing more than \$20,000 for the Salvation Army. I thank the co-chairs, Rob Rainboth and Ken Walton, as well as all the firefighters and volunteers who donated their time and effort in making the 2005 parade of lights in my home of Orléans a tremendous success.

AUTOMOTIVE INDUSTRY

Mr. John O'Toole (Durham): I rise in the House today to speak with some optimism about a challenging event in my riding of Durham which includes, of course, the situation around General Motors and the optimism at UOIT, the University of Ontario Institute of Technology.

The optimism began when John Tory, our leader, kicked off the Durham region United Way campaign yesterday. John, who continues his commitment to the United Way following his years of volunteerism and worthwhile charitable fundraising, recognized the two United Way leaders for the McLaughlin Award for volunteerism: Bill Nurse and Stan Lovel. Mr. Tory's message of volunteerism and community commitment was well received by many community leaders and volunteers.

Afterwards, John Tory took the time to meet with Dave Paterson, who is the corporate vice-president, environmental, for General Motors of Canada, and mayor John Gray of Oshawa, as well as Bob Malcolmson, the executive director of the Greater Oshawa Chamber of Commerce. Naturally, we spoke of the challenges facing our economy generally, and General Motors specifically, on how all leaders at every level must work together, much like the United Way. We also spoke, of course, of GM and the desire to have the Beacon project signed by the Dalton McGuinty government. We also spoke of the energy strategy of this government and how it's affecting manufacturing. We also spoke of the backlog at the Windsor border.

It's not only important to our economy, but it's important in this way to the university of Ontario. We spoke of the auto strategy, a strategy for the auto sector which was started by Jim Flaherty, the former finance minister and Minister of Economic Development, in 2002. John Tory was there to listen and John Tory was there to understand.

MILL CLOSURE

Mr. Gilles Bisson (Timmins–James Bay): The community of Cornwall, as we know, this week was dealt a devastating piece of news with the announcement of the permanent closure of the Domtar paper facility. We are saddened by the announcement. We think this is something that, quite frankly, can be avoided and should have been avoided. In the words of Jamie Lim from the Ontario Forestry Association, "When it comes to the crisis that we have in forestry, it is not a made-outside-of-Ontario problem; it is a problem caused inside the province."

The industry is quite clear. They're saying, "We're able to deal with the external pressures. What we need is to have a provincial government that will deal with those issues that are important in being able to keep costs down." Namely, energy prices are a killer, especially for those in the pulp and paper business, as well as fibre costs, something which the provincial government has all the control over.

I say to the government and I say to the minister across the way that they need to get their act together, they need to recognize that they are part of the problem, that if the government doesn't get its act together when it comes to both energy policy and forestry policy, the closure that we saw in Cornwall, unfortunately, will not be the last one. It is a sad thing, because the pulp and paper industry and forestry sector is the second-largest contributing industry to the province of Ontario. For this government to take a cavalier approach in saying, "Let market forces dictate what happens in the industry," I think is a very bad decision on the part of the government, and one that will cost thousands of jobs across this province. These are important jobs, they're well-paying jobs and the government should stand up for those workers who are affected, along with their communities.

THE CHARLATAN

Mr. Richard Patten (Ottawa Centre): I rise today in praise of a spirited newspaper that is an advocate for freedom of expression. I refer to the student newspaper for Carleton University. It's called The Charlatan, and it just turned 60 years of age this past Monday.

Contrary to its name, The Charlatan speaks the direct, untarnished truth because it is independent, both financially and editorially. Thus, this leader in its field neither has to be nor does it want to be politically correct. As its recent editorial expressed, "Newspapers should write about the issues—not celebrity; about what matters—not what is the flavour of the month."

The Charlatan's history is noted in the feature stories it shares with its avid readers. As a former editor-in-chief has said, "Words have consequences." Thus the high quality of journalism of The Charlatan, which has been quoted in Parliament, noted in our national dailies and has been voted the "best damned little independent university newspaper," within our elite journalistic circles.

During their 60th season, I, along with many others who are well-informed Charlatan readers, toast with pride this one-of-a-kind little newspaper which maintains Canada's original spirit of journalism, strong and free. Congratulations to all of those who organize to produce this fine paper.

PROPOSED OXFORD HOSPITAL

Mr. Ernie Hardeman (Oxford): It gives me great pleasure to welcome all the good folks who have travelled from my great riding of Oxford and are sitting in the gallery today. These people, close to 80 of them, arrived here on two buses. In fact, following these two buses are two cows. These Holsteins are here to help them deliver the message, "Let's get moooving."

They took time out of their busy schedules to personally deliver 2,000 postcards received from the residents of their community asking the McGuinty government to give approval to go to tender for the new hospital. Community leaders, hospital officials and volunteers have worked hard to meet their end of the deal. This 25-acre site is ready for construction. The property has been pre-graded, services have been installed, roads and sidewalks have been built. This community is ready and waiting.

Along with the bake sales, lotteries and many fundraising events held in the community, there were some very exciting and creative events held to help the foundation meet its financial obligations: fundraising events such as the Woodstock and District Homebuilders, who through our helping hands project built a house in 72 hours with all proceeds, \$285,000, donated to the hospital campaign; and Jim Palmer, a local farmer, sold a herd of cows and donated it to the hospital.

The people of Oxford do not understand how the hospital could be so close and then be stalled like this. I

ask the Minister of Health to recognize the dedication and hard work of the hospital committee, the health needs of the people and to make the good news announcement today that the folks of Oxford are waiting for: Say that you are signing off on the approvals required so we can keep moving forward.

1340

HABITAT JAM

Mr. Lou Rinaldi (Northumberland): I rise today to inform the House of the UN Habitat Jam, which is taking place between December 1, today, and December 3. This exciting program is a unique global on-line exchange on the theme of sustainable urban development.

As part of this 72-hour event, tens of thousands of people around the world will connect in real time over the Internet to discuss solutions to key issues such as urban stability. Issues that this international event will attempt to tackle include improving the lives of slum dwellers, sustainable access to water, environmental sustainability, safety and security, finance and governance, and humanity—the future of our cities.

In addition to these timely and important topics, the Habitat Jam will feature on-line plenary sessions to be moderated by renowned Canadians such as Justin Trudeau, David McGuinty, Michael Harcourt, Gil Parent, Michael Weil and others. Sessions will also be moderated by leading international figures such as Sheela Patel of India, Dr. Pietro Garau of Italy, Raquel Rolnik of Brazil and Jesse M. Robredo of the Philippines.

The Habitat Jam is a great way for citizens in Canada and around the world to get involved in issues that matter to them. All they need to participate in this historic forum is a small commitment of time and the Internet.

I urge everyone to check out the Habitat Jam this weekend.

KNOLLCREST LODGE

Mr. John Wilkinson (Perth–Middlesex): For the last 33 years, Knollcrest Lodge in Milverton has earned a reputation for providing compassionate care to the elderly and those with disabilities. Knollcrest is the heart of Milverton and Perth East.

To ensure Knollcrest continues to provide the best possible caring environment for its residents, it began its Renewal of Knollcrest campaign in 2003 to raise funds for its redevelopment. The community response was spectacular and in just two years the community has reached its goal, yet to move forward with their redevelopment, Knollcrest required funding from the provincial government to bring their project to fruition.

On November 18, 2005, I was pleased to announce on behalf of the McGuinty government and the Honourable George Smitherman that our government has approved

exceptional circumstances funding for Knollcrest Lodge. This funding will allow Knollcrest to move forward with its \$7.3-million redevelopment project. When announced, Perth East Mayor Bob McTavish said that he is “very pleased that the provincial government has provided funding for this project to go ahead.”

I commend our government for their vision and commitment to rural health care in this province. The new and redeveloped home at Knollcrest will provide residents with higher quality of life and better equipped long-term-care beds to address the needs of its residents.

At this time, I’d like to thank the local community for successfully completing their fundraising campaign. Without the community’s generous support, this project would not have been possible. I would also like to thank Susan Rae, administrator of Knollcrest, her staff and the Renewal of Knollcrest campaign committee, particularly chair Dave Shearer, for their tireless efforts in making this project a reality.

SCHOOLS FOR THE DEAF AND LEARNING-DISABLED

Mr. Ernie Parsons (Prince Edward–Hastings): I am very proud of what our government has done for education in Ontario. I believe we have publicly funded school systems that are second to none.

I’d like to take a moment and talk about five very special schools in this province that I believe don’t get the recognition they deserve. We have Jules-Léger, E.C. Drury, Robarts School for the Deaf and Sir James Whitney, all of which serve deaf students, and W. Ross Macdonald in Brantford that serves the deaf-blind. These are schools that, first of all, are staffed by exemplary staff, people who have a career but have made an absolute commitment to the students in their schools. They’re very special people and I believe they need that recognition.

I’m blessed to have Sir James Whitney School for the Deaf in my riding. The students face the challenges that every other student in this province has, along with the additional challenge of being deaf, an obstacle that would stop many people. But I have not yet met a student at Sir James Whitney whom I felt had been overcome. In fact, they don’t regard it as a handicap; they simply regard it as one more issue for them to work with and resolve. I’m very proud of that school.

But here’s the rub, thinking primarily of the deaf because of the location in my community: traditionally in Ontario the unemployment rate for graduates is 85%. Eighty-five per cent of our graduates are unemployed: tremendous individuals—highly motivated, highly skilled, highly trained—who want a job in this province. So I issue a challenge to industries, business and government in this province to employ this highly skilled workforce. They are a credit to us and to their organization.

INTRODUCTION OF BILLS

SECURITIES TRANSFER ACT, 2005

LOI DE 2005 SUR LE TRANSFERT DES VALEURS MOBILIÈRES

Mr. Phillips moved first reading of the following bill:

Bill 41, An Act to create a comprehensive system of rules for the transfer of securities that is consistent with such rules across North America and to make consequential amendments to various Acts / *Projet de loi 41, Loi instituant un régime global de règles régissant le transfert des valeurs mobilières qui cadre avec celui qui s’applique dans ce domaine en Amérique du Nord et apportant des modifications corrélatives à diverses lois.*

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister wish to make a statement?

Hon. Gerry Phillips (Minister of Government Services): I’ll have a statement under ministerial statements.

EASTERN ONTARIO ECONOMIC DEVELOPMENT FUND ACT, 2005

LOI DE 2005 SUR LE FONDS DE DÉVELOPPEMENT ÉCONOMIQUE DE L’EST DE L’ONTARIO

Mr. Sterling moved first reading of the following bill:

Bill 42, An Act to establish the Eastern Ontario Economic Development Fund Corporation / *Projet de loi 42, Loi créant la Société de gestion du Fonds de développement économique de l’Est de l’Ontario.*

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may have a brief statement.

Mr. Norman W. Sterling (Lanark–Carleton): Today, I reintroduce the eastern Ontario development fund corporation act. When I introduced this bill, we debated it and passed second reading with unanimous support in April. However, like many other good private members’ bills, it died on the order paper when the House prorogued.

The bill is modelled after the Northern Ontario Heritage Fund Act, the successes of which the Minister of Northern Development and Mines was trumpeting in the House yesterday. Many of the small towns and smaller cities in eastern Ontario are facing a bleak time at this time, and if we are not able to somehow make investment in the region more attractive, they will continue to suffer. This bill, if passed, would do just that.

I want to thank members of the House for their support of this bill in the past, and I encourage them to support it again.

SIDOFF'S CLEANERS & TAILORS
LIMITED ACT, 2005

Mr. Craitor moved first reading of the following bill:

Bill Pr23, An Act to revive Sidoff's Cleaners & Tailors Limited.

The Speaker (Hon. Michael A. Brown): Shall the motion carry? Carried.

1350

WEARING OF RIBBONS

Hon. George Smitherman (Minister of Health and Long-Term Care): On a point of order, Mr. Speaker: I hope that it might be an appropriate time to seek unanimous consent to allow members to wear the red ribbon in acknowledgment of today being World AIDS Day.

The Speaker (Hon. Michael A. Brown): Agreed? Agreed.

Mr. John O'Toole (Durham): On a point of order, Mr. Speaker: I'd seek unanimous consent to wear this yellow scarf in support of the Woodstock hospital.

The Speaker: Agreed? No.

MOTIONS

HOUSE SITTINGS

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I believe we have unanimous consent to move a motion without notice regarding the House calendar.

The Speaker (Hon. Michael A. Brown): Mr. Caplan has asked for unanimous consent to move a motion regarding the House calendar. Agreed? Agreed.

Hon. Mr. Caplan: I move that, notwithstanding standing order 6(a), the House shall continue to meet commencing Monday, December 12, 2005, until Thursday, December 15, 2005; and

That when the House adjourns on Thursday, December 15, 2005, it shall stand adjourned until Monday, February 13, 2006, and continue to meet until Thursday, March 2, 2006; and

That when the House adjourns on Thursday, March 2, 2006, it shall stand adjourned until Monday, March 27, 2006, which date commences the spring sitting period; and

That, notwithstanding standing order 42(1)(ii), there may be one opposition day designated during the extended fall sitting period commencing Monday, February 13, 2006.

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

STATEMENTS BY THE MINISTRY
AND RESPONSES

SECURITIES LEGISLATION

Hon. Gerry Phillips (Minister of Government Services): I rise today to introduce the Securities Transfer Act, 2005, which, if passed by this House, would update laws and set out the rules for transferring and holding securities in Ontario.

In the spring budget, the Minister of Finance announced a number of measures that this government would be taking to help improve the Ontario economy. The proposed Securities Transfer Act would support our efforts to ensure that Ontario remains the economic engine of Canada.

This bill is the first of three phases of corporate law reform that the government will be bringing forward in the House to improve the business environment in Ontario. Now more than ever, we have to make sure that Ontario remains competitive with other jurisdictions around the world. This bill would give clarity to investors and help make sure that Ontario's capital markets remain an investment destination of choice.

If passed, the bill would achieve this by creating the necessary legal framework to recognize today's electronic trading in securities and to ensure that security transactions are valid; increasing the stability and competitiveness of our financial markets; reducing transaction costs and the risk of litigation; facilitating cross-border transactions; and encouraging more direct foreign investment.

This bill would also make complementary amendments to the Ontario Business Corporations Act, the Personal Property Security Act, the Execution Act, the Securities Act, and the Credit Unions and Caisses Populaires Act.

The bill was developed in response to recommendations made last year by the standing committee on finance and economic affairs to bring forward securities transfer legislation that reflects current business realities. I know that laws regulating the transfer and holding of securities don't necessarily seem relevant to the everyday lives of many Ontarians. However, it is a vitally important area of our economy that, to this point, has simply not kept pace with the incredible growth and change in securities markets over the past 30 years. If we don't update these laws, we risk falling behind, and that's not an acceptable option. This is an important bill that will help ensure Ontario's capital markets contend in an increasingly competitive global market.

This bill is the result of many hours, dare I say years, of work, and I would like to take this moment to acknowledge some individuals who have provided invaluable input: Eric Spink and Max Paré, who drafted the original Uniform Securities Transfer Act and have been active contributors to the development of our own Securities Transfer Act. I think both of them have

worked on this for more than 10 years; Wayne Gray, Robert Scavone, David Butler and the other members of the Ontario Bar Association corporate law subcommittee have provided astute advice and participated actively in our stakeholder consultations; Jennifer Babe, John Cameron and other members of the Uniform Law Conference of Canada; and Purdy Crawford and the members of the Securities Act Five-Year Review Committee. Many of them are with us in the gallery, and I wonder if they might stand so we could acknowledge their work on behalf of the people of Ontario.

I would also very much like to thank the members of the standing committee on finance and economic affairs for considering proposals on the Uniform Securities Transfer Act, which in turn formed the backbone of this bill. The unanimous recommendation from that committee to implement the substance of this proposal is a good example of all parties in this Legislature working together to further Ontario's economic advantage. I would urge all members to support this important legislation.

ACCESSIBLE PARKING PERMIT PROGRAM

Hon. Harinder S. Takhar (Minister of Transportation): I rise in the House today to talk about a program that helps hundreds of thousands of people in Ontario who live with a disability. I am announcing important changes to the disabled person parking permit program. As of January 16, 2006, it will be known as the accessible parking permit program.

This morning I was at the Canadian National Institute for the Blind, along with my colleague Minister Pupa-tello. It could not have been a more appropriate setting to make today's announcement, because it is a simple fact that accessibility affects everyone.

Our government is committed to making Ontario accessible for those living with a disability, and we are proud of that fact. We issue an average of 130,000 permits every year.

This past year, my ministry received nearly 30,000 calls about this program. Most of them are about how long the process takes. The changes I am announcing today cut the processing and production time for these permits in half.

1400

We have also allowed applicants to have their eligibility certified by a nurse practitioner, extended class. The expanded list with added health professionals means more access to service on a timely basis. The Nurse Practitioners' Association of Ontario joined me this morning to express their gratification about this important addition.

We're also doing what we can to make sure that disabled parking spots are available for people who really need them. In the GTA last year alone, more than 1,500 permits were seized for misuse.

The new permits are more secure and tamper-resistant. They use embedded watermarks, ultraviolet ink and

microprint technology. They spell out whether the permit was issued to a driver or a passenger. There is an identification code so that enforcement officers can easily see whether the permit is valid and belongs to the person who is using it.

These security enhancements will help police and municipalities enforce the permits. I was joined this morning by Staff Superintendent Grant, who spoke about how important this change was.

Our new colour-coded permit system will also help with security. Permanent disability permits are blue, temporary permits are red, company permits are green, and our new traveller permits are purple.

I'm especially proud to introduce the traveller permits. Until now, people living with a disability who travel had to leave their permits behind in order to park close to their departure point at Ontario airports. That means they could not access an accessible parking permit on the other end of the journey when travelling. Now they will be able to leave a traveller permit on the windshield of a car parked at the airport and take their regular permit with them when they are travelling. Traveller permits are valid at Ontario airports only. However, once they are in use, Transport Canada has expressed interest in using our system as a model for the rest of the country.

The improvements I am announcing today come after extensive talks with stakeholders representing people with disabilities, and the medical and enforcement communities.

This Saturday is International Day of Disabled Persons. Nearly one and a half million people in Ontario—that's more than 13% of the population—live with a disability.

Earlier this year, our government passed the Accessibility for Ontarians with Disabilities Act. It marks a new era of accessibility in Ontario. The changes to the accessible parking permit program move us closer to our government's goal of an accessible province for those living with disability by the year 2025.

A safe and efficient transportation system is key to our prosperity and our quality of life. I urge all members to support our efforts to ensure a modern and reliable transportation system accessible to all Ontarians.

WORLD AIDS DAY

Hon. George Smitherman (Minister of Health and Long-Term Care): I rise today to acknowledge a date that casts a long and dark shadow, for today is World AIDS Day.

It has been 23 years since the first case of AIDS was reported here in Ontario. As we look back over these 23 years, we cannot help but be filled with powerful and conflicting emotions. We feel pride as we think of the dignity and courage with which so many people have confronted HIV/AIDS. We struggle with grief as we remember friends, loved ones, colleagues, neighbours who lost their struggle against this silent and relentless enemy. And the grief is particularly pronounced for me

as I walk past the AIDS memorial just around the corner at Church and Wellesley.

We feel hope as we bear witness to medical advances, new forms of treatment and pharmaceutical breakthroughs, and as we see the success of education and awareness campaigns. But most of all, today is a day that fills us with determination to not just continue with the work being done but to do more, more to help those who suffer from HIV/AIDS to live longer, healthier lives, and more to slow and ultimately to stop its further spread.

This morning I had the privilege of attending the opening of the headquarters of the 16th International AIDS Conference. The conference is being held here in Toronto next August, and the theme is Time to Deliver. All of us, and I include myself in a very personal capacity, subscribe to that position. It is time to deliver.

I mentioned a moment ago that we can find hope in the advances and breakthroughs being made. Yes, there is progress to report on, and as we look at the landscape here in Ontario and Canada, we have made progress, but the hard truth is that we have not yet done enough. Despite decreases in the rate of infection in certain countries, the reality is that the overall number of people living with HIV continues to increase in almost every region of the world. Despite all that we know, all that we've learned, there were five million new worldwide infections in the past year. Despite our efforts at education and prevention, more than 6,000 young people between 15 and 24 become infected with HIV every day. Despite success in some parts of the globe, HIV infections are up 25% in other parts, including eastern Europe and central Asia.

Closer to home, the numbers are also troubling. After years of decline in the early 1990s, HIV infection rates in Ontario and Canada have been rising again in recent years. In Ontario, the HIV infection rate in 2004 was almost 40% higher than in 2000, and the death toll continues to climb. Worldwide, it is estimated that more than three million people will have died of AIDS this year alone, and more than half a million of these will have been children.

But even against these daunting and frightening numbers, we are determined to fight back. Here in our province, I'm pleased to observe that the government of Ontario is extremely active in the battle against HIV/AIDS. That has been the long-standing case in our province. I note that it is in no way a partisan issue. All parties, I believe, share our strong commitment to this cause. In fact, I know they do.

This year, Ontario is spending \$54 million on AIDS-related programs, not including those expenses related to physician OHIP billings for HIV and AIDS drugs. But as the statistics I cited earlier tell us, this is clearly a global issue, and regardless of what we do within our own borders, the answers must be global answers, because HIV/AIDS respects no borders.

One of the most meaningful ways in which the international community is addressing the global implications of HIV/AIDS is through the International AIDS Con-

ference. I had the privilege and opportunity last year to attend the conference in Bangkok, and it was truly an inspirational event—inspirational, informative, productive. As many will already be aware, Toronto is serving as the host city of next year's International AIDS Conference, the 16th such gathering. As in previous years, it will be a landmark occasion, bringing together medical science, human compassion and social tolerance on a global scale.

As I mentioned a moment ago, I had the opportunity this morning to attend the opening of the offices that will serve as headquarters for next year's conference. They have some work to do, because this conference is an event that will bring between 15,000 and 20,000 scientists, physicians, health care workers, community leaders and national leaders working on HIV/AIDS to our city, and it will attract upwards of 3,000 journalists. I had the privilege this morning of announcing that the province of Ontario is contributing \$1.5 million toward the hosting of the 2006 International AIDS Conference. This certainly isn't the solution to the problem, but it's a big step toward a solution.

I'm delighted to acknowledge the presence of people in the gallery today, some of whom I will mention and many more who are here, many of whom I have known for a long time and who are celebrated leaders from a variety of communities. Here are some of the people who are playing particularly pronounced roles: someone I deeply admire, Dr. Mark Wainberg, who is the conference co-chair; Dr. Evan Collins, the local co-chair, along with Dr. Liviana Calzavara; Mr. Ron Rosenes, secretary to the board of the AIDS conference, the local council; Ms. Gail Flintoft—it says she's here, and I know she's not; she's away on business related to this conference—Ms. Joan Anderson; and the director of the Toronto host secretariat, Darryl Perry, as well as board members, staff and volunteers. Their commitment to this cause is admirable. I know that all members will join with me in saluting them and thanking them for their work.

Dr. Peter Piot, executive director of UNAIDS, was recently quoted as saying, "The AIDS epidemic continues to outstrip global and national efforts to contain it."

1410

While Dr. Piot's analysis is enormously troubling, I would hope that on World AIDS Day we do more than be discouraged by it. On this World AIDS Day, let us accept the challenge—the challenge that he and so many others, including Stephen Lewis, have issued—and let us rise to it. Let us do more to address this crisis, and "crisis" is not too strong a word. More than 25 million people have died of AIDS since 1981 and, worldwide, the number of people living with HIV today stands at its highest level ever, at over 40 million. Five human beings lose their lives to AIDS each and every minute, and since 1981, we've lost more than 7,000 Ontarians to AIDS.

There are people in our province, especially young people, who continue to hold the belief that there exists a cure for AIDS or that it's a thing of the past or that they

are somehow invincible or immune. This cannot continue. On this World AIDS Day, I invite all members to join with us in pledging to do more to help those living with HIV and AIDS, both here and around the world, and to do all that we possibly can to stop the march of this devastating disease.

The Speaker (Hon. Michael A. Brown): Responses?

SECURITIES LEGISLATION

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):

The need to update securities transfer legislation in Canada is clear and compelling. It was the PC government that initiated the Purdy Crawford review which resulted in the legislation before the House today. What is missing now from the bill is the removal of the regulator from enforcement.

Investment transfers between institutions has long been a problem. The Investment Dealers Association has taken steps to improve transfers between member institutions by attempting to facilitate transfers within 21 days. An area of concern with respect to the timeliness of transfers is between investment dealers, who are typically members of the Mutual Fund Dealers Association. Asset transfers between these groups tend to take too much time.

Part of the problem that exists tends to be due to the provider of the financial services not being the holder of the securities—what is known as “off-book assets.” Because the transfer process is paper-based, these transfers tend to take significantly longer. Any legislation that improves the speed with which a transaction can occur is considered beneficial to the consumer.

However, while legislation may be in place, the financial ability of independent distributors to implement any legislation may be limited, as financial systems may have to be upgraded and costs for some may be prohibitive. Regardless, an improvement in transferring assets is long overdue.

I look forward to further reviewing the bill, which is in excess of 160 pages, and public hearings.

ACCESSIBLE PARKING PERMIT PROGRAM

Mr. John O’Toole (Durham): John Tory and the opposition want to be on the record as supporting this improvement in access to disability parking, especially on this International Day of Disabled Persons. I’m encouraged to read that much of the work was based on consultation with community groups as well as medical and enforcement communities.

However, citizens have the right to expect more than promises, photo ops and announcements from this government. I urge members to remain optimistic but also to reserve the right to judge this program by its results rather than another promise. I’d like to remind the House that it was the McGuinty government that promised no

new taxes, yet they increased taxes and other expenses by \$2,000 per person per year in Ontario.

Doctors and other medical practitioners will be required to certify the eligible permits. This raises the issue of access to doctors. We all know that there’s a doctor shortage in this province under the McGuinty government. Also, this government has actually taken away previous OHIP coverage from physiotherapy and other health care services.

I do urge members to remain optimistic, and I urge members to watch carefully and listen to the advice of our constituents to ensure that this program announced today indeed makes it easier for persons with disabilities to access parking within their communities.

WORLD AIDS DAY

Mr. Ted Arnott (Waterloo–Wellington): As I was driving into the city this morning from home listening to CBC Radio, I heard a startling statistic. In Canada, the broadcaster reported, 11 people become infected with HIV every single day.

As the Legislature speaks as one this afternoon, acknowledging this vitally important public health care challenge, we reaffirm our commitment to doing all that we can to work toward the worldwide eradication of HIV/AIDS. I believe it is necessary to point out once again that this terrible disease does not discriminate among its victims. They include women and children as well as men. There are no stereotypical HIV/AIDS victims, and their numbers include many carriers who are unaware of their condition.

While we as a society may think we have this problem under control, clearly we do not. This is true not only in Africa, where AIDS is decimating the population because of an inadequate worldwide response, as Stephen Lewis so eloquently reminded us in Palmerston a few weeks ago, but it is also an enormous continuing public health challenge in all developed countries as well, including our own.

So, on this World AIDS Day 2005, we do recognize the outstanding work that’s being done in Ontario to promote understanding and awareness, to treat patients and improve the quality of their lives, and to pursue the development of better medication through research. We have made progress, and as such, it is appropriate that the 16th International AIDS Conference will take place in Toronto next year. It is certainly the hope of our party that the conference will be a success and will lead to better coordination of worldwide efforts to combat this terrible affliction, giving us reason to hope for a day when we will only read the term “HIV/AIDS” in a history text.

SECURITIES LEGISLATION

Mr. Michael Prue (Beaches–East York): In response to the Minister of Government Services, and as a member of the all-party committee that unanimously

made the recommendations, we welcome the fact that this has come forward.

We ask you, though, to redouble your effort for a single regulator, which seems to have stalled, and because it has stalled, we think that what has also been stalled is the single greatest recommendation we made, and that was recommendation 5.

Just to refresh everyone, recommendation 5 said that the adjudicative function of the Ontario Securities Commission should be separated from its other functions, based on the recommendations of the fairness committee. As members of that committee, we had many debates. What you are implementing today was agreed upon—and agreed upon fairly rapidly. But the greatest single recommendation we made, and the one we look forward to your passing, is recommendation 5. Until that happens, we do not believe the Ontario Securities Commission can exist in a way that is seen to be fair and acts fairly to all those people whose monies may be at risk.

ACCESSIBLE PARKING PERMIT PROGRAM

Mr. Gilles Bisson (Timmins–James Bay): To the Minister of Transportation in regard to his announcement about accessible parking permits I only say, “Good luck.” How many times have we heard this government and previous governments say they were going to cut the waiting time in half, cut the processing time in half when it comes to all kinds of services?

Do we remember the reforms to the FRO? Do we remember those, as members? They never happened. Do we remember what has been announced just recently when it comes to birth certificates, where the government says they’re going to reduce the processing time? I can tell you that we still have the lineups in our constituency offices. Things are taking just as long.

Number one, my question to the minister would be, what are you prepared to do when it comes to staff resources that are necessary in order to make this achievable? Number two, what you’re really talking about doing in here is rationing the number of parking permits by not allowing certain people to get parking permits who would normally have gotten them. What you say here is, “We’re also doing what we can to make sure that disabled parking spots are available for people who really need them.” If I’ve ever seen a buzzword, that’s one of them.

WORLD AIDS DAY

Ms. Shelley Martel (Nickel Belt): On World AIDS Day, we acknowledge the grim reality that there are 56,000 Canadians living with HIV/AIDS, and 30% of those who are affected are unaware of their infection. The prevalence of AIDS is growing, especially among women, youth, aboriginal people and injection drug users. This must concern us all. This is a country, and indeed a world, where no society and no group within

society can remain immune to HIV/AIDS. We need to respond effectively and aggressively, and we need to do that every day.

On this day, I want to focus on five things that need to be done.

First, at their meeting on October 22, 2005, the federal-provincial-territorial ministers of social services agreed to work toward the full inclusion of persons with disabilities by addressing income support and improving access to and funding for disability supports and services. We need income supports in place that allow people with disabilities to live in dignity. The Ontario AIDS Network sees this as a priority and has said they are going to monitor these discussions. They have also requested a meeting with Ontario’s Minister of Community and Social Services to discuss their particular concerns with respect to this issue from the perspective of people living with HIV/AIDS.

1420

Secondly, we need to increase ODSP benefits. The Ontario AIDS Network passed a policy at their September 11, 2005, board meeting urging the Ontario government to increase the Ontario disability support benefit. The reality in the province today is that those who are living on ODSP are further behind in terms of their income than they were under the Harris Conservatives. This government must increase ODSP benefits so the disabled in our community can live with a decent income.

Thirdly, we really need to address the gaps in services for HIV/AIDS patients, especially in northern Ontario, or fix the northern health travel grant so it can respond to those many patients who have to travel from northeastern Ontario into Sudbury to the HIV clinic. They have to travel more than other patients because they have to be followed up for blood work etc, and it’s a very high cost for them to continue to do that. The northern health travel grant is not flexible enough to respond to that need, and we either need to have services in people’s own communities or fix the northern health travel grant so that folks aren’t continuing to be under such high costs.

Two other initiatives: We need to really augment harm reduction initiatives. Too many people in small communities have difficulty accessing these services, and many public health agencies do not provide them. We need to strengthen the HIV/AIDS strategy so that wherever you live, you will have equitable access to services. Finally, we need to recognize the link between HIV/AIDS and hep C. In Sudbury, 75% of the clients with HIV/AIDS also have hep C. If we put in the supports to help those folks, we will be helping HIV/AIDS patients.

INTERNATIONAL DAY OF DISABLED PERSONS

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): On a point of order, Mr. Speaker: I believe we have unanimous consent for a member of each party to speak

for up to five minutes to recognize international day for the disabled.

The Speaker (Hon. Michael A. Brown): Agreed? Agreed.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I rise in the House today to recognize the United Nations International Day of Disabled Persons on December 3, which is this Saturday.

It has been my honour to serve as minister responsible for disability issues for the last six months. I've long been an advocate for people with disabilities and hope that all of us in this House will continue in that effort. But as minister responsible, I have a clear understanding of the many issues, barriers and discriminations that people with disabilities face every day, and I'm more determined than ever to do something about this.

Our government, indeed every member of this House, made a deep commitment to improve accessibility for everyone with a disability in Ontario when we passed the historic Accessibility for Ontarians with Disabilities Act last year, thanks in large part to the minister at that time, Marie Bountrogianni. Congratulations to Marie for that. That legislation was long overdue. We needed legislation with teeth, and now we've got it—and it has lots of teeth.

I want to thank my honourable colleagues on both sides of the House for their commitment to unite to pass a law that will make an enormous difference in the lives of millions of Ontarians every day.

The International Day of Disabled Persons each year calls on each of us to promote an understanding of disability issues and to mobilize support for the dignity, rights and well-being of people with disabilities. This day serves to remind all of us that throughout the world, people with disabilities deserve the opportunity to participate in every aspect of political, social, economic and cultural life.

We cannot change the world, but we can change Ontario. If you look around your community today, you'll be amazed at how much has already changed, things that we are now even taking for granted, since we first began thinking about how hard it was for people with a physical disability to manoeuvre through their daily lives. Today you'll see sliding doors that open with the push of a button, whereas you would have once only seen doors that you had to pull, and heavy doors at that; you'll find movie theatres with ramps as aisles instead of stairs; we're beginning to see more intersections that have audio lights, chirping or beeping signals in addition to the lights.

Even with these advances, we've still got so much more work to do. We need to continually improve our work environments, our business operations, our buildings, our transportation systems.

Today, we had a wonderful announcement with the Minister of Transportation in making more accessible those permits that are so vital to people who have to get in and out of our community daily.

Applause.

Hon. Ms. Pupatello: Yes, special congratulations to Minister Takhar—in a parking garage, of all places. It was wonderful.

But most important, we need to improve our attitude toward people with disabilities. You can't have equal opportunity in employment if you can't get to work because of an inaccessible transportation system, for example, if you can't get into the building, if you don't have access to education and training, or if important technologies are inaccessible to you.

Our accessibility legislation has to change this. With the AODA as our road map to accessibility, we are reaching out. We're reaching out to the business community that stands to benefit from a multi-billion dollar market. We're reaching out to municipal governments to work with us to improve accessibility everywhere. We're reaching out to people with disabilities and involving them in every step of the way. We're reaching out to ordinary Ontarians, people like you and me in our home communities, because accessibility really does take root when people clearly see the benefits of accessibility to themselves, their families, their friends and their neighbours.

The doors to accessibility are opening slowly, but we do have to look at how far we've already come, and it's up to us to make certain that every door in Ontario is open to giving people with disabilities a fair opportunity to contribute and participate in our economy and in our society.

I think we're at a critical juncture in our journey to an accessible Ontario. As a province, we can't afford to overlook the extraordinary talent pool that people with disabilities represent.

It's been said that governments like to begin things, to declare new programs or new legislation. But good beginnings, frankly, aren't the measure of success here. What matters in the end is execution, performance and results. I hope that's what all of us in this House will be about: results. These must be our benchmarks for success. These are what will put us on the map to becoming a more inclusive society and a prosperous province. I believe we're well on the way to getting there.

The Speaker (Hon. Michael A. Brown): The Speaker: Responses?

Mr. Gerry Martiniuk (Cambridge): I'm honoured to speak today on this matter on behalf of John Tory and the PC caucus.

Since 1992, when the United Nations General Assembly first asked member countries to observe the International Day of Disabled Persons with the view to furthering integration in society of persons with disabilities, our province has made great strides in addressing the concerns of persons with disabilities.

I am proud of the Progressive Conservative caucus's long history of leadership, consultation and co-operation in addressing the concerns of persons with disabilities. Ontario was the first province to adopt a Human Rights Code, which was amended in 1981 to extend protection on the basis of disability.

Our previous Progressive Conservative government invested almost \$6 billion, one ninth of the provincial budget, in programs and services to increase opportunities and improve the quality of life for persons with disabilities and their families. We enhanced community living and independent living opportunities for persons of all ages. We made enhancements to education, to assist students with disabilities from preschool right through a transition to post-secondary education. We also created a new income support and employment program that better met the needs of persons with disabilities while respecting their dignity.

We were the first government in Canada to pass a Disabilities Act to tear down access barriers across our society, and we were pleased, as the opposition party, to provide comprehensive input and advice to strengthen this government's amendment to that act. These important advances improve not only the lives of Ontarians with disabilities and their families but also the health and prosperity of all Ontarians.

By enhancing the opportunities of persons with disabilities to participate in our great province's economic, social and cultural life, we build a better society.

1430

Today is a day to celebrate Ontario's achievements, but it is also a day to acknowledge that barriers still exist. On behalf of the Progressive Conservative caucus, I renew our commitment to working toward the day when we can truly say that persons with disabilities can enjoy full and equal access to all aspects of life that so many of us take for granted on a daily basis. I hope that all of us will give substantial consideration to our shared responsibility in working co-operatively toward a shared vision of an Ontario where all members of the society can fulfill their full potential.

I invite all Ontarians to join this House in recognizing International Day of Disabled Persons and committing to building bridges of opportunity for our friends, neighbours and families.

Mr. Rosario Marchese (Trinity-Spadina): Every day, thousands of Ontarians face numerous barriers in gaining access to and fully participating in important activities such as jobs, access to information, communication, education at all levels, public transit and the use of goods, services and facilities that the public usually enjoys.

The Charter of Rights and Freedoms and the Ontario Human Rights Code both ban discrimination because of physical or mental disability. However, they have not been successful at effectively rooting out old barriers impeding persons with disabilities and preventing the erection of new barriers. Politicians of all stripes have acknowledged this: In 1998, the Legislature passed a resolution for a strong and effective Ontarians with Disabilities Act. The Conservatives subsequently introduced an Ontarians with Disabilities Act that fell short of the goals laid out in the 1998 resolution. The Liberals introduced legislation that was, in my view, bereft of

sharp teeth but which did make progress by improving the Conservative bill somewhat.

So much progress needs to be made to get the justice that people with disabilities need, and so much more could be done by this government. They have fallen short in so many areas. When I think about discrimination against people with disabilities, I think of people with disabilities and poverty. Most people with disabilities are poor. The Liberals promised to increase the Ontario disability support program rates by the cost of living every year, but they were raised by only 3% in 2004 and were frozen in 2005. The government wants to be praised for this picayune initiative, but they're not going to find cheerleaders in the NDP; they're going to have to go and find them somewhere else. Three per cent in 2004 keeps people with disabilities as poor as they had always been under the Conservative government. Things must change.

The Liberals also promised to end the clawback of the national child benefit supplement from the disabled parents who receive ODSP benefits, and they broke this promise. In 2004-05, the full National Child Benefit Supplement would have provided \$1,511 a year for the first child, \$1,295 for the second child and \$1,215 for each additional child. That's equal to approximately \$120 a month for each child. Instead, the Liberals flow through only a dollar a week—and they want us to praise them for this. They will not find New Democrats as cheerleaders for those initiatives. They fall far short and keep people with disabilities poor.

Let's talk about disabilities and safe schools. Students with disabilities are being unfairly targeted for suspensions under the Safe Schools Act. They need more resources and reform of the act in order to meet their needs in the classroom. The government says, "Oh, we're having hearings," and they shelter themselves under these consultation hearings. The question they ask is: "What, if anything, is being done to make safer schools?" Well, this is not the question that young people with disabilities want to deal with. They're saying, "Keep us in the school," and their parents are saying, "Keep them in the school and deal with them. Help them. Don't throw them out of the school system." Yet that's what this bill, introduced by the Tories and maintained by the Liberals, does: It throws young people with disabilities out of the school system instead of keeping them in.

Third, disabilities and autistic children: The McGuinty government continues its fight in court to deny intensive behavioural intervention to children with autism after they reach the age of six. Preschool autism funding has been confirmed by an official manager for the FOI unit, which says that they will not be sending the \$2.6 million for those needy children that have autism; instead, it's been diverted to other programs.

This government is falling short on so many fronts. They need to do more.

M. Gilles Bisson (Timmins-Baie James): Pour ceux avec des désabilités aujourd'hui, on peut célébrer certains avancements sur le dossier, mais certainement, pour les avancements qu'on attendait, tout ce que le monde

demande est simplement d'avoir une égalité et aussi une justesse quand ça vient aux services dont on a besoin pour être capable de vivre dans nos communautés.

C'est intéressant à voir qu'après toutes ces années, on est encore dans la même situation, que ceux avec des désabilités ont beaucoup de problèmes d'être capables d'avoir accès aux services dans les communautés. C'est très difficile de se déplacer, et, plus important, on se trouve dans la situation que ceux avec des désabilités sont toujours dans une situation où ils sont—

The Speaker (Hon. Michael A. Brown): Thank you. It is now time for oral questions.

ORAL QUESTIONS

MILL CLOSURE

Mr. John Tory (Leader of the Opposition): My question is for the Acting Premier. What specific measures has the Premier agreed to take, arising from his phone call with the mayor of Cornwall, to help the families and the community itself to deal with the devastating news that Domtar will be closing there, laying off ultimately a total of 910 people?

Hon. George Smitherman (Minister of Health and Long-Term Care): In supplementary, I'll be passing this question to the Minister of Economic Development, who I'm sure can be of assistance to the honourable member.

I know the leader of the official opposition was not in the Legislature yesterday and may not yet be aware that in questioning of the Minister of Economic Development, the member from Halton referred to Ontario as a "once great province." I'm wondering if the honourable member might stand in his place and tell us whether he thinks, as we believe, that Ontario is a great province, or whether you believe, like your member from Halton, that Ontario is a "once great province."

Mr. Tory: I think that Ontario is a great province, and I point out that was absolutely no answer to my question with respect to what your Premier is doing for the people in Cornwall.

Now, the mayor of Cornwall said yesterday, and I quote, "We've lost the last of the industrial icons. [The Domtar] mill was the fabric of this community." The Premier spoke to him yesterday. I spoke with the mayor of Cornwall this morning, and he shared with me a couple of ideas of specifically things your government could do to help this community deal with these job losses.

At the top of his list, or one of the things near the top, was moving forward with the long-awaited ethanol plant. Your government has invited interested projects to apply for a capital grant program, but the way the program is structured, the money wouldn't flow until production had started in the given plant, which might be years from now.

In light of the Premier's phone call to the mayor of Cornwall yesterday and my discussion with him this morning, will the Acting Premier ensure that this capital funding is made available on an accelerated basis for the proposed Cornwall ethanol plant so that we might start to replace some of those jobs that are being lost in Cornwall with new jobs in the ethanol industry? Will you make that commitment?

Hon. Mr. Smitherman: The Minister of Agriculture, Mr Speaker.

The Speaker (Hon. Michael A. Brown): The Minister of Agriculture and Rural Affairs.

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): Our government and our ministry right now are in the process of considering the many applications to the ethanol growth fund that obviously has generated a good deal of interest. What I can say is that we are looking at all of those applications very carefully and we are committed to ensuring that the investments that we make in this initiative and in our communities are well placed.

Interjection.

Mr. Tory: The member for Leeds–Grenville said that sounded like a no. It was a no answer, not a no. I hope it's not a no for the people of Cornwall.

My final supplementary is this, again to the Acting Premier: In the fallout from Domtar's decision to close the Cornwall mill and the loss of tax revenue for the city associated with the layoffs and with that closure, the mayor also raised with me, when I spoke to him, the ongoing matter of Ontario Power Generation in the city of Cornwall over the annual premium paid to the city for the lands that the Robert H. Saunders generating station sits on. Instead of property taxes being paid to the city at fair market value, OPG pays an annual grant to the city. The problem is, the city figures it's getting short-changed to the tune of several million dollars a year.

Acting Premier, this is an issue that the Liberal member from this riding has repeatedly promised to deal with. Cornwall city council is waiting for answers. The mayor raised it with me as something that would help a city that's been dealt a devastating blow.

Can you tell us right now that, at the very least, you will ensure that a review is undertaken in connection with the ways in which we can provide assistance to Cornwall, a review of this deal between OPG and the city of Cornwall?

Hon. Mrs. Dombrowsky: To the Minister of Energy.

Hon. Donna H. Cansfield (Minister of Energy): Thank you for the question. I can assure you that we are quite prepared to sit down with the mayor of Cornwall and OPG and look at anything.

The Speaker: New question.

Mr. Tory: Thank you for that, and I hope it happens soon.

1440

ECONOMIC DEVELOPMENT

Mr. John Tory (Leader of the Opposition): My next question is again to the Acting Premier. It has been almost two weeks now since General Motors announced the loss of almost 3,900 direct jobs in Ontario over the next several years. While the Premier referenced those job losses as “a little bit of contraction,” I would like to know what specific steps the Premier has undertaken to help Oshawa deal with this economic body blow since we all learned of these layoffs two weeks ago.

Hon. George Smitherman (Minister of Health and Long-Term Care): To the Minister of Economic Development.

Hon. Joseph Cordiano (Minister of Economic Development and Trade): We certainly have been in touch with the mayor of Oshawa. The Premier is going to be paying a special visit. I know the Leader of the Opposition was there.

Let me just say that we are open to discussions with the city and the people of Oshawa about their economic development prospects for the future. Let me just add that Oshawa now has a very diversified economy. GM certainly is an important player in Oshawa, but I can also add this: With regard to plant number 2, we will make every effort to ensure that plant receives a new product mandate at the end of 2008 and see that plant continue in existence.

Mr. Tory: Again to the Acting Premier: I met yesterday, as was noted, with the mayor of Oshawa, representatives of the local chamber of commerce, General Motors and so on. Of course, they're justifiably concerned about the impact of these layoffs on their community. I asked them specifically what the provincial government could do to be of assistance, and at the top of their list was fixing the delays at the Canada-US border, the harmonization or the elimination of duplication between federal and provincial regulations in a number of areas, and ensuring that the 407 eastward expansion got moving forward at a much quicker pace so as to help in the further diversification of the Oshawa economy and region.

Acting Premier, can you give some assurance to people from Oshawa—to these community leaders, the mayor, the people from General Motors, the people from the chamber of commerce—that given this kind of list, which is a varied number of subjects, you will move forward with some kind of plan that we'll all hear about, a real plan to help Oshawa deal with a blow that will be crucial to them, notwithstanding your comments about their economy?

Hon. Mr. Cordiano: Let me reassure the Leader of the Opposition and certainly the people of Oshawa and anyone who cares about the auto sector as much as this government does that we are doing everything we can to ensure that border remains open and to ensure that the infrastructure that your government, in the past, neglected for the longest time is going to be updated, so we will

have continued flow of goods across the border, ensuring that that border remains access to the greatest market in the world, our greatest trading partner south of the border.

Mr. Tory: So we're going to blame the previous government for the border, no answer on harmonizing regulations, and no answer as well with respect to 407. That's fine. That's zero for three.

Let's try one more time. There are a lot of families and communities out there waiting for help. As an example of just the slightest indication of caring about this, here's one more opportunity to show something tangible. As a meaningful step and an important symbol to people in eastern Ontario, where Cornwall is located, would you consider moving forward quickly with the Eastern Ontario Economic Development Fund Act reintroduced by the member for Lanark-Carleton today? Would you consider moving that forward quickly so we might implement that and provide some help to the communities in eastern Ontario, including Cornwall. Will you move it ahead?

Hon. Mr. Cordiano: I would just say this to the Leader of the Opposition: The member you're referring to was a member of the cabinet of the previous government who sat for eight years and did nothing for eastern Ontario. Now he introduces a bill today and you would have us move on this bill.

We are open to sitting down with the people of Cornwall. In fact, we have dedicated resources in my ministry. The deputy minister is going to be working directly with the people who are associated with economic development in Cornwall, determining what the best approach might be and developing a strategy with all of the people associated with that region, not only the mayor of Cornwall, but other townships in the surrounding area.

I was there last spring. I sat and talked to people there. We had round table discussions about their economic prospects and what could be done. We discussed all of these various suggestions he's made, and most of those plans are moving forward.

ENERGY CONSERVATION

Mr. Michael Prue (Beaches-East York): My question is to the Minister of Energy. Today another group added its voice to the long line of critics of your energy program. The respected Pembina Institute gave your government failing marks for your energy conservation efforts to date. The math is very simple: You are committed—I'm using your words—to \$10.5 billion for supply and a paltry \$163 million for energy conservation. This means that for every dollar you spend on power generation, you spend two cents on conservation. I think, and we think, you have your priorities all wrong.

Minister, your energy conservation program is a failure. My question to you is: When are you going to invest in real energy conservation as set out by the Pembina Institute?

Hon. Donna H. Cansfield (Minister of Energy): I thank the member for the question. We're always pleased when there are reports coming in from interested parties around energy conservation and demand management. We welcome those reports as they come forward, as they help us have a discussion on the issues of conservation and demand side.

I don't know where the member gets his facts from. In fact, we've asked the conservation bureau to develop three very critical programs: One is for low income, one is for the lighting retrofit, and another is for appliances. Already, the numbers that are coming in from the utilities that have just been piloting these initiatives are staggering.

I haven't read the report; obviously, the member has. I look forward to having an opportunity to read the report over the weekend, and maybe we'll have some more discussion.

Mr. Prue: The report is kind of thin, and you should read it, because it doesn't take long. What it says is two cents. The Pembina Institute is the most respected voice in Canada when it comes to energy efficiency, and they say your conservation plan is a failure. They say in this report that the real payoff in energy conservation comes with improved standards in the building code to make buildings more efficient and energy-efficient appliances that are Energy Star compliant. Minister, will you commit right here—and you should commit even before you read this—to changes in the building code and to legislating energy-efficient appliances? We need an answer and we need it today. Is it yes or no?

Hon. Mrs. Cansfield: Thank you very much for the supplementary. With respect to the Ontario Energy Efficiency Act, Ontario regulation 384/05 was passed on July 9, 2005. This particular regulation referenced national energy performance standards for four new products in addition to the 20 that are currently there. For example, we've increased air conditioning efficiency by 30%.

Interjection: Wow.

Hon. Mrs. Cansfield: It may be a slight "wow" to you, but for those folks who brought in their old air conditioning units—we thought maybe there would be 400 or 500—over 6,000 new air conditioning units went into low-income homes. So it might be irrelevant to the members of the third party, but I can tell you that it was very relevant for those people who now have far more efficient appliances due to this new regulation.

Mr. Prue: Page after page of the Pembina report—

Hon. George Smitherman (Minister of Health and Long-Term Care): You said it was thin.

Mr. Prue: It's not very big. Page after page—

Hon. Mr. Smitherman: All three of them.

Mr. Prue: Page after page, it's really not painting a very good picture of your ministry. They say your energy supply plan is a failure, your energy pricing plan is a failure, and now it's clear that your energy conservation is equally a failure.

Yesterday, 900 hard-working employees of Domtar found out that they were losing their jobs, in great part because of sky-high energy prices. Over the summer, we had at least three brownouts that could have been much worse, and now the most respected voice in energy conservation gives your energy conservation efforts failing marks. I repeat: Your energy conservation plan is a failure; when are you going to implement the recommendations made in this very good report?

1450

Hon. Mrs. Cansfield: I find that member has a very rich imagination in terms of dealing with energy conservation, considering his was the party that cancelled everything.

The fact is, we welcome the report. I look forward to reading the report from the Pembina Institute, along with many others that have given some information and advice. We are creating that culture of conservation. Things are moving forward. We are the first jurisdiction in Canada and the second jurisdiction in North America to put a conservation leadership act before the House. It's in second reading. Pass it, and then you'll see how far we can go in terms of doing more on the conservation side.

MUNICIPAL ELECTION FINANCES LEGISLATION

Mr. Michael Prue (Beaches–East York): This time my question is to the Minister of Municipal Affairs and Housing. This morning, Howard Hampton and I attended a press conference with city of Toronto councillors. There were eight of them in total. Three of them purport to be Liberals, two of them purport to be Conservatives and three were New Democrats—all political stripes. They are united by your failure to implement the election finances reforms passed by city of Toronto council over a year ago. In case you didn't get the hint when they passed that in September 2004, they re-passed it in September 2005.

My question to you is simple: Will you introduce legislation immediately to implement the full slate of election finances reforms passed by city of Toronto council and supported unanimously, I think, by the people of this city?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I welcome the question from the member. It's kind of interesting: I believe yesterday he was slamming a new City of Toronto Act, and now, of course, he wants something done about it. After every election, it is correct that the Ministry of Municipal Affairs and Housing undertakes to review the Municipal Elections Act to see if there are any problems with it or situations that need to be rectified. We have consultations with the Ministry of Education as well, because they are involved in elections through the school boards etc. From the general comments received, we made a judgment call that the Municipal Elections Act is working quite well and is currently meeting the needs of municipalities. Having said that, we're always prepared to look at

different ideas that come forward from municipalities, including the city of Toronto.

I look forward to the supplementary question.

Mr. Prue: Mr. Minister, tinkering and dithering is not what is required. What is required from you is some action. The city of Toronto has been requesting for more than a year. The city of Toronto wants meaningful election finances reform. What they want and what they're asking you for is to make the necessary amendments to the Municipal Elections Act to get the job done. They want a ban on all corporate and union donations and on banking surpluses to finance future campaigns, they want enforcement of municipal election rules by Elections Ontario and they want fundraising functions to be classified as election expenses. This is well supported in the city of Toronto. So my question again: Will you introduce the legislation they are requesting and implement these reforms, and will you do it now?

Hon. Mr. Gerretsen: I thank the member for his supplementary. What the people of Toronto really want is a City of Toronto Act that works for them in the 21st century, and that's exactly what we've been working on for the last year and a half. If the member stays tuned, some time between now and Christmas we will be introducing a City of Toronto Act that I understand may be as many as 300 pages long, in which we are going to combine every act that the city of Toronto is involved in, in all the legislation that's out there, and we're going to make it work for the city of Toronto. It's absolutely essential, in order for Ontario to grow and prosper, that we have a capital city that we not only have great pride in but that also works in the 21st century, and that's what we intend to do.

Mr. Prue: Minister, you're quite fond of referring to the city of Toronto as a mature, responsible level of government, but you're not doing what is necessary for them to act electorally in a mature, responsible way. They have analyzed the problems in the city of Toronto, and they are quite legendary, but you're not giving them any credibility at all. You're ignoring the requests that Toronto council has made over the past year, and you have all but condemned the people of this city to a 2006 municipal election under the old and unfair municipal election finance rules, rules that council has voted twice to reform.

I'm telling you, if you introduce Toronto council's package of election financial reforms in the immediate future, we in the NDP will ensure speedy passage. My question to you is, will you do it?

Hon. Mr. Gerretsen: Of course, speedy passage to the NDP does not necessarily mean speedy passage to the rest of us in here. We've had lots of experience of that over the last couple of years.

Let me say once again that we are taking every resolution we get from every municipality, including Toronto, very seriously. We're taking a hard look at the resolutions we got from them related to the Municipal Elections Act. We are not prepared to introduce that right now, momentarily, but I think if the member stays tuned,

something may very well happen in that regard, as well as what's more important, on the City of Toronto Act itself, which is what the people and the council of Toronto are really interested in. We want to make sure the city of Toronto functions as it should in the 21st century, so that they can provide to the citizens of Toronto the kinds of services the citizens of that community deserve.

SECURITIES INDUSTRY

Mr. Tim Hudak (Erie-Lincoln): A question to the minister responsible for the Securities Act: I point to today's Ottawa Sun headline "Criminal Probe Eyed: RCMP Looking into Potential Leak of Tax News Benefiting Grit-Friendly Investors." This is the latest in a week-long series of reports and expert comment surrounding insider trading following Minister Goodale's recent announcement. Of course we all know insider trader means that well-connected insiders get rich at the expense of retail investors, like seniors and working families.

Minister, to you personally: What have you done exactly, yourself or your ministry, to ensure that retail investors have been protected in this important circumstance?

Hon. Gerry Phillips (Minister of Government Services): I'm sure there's no political interference in the process that has been established through law in the province, and I don't intend to exert any political influence on this process.

I say again to you, I don't know whether you're speaking on behalf of your party, but I would hope you're not suggesting that the minister responsible should be ordering the Ontario Securities Commission when and when not to investigate. That is their role. It is important that the public have confidence in the independence of the Ontario Securities Commission. I hope you're not suggesting that I, as the minister, should be telling them when and when not to investigate. I would hope you would leave this matter where it should be, with the independent, arm's-length Ontario Securities Commission.

Mr. Hudak: This is the third occasion the minister has had in this assembly to indicate that he, in any way, cares about what has happened to retail investors, like seniors and working families—not one word from the minister expressing concerns about the suspicious nature of trading or what has happened to seniors and working families in these circumstances. The minister knows that under the new guidelines published by the OSC for disclosure of investigations, an investigation may be disclosed "when confidence in the capital markets could be harmed by a failure to confirm that a matter is under regulatory consideration."

Minister, it's a week-long story. Forensic experts have talked about the problems here. It has now reached American news sites like msnbc.com that something is severely amiss. Minister, don't you think it's appropriate, like the RCMP has done, that the OSC will finally say

they're looking into this matter. Minister, show that you care about the retail investors.

1500

Hon. Mr. Phillips: I would just say that I care deeply about investors in this province, and I want to assure them that there will not be political interference in the independent looking and protection of investors. I don't want investors to be reliant on whether or not the political body is telling the regulator, "Investigate here; don't investigate there."

Interjections.

Hon. Mr. Phillips: Well, you are saying that, and I say to the people of Ontario that I, as the minister, am not going to exert political influence on the independent Ontario Securities Commission. They have an independent role to play. They monitor the markets; they protect investors. We have strict laws to protect investors. The best way we can protect investors is to keep our political hands out of it and let the independent Ontario Securities Commission handle it. I would hope that you are not urging political interference in the Ontario Securities Commission on when they should investigate and when they should not.

DOMESTIC VIOLENCE

Mr. Peter Kormos (Niagara Centre): A question to the Acting Premier: You and your Liberal colleagues supported the Domestic Violence Protection Act at second and third readings; so did the New Democrats. If you and your government are really concerned about ensuring access to judicial authorities by women in danger so that they can obtain appropriate restraining orders, why haven't you proclaimed that bill into law yet?

Hon. George Smitherman (Minister of Health and Long-Term Care): The item that the member raises is not one I am as familiar with as the minister. Accordingly, I'd like to take the question from the honourable member under advisement and ascertain to get back to him with a very prompt response, if he'd like to stand down the question, even later on in question period.

Mr. Kormos: If I may, perhaps it might be more effective to ask the supplementary now. You will recall that the Domestic Violence Protection Act would have assured women at risk access to judicial authorities, including justices of the peace, not in a matter of weeks or months, but literally in a matter of hours.

Reflect on Lori Dupont in Windsor, who was in the midst of an eight-month wait for a court hearing to obtain a restraining order when she was assassinated by her former boyfriend and co-worker. The Domestic Violence Protection Act would have applied to that type of relationship and to the type of threat she faced, and would have permitted a judicial authority to ex parte impose a restraining order on her assassin within hours of her making that complaint, and would have avoided an eight-month wait.

Sir, will you please tell us when this government will proclaim the Domestic Violence Protection Act which you supported when you were in opposition?

Hon. Mr. Smitherman: There are two questions there. One of them deals with some specifics related to an individual circumstance. Accordingly, it's not appropriate to comment.

On the issue of the act the honourable member speaks about, I think it's important to put on the record in the Legislature that victims' advocates, police and other stakeholders have been clear in their opposition to the act. But our government has not, in the face of the challenges related to domestic violence, failed to act. We've been very aggressive in bringing forward our domestic violence action plan, and you may know that we recently launched the Ontario domestic assault risk assessment tool, a pilot project that is designed to help police officers and crowns to be more effective in helping to assess risk in abusive situations.

We all acknowledge in our communities and our society that this is one of those issues that requires significant attention from this government, and the initiatives I just outlined are an indication of the commitment of our government on this matter.

CRIME PREVENTION

Mr. Shafiq Qaadri (Etobicoke North): My question is addressed to the Minister of Community Safety and Correctional Services, the Honourable Monte Kwinter. In early November, you, the Toronto Police Service and the Attorney General announced the creation of a gun amnesty program. The program allowed citizens to surrender their firearms to police without being charged with possession. Can you please update the members of this House about this particular program? How many firearms have in fact been turned over to police in the previous month?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I want to thank the member for Etobicoke North for the question; I think it's important. As part of the PEACE initiative, the public education and crime eradication program that the Toronto Police Service has, we announced a gun amnesty. The gun amnesty was aimed at legal guns that are in the possession of people who own them legally. What we wanted to do was make sure, given that statistics show that over half of the guns that are illegal were obtained by breaking into homes and stealing those legal guns. So, as a result of that, I just wanted to report to this House as to how successful that amnesty was. There was a total of 261 guns, firearms, turned in, and 1,554 rounds of ammunition. Those guns are: 17 pistols, 16 revolvers, 66 shotguns, 132 rifles, 16 pellet guns, seven replica guns, and seven other guns—air guns—for a total of 261.

Mr. Qaadri: Minister, this issue is of extreme importance to Torontonians generally, but especially to the people of my own riding in Etobicoke North. Can you please inform this chamber about the other components

of the government's overall gun/crime prevention strategy? What are some of the other initiatives that the province is engaged in in an effort to combat the recent scourge of gun and gang violence in our city?

Hon. Mr. Kwinter: As a follow-up to the amnesty, we also have had blitzes on those gun dealers who sell guns, to make sure their guns are fully secured, that they can document where those guns have been sold, to make sure that they have not fallen into the hands of those who will use them illegally. We've also had a Crime Stoppers tips line, and that particular program has been very successful. We've also expanded our guns and gangs task force by adding 32 crown attorneys. We've added 26 senior officers to deal with gun crimes. Also—and we're very proud of this—we went to the justice ministers' meeting in Whitehorse, and I can say that those who were there will admit that it was because of Ontario's persistence that we got the federal government to agree to raise the minimum mandatory sentence for gun-related offences.

PROPOSED WOODSTOCK HOSPITAL

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is for the Minister of Health. Minister, today you had the opportunity to briefly speak with the fine people from the city of Woodstock and the surrounding area. They presented you with more than 20,000 post-cards.

This community was promised a hospital five years ago in December. They have worked diligently since then; they have gone through all of the hoops that are necessary to ensure that they can go forward. For the last two years, the project has come to a halt. Your government has refused to approve their project moving forward to tender.

I would say to you today that they have moved forward. They have fulfilled all their obligations. They were given the approval. They need the final approval from you. You have given approval to other communities that are not this far along. Will you commit today that you will provide the capital funding in order that Woodstock can have that new hospital they so desperately need?

Hon. George Smitherman (Minister of Health and Long-Term Care): I found it interesting in the honourable member's question that she said that the project had come to a halt, somehow leaving the impression with the people in this Legislature and the people of Woodstock that that party, while the government in Ontario, had actually funded the project. But that's inaccurate. The regrettable circumstance that we inherited from that government was that they had run around pretty much everywhere in Ontario with these big rubber cheques, and they got their picture taken. It seemed to the local community that the money was in the bank. Alas, when we arrived we found that the kitty wasn't just dry but about \$5.6 billion overspent, and that doesn't count the capital side.

Notwithstanding that, the people of Woodstock do need a new hospital. I was clear to them in saying, "We aren't there yet. We're not in a position today to be able to go forward." Myself and the Minister of Public Infrastructure Renewal continue to work to find the resources necessary for what everybody agrees is a much-needed and long-overdue project.

Mrs. Witmer: The Minister of Health knows full well that the information he has just communicated is not accurate. We provided the hospital with \$12 million. The money was available. Since then, you have taken funding intended for that hospital and Cambridge hospital and invested it elsewhere. For two years now, no action has been taken.

1510

I ask you again: For 24 months the project has been stalled—since your government came into office. Will you finally listen to these people who have fulfilled all of the obligations and will you today commit to allow Woodstock General Hospital to take that step to go to tender?

Hon. Mr. Smitherman: One thing we learned today about the good people of Woodstock, represented very well, it would seem to me, by Mayor Harding, is that he doesn't take the partisan approach that the honourable member has chosen to take. He was a little bit more circumspect in recognizing that this is a project that has had about 30 years' worth of opportunities to go forward. Accordingly, in this House we all need to be clear.

There are finite resources in the province of Ontario. For a number of months around here in 2003, they pretended that that wasn't the case. The unfortunate reality left to us is that we've had to reconcile a level of commitment that did not have cash associated with it. The honourable member makes that point well for me. Twelve million dollars—that's like 20 cents on the dollar for what's necessary.

The point is, Woodstock needs a hospital and so do many other communities: An unprecedented \$5-billion investment is ongoing in hospitals in the province of Ontario. But we have more work to do. As we said to the people of Woodstock today, we are dedicated to working with them to find a solution for what is, what everybody would agree, a much-overdue—

The Speaker (Hon. Michael A. Brown): Thank you.

PROPERTY TAXATION

Mr. Michael Prue (Beaches–East York): My question is, in the absence of the finance minister, to the Acting Premier. Many property owners across Ontario are facing assessments that are 30%, 40%, 50%—I even heard one of 120%—higher than the last period. The vast majority of our citizens view the assessment system as unfair. In opposition, you and your colleagues said it was unfair and promised to fix it. Now you're in government. That's why the Ombudsman, I might add, is there investigating.

The fee for appealing is \$75, and many moderate- and low-income Ontarians find they don't have the \$75 to spend appealing an evaluation that was arrived at in an unfair, illogical and, to them, mysterious way. The fee costs 50% more than it did in the assessment year that just passed. My question to you is: Will you do the right thing and eliminate this usurious fee in time for this assessment year in March?

Hon. George Smitherman (Minister of Health and Long-Term Care): On the issue of fees, I do think it's appropriate in government to have fees which reflect the cost of provision of services. But the issue, more appropriately, is one addressed by the minister who has responsibility for the operation of that organization, and I would, of course, pass on your question to him.

On the matter of our assessment system, there has been a lot said about it. We all have well-expressed views and we've all heard concerns from a variety of different quarters. Appropriately, our government's interested in watching the initiative that the Ombudsman has undertaken, as reflected by the comments of the honourable member. Like everybody else, we'll be very interested in seeing what results it produces.

Mr. Prue: With the greatest of respect, property owners can't wait for the Ombudsman's report. They have to file their appeal by March 2006 or they accept the assessment as it is. They cannot wait for his report. The deadline will have passed by then.

I am suggesting that the very least you can do, while you're waiting for that report for cash-strapped homeowners, is to eliminate the unfair fee. Why would you allow it to have increased by the astonishing amount of 50% in one year? Will you eliminate the fee today?

Hon. Mr. Smitherman: No, I don't think so. As I said to my honourable friend in the earlier question, the government does have some obligation to ensure that those services that are provided can be provided in a fashion that is dependent on having a sufficiency of resources.

The honourable member presented his question. As I said to him in the first answer, I'm not the line minister with responsibility for that. I will take the question under advisement and refer it to my honourable friend. But I would just urge my honourable friend to be certain that the information he was providing with respect to the filing deadline is, indeed, accurate.

BEST START PROGRAM

Ms. Jennifer F. Mossop (Stoney Creek): My question is for the Minister of Children and Youth Services. First of all, I would like to thank the minister for coming to my riding today to visit the school of St. David. St. David is a school that has a fabulous early learning program and is going to be one of the new Best Start program sites. We had an opportunity to see the facilities there, the fabulous programs that are being supplied at the moment, and a peek at what's going to be happening

in the near future. Thank you very much for taking the time to come down and see us there.

I've heard time and time again from families I speak to, and I know it first-hand, that there is a tremendous need for quality child care, not just for a place to take our children but for high-quality early learning opportunities, because it's those early years that are so crucial to setting people off on the life they're going to be living and the learning they're going to be doing the rest of their life. We've heard there are some expansion plans underway, and I'd like to know if you could give us the details of that today, please.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I want to thank the member for Stoney Creek for being a very warm, welcoming and gracious host. I have to tell you, it's very clear that her constituents love her. They spoke very highly of the work she does for the people of Stoney Creek.

I was there this morning to give an update on where we stand on the expansion of early learning and child care spaces under our Best Start plan. It was just this summer that we announced the targets for the first three years of this program, on which we are working in partnership with the federal government and municipalities. We announced in the summer that we would have 25,000 new child care spaces by April 2008, and this morning we announced that, due to the hard work, the diligent commitment of municipalities, we will be more than halfway there by April 2006.

Ms. Mossop: The other thing we were hearing this morning from the people there was how much this program is appreciated. I think it was absolutely evident in the fact that the people on the ground in Stoney Creek were able to respond and put together programs and those spaces so quickly after the announcement first came.

I think what came out of today's meetings is that it takes a village to raise a child, but sometimes it takes a province and an entire Legislature full of committed people to raise a child, to support the families and to support their mothers who need to be supported. That is who raises children in this province—a village and a province—and that's what we're doing. I want to know more about the details of the program in my demonstration site, because Hamilton is going to be a demonstration site. We're going to get the full 10-year program in three years.

Hon. Mrs. Chambers: Of the expansion, Hamilton will actually have 2,390 new spaces. In addition, Hamilton is one of the three demonstration communities, so in fact Hamilton East will have a wide range of interconnected services, services that range from screening through to assessment services, preschool testing, training for parents, school readiness programs, and linkages to a wide variety of community partners who are serving the interests of kids. Many of them were there this morning.

I want to take this opportunity to also thank Mayor Di Ianni for being there and being so supportive, and all the other municipalities. The two other demonstration sites

are in Timiskaming and in the Lambton–Chatham–Kent area. They're all working hard on behalf of all communities, including —

The Speaker (Hon. Michael A. Brown): Thank you.

CANCER TREATMENT

Mr. Cameron Jackson (Burlington): My question is for the Minister of Health. Joining us in the west gallery today, for her fourth time in this Legislature, is a colorectal cancer patient from St. Catharines, Suzanne Aucoin. She has been travelling to Queen's Park to try to get her message across to you about what a precarious position you and your government have put her in, in her struggle with colorectal cancer.

Minister, we established on November 14 that you are paying for colorectal treatments in the United States at around US\$24,000 per Ontario resident. It took you 48 hours to reject this woman's application. My question to you is, why are you paying US\$24,000 for treatment in the United States when Erbitux treatments can be provided here in the province of Ontario by our cancer clinics at a cost of \$3,500?

1520

Hon. George Smitherman (Minister of Health and Long-Term Care): I think the honourable member knows that the process we're following in the province of Ontario relates to the necessity of the manufacturer of Erbitux filing with the DQTC the desire to have the product listed as one of those on our benefits. There are 22,000 products in Canada that have received a notice of compliance, and about 4,000 of those are on our current list for the provision of service. Accordingly, we await the company's decision to bring that forward so that appropriate scientific analysis can be made to determine the effectiveness of this drug, keeping in mind that of course there are a variety of therapies available for the treatment of a variety of different cancers. That is something that we await from the company.

Mr. Jackson: Minister, I have a copy of a memo from Health Canada and its special access program for cancer drugs. This memo confirms that not only are Canadians, and in particular Ontarians, eligible to make application; it confirms that Bristol-Myers Squibb, the manufacturer of Erbitux, is prepared to provide it to institutions directly as a hospital product. I have the price listing here.

My question again to you is this: You persistently throw process delay in front of this important issue to cancer patients in our province. We have a situation where the company has agreed to provide it to our hospitals. The federal government is processing these applications and they feel that it is appropriate to administer. Why are you spending US\$24,000 to pay for this treatment in the United States when it can be administered now in Ontario for \$3,500?

Hon. Mr. Smitherman: The challenge with the way the honourable member presents all of these questions—and it stands in sharp contrast to exactly the way that he played a role in a previous government—is that the

honourable member has determined that there should be no clinical analysis associated with any product. As was requested by the honourable member on one of the previous instances when this question was raised, I have asked the ministry to go back and review on clinical grounds the appropriateness of offering products to a variety of individuals. That's what we will continue to do.

Mr. Peter Kormos (Niagara Centre): Health Canada has approved it.

Hon. Mr. Smitherman: To these who wish to heckle about Health Canada, the government that cut drug funding in this province, the notice of compliance that relates to this Health Canada approval reflects 22,000 products in Canada. The government of Ontario has approximately 4,000 products that are—

The Speaker (Hon. Michael A. Brown): Thank you.

PUBLIC APPOINTMENTS

Mr. Rosario Marchese (Trinity–Spadina): Several federal Liberal members, including the chair of the interim committee on national security, Derek Lee, confirm that outgoing Etobicoke–Lakeshore MP Jean Augustine will be offered a job by the McGuinty Liberals. Acting Premier, will you confirm or deny this is the case?

Hon. George Smitherman (Minister of Health and Long-Term Care): I'm neither in a position to confirm nor reject the issue that—

Interjections.

Hon. Mr. Smitherman: Well, I'm not in a position to do so, but as an Etobian—

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): An Etobian?

Hon. Mr. Smitherman: That's what we call it: Etobian. It means, "where the alders grow." It's a First Nations word.

I have no knowledge that we've made any offer. But I can tell the honourable member that I know this person well—Jean Augustine—and when I think about the 2,700 public appointments that my ministry has some responsibility for, were she to make herself known, she'd be the kind of candidate that I would be very, very willing to advance. She's an accomplished person, an accomplished public servant, a strong voice for her local community and has a strenuous background in education. For all these reasons, I believe that if she's willing to continue to serve the public in some fashion, we should look at it.

Mr. Marchese: I know Jean too—so do many of the members here—and think she's a very able person. We thought, as a person of colour—one of the few—she should have stayed—and wanted to stay, as far as we know.

The deal was apparently sealed by Karl Littler, the national Liberal campaign director, and Laura Miller, who works in the Ontario Premier's appointments office. As well, Liberal MPs told the media that your government guaranteed Madame Augustine a job. Now she has

vacated her seat to make room for controversial parachute candidate Michael Ignatieff.

My question is very simple: (1) Who from the government has been involved in this arrangement, and (2) what did your government agree to do in an effort to smooth the waters in Etobicoke–Lakeshore?

Hon. Mr. Smitherman: Firstly, to stand behind the empty seat of the member who has parachuted herself into the next riding is a very interesting use of the word “parachute.”

Interjections.

Mr. Peter Kormos (Niagara Centre): She walked.

Hon. Mr. Smitherman: Even if there was water, probably.

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Acting Premier.

Hon. Mr. Smitherman: Secondly, I know Laura Miller well, and I know that she does not work in public appointments in our government. Thirdly, I said in my earlier answer that there’s been no arrangement—the honourable member used the word “arrangement” in his question. I believe the Premier said yesterday that there is no arrangement; there’s been no offer. But, like I said before, this is a fine public servant. We’re always looking for good people to serve, and we obviously appoint people from a wide variety of perspectives to do that.

DRIVE CLEAN

Mr. Dave Levac (Brant): My question is for the Minister of the Environment. Recently, you announced changes to the Drive Clean program. Through the progressive and hard work of our car manufacturers for years, many of us believed that the newer cars, with on-board technologies and creative design, were not part of the cause of major pollution. The ministry’s review of Drive Clean proved this assumption to be true. Minister, for the benefit of all the car owners in Ontario, and related stakeholders, would you do us a favour and outline exactly which vehicles will now fall under the Drive Clean program and the other changes that have been made to Drive Clean since the review was done?

Hon. Laurel C. Broten (Minister of the Environment): I want to thank the member from Brant for his question. If the community of Brant doesn’t already know, they certainly have a great advocate here in the Legislature on behalf of their community.

The member raises an important question. Especially as the world comes to Canada’s door and we go to the Kyoto Protocol discussions, it’s important to remember that one half of greenhouse gases in Ontario comes from vehicles. So the Drive Clean program is an important component of our battle against greenhouse gases.

However, when the ministry took a look at our Drive Clean program recently—under the previous minister, we accelerated that review—we determined that 99% of vehicles less than five years old passed the emissions test. It doesn’t make sense to ask Ontarians to bring their

vehicles in. It’s a waste of time and money when vehicles pass that test 99% of the time. What we wanted to do was refocus the program for vehicles most likely to pollute, and starting January 1, 2006, vehicles will only be tested when they are five years and older, and every two years thereafter.

1530

Mr. Levac: Thank you, Minister. I appreciate that.

You mentioned the age of vehicles tested. I have received several serious and some heated inquiries from my constituents about this very factor: basing the tests on the age of the vehicle. I have a number of constituents who own classic cars, antique cars and historic cars. These are vehicles well past the age set out and fall into the mandatory testing category that’s newly set, yet these vehicles are not used on a daily basis. My constituents take their cars to antique and classic car shows and they take great pride in the upkeep of their restored vehicles. I’m sure we have all seen the parades of classic and antique cars going down the highways in a bright, sunny summer, and even in a Santa Claus parade. This is a very serious hobby, the restoration of old cars.

With the Drive Clean announcement, my constituents have expressed great concern that you have categorized their hobby as a threat to the environment. Minister, would you please clarify for us the intent in respect of classic, historic and antique cars that are maintained as a hobby and what you classify as an historic vehicle, for the sake of my constituents? We’d appreciate a clarification.

Hon. Ms. Broten: I’m really pleased to have an opportunity to speak to Ontarians about the issue related to historic vehicles. I can absolutely understand the passion they have for those old vehicles. With this renewed and revitalized Drive Clean program, we are ending the exemption for vehicles 20 years and older, starting with vehicles manufactured after 1988. So those vehicles that are after 1988 and have always been in our Drive Clean program will not be excluded when they reach 20 years of age. However, the Highway Traffic Act defines vehicles of at least 30 years as historic. Those vehicles will continue to be excluded from the program.

We understand the passion that Ontarians have for those vehicles and we appreciate the fact that they’re not out on the roads each and every day. What we want to do is focus our resources and attention on those vehicles that pollute the most. As a result, we’re reforming the program to focus on those vehicles that make sense from a perspective of keeping the air clean and keeping Ontarians strong.

NATIVE ECONOMIC DEVELOPMENT

Mr. Norm Miller (Parry Sound–Muskoka): I have a question for the Minister of Natural Resources. Chief Bill Restoule of Dokis First Nation has been asking for a chance to meet with you. In fact, the chief twice offered to give you a tour; he wrote to you once in March and

once in June. I have a copy of his invitation. It includes a fish fry, so I'd suggest you take him up on that offer.

I understand that you agreed to meet with him but haven't followed through. He has a number of issues, many of which are provincial. My question is simple. Will you meet with Chief Restoule and the council of Dokis First Nation?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): Over a year ago, I did meet with representatives from the First Nation and they did present many of the issues that they wanted to address. We're addressing some of those issues that involve a provincial park in that area and trying to make some adjustments to the reserve area in regard to that provincial park in order to get better access for the reserve. We are working with the First Nation on that.

I am planning to make that second visit, to make a visit to the the reserve early in the new year, and I look forward to that.

Mr. Miller: I'm pleased to hear you're planning on visiting, because the chief is frustrated. I spoke with him yesterday. I received the same invitation you did. In fact, I visited the reserve in March, and after my tour I wrote to the province regarding the Dokis's desire to develop hydro generation. I also wrote requesting consideration for bridge repairs. Bridges are vital links to move fibre through and off the reserve. Chief Restoule and the Dokis band council are working very hard to stimulate economic development, and forestry is very important to them. They are still trying to get cellular service and high-speed Internet access. At every turn, they are being blocked by one level of government or another.

I'm glad to hear you are planning on going, but I'd love you to make a firm commitment to visit either before the year is out or in early January, because, as I say, the chief is very frustrated with government inaction and he's caught between the various levels of government.

Hon. Mr. Ramsay: I do give the member a firm commitment that early in the new year I will visit. I would hope the member would also be there at that time. I think it's very important that we do that. What I've been doing in the last few months is working with the aboriginal leadership in this province on trying to get a dialogue opened up on economic development.

Working with the Minister of Health, we are working on a consultation with regard to how to most appropriately utilize the health money that the federal government is transferring to the province. The Minister of Health is very interested in making sure we do that in a way that is consistent with the values of aboriginal people in this province, and we're doing that. So I want to use my time, when I'm not in the Legislature, to make those visits, to make sure that we can do that, and I hope you will do that with me.

SCHOOL SAFETY

Mr. Rosario Marchese (Trinity-Spadina): I have a question to the Acting Premier.

Earlier this week, at a public meeting, hundreds of concerned parents and school officials tried to send you a message about the Safe Schools Act. Parents were told to confine their remarks to two questions about (1) what, if anything, is being done to make schools safer and (2) how current safety measures are affecting students. Owen Leach of the Organization of Parents of Black Children said the following: "The questions they pose presuppose the framework of the Safe Schools Act is OK, which I disagree with." Minister, the Safe Schools Act throws at-risk students out of the school. When are you going to start providing the supports they need to stay in school?

Hon. George Smitherman (Minister of Health and Long-Term Care): Obviously I'm tremendously proud to be part of a government in which two years of life has meant that we've brought tremendous new life to our education system in Ontario—\$1.9 billion in additional investments. On the issue of the Safe Schools Act more particularly, I know you've had a chance to ask that of my colleague the Minister of Education. He has indicated to you that a significant consultation is ongoing as we seek out community input and advice. Accordingly, I think it's appropriate for that consultation to be given an opportunity to make its way forward.

What we underscore as essential in this province is that our future economic prospects are based very much on our capacity to keep more of our young people in school and to give them enhanced opportunity in a post-secondary context. I think, as a government, our priorities of this have been made clear. There are more initiatives forthcoming, and I know the honourable member will look forward to those.

PETITIONS

DIABETES TREATMENT

Ms. Laurie Scott (Haliburton-Victoria-Brock): "To the Legislative Assembly of Ontario:

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

"We are suggesting that all diabetic supplies as prescribed by an endocrinologist or medical doctor be covered under the Ontario health insurance plan.

"Diabetes costs Canadian taxpayers \$13 billion a year and increasing! It is the leading cause of death and hospitalization in Canada. Many people with diabetes cannot afford the ongoing expense of managing the disease. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These cost-saving measures often have tumultuous and disastrous health consequences.

"Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes. We think it is in all Ontario's and the government's best interest to support diabetics with the supplies

that each individual needs to obtain optimum glucose control. Good blood glucose control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations. Just think of how many dollars can be saved by the Ministry of Health if diabetics had a chance to gain optimum glucose control.”

Signed by thousands of people and presented on behalf of the member from Simcoe North.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

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

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I sign this petition enthusiastically.

1540

CANCER TREATMENT

Mr. David Zimmer (Willowdale): This is a petition on behalf of cancer patients:

“Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

“Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

“Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

“Whereas cancer patients have the right to the most effective care recommended by their doctors” and oncologists;

“We, the undersigned, petition the Parliament of Ontario to provide immediate access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy

for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients.”

I present this on behalf of several pages of petitioners.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I want to thank Sue Parsons from my riding for bringing this petition to my attention:

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

“Whereas Ontario could use the professional staff and facilities of the Rideau 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;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a ‘centre of excellence’ to provide specialized services and support to Ontarians with developmental needs, no matter where they live.”

I support this petition, and I affix my name to it.

EDUCATION FUNDING

Mr. Rosario Marchese (Trinity–Spadina): “Whereas during the 2003 election campaign Dalton McGuinty promised to establish a standing committee on education to ensure transparency in education funding; and

“Whereas such a committee has not been established; and

“Whereas Ontario’s education system is not properly funded and there is no transparency in funding;

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

“To immediately establish a standing committee on education to hold public hearings every year on the effectiveness of education funding.”

I support this petition strongly, and I will sign it.

RECREATION IN CORRECTIONAL FACILITIES

Mr. Dave Levac (Brant): I have a petition written to the Ontario Legislature:

“We, the undersigned correctional employees, ask that you restore recreation in Ontario’s detention centres to the levels that existed before 2000. Inmates are detained for years in some cases. These inmates are frustrated and require diversion in the form of recreational activities. Recreation provides an outlet for inmate hostilities and aggressions that otherwise could end up having significant human cost.

“The opportunity is there to put the correction back in corrections and allow our recreation staff to help re-socialize our inmates through productive interactions in a recreational environment, thus making our detention centre safer for all parties concerned. This government needs to realize the past mistakes of previous governments by following a safe path toward rehabilitation, while moving away from programs of warehousing that exist today.”

It’s signed by all of the members from various sectors of this particular ministry. I sign my name to this, and pass it over to Cara.

HEALTH CARE FUNDING

Mr. John O’Toole (Durham): I’ve been waiting for some time to present a petition on behalf of my constituents in the riding of Durham, but the time arrives for all things that wait.

“Whereas the federal Income Tax Act at present has a minimum amount of medical expenses for which a taxpayer is entitled to claim a non-refundable income tax credit;

“Whereas the health and medical expenses of every citizen in the province of Ontario, great or small, affect their overall net income;

“Whereas the Ontario Liberal government moved in their 2004 budget, May 18 ... to delist publicly funded medical services such as chiropractic, optometry examinations and physiotherapy services;

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

“That the Income Tax Act remove the present minimum amount of medical expense for which a taxpayer is entitled to claim a non-refundable income tax credit.”

This makes eminently good sense. I’ll be signing it on behalf of many of my constituents in the riding of Durham and presenting it to Jessica, one of the ever-present pages here.

AGGREGATE EXTRACTION

Mr. Kevin Daniel Flynn (Oakville): I’ve got a “Petition to Rescind Joint Board Decision (June 8, 2005) Approving the Applications of Dufferin Aggregates to

Expand Its Mining Licence in the Niagara Escarpment World Biosphere Reserve.

“To the Legislature of Ontario:

“There are numerous reasons for rescinding the joint board decision, including the following:

“Whereas the decision contravenes the purpose of the Niagara Escarpment Planning and Development Act;

“Whereas the decision sets a precedent for quarry expansion licences on the Niagara Escarpment;

“Whereas this decision could lead to habitat destruction for species of concern;

“Whereas escarpment rural lands are equivalent to buffer designation under the United Nations’ framework for a biosphere reserve (buffer designation is expected to protect the sensitive nature of the core protected areas);

“Whereas, to attempt to maintain the significant wetlands and the streams course, water will have to be pumped in perpetuity;

“Whereas this decision allows for pumping 50 feet ... below the water table;

“Whereas the 50-foot dams to be constructed have a potential for failure;

“Whereas aggregate can be readily accessed close to market off the Niagara Escarpment in land that is not protected or at risk;

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

“We call on the government of Ontario to:

“Issue an order by the Lieutenant Governor in Council ... rescinding the decision made by the joint board dated June 8, 2005, approving the applications of Dufferin Aggregates in regards to this matter;”

Further, “Issue an order by the cabinet substituting for the decision of the board on this matter, a decision rejecting the applications of Dufferin.”

FREDERICK BANTING HOMESTEAD

Mr. Jim Wilson (Simcoe–Grey): “To the Legislative Assembly of Ontario:

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

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

“Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come.”

I’ve signed that petition.

PROSTATE CANCER

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition that has been prepared by a community activist in my riding named Sonny Sansone. He keeps giving me copies of this petition, and he's very passionate about it. The petition is addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas Bill Mauro, MPP for Thunder Bay–Atikokan, introduced a private member's bill, Bill 4, that amends the Health Insurance Act and seeks to make the prostate specific antigen (PSA) test an insured service under OHIP; and

"Whereas a PSA test is one of the means used to screen for possible prostate cancer, the most commonly diagnosed cancer in Canadian men; and

"Whereas the PSA test is used as an indicator of the likelihood that a man has prostate cancer and can be very helpful in guiding men in deciding whether to continue with further testing; and

"Whereas PSA testing in Ontario is only covered if recommended by a doctor and done in a hospital setting, otherwise costing Ontario men approximately \$25, a fee which could be a deterrent to the underprivileged;

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

"To support Bill Mauro's private member's bill, Bill 4, which makes PSA testing an insured service under the Ontario health insurance plan."

I agree with this petition, and I sign it and forward it to page Andrew here.

SERVICES FOR THE
DEVELOPMENTALLY DISABLED

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I affix my signature in full support.

1550

MANDATORY RETIREMENT

Mr. Tony Ruprecht (Davenport): I have a very timely petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas existing legislation enforcing mandatory retirement is discriminatory; and

"Whereas it is the basic human right of Ontario citizens over the age of 65 to earn a living and contribute to society; and

"Whereas the provinces of Alberta, Manitoba, Prince Edward Island, Quebec, Yukon and the Northwest Territories have also abolished mandatory retirement in various forms; and

"Whereas ending mandatory retirement is a viable means of boosting the Ontario labour force and accommodating the growing need for skilled workers;

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

"The Ontario government should act by abolishing mandatory retirement in the province of Ontario. This is best achieved by passing Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement."

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

PROPOSED OXFORD HOSPITAL

Mr. Ernie Hardeman (Oxford): I have a petition signed by hundreds of people in my riding of Oxford and Woodstock.

"To the Legislative Assembly of Ontario:

"We, the undersigned, would like to impress upon the government the need for a new hospital being built in Woodstock, Ontario. This project has had tremendous support from the local community and is seen as being vital to the enhancement of local medical services and as an attraction for new doctors and new specialists."

Following are signatures of Ontario residents endorsing this petition, and I affix mine to it too.

CRIME PREVENTION

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition that's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas gun violence has been on the rise in the province of Ontario over the past year;

"Whereas such violence has had a devastating effect on communities across this province;

"Whereas this propensity toward gun violence is born largely out of neglect and abandonment on the part of previous governments toward youth and the issues and concerns they face;

"Whereas programs supporting youth such as employment and recreation are essential in diverting youth from pursuing and embracing a culture of crime;

“Whereas we applaud Premier Dalton McGuinty for his quick response to this issue by immediately meeting with members of affected community groups and committing the government of Ontario to action;

“We, the undersigned, petition the Legislative Assembly of Ontario to request that the government of Ontario, as part of its strategy to deal with gun violence, restore and fund more programs that fund initiatives that empower youth like employment and recreation.”

I agree with the petition. I affix my signature to it and give it to page Adam here today.

BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Before we get to orders of the day, I want to rise, pursuant to standing order 55, and give the Legislature the business of the House for next week.

On Monday, December 5, in the afternoon, we'll have second reading of Bill 36, the Local Health Systems Integration Act; in the evening, second reading of Bill 37, the Respect for Municipalities Act.

On Tuesday, December 6, in the afternoon, we'll have second reading of Bill 37, the Respect for Municipalities Act; in the evening, second reading of Bill 36, the Local Health Systems Integration Act.

On Wednesday, December 7, in the afternoon, third reading of Bill 211, mandatory retirement; the evening is to be confirmed.

On Thursday, December 8, in the afternoon, we will have an Opposition Day; the evening is to be confirmed.

ORDERS OF THE DAY

RESPECT FOR MUNICIPALITIES ACT, 2005

LOI DE 2005 SUR LE RESPECT DES MUNICIPALITÉS

Mr. Gerretsen moved second reading of the following bill:

Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities / Projet de loi 37, Loi modifiant la Loi de 1999 sur la protection des contribuables en ce qui concerne les municipalités.

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes Mr. Gerretsen when he's ready.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I'm very pleased to start off the debate today on this very important piece of legislation that will have, I'm sure, the support of every member in this House. It is a bill that will truly start to empower our municipalities to lead the way in the 21st century.

I'll be sharing my time with my parliamentary assistant, the member for Scarborough Centre.

Our government came to office determined to work in a different way. We aim to treat municipalities with the respect that they deserve. I know some members are laughing about that on the other side of the House, but municipalities are an extremely important form of government in this province. They are the closest to the people. The people we elect to that level are in day-to-day contact with their constituents and they deal with very serious issues. We aim to treat municipalities with the respect they deserve. We are working hard to foster local governments that are responsive, responsible, self-reliant and accountable. We want to accomplish this by giving local governments the tools and the flexibilities they need to more effectively serve their communities.

Our government is working to build an Ontario that offers the highest quality of life to our communities and to our citizens. We recognize that municipal governments today face many challenges. Our government understands that municipal leaders are in the best position to know what the local communities need to prosper and thrive.

That's why our government recognized early on that the memorandum of understanding with AMO is of such importance that it needed to be put into legislation. We have been consulting with AMO at monthly meetings, and I'm happy to report that the process is working well. We understand that if our decisions will affect municipalities' bottom line or their ability to get the job done, they deserve a say. We've gone even further by adding to that memorandum of understanding a protocol that gives AMO a say in federal-provincial negotiations that directly affect municipalities.

Ontario is the first province in Canada to have signed such an agreement. This past year, it has been satisfactorily put to the test on a number of occasions. AMO, the Association of Municipalities of Ontario, has been involved in federal-provincial discussions on such issues as immigration, affordable housing and the transfer of the federal gas tax funds, all three matters that led to successful agreements between the Ontario government, the federal government, and the municipalities involved.

Another fine example of provincial-municipal cooperation is the joint review of the City of Toronto Act and the more than 350 other pieces of private legislation that apply to the city of Toronto. We are looking forward to giving Toronto the tools to determine and manage its own future and prosperity. The mayor of Toronto, Mayor Miller, has asked for new fiscal authority for his city. AMO has endorsed the idea of new fiscal tools for municipalities. The joint task force that was set up between our ministry and government and city hall here in Toronto has asked for these powers. Just last week, the Governing Toronto Advisory Panel that Mayor Miller set up to give him advice on the city of Toronto has asked for these powers.

We think it's the right thing to do. If the opposition members do not like it, then maybe they should say why they are against the city of Toronto having the types of powers it needs to function properly in the 21st century.

The same intention can be found in our collective efforts to reform the Municipal Act. This review has benefited from consultations with our municipal partners and stakeholders. We have had working groups with municipalities, with groups representing the municipal sector and with groups representing the business sector in our communities. We will be continuing to consult with municipalities on changes to the Municipal Act over the coming weeks and months. I'm confident that the end result of these reviews will be appropriate powers and suitable accountability for all of Ontario's municipalities.

1600

Our government's support for municipalities does not end at legislation. For almost a year now, municipalities with transit systems have been receiving a share of the provincial gas tax measures. That share is now 1.5 cents per litre and will increase to two cents per litre in October 2006.

A few months ago, our government, AMO and the city of Toronto signed agreements with the federal government for the transfer of the federal gas tax funds to municipalities and for additional transit funding. Those agreements will bring \$1.8 billion for municipal infrastructure over five years and, when finalized, another \$310 million for transit over the next two years.

Our government took an historic approach by stepping back and letting Toronto and AMO work directly with the federal government to decide the best way to share the federal gas tax revenues. A level of municipal involvement like that has never occurred before in Ontario or indeed in any other province in Canada.

In addition, gas tax funds are flowing from the federal government to local governments without any clawback whatsoever from the province of Ontario. As the Premier said in the House recently, our government is strongly in favour of doing everything we reasonably can to put the city of Toronto on a stronger footing. We on this side of the House understand that a strong Toronto makes for a strong Ontario and a strong Canada. The Leader of the Opposition may not be in favour of that, and he may choose to disregard that reality.

However, the Respect for Municipalities Act, 2005, if passed, would exempt bills that give municipalities new fiscal authority from the requirements to hold a referendum. The Ontario government is not contemplating introducing new taxes or increasing any existing taxes. The proposed act would pave the way for decisions about new tools within a community to be made by the leadership of that community through its council, through the actions of their locally elected representatives.

The Respect for Municipalities Act, 2005, if enacted, would allow introduction of a bill giving new fiscal authority to the city of Toronto and allow new fiscal tools to be part of the new City of Toronto Act. Similar fiscal tools could be considered in the future for other municipalities through amendments to the Municipal Act, as I've previously stated.

Support for these new fiscal tools for municipalities like Toronto has come from many quarters. The Associ-

ation of Municipalities of Ontario has called on our government to grant municipalities access to new revenue tools to fund key services. The recent final report of the Joint Task Force to Review the City of Toronto Acts recommended that new fiscal tools be provided for the city. In its recent report, the Governing Toronto Advisory Panel speaks to the city of Toronto's need for new fiscal tools.

Some support for the city of Toronto seems to ebb and flow. It's hard to determine, for example, just exactly where Mr. John Tory stands, because he's not prepared to do what is absolutely essential to recognize Toronto's distinction as a mature, responsible government that our government is prepared to work with and put on a stronger footing. Mr. Tory is not prepared to recognize that, although on May 7, 2004, he is quoted in the Toronto Star as saying the following—the member for Oxford should listen to this—“We have to re-examine completely the relationship between the municipal and provincial government to give city governments more latitude to raise some of their own revenue if they choose to do so.”

We agree with the statement that Mr. Tory made then. Perhaps during this debate he will tell us why he has now decided that he's not prepared to support the city of Toronto in putting that city on a stronger footing for the benefit of all Ontarians.

Mayor David Miller understands. He wrote the Premier saying the following, and I quote directly from his letter: “Toronto's fiscal sustainability is, in part, related to the revenue tools at its disposal. It would be regrettable indeed if a bold, visionary initiative of your government is hamstrung by the ongoing impact of the actions of the previous government. I would like to encourage the provincial government to take action to eliminate the impediment to reform of Toronto's enabling legislation and future options for Toronto's overall fiscal framework.”

I say to the leader of the official opposition and to my critic, the member for Oxford, that you can't have it both ways. You either support the new City of Toronto Act with the new fiscal authority or you don't. The relevant question is whether or not the opposition members support the people of Toronto, as I stated earlier today during question period, and support the city in wanting a new City of Toronto Act. That's what it's all about in the long run.

The people of Toronto want to know where Mr. Tory stands, where the Toronto MPPs stand, in both the official opposition and the third party, and whether or not they believe that the city should have more powers, both fiscal and legislative, in order to restructure itself.

This proposed legislation, if passed, would treat Toronto and Ontario's municipalities with the respect they deserve. It is part of our ongoing effort to give municipal governments the tools and the flexibility they need to more effectively serve not only their communities but, even more important, the people who live in those communities.

Mr. Brad Duguid (Scarborough Centre): I'm delighted to join in this debate. It's a pretty simple bill, the respect for municipalities bill. It's only a one-pager and it simply says that we shouldn't have to, as a province, go to a province-wide referendum if we choose to give revenue-generating tools to our municipalities. I think it's fairly simple, I think it's pretty straightforward, and I find it hard to believe that anybody would be in opposition to that. It just makes sense to have the ability to give to our municipalities the tools that I think municipalities have shown through their maturity over the years that they deserve. I think most Ontarians would be surprised that we even have to debate this. They would be surprised we have to do this in the first place. But that's part of the legacy left behind by the former Tory government and it's something we have little choice but to do.

This bill is about respect. It's about respect for cities, towns and villages, it's about respect for the elected representatives who serve those cities, towns and villages and it's about respect for the people who elect those representatives.

I know how difficult it was under the previous government for municipalities to get respect when they came to Queen's Park. I know how difficult it was under the previous regime, which seemed to take pride in disrespecting municipalities through their actions. I must say, I'm very disappointed that thus far John Tory and his caucus appear determined to return this province to those dark days, appear determined to continue that legacy of disrespect that was begun under the previous government, the days of treating municipalities like they were outcasts, like they were a lesser form of government. Under the McGuinty government, those days are long gone. We now respect municipalities in this province and this act is a reflection of the respect that we have for them as mature levels of government.

1610

I think this legislation and Mr. Tory's response to this legislation will be a test for Mr. Tory to determine, does he believe in the things that he believed in when he ran for mayor of Toronto? I for one, as all of you know, supported him when he ran for mayor of Toronto. Does he believe in those things? Does he believe in a stronger Toronto, or does he not? Was that just something he said when he was running for mayor of Toronto that he no longer believes, or has he been co-opted by his caucus to believe something other than that? Whatever, I'm very disappointed that Mr. Tory has yet to come out and show the leadership that I think he owes this province in indicating that, in fact, he supports this approach, an approach for a stronger Toronto, an approach for respect for municipalities.

I have to quote Mr. Tory. When he was running for the Tory leadership, back on May 7, 2004, he said the following: "We have to re-examine completely the relationship between the municipal and provincial government to give city governments more latitude to raise some of their own revenue"—let me repeat that: "give

city governments more latitude to raise some of their own revenue"—"if they choose to do so. They will then be accountable for whatever they choose to do to fund some things that may be priorities for those cities. Right now they have to go and ask for permission to do everything. I don't think that's right." That's what Mr. Tory said then. What does he believe now?

Interjection.

Mr. Duguid: That's exactly it. A member on the other side is doing this. Who knows what he believes exactly now, but it certainly doesn't seem to be supporting this legislation. Judging by comments made by members of his caucus, they do not seem to be supporting this legislation to give respect to our municipalities, and to give us the ability as a government to do exactly what Mr. Tory suggested in May 2004 that we should be doing: giving municipalities—and particularly he was referring here to the city of Toronto—the ability to raise revenues, the ability to look to alternative sources of revenue. This is certainly a test to see whether Mr. Tory does believe in a strong Toronto or doesn't. I think Mr. Tory, judging by however he decides here—it will be a good indicator of whether he's willing to stand up for the city of Toronto or whether he's going to cater to political needs or the desires of his caucus members.

I look at what this government has done to show respect for municipalities and I compare that to the previous government. I look back at the previous government, how they downloaded on municipalities: hundreds of millions of dollars downloaded on municipalities. I think of the record of this government in our first 24 months in office: uploading public health; providing two cents of the gas tax to municipalities, which will soon be effective across this province; investing big dollars in capital for public transit. I look at the \$5.6-billion deficit left behind. You know, that's one thing that the previous government left behind. The other thing left behind was a very significant deficit in terms of infrastructure. I think of the \$30 billion our government is committing to invest in narrowing that infrastructure gap. I look at the \$900 million in COMRIF funding going forward for bridges and roads and water and waste water projects across this province.

Then I think of the fact that the previous government, for eight years, ignored demands from right across the province. All municipalities were calling for reforms to the Ontario Municipal Board. I'm proud that very soon the McGuinty government will be moving forward on very significant reforms to the Ontario Municipal Board. We're respecting what municipalities have said to us. We're respecting many of the things that they have asked for.

I recall, frankly, being a member of Toronto council and threats coming from the province that, "We're going to downsize your council if you say anything we don't agree with." That was over and over again.

Mr. Lorenzo Berardinetti (Scarborough Southwest): They did.

Mr. Duguid: They not only did it; they threatened over and over again to do that. We don't believe in that approach. We believe in working with municipalities. We believe that they should be determining the size of their councils, the boundaries of their councils, the names of their community councils or the council wards and boundaries. That's something that we can look forward to in the new City of Toronto Act, as that comes forward.

The previous government ran on a platform to disallow municipalities from raising taxes at all, without having to hold a referendum. Talk about disrespect. Talk about lack of confidence in those people who are duly elected by the people of the towns, villages and cities of our province.

This government's taking a different approach through this legislation. This government believes in our municipalities. We believe in our municipal leaders. We believe they're accountable to the people who elect them. We believe they're mature levels of government that will make the right decisions for their communities, that will make the decisions that will ensure those communities are well served and can provide services for each and every one of their constituents.

I think my time is running out, Mr. Deputy Whip.

Interjection.

Mr. Duguid: I've got another minute or two? Seeing that, I want to tell you that our province believes in strong municipalities. That's why we'll soon be coming in with a City of Toronto Act. That's why we'll soon be coming in with a new Municipal Act that will respect the needs of municipalities and give them the powers they need to perform the duties they have to perform and to take on some of the serious challenges, and a new approach to the Ontario Municipal Board that will ensure that municipal decisions are much more respected than they were under the previous municipal government. I'm looking forward to these pieces of legislation moving forward. But in order to move forward with the City of Toronto Act, we need to move forward first with undoing some of the wrongs, some of the damage that the previous government did in restricting the province from having the ability to allow municipalities to consider, to look at, alternative sources of revenue. That's going to be important.

We'll be able to judge from the Conservative Party's response to this particular piece of legislation whether in fact they're moving away from the old ways of the Harris-Eves regime and into the new ways being put forward by the McGuinty government. I think this will be a really good test for their caucus. If they want to monkey around with this legislation, they can find lots of ways to say, "We don't support it because of this or because of that." The fact of the matter is, this is a simple piece of legislation. If they're for it, they respect municipalities. If they're against it, then they're obviously buying into the previous government's regime of showing disrespect and a lack of confidence in the municipalities and communities that elect our councils from one end of the province to the next.

I thank you, Mr. Speaker.

Mr. Rosario Marchese (Trinity-Spadina): Oh, don't stop.

Mr. Duguid: I don't want to stop, but I'm running out of time. I look forward to hearing the comments of others.

The Acting Speaker: It's time for questions and comments.

Mr. Ernie Hardeman (Oxford): I want to thank the minister for his rendition of things that have happened in the province in the last couple of years, and the parliamentary assistant for similar comments. I would just like to point out that very little of what was said had anything to do with the act that we're debating and the purpose of the act that we're talking about. So we look forward to being able to come up and explain what the act is supposed to do, as opposed to the message that the government decided they wanted to get out this afternoon in their presentation. After introducing the act and not giving any information as to what it was supposed to do and how it was going to impact our province, I was hoping we would get that today. Obviously, again, we didn't get it, but hopefully, as the debate carries on, more and more of it will come out.

Mr. Michael Prue (Beaches-East York): I listened to the two debaters here today. They talk about their bill and they talk about, "Which side are you on?" Well, I have to tell you, I am firmly on the side of the residents of the city of Toronto. I am firmly in—

Hon. Mr. Gerretsen: No, you're not.

Mr. Prue: Oh, yes, absolutely. All of the twisting of my words that you try so unsuccessfully to do every day is for naught, because the people of Toronto know exactly where I stand on this bill and they know where I stand in support of them. I am in support of them to build a better city, in fact, to take the city back.

The city of Toronto was once a great city, where people came from all over the world to study its governance, how it worked, how successful it was, and how it had sufficient funds and was able to operate. Those same people who used to travel everywhere to watch the council meetings at Metro Hall, at the city of Toronto, in the borough of East York and the other municipalities, don't come any more. They don't come to see the city that works; they come now to find out how it has failed, and it has failed in many places. It has failed because of the amalgamation. It has failed because of the down-loading. It has failed because of the inability of the tax protection act for them to have raised any funds. It has failed for a whole variety of reasons that need to be addressed.

What is before this bill? This bill is a very small component of what might work for the city of Toronto, and in fact it might work for some municipalities, but it comes with a very big price, and in my hour I'm going to talk about the very big price that is going to have to be paid by the council of the city of Toronto, and any council that chooses to raise taxes. There is a certain feeling of the taxpayer out there who doesn't understand

why the city doesn't have enough money from the property tax, the \$17 billion that is taken. What they will be surprised to know is that the province gets most of that money, and I'm going to be talking about that too, because that's the real honesty of what's going on around here.

1620

Mr. Mario Sergio (York West): I have to compliment the Minister of Municipal Affairs and the government for finally recognizing and taking action on something very important. It's something very simple that the city of Toronto and the municipalities have been asking for for a long time. It has come finally to this minister and this government to say, "Yes, it's about time we recognize some of the urgent necessities and recognize the power that the cities and municipalities have been asking for." Those things are so simple sometimes, and it takes so long to make and obtain changes, that it's only right the municipalities have the authority, the flexibility, the tools to conduct their daily business, so that they don't have to come to the province, to the provincial government, for the various changes that they require and want to make.

The bill allows the power to conduct their business on a regular basis, on a daily basis. How will they conduct their business? They will be judged by their own people in the various municipalities. In Toronto, for example, I remember that since 1978 we've been asking for some new powers and changes so that we don't have to run to the provincial government to change a stoplight, to change a stop sign, to introduce the simplest legislation.

This will help municipalities. It will give them the flexibility to conduct their business. I'm sure that they will do it, that they will conduct themselves in a very responsible way. If they don't, with all due respect to my colleagues on the other side, there is an election every three or four years and they will be responsible to the people.

At the same time, it has taken this government to take action and give the municipalities the power they require. I complement the Minister of Municipal Affairs and Housing and this government for acting today.

Mr. Marchese: I have to tell you, Minister, you don't have any cheerleaders here on this side. I know you have a whole lot of cheerleaders on this side and that side, but not many here. I'll tell you very clearly that this has nothing to do—don't give me that puzzled, quixotic look, Minister, because, you see, I've been in this place for 15 years and I know the game and that's what tires me out.

When you call it "respect for municipalities," it reminds me of the Tories who used to name their bills so very interestingly. You're copying them. You and I used to attack them when, for example, they introduced the Tenant Protection Act. Do you recall? New Democrats attacked it. David Caplan used to attack the Tories when they did that. I excoriated the Tories each and every time they introduced a bill that belied the title of the bill. So I say, be wary of the title of the bill. There is no respect for municipalities.

I'll tell you what this is about. The provincial government doesn't want to tax any more, because they already had to break a promise to be able to do that. They don't want to break the promise again. They have broken that promise once by introducing the health tax and they don't want to do it again. But they know the municipalities need the money, so they say, "Ah, we know how to help them. We're going to give them the power to be able to tax the citizens of Toronto, and we'll call that," like the member from York West said, "respect for the city of Toronto, their right to take on this responsibility, to be able to tax the citizens of Ontario in whatever way they want to be able to raise the money that the provincial government refuses to do on its own." That's what this bill is all about—not respect for the cities; I've got to tell you that. But we'll have plenty of time to be able to talk to that.

The Acting Speaker: It's time for a response.

Hon. Mr. Gerretsen: Let me just say at the outset how disappointed I am at the two municipal leaders who are my critics both in the Conservative Party and in the New Democratic Party—two members whom I have some admiration for, because I know they've been there at the municipal scene—for the attitude that they have taken. For the member for East York—

Mr. Marchese: Trinity–Spadina.

Hon. Mr. Gerretsen: No, no; East York—to say that the city of Toronto was once a great city, well, I say it is still a great city. For him to say, "It has failed because of the Taxpayer Protection Act"—that's exactly what we're trying to do. We're trying to get rid of the Taxpayer Protection Act so it doesn't stand in the way of the city of Toronto being a great city and being able to develop and determine the direction that it wants to take. Everybody is onside on that one—everybody, from the mayor's own committees to the joint task force, to the mayor himself, to AMO. They all feel that municipalities need greater abilities to basically run their own affairs, and that's exactly what we're doing with this bill.

Let me just address the issue for the member from Oxford. May I just remind him that it was his government that brought in the Taxpayer Protection Act. What did they do within a year of that? They violated that act by voting against it, and some of these members are still here. This is right from the record. Who voted against that at the time? Who voted against the Taxpayer Protection Act in 2002? Ted Arnott, John Baird, Toby Barrett, Ted Chudleigh, Garfield Dunlop, Ernie Hardeman, Tim Hudak, Cameron Jackson, Frank Klees, Julia Munro, Bill Murdoch, John O'Toole, Robert Runciman, Norman Sterling, Joe Tascona and Elizabeth Witmer.

This bill is good for municipalities.

The Acting Speaker: Further debate?

Mr. Hardeman: I'm happy to rise and speak to Bill 37, a bill entitled the total disrespect for taxpayers act, 2005. Isn't that what you called it? Oh, no; that was my interpretation of what the bill is, rather than the nice name that was given to it.

I mentioned it a couple of moments ago, and I think it's so important: All the discussion so far seems to be centring around a City of Toronto Act that is yet to be introduced. What we're asking to be debated today is an Act to amend the Taxpayer Protection Act, 1999, in relation to municipalities. I think it's important that we all understand that the Taxpayer Protection Act does not apply to municipalities anywhere in the act. The act applies only to the provincial government and its ability to raise taxes.

There is one section, and that's what the government is now trying to amend. I think that's really what bothers me. We call it Respect for Municipalities, and so we're somehow trying to tell the municipalities that if we introduce the City of Toronto Act, the municipalities would be responsible for holding a referendum. Nothing could be further from the truth. The referendum is something that the government must do, because whether they actually raise the taxes themselves or whether they allow municipalities to raise the taxes, it's the same tax increase.

It's also so important that we need to discuss it quickly: This isn't really about the City of Toronto Act; it's about respect, and about the respect, as a population, the people in my community can or should have for the Premier of the province. Obviously, this act shows that none of it, no respect, is warranted. I feel kind of bad about that because I think all people of Ontario should be able to respect their Premier. But I don't know how you can do that when, on September 11, 2003, prior to the election, the Premier signed a pledge with the federation of taxpayers. He had said he was not going to lower taxes, but he was also not going to raise taxes, and, "If you don't believe me, I'll sign a pledge."

1630

John Williamson, the federal director of the Canadian Taxpayers Federation in Ottawa, was very positive about that. You will notice that the federation is very positive about the government's commitment to the taxpayers of Ontario, and I quote: "This is a bold new era in Ontario politics where political parties are bound by law to make voters aware of the total cost and relevant tax rate changes underlying their tax proposals in their respective political platforms."

Of course, the law was that if he was going to increase taxes after the election, he would have to put forward what he was going to do. So he said, "No, no, we will not be doing that. I am willing to sign the pledge to say that I will not increase taxes."

The CTF federal director, Walter Robinson: "With voter awareness of the tax implications in both major party platforms, an informed ballot can now be truly cast on October 2."

From that, I'm to assume that the people of Ontario now have the ability to choose between the parties who are running for office, with being able to go to bed and sleep soundly, that neither one of them will raise taxes—both of the two parties signed, and the third party didn't sign. Obviously people could make the choice that they

don't want to vote for the third party because it might raise taxes, but they can be assured that, regardless of whether it's the present government or the opposition, taxes will not go up, because they pledged that.

"Our pledge is very simple. It is a clear statement that does not give lawmakers any wiggle-room," noted Williamson. "By signing our pledge, the candidates are looking into the whites of our eyes and telling us that we can trust their tax and spending promises."

Well, I guess it didn't work. I guess we can't believe the Premier when he signs the Taxpayer Protection Act. First of all, of course, immediately upon the first budget, when we received the largest tax increase in Ontario history, they changed the act to accommodate that. Because of the circumstances they said they found, they changed the act to cover that off.

What really bothers me now is that the circumstances as they relate to the relationship between the province and the municipalities have not been explained: that it is now different than it was when the Premier signed the taxpayer pledge. If there was a need—and the minister and the parliamentary assistant both mentioned that the municipalities have been asking for this. I've been around for some time, and they were asking for it for a long time. They were asking for more taxing authority on the day before and the day after the Premier signed the pledge. So when the Premier signed the pledge, he knew this section was in the bill, and he said, "I will, if elected, adhere to it."

Then, lo and behold, that's not the case. We're not going to adhere to it. We introduce a bill that says, "I didn't like the way the polling numbers went when we did it the other way, where we just changed it so we could increase taxes. Why don't we see if we can download the taxation ability to municipalities," because that's what this bill gives the ability to do: They no longer have to hold a referendum to download the ability to raise taxes.

I don't believe that there's a municipal person in this province who really wants to have new taxes so they can charge their citizens more. I think they want to have the ability to provide adequate services in the areas that they are responsible for with the tax base and the tax levels that they presently have.

The minister mentioned some of the things that this government has done with municipalities. One was that they have transferred some of the gas tax to municipalities to help pay for public transit. This bill was not required to do that, because providing that they're just transferring the money that they already have in their tax base, they can transfer that to municipalities to use for the services that are required. This is just, in my opinion, a way in which they will not have to take responsibility for the taxation, and they will also be able to say, "Well, municipalities, look what we've done for you." If this was an issue between the provincial and federal government, we'd call it transferring tax points: We lower our taxes a little bit because we have an election coming, and then you can raise up the same. The people won't notice that the taxes have gone up or down, and the people will

be happy, because we wouldn't want the taxation to go up.

But what's really important here is not whether the issue of transferring the power to municipalities is right or wrong, or whether it should be provincial money or municipal money. What is really important here is that it requires the consent of the people. That's what this bill is all about. It isn't about whether the transfer should or shouldn't be done; it's about whether the people should have a say on that issue. That's what the whole Taxpayer Protection Act is about, that if you want to increase taxes, you must ask the people whether they believe you should increase taxes or whether you are asked to deliver the service in a different way. Obviously, they don't want to do that. They want to pass a bill so we don't have to ask the people.

But what's worse is the way it is being done and the way it's being explained. I'm having a little trouble. We've heard a lot about how they're going to introduce a new City of Toronto Act. The City of Toronto Act, of course, is looking to give more powers to the city. The province had this vision that they would like the city to be governed differently. But what's really important is that the city says that we have too many services and too many costs that don't relate to property taxes. When times are good—let's go the other way. When times are bad, that's not the time to raise property taxes, but that is the time when social services costs go up the most. So the city says, "We can't deal with that with the present tax structure." But the province has other alternatives to solve that problem about municipalities, to have a look and to redo, if I might say it, the Who Does What process that was done a number of years ago as to which level of government should provide which service and how the relationship—

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): They didn't take their advice.

Mr. Hardeman: No, exactly. But if—

Interjection.

Mr. Hardeman: If the province and the city have a problem with that arrangement, that's what we should look at, and not just all of a sudden tell the people of Ontario, "We're going to increase your taxes. Well, we're not going to, because we said we wouldn't, but we're going to tell municipalities to increase the taxes so they can pay for those services." I don't believe that's the appropriate way to deal with it.

It's cloaked in even more mystery. Yesterday, I asked the Premier a simple question, but, as is normal in this place, it wasn't a very simple answer. The answer was nowhere. It really wasn't based on the question; it didn't answer the question. The question was, "Can you tell the taxpayers of this province what types of new taxes you are going to allow" municipalities to subject their constituents to? "For example, are taxpayers going to be subjected to a new sales tax, poll tax or income tax? Premier, is this new increase in taxes that municipalities can collect for the province going to include all municipi-

palities" at the same time, or are you going to do it just with the City of Toronto Act?

1640

I understand that the government tries hard not to answer a simple question, but the Premier certainly did a job on this one. I'll quote his answer, and when I'm finished it will clearly show that the simple question of what the taxpayers are going to be hit with in the way of new taxes wasn't answered. The other part of his comment, that what they intend to do is respect municipalities, will be dealt with shortly. Well, I thought this act was about respecting municipalities. We're not going to deal with it shortly.

This is Mr. McGuinty answering the question: "I'll tell you what inspires and motivates the line of questioning the party opposite is pursuing at this point in time. The long and the short of it is that they don't believe they can trust the people who live in Ontario municipalities and that they cannot trust their duly elected officials. What we intend to do on this side of the House is turn this around and respect Ontario municipalities and give them the credence they are due. They sow division; they sow discord." Then it goes on that they are going to sow respect with municipalities.

I don't see anywhere in there where there is respect for municipalities by telling them, "There is no more assistance coming from the province, and incidentally, if you think you can get away with it, you can tax your citizens more to help pay for the services we are downloading."

I think it's even more important—I wasn't going to do this—to get into the issue of whether it applies to the province, and since it's a local issue and we don't know the types of taxes, don't know what is going to be taxed, I find it very difficult to figure out how you are going to charge the tax in Toronto and not in Mississauga. If this authority that's going to come in the City of Toronto Act applies only to the city of Toronto, I think we're going to have a little difficulty. Some of us, mostly on the government side, are going to hear, I presume, from the mayor of Mississauga, who says that they too deserve some respect and that they too should have the right to do what Toronto can do.

The other thing is that the other day a staff report came out on the future of the city of Toronto. I think it's to kind of lay the groundwork for the bill that's coming on Toronto. It listed the potential taxes that might be available. But then, when they were going through, they were collectively saying, "This one won't work very well, and this one won't work very well, and this one—no, we can't all agree that that would be a good one." The ones that everybody at least seemed to be able to agree on were alcohol and cigarettes. Of course, it's not new to anyone in this place, and I don't expect it's new to anyone in Ontario, that when you are going to increase taxes, have new taxes, they're always the ones looked at first as to whether they can get enough money out of that to meet their needs.

If this is not a universal issue across Ontario and we put it back at the local level, I was wondering how it

would work when you go to an eating establishment, and they have decided to put a tax on the drink that you are going to have with dinner. How long would the little shop on the Toronto side of the border stay in business if they have to pay tax on the one side, but they don't have to pay tax on the other side, unless we're building walls to keep people in so they can't go and have dinner outside the riding?

Similarly with cigarettes, I know the government's policy is to have a smoke-free Ontario and not sell cigarettes any more, but in the time it takes to get to their stated goal, I expect the sales of higher taxed cigarettes in Toronto are going to go down in the same proportion as sales in the 905 area are going to go up, where the taxes on it are much lower. People will not frequent stores that are charging considerably more taxes. The reason I bring that up is that I think it's so important that these taxes that are presently at the provincial level—there's a reason for that, so they are universal across the province.

We've had in municipal affairs, and in the association between the provincial government and municipal government, this problem with economic development. I digress a little on this bill, but the issue of bonusing: Municipalities can do things, and in some areas of the country—not in Ontario, but in some areas of the country—they can pay people to come and build their development and their investment in their community. Of course, they then end up with a bidding war. At the end of the day, it benefits the individuals who are doing the investing, but it does not benefit the municipalities who are buying their investment to come here, as opposed to providing the types of services and needs to meet the investment there.

The reason it's not allowed under the Municipal Act is because the province has always concluded that they didn't want municipalities bidding against one another to get the industry. If you don't do that, and you bid based on the services in the community you have, then it will even out and everyone will get their fair share. In the end, all it does is that there is no great investment on anyone's part. The same investment still comes into our province. Providing that the provincial environment is conducive to new investment, then they will come to the province and will go to where it's best suited for them. So it was decided that we won't have that.

When you start having a regime where the present province-wide taxes are going to be levied at the local level, we have this problem with the borders. The chair of the TTC in Toronto—I just read it in the paper this morning as I was having breakfast—was suggesting that the first thing they wanted to look at, when they got this ready to go, was a \$5 premium on licence plates on cars. I expect we would then, fairly soon, if licence plates in Toronto are dearer than they are just on the other side, have a lot of borders at renewal time. We get the plates and we go to Toronto every day, but we don't live there. Of course, no one would come into the city to make purchases of things that are artificially higher in Toronto than they are in the rest of the province.

I think it's also important that in the paper that came with—the word will come to me.

Hon. Gerry Phillips (Minister of Government Services): Compendium.

Mr. Hardeman: Thank you, Mr. Phillips. It said that this bill gives the municipal government absolutely no new taxing powers; it only gives them more fiscal tools to deal with their present taxing structure. Remember, as I said when I started the presentation, there are no rules based on referendums for municipalities to raise their present taxes. The only restriction that exists on everything that municipalities presently have the authority to tax, their licence fees, is that the licensing regime must somewhat relate to the cost of administering that licensing regime, but the taxes are strictly their choice. What we're really talking about, again, are only the new powers they would get from the province so that they could charge what they presently can't charge. The province can't transfer those without asking whether the people want that transfer to take place. That's what I understand this bill is supposed to do.

What I think is most important, though, is not the issue of the bill, it's the issue of the commitment of the government, and the fact that if there's a law there and you decide you don't want to obey it, then you just change it. To me, if governments can do that, do we not give that right to the people too? If I just can't live within the law, why don't I get somebody to change the law so I can live within it? To me, whether you're a government or anyone else, it is wrong and that's why I can't support this bill. It really goes against the principle of governments living by the rules that they've made.

1650

Furthermore, I wouldn't use the word, but if this law is passed and the taxing authority is passed to municipalities based on the fact that the province does not have to hold a referendum, then I have to accept that the pictures in the magazine with the Premier on the cover signing the taxpayers federation pledge that were just shown by the member a few seats over—that's the one he has over there. That's not a prop; it's actually just a magazine that I'm sure the member from the New Democrats was reading with great interest. He's likely a regular subscriber to the magazine.

That picture, to me, tells the story. The Premier signed that pledge. The previous time, when they broke the Taxpayer Protection Act by changing it to meet their budgetary requirements within the province, I think someone could—not me—say that was understandable because we found something different than we thought existed at the time we signed the pledge. But there is nothing different in what they're proposing to do. The need to do that then, whether it was there or not, was exactly the same as the need to do it now. The Premier still saw fit to sign that pledge and say, "Believe me, I know what I'm doing. I will not raise your taxes without asking you first."

We can talk about referendums and the cost and so forth. Everyone agreed that those were the rules—he

signed it—that if this was going to happen, it would not happen in the province of Ontario. If there was a Liberal government, it would not happen unless the people were asked first. I don't know how you can just turn around and say, "Oh no, no, no," unless, of course, we don't want to do that. Then we'll have a bill called respect for taxpayers and we'll carry on and do it anyway, because now we're no longer breaking the law because the law has been changed." I just don't know how one can accept that.

The other thing I think is important is that this isn't the first time—and the minister spoke at length about all the reasons why this was a good title for the bill: respect for municipalities. But there are so many things they've done that show no respect at all. We can go on for some time about things like the greenbelt legislation. Much debate has taken place in this chamber about the greenbelt legislation, whether the lines were properly drawn. I've talked to some people in recent weeks who still have grave concerns about where the line was, where it is and how it got from one place to the other without any further study or any reason. Somebody had their farm chopped on one side or right down the middle, and when he said, "Our farm is the same all over. Why wouldn't the line leave our farm out?" they said, "You're right, the farm should be all in one place; we'll put it all in," and things like that.

The reason I bring up things like that has to do, again, with respect for municipalities, which the government is trying to portray here, and the fact that they give no consideration to what was already there, what people's plans were. The municipalities had the authority to administer the Planning Act, and all of a sudden, we have the province coming in and saying, "No. We have what we think is in the best interests of all the people of the province. This is what we're going to do." I don't know whether that's—well, I know that in my opinion it's wrong, but that's not my issue now. The issue was, we were talking about respect for municipalities. What kind of respect was it when they had that authority and they were administering it as they thought it should be, and without any questions, without any advance notice, they said, "No. This is where the line is going. This is what's going to happen in that area"?

As I come from the great riding of Oxford every day, I come upon a certain area, and I can't tell you exactly where it is, but there is this nice sign that says, "You are entering the greenbelt." It has a sticker with the province of Ontario emblem on it—I can't tell you what else is on it—and then I'm reminded of the ad I keep hearing on the radio that's also put on by the greenbelt. Incidentally, I've been travelling on that piece of road since 1995 almost on a daily basis, and except for the sign, I've seen no change. It's the same area. The same functions that were there before are still ongoing. Every farm is still farming, every factory is still building—everything is still exactly the same. Then I'm thinking of this ad; someone brought it up to me, so I listen very intently to it.

The ad starts off with, "Daddy, where does water come from?" "Well, it comes out of a tap." "Yes, but before it gets to the tap?" And Dad says, "I don't know." Then this background noise comes on—or the announcer comes on and announces that we have this greenbelt.

When the person was mentioning it, I said, "I don't know what it really does." What is it that the greenbelt is doing differently from 25 years ago that would prompt this ad? What is it that's available there now that wasn't there 25 years ago that would necessitate the need for me to know where it starts and where it finishes as I'm driving down the road? Of course, after it was all said and done, it turns out that the most important part of the ad was on the sign too, in the corner: "The province of Ontario: Look at the wonderful things we do for you." It's nice, but that's what the now-government side used to call government advertising. Of course, we all know that they funnelled the money through the Greenbelt Foundation in order to do this advertising.

The reason I bring all that up first of all is the disrespect for the taxpayers, but second is the fact that we're talking about funnelling money. In my way of thinking, what we're doing with this bill is we're funnelling tax increases. At the end of the day, the tax increases that will be incurred through municipalities will be used to fund the services that the province and the municipalities jointly sponsor, and they will be increasing the taxes in order to pay for them. They could have done it without this bill, the same way they did last time with the budget when they needed more money; they could have just increased the taxes, changed the Taxpayer Protection Act one more time—

Interjections.

Mr. Hardeman: Is this the Speaker's conversation or mine?

Interjections.

The Acting Speaker: Mr. Hardeman, you still have the floor.

Mr. Hardeman: Speaker, I say it with absolutely no disrespect. I thought maybe there was something I was doing wrong when you were checking with the other side. I meant no disrespect at all. I just noticed that there were two of us speaking at the same time.

The Acting Speaker: We're just straightening out the business of the day, so you can continue. You have the floor.

Mr. Hardeman: Thank you very much. I've lost my place, Mr. Speaker.

1700

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Start over.

Mr. Hardeman: I don't really want to start over, even though the government members would love that I did, because I think they too realize the problem with the impression that we cannot believe and trust our Premier. That is what has happened here; there is no doubt about it. His word is not his bond. In fact, his words are not his

principles. In fact, his word is nothing at all, because he promised not to do this.

Ms. Laurie Scott (Haliburton–Victoria–Brock): He keeps breaking his taxpayers' pledge. He said, "I will not raise your taxes."

Mr. Hardeman: Exactly. In fact, after we went through this the first time, where the government decided not to obey the law and changed the law, the taxpayers' federation said, "This is wrong. We're going to take them to court." They didn't win. The government said, "Oh, boy, isn't that wonderful? The taxpayers' federation took us to court, and we told them, 'You couldn't hold us to our word because we're government.'" The courts agreed. The courts didn't say that what the government had done was right; they just said they had the right to do it. I think that's what is so wrong with this. Yes, they can change the law and allow taxes to increase—but is that right? I don't think so.

I remember, shortly after I was elected in 1995—and I'd spent 14 years as a municipal politician first, but you didn't have this problem with partisanship in politics. Anyway, I had just been elected in 1995. I met this individual on the street, who, to be honest, shared some different views than I did. One would not have suspected that he might have voted for me; in fact, he proceeded to tell me that. He said, "Now that you're elected, even though we didn't vote for you, you do have to represent all the people." I said, "Well, sir, you are right, but remember, that means representing your interests but not necessarily implementing everything that you want." He said, "Why not?" I said, "I can't do more than what I promised to do. So if I promised one person during the election that this is what I stood for, this is what I'm going to do, then just because I'm now your representative too, and your view is totally opposite to that individual who did support me, I can't change what I said. I do what I said I was going to do, and I'm committed to that. So yes, you have to remember that I represent you all, but you also have to remember that the views of the other people won."

In this case, I think the Premier is saying, "We're going to tell them, 'This is what we'll do,'" and then when he was elected—I'm sure there were people, but I can't say how many, who voted for the Premier, who said, "I don't know exactly how I want to vote because I don't want tax increases, but I don't like Ernie Hardeman either." So they're kind of stuck. All of a sudden when the Premier says, "I'm going to sign the pledge that there'll be no tax increases," they may very well have decided that they'd go the other way, and said, "That was the only thing I was worried about. I wasn't sure I could believe him when he said, 'I will not raise your taxes,' but now he's signed the pledge. He's cured. No more tax-and-spend Liberal. He's not going to increase taxes." My gosh, he's had a relapse. He is going to tax and spend and tax and spend. When he hit the roadblock where it says, "There's a law that says I can't do it," then "I'll change the law so I can do it. Not only that, I won't take the penalty for it because I'm going to blame municipalities."

The other thing that is a question that I'd like answered by the government side is the issue of implementation of provincial taxes that municipalities are going to charge. There is some example of it with the gas tax, where they said, "We're going to give municipalities two cents"—I think it's at a cent and a half now and it's going up to two cents—"a percentage or a part of the gas tax." But in reality, they don't give municipalities part of the gas tax. What they do is they calculate how much gas tax they have and then they decide how much of it they're going to send to municipalities in grant form, in some form of formula. Generally, it's based on population. I think the first announcement was based on the transit needs in each municipality. But it had absolutely nothing to do with the gas that was pumped and the municipality in which it was pumped. So when I went to my gas station in Salford, the gas they were pumping—part of that could very well have been going to Toronto because there was no connection between the gas tax and the municipality the money was going to.

We haven't seen the City of Toronto Act, so I have no idea what it's going to say, but if that's the approach—that it's just a grant—then again, I see absolutely no purpose for this act or that part of the City of Toronto Act that would allow them to tax. Why would they not just send a letter in their memorandum of understanding with the municipality and put in there, "Once a year, you can call us and tell us what taxes you want and we will just levy them for you and send them to you"?

It's going to be a bit of a problem if you're trying to keep the taxes in one municipality and not the other. But if it's going to be the same across the province, once it was decided that they were going to have two cents of the gas tax going to municipalities, and it's going to them all, then it became a simple calculation. No new structure needs to be put in place. There's no argument about which municipality is which. That, to me, would make much more sense than trying to set up a new tax collection structure for any new taxes that are separate from the provincial tax structure and also confined to just one municipality. So if the city of Toronto, as the head of the TTC—

Mr. Berardinetti: Howard Moscoe.

Mr. Hardeman: My good friend Howard, yes. I didn't want to get too personal, but if he's right and he wants \$5 for every licence plate sold in Toronto, I want to know whether the city of Toronto is going to be expected to set up a licence office or a person in our licence office to collect the \$5, or whether the provincial government is just going to charge \$5 more for a plate in Toronto. If that's the case, again, the money goes to the provincial treasury and they're going to send it back to Toronto. It would make much more sense to have the province show a little respect for municipalities, sit down at the table with them and say, "One of the things you need is more revenue. Why don't we agree that we're going to put \$5 on licence plates to help municipalities to pay for roads? This is how much it would be, and here you go." If that was the case, the Premier again would

have to break the rule about increasing taxes. But I'm not even sure it would be covered in the act any more, because it would seem to me that normal inflation could justify going \$5 on the licence plate. But that's irrelevant. They could do that across the province. We would then have all municipalities looked after and not have this bill here before us, and not make the Premier untrustworthy. That's my biggest concern. His reputation is going downhill fast. I'm a member of this Legislature, so when I speak of the Premier, he's our Premier too. I think his reputation with these types of bills is going downhill fast, and I just don't think that's the right thing to do.

1710

I want to talk a little on respect for municipalities. I've had the opportunity in the last couple of weeks of sitting on the committee that's reviewing the OMERS pension bill. This may come much closer to being a municipal issue than the bill we're talking about here. The OMERS pension is the pension plan that all municipal employees are members of, so it covers all municipal pensions. Presently the OMERS pension is run by the province of Ontario. They have a board set up and the province appoints the members of the board and they run the pension.

There was some discussion about devolution of the pension plan to municipalities so that labour and management would together run their own pension plan. There would no longer be a third party running the plan. There had been that discussion for quite a while back and, all of a sudden, we have this bill come forward that has the devolution in it, and one is supposed to get into the debate about this bill, that because of the devolution of the pension plan, we have more local control and more respect for the people who are involved in the plan.

As we got to public hearings, we had presenters coming in, and the original presenters—now, to give credit where credit is due, the minister was very good in putting the bill out for public hearings after first reading. Having done the public presentations, we want to assure you that we will be asking the minister to also take it back out after second reading. The parliamentary assistant is just coming in. I'm just talking about the OMERS pension hearings. But the original presenters—

Interjection.

Mr. Hardeman: No. I tied it in, so it's OK.

What was interesting was that of the original presenters, there was no one—well, that might not be accurate, because I wasn't there all the time. There were very few people, if any, who came in and said, "We like the bill." There are some changes in the bill for some of the municipal workers that are liked by those municipal workers, and I'm not arguing, but what I really wanted to talk about was the respect for municipalities. There was no one, as individual municipalities or as AMO, the Association of Municipalities of Ontario, that came in and supported the bill. In fact, they came in with numbers that were just astonishing to me of how much that bill was going to cost them as municipalities.

When I start debating this bill, I say maybe this is part of the government's solution: "We'll just pass this bill,

we'll give them more taxing powers, and then they'll be happy because they can take the money from the people instead of from us." I don't know that, but I worry about that.

What I was trying to say is that there didn't seem to be any respect for municipalities in this whole process. We had four days of hearings, and I'm not exaggerating when I say that we didn't hear any more than 20% to 25% of those people who wanted to be heard, but that was all the days we had set up for hearings. We asked for more hearings, as the Conservative Party, but I'm not sure it would have made any difference because we were not getting positive comments anyway. I thought it was just a matter of cutting your losses and saying, "This bill just doesn't work. We've got to change it." Since then, we've started the clause-by-clause and addressed some of the issues. Mind you, it still has an awful long way to go before it gets to where it needs to be, and I'm sure we'll have further debate when it comes back to the House.

The reason I bring it up is that I just can't believe the minister would have the nerve—I think that's the right way to say it; I may be putting it a little too bluntly—to call what this bill is "respect for municipalities." First of all, it has nothing to do with municipalities at all. Mr. Speaker, I'm not asking you to rule on it, but I wonder why it's a municipal bill at all, because the only thing this bill does is change a clause in the Taxpayer Protection Act, which is under the purview of the Minister of Finance.

So here we have the Minister of Municipal Affairs changing a bill that is under the purview of the Minister of Finance, and so far—I almost got it yesterday when I asked the Premier—I don't even know whether the Minister of Finance supports this. Maybe we should have him come in and ask him, to see whether he actually does, because it's not really a municipal affairs bill. It deals with the part of the Taxpayer Protection Act that says that when the government decides to divulge some of its authority to someone else, it must hold a referendum first; that's what the Taxpayer Protection Act says.

Now, all of a sudden, we have a municipal thing—I presume it was an oversight that they put it on to the Minister of Municipal affairs. It was likely thought of a few hours before they started looking at introducing the City of Toronto Act, and they realized they couldn't introduce the City of Toronto Act until this act was before us, because that's the law. If it hasn't been changed, then obviously, you have to obey it. Well, that's not a given, either.

I think the whole thing comes down to this: I have absolutely no idea what the title of the bill has to do with the contents of the bill. Recognizing that there's supposed to be a connection between a title and the content, since the content doesn't deal with municipalities, it's an inappropriate title—but to me, it's even worse than that, it's a deceitful title.

Is it legal to say that, Mr. Speaker?

Mr. Dave Levac (Brant): On a point of order, Mr. Speaker: I'm going to find out. I would like a ruling on whether or not that verbiage is allowed in this House.

The Acting Speaker (Mr. Michael Prue): In the opinion of the Speaker, the word "deceitful" is not appropriate. It should be withdrawn.

Mr. Hardeman: Then I certainly withdraw it. I would then say that the title is less than forthright in dealing with the content of the bill.

Having said that, I think that's really the point I wanted to make. It took me a little while to get there, but I think it's inappropriate to intentionally prepare a bill—it's been quite evident from the comments opposite, including the questions to the Premier yesterday, that this is being done when they realized that when they were going to introduce the City of Toronto Act, they had to do this. It's wrong that when a government realizes they're close to the edge of legality, they just change the law so they can get away with what it is they are doing. That's wrong. At the end of the day, the Premier said he wouldn't do this, and I think he's just decided to give up.

I think it's important to have a quote from the Taxpayer, and Mr. Speaker, this is from before you were elevated to the Chair; obviously, you were reading their magazine. This is one of the quotes: "The Taxpayer Protection Act prohibits the government from raising certain taxes or imposing new ones without public approval"—the words "public approval" are important—"either through an election or referendum. Yet in 2004, the Liberals imposed the health tax without any public mandate whatsoever. Even the government's pre-budget consultations made no mention of the tax. Worse yet, Mr. McGuinty had spent the entire fall 2003 election trumpeting his message of, 'I won't lower your taxes, but I won't raise them, either.' The Liberal leader then took this pledge a step further, by signing the CTF taxpayer protection promise on September 11, 2003, undertaking not to raise taxes or run deficits and to respect the TPA," the Taxpayer Protection Act.

1720

I will quote another passage from the same news release:

"If existing taxpayer protection laws do not protect taxpayers, then they need to be strengthened. If politicians cannot be held accountable for their promises, then the public need other means to hold them to account. For if politicians can get away with"—and I will leave this word out because it's an inappropriate word in this Legislature—"to win elections, then we will only end up being told more"—another word I can't repeat. "Let's remind our elected officials that taxpayers are the ones who underwrite government, and not the other way around."

With that, I'll sit down. Thank you very much for the time, Mr. Speaker.

The Acting Speaker (Mr. Joseph N. Tascona): It's time for questions and comments.

Mr. Prue: I listened intently there for what was most of an hour of a speech. Although it did stray from time to

time into many other areas, it's quite clear that the member feels very passionately about this bill.

He strayed a couple of times and he questioned whether or not this is going to be the law in municipalities other than the city of Toronto. I am not the proponent of this bill. I am not the one putting it forward, but it seems to me quite clear that this refers to all municipalities. I cannot find anywhere in here that it refers to the city of Toronto and the city of Toronto alone.

I can understand his confusion, though, because the two leadoff speakers for the government both spoke about how it was going to affect the city of Toronto. In fact, I think that this bill, as it is constituted and written out—and I definitely will be speaking to it—should apply to every single municipality, every town, every village, every unincorporated area. If one city or one group of cities has the right to tax and has the obligation of the Taxpayer Protection Act removed from them, then surely all of them should. I think this has been one of the failures of the government in negotiating with the city of Toronto for the City of Toronto Act. I am not opposed to the act; I have not even seen the act yet. I am generally in favour of cities having more powers. But when you leave out a city like Ottawa, when you leave out a city like Hamilton or Mississauga or the larger municipalities of this province, which have many of the same infrastructures, many of the same governance models, have mayors and councils and lawyers and planners and all of the things necessary to do a good job, then I think you actually belittle them. You have an obligation to include them. I'm looking forward, when the City of Toronto Act comes, to other municipalities enjoying the same powers.

M. Jean-Marc Lalonde (Glengarry–Prescott–Russell): J'ai porté très attention aux commentaires apportés par le membre d'Oxford. Il a mentionné que très peu de gens étaient en faveur de ce projet de loi. Laissez-moi vous dire que je croyais que le gouvernement conservateur du temps avait reconnu leur erreur, puisque durant la conférence d'AMO en 2003, je me rappelle—j'étais présent, et puis j'ai vu toutes les municipalités très, très furieuses concernant cette loi qui avait été mise en place par le ministre du temps, Janet Ecker, qui disait, « Laissez-nous contrôler et administrer nos municipalités. »

Depuis que cette loi a été mise en place, nous re-connaissions, nous voyons que les municipalités sont en grosses difficultés : on n'avait plus d'argent pour améliorer nos routes, plus d'argent pour apporter des améliorations à nos infrastructures telles que les égouts, puisque nous étions limités à une augmentation de taxes équivalente à l'augmentation du coût de la vie.

Aujourd'hui, nous mettons en place une loi qui rend service à toutes les municipalités. Les citoyens qui croient que l'augmentation de taxes est trop élevée, il y a une décision à prendre à tous les trois ans : une élection. Ils sont élus par le peuple; donc, ils sont élus par le peuple pour pouvoir contrôler et administrer les municipalités.

On doit se rappeler qu'en 2002, c'était la ministre du temps, Janet Ecker, qui avait apporté un changement à la

loi, la loi qui a été passée le 27 juin 2002 qui enlevait complètement les responsabilités de contrôler et administrer les municipalités. Aujourd'hui, notre gouvernement McGuinty dit, « C'est la responsabilité de tous les élus municipaux de contrôler la finance de la municipalité. » Donc, c'est pour ça que je crois qu'il est très important de redonner le pouvoir aux municipalités.

Ms. Scott: It's a pleasure to follow the member from Oxford and his comments on the "no respect for taxpayers" act. This brings back images of Dalton McGuinty signing the taxpayer pledge, "I will not raise your taxes," and then all of a sudden we have the health care tax that's come up. Added to that, it's now the largest tax hike in Ontario history. Average families are paying more than \$2,000 a year in extra taxes. That's money out of their pockets that they could be using to pay the increasing energy costs that are going to be coming.

Is this helping, this giving of authority to municipalities? I know the municipalities in Haliburton–Victoria–Brock have been asking for some more infrastructure dollars, some more COMRIF, which is highly over-applied to, and I appreciate the minister acknowledging our requests for COMRIFs. They're looking to build infrastructure in the municipalities. They didn't once ask me about new taxing abilities.

What is this going to do to the people in Toronto? Well, we don't know, but it's breaking the Taxpayer Protection Act and citizens should be worried. As I said—what is it now?—over 50 broken promises. The McGuinty Liberals say one thing in the campaign, they get people to go and vote for them, and then it's like, "Oops, sorry. We're going to have to break this, so I guess we'll just keep on breaking promises." It gives all of us a bad name, as the member from Oxford has said. He's the Premier of the province of Ontario, so it gives all of our politicians a bad name. But the fact is, we're not protecting the taxpayers who should be protected.

The previous government brought in a Taxpayer Protection Act so that taxpayers would have a voice and a say on whether they wanted their taxes to go up, and what more services they would receive for it. This bill is the start of taking that ability away from them.

Mr. Mario G. Racco (Thornhill): I'm pleased to speak in favour of Bill 37, the Respect for Municipalities Act. When we were in opposition, we made it very clear that we felt elected municipal people were equal partners in public decision-making in Ontario. Bill 37 will in fact assist in making that happen.

It isn't proper for the provincial level to dictate to the municipality when and if they can raise taxes. People at the municipal level are elected, just like we are elected at Queen's Park, and surely they can make the best decisions for the people they represent. Municipalities have been asking for that, and this bill will in fact do that. It's also going to do what we promised we were going to do.

I would also like to bring to the attention of the Conservatives that it was their present leader, while he was running for the leadership of their party, who did commit himself and saw merits in allowing municipalities to raise

money if they felt it was the right thing to do for their constituency. Also, in the city of Vaughan and the town of Markham—and I represent part of them—certainly there is support for that to be allowed, in particular from the people involved at the municipal level. Of course, the mayor of Toronto is also on record as wanting that to happen. So it seems that everyone sees merit in not requiring the municipalities to have a referendum before raising taxes.

I believe Bill 37 is doing the right thing by allowing municipalities to manage their finances as they see fit, and therefore I will be happy to support Bill 37.

1730

The Acting Speaker: Response?

Mr. Hardeman: I just want to quickly mention the comments from the member for Beaches–East York. He will remember that yesterday I asked the Premier about whether this would cover other municipalities, and we were unable to get an answer.

I want to finish up here with a couple of quotes.

Right after the 2005 budget: "Toronto should consider increasing residential property taxes above the already assumed rise of 3% as a way to close its yawning budget shortfall," Ontario's municipal affairs minister urged yesterday. "There are municipalities in the GTA whose tax hikes for residential properties are much higher than the self-imposed 3% that the mayor (David Miller) put on it."

"John Gerretsen said in a telephone interview from Kingston, 'I don't think it is the province's role to ensure that a local municipal official meets (his or her) targets or obligations.'"

No respect for municipalities there.

Here in the Toronto Star, September 25, 2004, the parliamentary assistant said, "There are many other areas they could look at for cutbacks than life-saving. They've got to start learning to live within their means. Hopefully, they'll keep at it and be able to come up with something reasonable." That's Brad Duguid, the MPP for Scarborough Centre.

Obviously this new-found respect for municipalities has just come upon them today, when they realized they had to pass this bill to introduce a City of Toronto Act. Going back to the comments from the member for Beaches–East York, I can assure you this is not being done for all the municipalities; this is being proposed today so they can force the city of Toronto to tax their residents without going to a referendum.

The Acting Speaker: Further debate?

Mr. Prue: The time now being 25 minutes to 6 o'clock, it means that my speech will have to take place in two parts: the first half, or nearly half, today and the second half on Monday. Before I even get to that, I would like to thank those in the back who have agreed to find someone to sit in the chair for me, as Monday night is my time in the Speaker's chair. So I will be starting today and I will be continuing on Monday night, and then very quickly getting changed and going back into the Speaker's chair.

This is a very scant, very small, very tiny bill. It is one page, as has already been commented, and the explanatory note, in the best jargon of legalese that we often find in these, says:

“Currently, subsection 3(1) of the Taxpayer Protection Act, 1999 provides that a member of the executive council”—that is, somebody in the cabinet—“shall not include in a bill a provision that gives a person or body (other than the crown) the authority to change a tax rate in a designated tax statute or to levy a new tax unless a referendum is held before the bill is introduced in the assembly and the referendum authorizes the authority to be given to the person or body.”

Some are talking as if this is some huge, radical change in the way things have gone on in government in the last 130 years in this province, but it is no change at all. It is in fact a change in the way things have happened since 1999 to the present, but I want to assure the people watching that this is not a radical change that you haven't had before in Ontario. It simply takes the law as it relates to municipalities back before that bleak and black day in 1999 when councils and mayors and elected officials in this province were hamstrung by what can only be considered one of the very worst bills that has ever been propagated in this province.

I remember that time back in 1999. I remember the Tory Taxpayer Protection Act, the much-vaunted act of which we are speaking today, being introduced in this Legislature. At that time, I was no longer the mayor of East York, having been forced out in the amalgamation the previous year, but I was a megacity councillor in the city of Toronto. I was one of those individuals who was representing a new city, which was in considerable trauma, I might add, as a result of a whole lot of things that were going on. But one of those things that happened in 1999 was the Taxpayer Protection Act, which stopped the city of Toronto and, yes, every other municipality in Ontario, every school board and every other public institution from being able to raise the necessary monies they needed to continue the work of the municipalities.

I remember talking to my colleagues in the city of Toronto about this act, and I have to tell you that I don't think, even from those people who professed to be members of the Conservative Party back then, there was any support for doing this. I remember sitting around—some of my colleagues are here beside me today, and I remember talking to them. There was virtually no support in the municipality of Toronto, in the megacity of Toronto, for not allowing politicians who were duly elected to raise the necessary taxes to run their city.

When I was the mayor, we used to go to the mayors' conferences. There were mayors there—one of them is over here again. We used to talk about this kind of thing. After that, there continued to be meetings that I attended on behalf of the city of Toronto with the mayors and local representatives who came together once or so a month in the GTA and talked about this. I remember the discussions that the mayors and the representatives in the GTA had in terms of the Taxpayer Protection Act. They

were not in favour of it relating to their municipalities. They did not think it was a good thing, and they knew that in the end it would cause irreparable harm to their individual towns and cities if they did not have the wherewithal to find the money to pay for expanding services in those locations.

I remember going to the Association of Municipalities of Ontario for its annual meetings in Toronto and once to the meeting of the Federation of Canadian Municipalities that year in Ottawa. The talk was the same in those places from the Ontario representatives: I could hardly find a soul who thought it was a good idea that duly elected members were circumscribed in such an unfair manner.

The city of Toronto in 1999 was in its second year of infancy. It had been created, much against the will of its citizens, into a large, amalgamated megacity. I will tell you that they were reeling under many multiple problems at that time. They were reeling under the downloads that the province had forced upon them—the costs which they did not before that bear and the costs that they were now required to pay. They were reeling under the costs of amalgamation, just like Hamilton, just like Ottawa, just like the city of Kawartha Lakes, just like every other place that was amalgamated in this province.

I remember listening on the TV to Al Leach at the time, who was then the minister. It was done, first and foremost, to save money. This was the argument that went on for days and weeks in this Legislature, how much money it was going to save the taxpayers of the cities of Toronto, Hamilton, Ottawa and Kawartha Lakes. After a little while, even Mr. Leach admitted that it wasn't going to save any money. In fact, he was right on that, because it hasn't. The costs of amalgamation in all of those respective cities have been really quite horrendous. The number of people they have had to hire has increased in literally every case. There are more public employees in the city of Toronto today, and in Hamilton and Ottawa today, than there were prior to amalgamation. Even when you combine the former municipalities, the costs have gone up, and the costs of the download have continued to exact a terrible toll.

1740

We look at what has happened to these municipalities today. We look at what has happened to my city of Toronto, the one I stand up for all the time, in spite of the minister trying to twist my words from time to time and say that I don't support this city. I support this city, quite frankly, with all my heart. I support the people who live here and the contributions they make to this province and to this country. They very much feel they are overtaxed. In fact, we know that the city of Toronto pays out far more in taxes than they get in services from other levels of government. That's probably true of other municipalities as well. I'm hearing Hamilton; I'm hearing Mississauga. That's the reality of what happens. The larger cities pay disproportionate amounts of taxes to the province and to the federal government, and, as Canadians and as Ontarians, we know that we have a responsibility

to do that. Many of the smaller towns and villages of this—

Interjection.

Mr. Prue: No, I'm not going to talk about getting rid of polling; you can do that yourself.

Many of the smaller towns and villages cannot actually sustain themselves with taxes and they do require that there be an amount of money that comes from time to time from those that can afford to pay it.

But in terms of the larger cities, and in terms especially of Toronto, we have seen cost overruns. We have seen them in many, many places. The city of Toronto and the population of Toronto have had to pay those cost overruns since amalgamation. We have seen the lack of accountability of the council. It is literally impossible for them to be the watchdogs that we expect them to be, as in fact councils in small municipalities can so readily and so easily do.

If you go to a small town, if you go to a village, if you go to a local council meeting in a smaller place of under 100,000 people, you will see the local councillors and the mayor doing something which you cannot see any more in Toronto or Hamilton or Mississauga. You will see them with an agenda, which is usually quite small, and you will see them go line by line by line, saving and cutting every cent they possibly can for their taxpayers, and doing a remarkable job, as if the money were their own. When you get a city like Toronto, with an \$8-billion budget and an agenda that can run into thousands upon thousands of pages for a meeting, it quite literally is impossible. If you want to know how something like MFP happened, just look at the council agenda and you will know how easily such a thing can happen.

I remember one Thursday night getting the council agenda for the following Monday. It was delivered to my office as a megacity councillor. It was contained in three full binders that I could hardly lift up; it was approximately that thick. I was given it on Thursday night and told, "This is the agenda for Monday. Have a good time reading this on the weekend." I read as much as I possibly could over that weekend. We came back on Monday, and somebody asked a very sensible question—it was all on the computer—"How many words are contained in this agenda?" You know something? There were more words in the agenda that we were expected to read that weekend than were contained in all of the works of the Holy Bible. I would ask any member here if you could go home and read the Holy Bible on the weekend—and remember, it has a plot. The reality is that none of you could read that on the weekend, and in fact none of the councillors of the city of Toronto could read the agenda. Things start to happen when that happens. One of the things that happened in Toronto was MFP. We need to make sure that doesn't continue to happen.

We've also seen in the city of Toronto, and in Ottawa and in the city of Kawartha Lakes, and I think to a lesser extent in Hamilton, but certainly there too, that the citizen involvement—the people who used to come to municipal events—has started to decline quite rapidly. It

has declined rapidly because they have lost their own individual sense of community.

Mr. Marchese: What a loss for civic politics.

Mr. Prue: Yes, it's a loss for civic politics. I can only speak of my own beloved East York to tell you that of the 350 people who used to belong to the boards and committees of that municipality, today there are three, and perhaps only two, who are on the boards and committees of the city of Toronto.

Mr. Marchese: So much for participatory democracy.

Mr. Prue: That's literally what has happened.

We suffered from ballooning deficits, and the cities continue to suffer from ballooning deficits. I looked sadly in the paper yesterday to see that the city of Mississauga is now talking for the first time in its history of a 5.9% increase in the tax rate in order to keep things going. We know the city of Toronto has stated that they are \$500 million in the red going into this budget cycle and are going to need that money from the province.

We also know, unfortunately, about the downloading and how it is affecting literally all of the 450 municipalities in this province.

Interjection: Uploading.

Mr. Prue: I've heard over here from one of my colleagues in the Liberal Party about uploading. That's what I'm going to talk about in just a few minutes, how that is the real thing this government should be doing. If they want to help the municipalities, they need to start thinking about uploading, not giving people additional rights to tax, although I'm not going to oppose that. But what they really need to do is to start to upload.

The cities need the money. There's no question that every single one of them needs more money than they have at present. If they didn't need more money, I'm sure that in Mississauga Hazel McCallion would be the last person on earth to go to her taxpayers and say, "I need another 5.9%." I am sure the city of Toronto wouldn't be going to theirs and saying, "We're going to have to raise it." I'm sure Brampton and Ottawa wouldn't be doing it. But the reality is that all of them, because of downloading and the problems of megacities, because things are getting complex in most of the cities, are having to find the money. What are they doing? They're coming cap in hand.

It is regretful to me as a person who has spent my entire life living in this city, save and except for one year I spent in Ottawa—56 out of 57 years in Toronto—to see the mayor have to come cap in hand, literally begging, to the province each and every year to try to get the money to keep the city functioning in a good way.

But the handouts that are being given are not sufficient for the city to maintain the grandeur. I got chided earlier today by saying that the governance and the way we were studied isn't as great as it once was, and it isn't. Peter Ustinov called Toronto "New York run by the Swiss," and it was just in terms of how everything was connected and run so efficiently. That's what people came to study. They don't do that now. We don't get called "New York run by the Swiss" any more. We may get called a great

multicultural city, but we don't get called a city that performs and spins and runs so brilliantly, as it once did.

This city can be great again. This city can be great with a whole bunch of measures, and I'm going to talk about some of those a little later. But right now, in the 10 minutes or so left today, I want to get to why we're here.

We are here today arguing this bill because this government, this Premier and this party did something very foolish on September 11, 2003. I want someone to tell me you don't think today that what you did on that day was foolish, because on that day a whole bunch of you in this room were sitting with the Premier and the Canadian Taxpayers Federation—

Mr. Marchese: Big smiles.

Mr. Prue: —with great big smiles, gleefully signing a document that I'll bet every single one of you today wishes you had not signed.

Mr. Marchese: And they weren't being forced. They didn't have a gun to his head or anything.

Mr. Prue: No, no. They were doing it for electoral purposes. They were doing it because they thought this was going to get them another half of 1% or 1% of the vote and make sure they got elected.

I tell you, in retrospect, you didn't need that extra half of 1% or 1% of the vote. You didn't need to have Premier Dalton McGuinty on the front page of the Taxpayer. You didn't need to have the now Minister of Health behind him, or the former Speaker, or the environment minister or all of those other people pictured there signing a document that has forced you into this position today. That's why we're here, because you signed a document you should not have done.

At that time, I think the Globe and Mail said it best—

Mr. Duguid: We're amending the legislation.

Mr. Prue: Yes, you're amending that legislation today.

Mr. Duguid: You have to amend it either way.

Mr. Prue: No, no. That's why you're here.

This is what the Globe and Mail said at that time: "So the Liberal leader put his fiscal conservatism in writing. On September 11, under the approving eye of John Williamson, Ontario director of the Canadian Taxpayers Federation, the Liberal leader scrawled his name under the [Taxpayer Protection Promise] ... In that one act, he confronted Ontarians' greatest concern about Ontario Liberal governments—the fear of fiscal bungling." October 14, 2003.

That's why you did it, and we know that's why we are standing here today.

Having said that, you have to admit that what you signed was wrong. You have to admit that this is a failed policy. This is not the first time that you've stood in this Legislature and said, "We have to undo this policy." It is in fact the second time you had to stand here and, I would say, eat crow during the time of your first budget, when you instituted what is described even today as an unfair tax for a very laudable and good purpose. It was an unfair tax because you taxed people for their health, the poorer

people many times more than they would have had to have paid in a graduated income tax.

1750

But having said that, you're standing here again and saying—I wish that this government would do the right thing. I wish this government would renounce that day in September 2003. If you're not going to abide by it, not once, but twice, maybe it is time that you simply say, you're not going to be bound by it and tell the taxpayers federation and those people who believed the promise that you're not going to do it. I think that would be the honourable thing to do.

Interjection.

Mr. Prue: If you say it's done—I will listen to the chief government whip—then you should do it. But you cannot sit there and do these little tiny tinkering as you're doing with this act today and maintain credibility. You are either going to abide by that act as you promised and signed, or you're not going to abide by that act. I am telling you, you cannot do it piecemeal on that day, and today, on this day, and some months down the road on another portion and have any credibility at all. You should be doing the honourable thing and saying "We will not be bound."

Having said that, I'd like to go on to the next portion of this, and that is to talk about this being a brilliant policy, I would think, of obfuscation. This is a brilliant policy of allowing—

Interjection: A brilliant policy.

Mr. Prue: —a brilliant policy, what you are doing, of obfuscation. Make sure you get the whole quote, not just "brilliant policy."

Interjection.

Mr. Prue: OK, and what that means for those who don't know is a clouding it over, making it difficult to understand, because what you are doing is allowing, through this policy, the cities to increase taxes.

I can tell you right now what is going to happen in the city of Toronto or Hamilton or Ottawa or any other place that chooses to increase the taxes. The mayor and the council and those who have recommended the increase of taxes, whether it's for licence plates, cigarettes, alcohol or anything—they are going to blame the municipality for doing that.

Mr. Marchese: Oh, they're not going to thank David?

Mr. Prue: No, they're not going to say, "Thank you and we need the money." They're going to say, "We are taxed enough already." I know that; you know that. But the province is very good when it comes to the download. You have downloaded all these things to the poor municipality, but at the same time you are oh, so cagey. The taxpayers in this province are under the misguided notion, the understanding, that when they pay their property taxes on their homes, condominiums, apartments, businesses, cottages or some farm that they own, they think that that goes to the municipality. They actually think that the city gets it.

The reality is that the province gets most of that money. You get it. We get it. Those people who are pay-

ing the taxes blame poor Mayor Miller or Mayor Di Ianni or whoever. They blame those mayors and those councillors, not understanding even for a second that most of the money ends up at the province.

Mr. Speaker, \$17 billion in this province is collected through property taxes—\$17 billion: \$8 billion goes to the municipalities, but \$9.3 billion comes to the province. Every single time people pay those taxes and wonder, “Why isn’t the fire service getting better? Why is the library not good? Why is the roof leaking? Why is my road not paved?”—all of those questions—it’s because we are taking the money. It’s all for a good purpose, but we take it.

We take it for education: \$6.1 billion. We take it for ODSP and Ontario Works: \$1.3 billion. We take it for social housing: \$880 million. We take it for ambulance services: \$312 million. We take it for public health: \$266 million. And we take it for child care: \$193 million—for a total of \$9.3 billion. But the money comes to us because those are our programs. They are provincially mandated programs. We take the money so that the poor municipalities that go out and say, “I have to increase your property tax by 2% to get half the money,” get blamed. But when they increase the property taxes by 3% or 5.9%, as Mississauga is about to do, the province gets a 5.9% increase. We get it too. We don’t take any flak for it. That’s why I said this is a brilliant policy of obfuscation, because we push the blame down to someone else for what is actually doing this province a lot of financial good.

Interjection: There’s only one taxpayer.

Mr. Prue: There’s only one taxpayer. That’s all this poor lad can say because he hasn’t figured out the rest. I’m really looking forward to when you stand up and talk for an hour on something and make some sense. That would be a good day. “There’s only one taxpayer,” repeated 8,000 times in the hour, would be his speech, I’m sure.

Pat Vanini, who is a wonderful person and works for the Association of Municipalities of Ontario, said it best about what this bill is and what this bill means. AMO, the Association of Municipalities of Ontario, says this brilliantly:

“Ontario is the only province in Canada where municipal property taxes are used to subsidize provincial health and social services programs, like welfare and employment services, disability benefits, drug benefits, social housing, child care, homes for the aged, public health and ambulance services.” We’re the only ones; it’s us.

“The federal government noted this situation in the 2004 federal budget: ‘... spending for social services, health and housing represents a very small share of municipal expenditures in most provinces, except in Ontario where it represents almost a third of ... (gross) municipal spending.’”

Is my time up? I’m going to leave it there, and I’m looking forward to the last half.

The Acting Speaker: The Chair thanks the member from Beaches–East York.

It being 6 o’clock, this House stands adjourned until 1:30 p.m., Monday, December 5.

The House adjourned at 1757.

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Continued from overleaf

SECOND READINGS

Respect for Municipalities Act, 2005,

Bill 37, *Mr. Gerretsen*

Mr. Gerretsen	1335, 1339
Mr. Duguid	1337
Mr. Hardeman	1338, 1339, 1347
Mr. Prue	1338, 1346, 1347
Mr. Sergio	1339
Mr. Marchese	1339
Mr. Lalonde	1346
Ms. Scott	1347
Mr. Racco	1347
Debate deemed adjourned	1351

OTHER BUSINESS

Wearing of ribbons

Mr. Smitherman	1315
----------------------	------

International Day of Disabled Persons

Ms. Pupatello	1320
Mr. Martiniuk	1320
Mr. Marchese	1321
Mr. Bisson	1321

Business of the House

Mr. Caplan	1335
------------------	------

TABLE DES MATIÈRES

Jeudi 1^{er} décembre 2005

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 2005 modifiant la Loi sur l'assurance-santé (pompes à insuline pour diabétiques), projet de loi 15, <i>M. Gravelle</i> Adoptée	1311
Loi de 2005 modifiant le Code de la route (infractions relatives à l'alcool et à la navigation de plaisance), projet de loi 209, <i>M. Zimmer</i> Adoptée	1311

PREMIÈRE LECTURE

Loi de 2005 sur le transfert des valeurs mobilières, projet de loi 41, <i>M. Phillips</i> Adoptée	1314
---	------

Loi de 2005 sur le Fonds de développement économique de l'Est de l'Ontario,

projet de loi 42, <i>M. Sterling</i> Adoptée	1314
---	------

DEUXIÈME LECTURE

Loi de 2005 sur le respect des municipalités, projet de loi 37, <i>M. Gerretsen</i> M. Lalonde	1346
Débat présumé ajourné	1351

AUTRES TRAVAUX

Journée internationale des personnes handicapées

M ^{me} Pupatello	1320
M. Martiniuk	1320
M. Marchese	1321
M. Bisson	1321

CONTENTS

Thursday 1 December 2005

PRIVATE MEMBERS' PUBLIC BUSINESS

Health Insurance Amendment Act (Insulin Pumps for Diabetics), 2005, Bill 15, Mr. Gravelle	
Mr. Gravelle.....	1293, 1301
Mr. Dunlop.....	1295
Mr. Bisson.....	1296
Mr. Craitor.....	1298
Ms. Scott.....	1299
Mr. McMeekin.....	1300
Mr. Leal.....	1300
Mr. Ramal.....	1300
Mr. Parsons.....	1301
Agreed to.....	1311
Highway Traffic Amendment Act (Drinking and Boating Offences), 2005, Bill 209, Mr. Zimmer	
Mr. Zimmer.....	1302, 1310
Mr. Ouellette.....	1303
Mr. Bisson.....	1304
Mr. Craitor.....	1307
Mrs. Van Bommel.....	1307
Mr. Rinaldi.....	1308
Ms. Scott.....	1309
Mr. O'Toole.....	1309
Mr. Miller.....	1310
Agreed to.....	1311

MEMBERS' STATEMENTS

Children's Garden Nursery School	
Mr. Yakabuski.....	1311
Santa's Parade of Lights	
Mr. McNeely.....	1312
Automotive industry	
Mr. O'Toole.....	1312
Mill closure	
Mr. Bisson.....	1312
The Charlatan	
Mr. Patten.....	1313
Proposed Oxford hospital	
Mr. Hardeman.....	1313
Habitat Jam	
Mr. Rinaldi.....	1313
Knollcrest Lodge	
Mr. Wilkinson.....	1313
Schools for the deaf and learning-disabled	
Mr. Parsons.....	1314

FIRST READINGS

Securities Transfer Act, 2005, Bill 41, Mr. Phillips	
Agreed to.....	1314

Eastern Ontario Economic Development Fund Act, 2005, Bill 42, Mr. Sterling	
Agreed to.....	1314
Mr. Sterling.....	1314
Sidoff's Cleaners & Tailors Limited Act, 2005, Bill Pr23, Mr. Craitor	
Agreed to.....	1315

MOTIONS

House sittings	
Mr. Caplan.....	1315
Agreed to.....	1315

STATEMENTS BY THE MINISTRY AND RESPONSES

Securities legislation	
Mr. Phillips.....	1315
Mr. Tascona.....	1318
Mr. Prue.....	1318
Accessible parking permit program	
Mr. Takhar.....	1316
Mr. O'Toole.....	1318
Mr. Bisson.....	1319
World AIDS Day	
Mr. Smitherman.....	1316
Mr. Arnott.....	1318
Ms. Martel.....	1319

ORAL QUESTIONS

Mill closure	
Mr. Tory.....	1322
Mr. Smitherman.....	1322
Mrs. Dombrowsky.....	1322
Mrs. Cansfield.....	1322
Economic development	
Mr. Tory.....	1323
Mr. Cordiano.....	1323
Energy conservation	
Mr. Prue.....	1323
Mrs. Cansfield.....	1324
Municipal election finances legislation	
Mr. Prue.....	1324
Mr. Gerretsen.....	1324
Securities industry	
Mr. Hudak.....	1325
Mr. Phillips.....	1325
Domestic violence	
Mr. Kormos.....	1326
Mr. Smitherman.....	1326
Crime prevention	
Mr. Qaadri.....	1326
Mr. Kwinter.....	1326

Proposed Woodstock hospital	
Mrs. Witmer.....	1327
Mr. Smitherman.....	1327
Property taxation	
Mr. Prue.....	1327
Mr. Smitherman.....	1328
Best Start program	
Ms. Mossop.....	1328
Mrs. Chambers.....	1328
Cancer treatment	
Mr. Jackson.....	1329
Mr. Smitherman.....	1329
Public appointments	
Mr. Marchese.....	1329
Mr. Smitherman.....	1329
Drive Clean	
Mr. Levac.....	1330
Ms. Broten.....	1330
Native economic development	
Mr. Miller.....	1330
Mr. Ramsay.....	1331
School safety	
Mr. Marchese.....	1331
Mr. Smitherman.....	1331

PETITIONS

Diabetes treatment	
Ms. Scott.....	1331
Services for the developmentally disabled	
Mr. Kormos.....	1332
Mr. Ouellette.....	1334
Cancer treatment	
Mr. Zimmer.....	1332
Regional centres for the developmentally disabled	
Mr. Yakabuski.....	1332
Education funding	
Mr. Marchese.....	1332
Recreation in correctional facilities	
Mr. Levac.....	1333
Health care funding	
Mr. O'Toole.....	1333
Aggregate extraction	
Mr. Flynn.....	1333
Frederick Banting homestead	
Mr. Wilson.....	1333
Prostate cancer	
Mr. Berardinetti.....	1334
Mandatory retirement	
Mr. Ruprecht.....	1334
Proposed Oxford hospital	
Mr. Hardeman.....	1334
Crime prevention	
Mr. Berardinetti.....	1334

Continued overleaf