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**Tuesday 3 October 2006**

**Mardi 3 octobre 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Tuesday 3 October 2006

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mardi 3 octobre 2006

*The House met at 1845.*

ORDERS OF THE DAY

CLEAN WATER ACT, 2006

LOI DE 2006 SUR L'EAU SAINE

Resuming the debate adjourned on October 2, 2006, on the motion for third reading of Bill 43, An Act to protect existing and future sources of drinking water and to make complementary and other amendments to other Acts / Projet de loi 43, Loi visant à protéger les sources existantes et futures d'eau potable et à apporter des modifications complémentaires et autres à d'autres lois.

**The Acting Speaker (Mr. Ted Arnott):** I understand that when the House last dealt with this item, the member for Toronto–Danforth had the floor. I recognize the member to resume participation in this debate.

**Mr. Peter Tabuns (Toronto–Danforth):** Where was I? Right. It's the whole question of definitions, and whether or not the lack of definition in the bill, the leaving of definition to regulations, is good for this Legislature, is good for the bill itself.

As I said yesterday, the whole question of what is a significant drinking water threat has not been defined in this bill, and many other sections of the bill are dependent upon that definition to determine whether or not it is really of effect and of use.

There's another definition, "significant groundwater recharge area," left to regulations. Many follow-on sections of the legislation are dependent upon a definition there for us to know whether in fact the environment will be protected. For those of us in this chamber who are voting on the matter, we can't know what we are voting on. We're voting on a bill that is really a house of cards built on top of a house of cards, on a structure that is not visible to the people in this chamber, and it means that in order to vote for the bill, we have to assume that we can give this government a blank cheque and that it will sign the cheque properly, put in the right amount and not play around.

There was enough concern on my part, and on the part of others prior to today's report by the Environmental Commissioner of Ontario, but the Environmental Commissioner of Ontario made some very interesting commentary in his report about amending the nutrient management regulations; in other words, changes to the

nutrient management regime that didn't have to come before this House, and he writes:

"The government has amended the regulation under the Nutrient Management Act that sets out how farmers must apply manure and biosolids, such as sewage sludge, to their land. Unfortunately, only six years after the Walkerton tragedy, some of the changes have weakened both accountability and the assurance that farmers are following the rules to protect human health.

"For example, the Ministry of Agriculture, Food and Rural Affairs no longer has to approve the nutrient management strategies of large livestock operations unless they're expanding or are located within 100 metres of a municipal well.

"The changes also mean that farmers are no longer legally required to keep records of how they comply with their own nutrient management plans, which may make key aspects of both the regulation and Nutrient Management Act itself virtually unenforceable."

So not only are we asked to sign a blank cheque, but we are told by the Environmental Commissioner of Ontario in his report today, tabled in this Legislature, that the blank chequebook was getting some interesting writing put in it recently. I have to say that this is a significant failing in this bill. As I said yesterday, given that when the bill was introduced in April, over four months ago, many of us raised questions of what are the definitions, in four months, one would think that one could supply a definition. It isn't there. The bill has a profound weakness in that area.

1850

The next question is the whole issue of funding for monitoring, for implementation and for enforcement. Frankly, there is no indication in this bill other than that municipalities and conservation authorities will cover this expense.

When the minister came to the committee during clause-by-clause, she moved an amendment allowing for provision of funds for assistance and incentives. At the time, I asked the government representatives: Did that cover operational costs, did it cover enforcement, implementation, monitoring and all of the expenses that would be covered by municipalities and conservation authorities? The answer was very clear: It was no.

That's a big problem, because the reality is that municipalities and conservation authorities are already carrying a heavy load. Municipalities have made it very clear that they are carrying the big burden of down-loading. This government had promised to lift that bur-

den, it has not, and so we know that these bodies are going to have tremendous difficulties in meeting these new responsibilities.

During the hearings that were held in Toronto, Walkerton, Cornwall, Bath and Peterborough I had an opportunity to ask cities, towns and conservation authorities: Could they actually carry out the responsibilities that were directed to them in this act? The answer consistently was either “No,” or “We might be able to do it inadequately.”

“You don’t understand,” they said. “In a small town, we have one person who is already doing two jobs. With this, they’ll be doing three jobs. The reality is that without the funds, the enforcement does not happen. Without the enforcement, we don’t get the protection that is touted for in this bill.”

It was interesting to me today to listen to the Minister of the Environment. The Minister of the Environment was questioned here in the hallway, just outside this chamber, about the changes to the Nutrient Management Act regulations: What would be the impact on water safety? The minister said, “Well, we have numerous layers of defence, including the Clean Water Act.”

We know, and this is the problem with this bill, that it will be years before the source protection plans are in place, years before people are hired and years before there’s enforcement. The reality is that we are weakening protection of source waters in this province with this regulation change, and all the minister can offer to the people and to the media is that the Clean Water Act will be the saviour someday, maybe, kind of. I have to say we are not going to see the kind of protection we need in a situation where there are not the resources required to do the job.

The McGuinty Liberals promised in 2003 that they would bring in water-taking fees. There is an opportunity with this act to bring in water-taking fees. Those who read this act—those who read summaries of this act—know very well that water-taking fees are not included here. That, again, is a profound mistake and a weakening of this bill, because in fact we need a source of revenue. We need the money to hire the inspectors; we need the money to hire the scientists, the labs and the lawyers. Everything that goes with an enforcement regime is needed and is not here.

The next issue I want to raise, and I think it’s interesting again in light of the commentary of the Environmental Commissioner of Ontario: I had moved an amendment during the course of clause-by-clause debate to have the impact of climate change considered when source protection plans were drawn up. The reality—and the Environmental Commissioner put it quite well today: The environment, the climate that all of our planning has been based on, has gone. That climate is a past thing. We are in a new climate.

The Environmental Commissioner today noted the wind storms that have hit Ontario, knocking out power. He talked about the fact that he had been told by a city engineer that this year he’s had three storms that

normally would be categorized as 100-year storms. That means washed-out roads; that means flooding; that means very, very different threats to the water supply infrastructure.

With almost no burden, this government could have incorporated into the act a requirement that, when planning was done, there would be provision for planning in the context of climate change. It’s not there—again, entirely consistent with what the Environmental Commissioner says is the approach of this government. Not only does it not have a plan to address climate change, to try and mitigate it, to try and reduce the impact in total on this province, but this McGuinty government then assumes that, not having acted on climate change, nothing is going to happen. We know things are going to happen, and yet no measures are taken for adaptation and none were incorporated in this bill.

As I said yesterday, the scientific principle of the precautionary principle, recognized by the Supreme Court, by Health Canada, in the Canadian Environmental Protection Act, is not incorporated in the bill. Right then and there, we’re way behind where the thinking is going in public health and the environment: no incorporation of adjustments for the changes that climate change is going to visit upon this province and no provision for the funding necessary to actually enforce the act.

We are going to find ourselves far behind other jurisdictions. This year, the World Bank published guidelines for its development projects around the world for adaptation to climate change because they recognize, when they fund a project on a river in South America, when they fund a project on a coastline in Africa, when they fund a project in the Himalayas, that climate change over the next decade or two decades or three is going to change the natural environment that those projects will be operating in. The World Bank, arguably not the most progressive institution on the face of the earth, at least recognizes that the world is changing substantially and is doing its best to protect its investments and protect the people who will depend on those investments. That thinking has not seeped into the McGuinty government. It’s not part of their picture of the world.

The next issue is that of First Nations. In this country, we cannot be proud of our relationship with our First Nations. It has been a very, very sorry, dark history. To some extent, the mistreatment is being recognized in this country; to a much smaller extent, some of those issues are being addressed. So it was to my surprise that the concerns of the First Nations for a non-derogation clause in this legislation and for consultations were ignored in the bill and, initially, in the amendments from the government. It was up to the opposition, both the Progressive Conservatives and our party, the NDP, to put forward non-derogation clauses, which were initially rejected by the government. We were told that they were unnecessary, they were redundant; that this bill was constitutional, would remain constitutional, and really we were cluttering up the act. The next day, the government brought in the same amendment we brought in, because

we took it from a government bill. That part was useful, and I'm glad that we in opposition pressed them on that issue.

But the second substantial request from the First Nations was for consultation, and not just with the chiefs' organization—because that isn't the consultative body; that's an information-sharing body—but with individual First Nations, because they have treaty relationships, they have independent existence. They wanted that consultation and they wanted resources from this government so that they could actually participate in consultation in a meaningful way. We're talking about some of the poorest communities in Canada, whose living conditions are generally quite bad, whose standard of living is quite low. They quite rightly say, "For us to be in a position where we can comment usefully on technical matters that relate to our land and our rights, we need resources from you." Such an amendment should have been brought by the government. It was pointed out to them by First Nations groups that came and made deputations. No action on that. Amendments put forward to that effect were set aside.

The government is entirely on the wrong foot here with this issue. It should have acted. It should have put that provision in the bill, and to have not done it was entirely wrong.

#### 1900

The next issue of contention: the weakening of the bill with the abandonment of permitting and a move towards negotiating risk management assessments. The retreat from the original wording was a mistake on the part of the government. It reflects an unnecessary weakening of the bill. This government has a transitory commitment to this issue, and backtracking on that issue highlighted the lack of commitment.

Water conservation: One of the few issues that had support across the spectrum when we heard deputations, when we heard presentations, was a commitment to water conservation. Farm groups, environmental groups, cottagers all came out for this, as did the Ontario Federation of Agriculture, Friends of the Rouge Watershed, Grey County Federation of Agriculture, municipality of Brockton, Dundas Federation of Agriculture, AGCare, Environmental Defence, Canadian Environmental Law Association, Concerned Walkerton Citizens and so on. The simple reality is that as climate change reshapes Ontario, issues around water quantity will become significant.

The farmer representatives from Haldimand and Norfolk were very interesting in relating the fact that there are already disagreements and tensions, problems with availability of water for those who need to irrigate their crops. If we're going to deal with the issue of quality, it makes sense for us to deal with the issue of quantity. The farm groups argued, and very rightly, that the less water that is drawn down for municipal use, for human consumption, the less risk there is to those consumers from potential contamination, and their logic was quite solid. I don't understand why the government

turned its back on one initiative where there was unanimity across the board. They didn't have any controversy here. They could have said, "All plans have to include a water conservation element," and it would have been greeted warmly by all the different stakeholders. So, for heaven's sake, I don't know why on earth they didn't go forward with that.

This act is not impressive. I don't trust, the NDP doesn't trust, that the government will use the act to protect our water. The precautionary principle is not incorporated into it. There is no ongoing funding. There is no clarity in definition. Over the next few months, we'll see if the McGuinty government will act in a way that really protects water. Will it act to stop or even slow down the paving of the Oak Ridges moraine? Will it proceed with the deep underground radioactive dump on the shores of Lake Huron? Will it block the Milton quarry proposal? Will it allow the Richmond landfill to expand over fractured limestone near Kingston, fractured limestone that is the source of drinking water for the Mohawks of the Bay of Quinte? Will it proceed to approve the Bath incinerator? I think all of these tests will be watched to see if in fact this government has a commitment to water protection.

This government has wasted a historic opportunity to bring about crucial change in this province, and frankly, they have made a hash of this bill.

#### **The Acting Speaker:** Questions and comments?

**Mr. Bob Delaney (Mississauga West):** I enjoyed the comments of my colleague from Toronto–Danforth. Here's a city guy reading the NDP canned speaking notes on nutrient management. Perhaps the member was reading the cheat sheet for the wrong bill, because he referred to it being introduced in April when in fact it was introduced in December 2005—so let's set the record straight here.

Let's see if I've got this right. The NDP party that voted against putting on an electricity price cap, and then voted against taking it off, is also against clean water. The NDP party that voted in favour of keeping the private school tax credit is also against clean water. The NDP party that opposed the establishment of the green-belt is also against clean water. The NDP party that, during the few accidental years it actually held power in Ontario and actually cancelled all of Ontario's conservation initiatives, is also against clean water.

My colleague the member for Perth–Middlesex, who actually does get good Ontario farm mud on his boots every day that he is in his constituency, is also one of people who put some authentic sweat equity into this bill.

Members who care about clean water will support Bill 43 because it's the first drinking water bill of its kind in Ontario, and Bill 43 made sure it invested real money to protect real drinking water. Bill 43's investments protect land and water surrounding water wells, and they protect land and water close to municipal water intakes. Bill 43 supports education related to source water protection.

This government and its members—urban, suburban and rural—are serious about clean water, and serious about a healthy and viable rural Ontario.

**Mr. Norm Miller (Parry Sound–Muskoka):** I'm pleased to comment on the speech by the member for Toronto–Danforth on Bill 43, which is the Clean Water Act. Unlike the member for Mississauga West, I'll have to go in defence of the member for Toronto–Danforth, because I'm sure he does support clean water, and I know he is very concerned about the environment.

I and the PC Party very much support clean water, particularly representing an area like Parry Sound–Muskoka where clean water and our lakes are so important to our quality of life and to the economy of the area. This particular bill had a lot of comment at the committee stage, and I note that many different groups are concerned with the process. I would concur; I would agree with that. I note that the Lennox and Addington Federation of Agriculture talked about the process, and they said at committee that “as we approach the adoption and implementation of the act, the public needs assurance that the MOE's approach will not be confrontational but rather that the MOE will approach individual landowners with a goal of assessing threats and hazards with the intention of working with the landowner to solve any problems, mitigate risks and hopefully control threats to a reasonable and acceptable level.”

I agree with that, and I would say in the last number of years, the Ministry of the Environment has become more like the police instead of working with organizations to assist them. I remember 25 years ago, in my past life as a resort operator, when the MOE was very helpful, but they have switched over time to become more or less strictly the police. I think that's the concern that was being voiced by the Lennox and Addington Federation of Agriculture.

I also noticed that Ducks Unlimited says this bill “is very heavy on process, regulations, enforcement, and fines.” Ducks Unlimited: Well known to be stewards of the environment.

**Mr. Rosario Marchese (Trinity–Spadina):** I want to congratulate my friend from Toronto–Danforth. From his eminently reasonable speech, anybody listening would have known that we are for clean water, and that we want to make sure this bill that's presented is the best that it can be.

You have Liberals standing up in this House introducing the weakest of bills, and they call them historic. Every bill they introduce is “historic.” It's hysterical to hear them say this over and over again. Yet my friend from Toronto–Danforth has made so many points, and I want to highlight just a few.

One them is the following: They're going to take five long years to implement this bill. By that time, this government will have been out of office. It may not even begin in their term; it might begin in the next. Even if they do get re-elected—God forbid—they may not even introduce it in the next session. Five long years: Doesn't it remind you of the Ontarians with Disabilities Act?

They said that bill will take 20 years to implement. That too, was called historic. Every bill they introduce is historic, and that's why people listening to this say it's hysterical.

**1910**

The other thing is, the Liberal platform made an unequivocal promise to make those companies that benefit from exploiting our water resources, such as bottled water companies, pay a royalty on that resource. Not only are we commodifying water, we're selling water. Companies are sucking out the water and selling it at a dollar a pop. We're not even saying to those companies, “You've got to pay some to extract that water that you're selling.” Broken promise—and they want poor municipalities to pick up the cost of implementation, monitoring and enforcement. They are broke.

What the member from Toronto–Danforth is saying needs to be listened to by Liberals, and the member from Hamilton East will continue with that debate.

**Mr. Jeff Leal (Peterborough):** I did listen very carefully to the remarks of the member from Toronto–Danforth, but I think we've got to set some history straight here. Who, in 1993, started the privatization of laboratories in the province of Ontario? The precautionary principle in 1993 was thrown out the window, and who was there to sign off on that cabinet decision? Oh, yes, the member from Kenora–Rainy River, the member from Nickel Belt, the member from Timmins–James Bay and the member from Trinity–Spadina.

I refer to the O'Connor inquiry. On page 412, he stated, in conclusions, “I am satisfied that the failure to enact a regulation mandating testing laboratories to follow a notification protocol at the time of privatization of laboratory testing services did increase the risk to public health” in the province of Ontario. Who was involved with that? My good friends to the right of me.

Let's look at what this bill has to offer: \$7 million to include the stewardship program that's enshrined in the legislation. Let's be very clear: That's just a down payment to start this process going. Included in the bill: \$120 million to do the science around the issue of source water protection.

In fact, we've put together a very distinguished advisory panel on the stewardship fund: Al Lauzon, the chair, University of Guelph; Ron Bonnett, who endorses our stewardship fund; Dale Cowan, director of agribusiness for the province of Ontario; John Maaskant, Chicken Farmers of Ontario, chair of the Ontario Farm Animal Council and co-chair of the Ontario Farm Environmental Coalition; Russ Powell, the chair of the Oak Ridges Moraine Foundation; Ken Seiling, board member, Association of Municipalities of Ontario; and Rob Walton, a professional engineer, chair of the Ontario Municipal Water Association. We've brought together the brightest and the best in Ontario to sit on this advisory panel for our stewardship fund.

**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the member for Toronto–Danforth.

**Mr. Tabuns:** First of all, I have to thank all of my colleagues for their informative comments, and particularly my colleague from Trinity–Spadina for his impassioned defence of the position we're taking on this bill.

It was asked—no, it wasn't just asked; it was stated that the NDP doesn't support clean water. There is a party in this chamber that has problems with credibility on the environment. It's on that side of the House, and it is doing the best it can to throw up smokescreens. It is doing the best it can to market some of the weakest legislation we have seen and say that they're actually taking action.

If this government was going to protect source water, it would not have weakened the Nutrient Management Act regulations, as reported today by the Environmental Commissioner. If this government had a sterling record on the environment, we wouldn't be getting reports that say "Neglecting Our Obligations."

This government is not paying attention to what's going on with the environment of this province. It promised 60% waste diversion by 2008—no plan. It speaks about climate change—no plan. It talks about clean water—no money. No action on conservation, no incorporation of the precautionary principle—none of the elements that are needed to make this bill effective, elements that I brought attention to when I spoke to this issue in the House in April—no action except for weakening of the bill. This government is superb on marketing. I have to say, calling it the Clean Water Act was a good move. If I were you guys, I would have called it the same. But, frankly, it is not a clean water act; it's a sell job.

**The Acting Speaker:** Further debate?

**Mr. John Wilkinson (Perth–Middlesex):** Mr. Speaker, it's good to see you there this evening.

I have had the privilege over the last two years to serve two of our Ministers of the Environment: my good friend and colleague the Honourable Leona Dombrowsky, who was our Minister of the Environment, followed by the Honourable Laurel Broten. I spent a lot of time with Minister Dombrowsky during our time together in regard to the spills bill. The spills bill was an historic piece of legislation. It said, "If you spill, you've got to pay for it; not the taxpayer, not the people down the river." And we had a lot of resistance to that. But one thing we did is we listened to people. We took that bill out. We listened to people, and we made that bill stronger, made that bill better. And it is a framework piece of legislation.

I have had many debates over the last two years about the balance between framework and regulation, and I'll touch on that briefly. But in my time until very recently with Minister Broten, whom I admire a great deal, and someone I have known for quite some time as we journeyed in politics together, we worked together on the aptly named Clean Water Act, because all of us in this House, I would say before Christmas, are going to have to stand in our places and debate this bill, as amended. This bill has been through substantial consultation and

amendment, which has made it a stronger and more balanced piece of legislation. For, surely, our requirement here as lawmakers is to come up with pieces of legislation that are strong but balanced so that we are able to balance off the needs of various stakeholders.

It's a wonderful province. It's wide and it's diverse, and we always have to be wise to our responsibility as a government, whoever happens to be on this side of the House, as we look up at the great owl that, many of us have learned, faces the government side of the House to remind us that it is our job to be wise, as it is for the opposition to look across and see the great eagle and know that their job is to be eagle-eyed and to hold government to account.

It's very simple. We believe that we have reached that balance. So I'm very happy to enter into the debate on this bill, something on which I spent a great deal of time. I'm not in the Ministry of the Environment anymore; I was asked by the Premier to move on. But I wanted, and volunteered, to get into this debate because this is a bill that I lived and breathed since last December.

I just want to talk to you about my own impressions of the bill. Let's just go over what this bill does. It is a framework piece of legislation that at the heart of it listens to Justice O'Connor, who said that the best way to protect the sources of our drinking water is to have those people who share that water come together, whether they take it from the Great Lakes, whether they take it from a river or whether they take it from that great pristine aquifer under our feet, and, as a community, do what is required to ensure that, if there is any significant threat to their drinking water, those threats are mitigated.

I remember it was about half a century ago when in this province—and I distinctly remember that it was a Progressive Conservative government—we decided to bring in conservation authorities, when we decided that those people who lived in the same watershed, irrespective of their municipal boundary, had a common interest in managing flood water.

We don't allow people, for example, to build houses right in the middle of a flood plain. Why? Because we have a collective memory as a bunch of people who are in the same watershed that that's not a very good place to build a house or a business. We control those waters and we come together—that model of getting people who have a common interest together, irrespective of their political boundaries.

The watershed in my riding of Perth–Middlesex—we are at the headwaters of five different water systems in this great province, in my own riding alone. So I deal with five different conservation authorities. Why? Because the people who are in the same watershed have to work together, and it's a same thing with this bill. Those people who are drawing from the same sources of drinking water need to come together.

**1920**

The alternative—and I'm sure I heard this from the Progressive Conservative Party—was this idea that they thought O'Connor said they should amend the Environ-

mental Protection Act. We rejected that, because that would mean there would be a sense of rules and regulations which would be passed by the Ministry of the Environment, from on high in the great capital of Ontario, that we wouldn't listen to the wisdom of the people who have the common interest, but somehow we would try as hard as we could to craft regulations to fit every possible situation.

I know my rural members and I remember the mess we inherited from the previous government in regard to regulation 170. My God, that was one lousy regulation, and I don't know how much time we've had to spend on it. I give great credit to Minister Dombrowsky, who spent a great deal of time trying to get this right. She too is a rural member, so she understood it. I remember a Brownie camp from Kintore coming to me and saying, "John, we have to test our water every week, and we're only open three weekends a year." Why would we expect that of the Brownies? And we said, "Well, can we just say that we'll test the water when the people are there?" No, no. This regulation that was foisted upon us by a previous government said we had to test it every week. We've worked very hard to change regulation 170. I give credit to our ministers for being able to listen to rural Ontario because, faced with that, they decided the best thing to do was consult.

This bill is a framework piece of legislation, because it establishes the fact that those of us who share the same source of drinking water come together, that we have a common interest, that there's a committee that's formed. Based on some \$120 million worth of scientific work that's going on right now—last year, this year and for the next three years, completely uploaded and paid for by the McGuinty government—with that they will determine (1) terms of reference as a community, what it is that we need to accomplish given the framework of the bill; and (2) that there is an assessment report done that identifies all of the sources of drinking water and all of those threats, particularly significant threats. Then they come together and agree to a plan, and then they implement that plan.

At every step, the Minister of the Environment has a say, so that she is doing her responsibility for the province and ensuring that different source water planning committees are coordinated across this great province. At every step, people have the ability to appeal to the Environmental Review Tribunal. If they're not happy with that, they have the opportunity to go to court. There is no lack of due process such that people cannot be heard.

But I don't think there will be a lot of problems with that, because I think we've got it right from the beginning. From the groundwater up, we have this right. You put the people who share the common source of drinking water together, and they have the good sense and the common interest to work this out. They'll have disagreements, but I believe in people. I believe that those of us, particularly in rural Ontario, who know how to work together and how we must rely on our neighbour,

can come together as neighbours and protect our common sources of drinking water.

From this framework piece of legislation, we get to the point one day of having to implement that source water protection plan. We have made substantial amendments to the bill, and there are many we're very proud of. One of the things we did, and I thought was very good, was we talked about the fact that people had a concern that these kind of "building model inspectors," these people who would have power from day one, would come onto the property and say, "You must do this. You must be in compliance."

We changed all that after listening particularly to rural Ontario about having a risk management official. What could we do so that, when a person first came to see you because there was a concern expressed by the community through their source planning committee, we could work with the person to make that happen? Why would we do that? Because this government recognizes one immutable fact of rural Ontario: The very best stewards of the land and the water that flows over and under it are our rural landowners. No one has a greater vested interest than those people who have a calling to be stewards of their land. We recognize that by saying that, first, we must work with them.

It is a historic piece of legislation because, unlike other pieces of legislation, there's a clause that deals with the question: What if this piece of legislation is in conflict with any other piece of legislation? Generally, what happens is that you get one of these situations where there's always a question of who has jurisdiction, and nothing happens. In this bill, it says that whichever bill from this Legislature does the best job of protecting source water shall prevail. I think that—I speak to the great owl here—is a very wise way to deal with it, because it's very, very important that the purpose of the bill is always at the forefront, and I know the courts will interpret it as such.

I do want to get into the meat of the bill, because I think that the fact we have gone to the risk management official approach is the right one, and I'm proud of our minister for making that decision. I think she spent a great deal of time consulting with so many different stakeholders and so much of her own personal time listening to people. She didn't always agree with them, but she was very, very respectful. People were able to marshal their arguments as to why we should do these things, and they prevailed, and I want to say congratulations to them.

I think there are some people who are actually, and I'm somewhat shocked by this, going to vote against the Clean Water Act. Surely to God, upon reflection, knowing that there's an election imminent, every member of this House, after all of the rhetoric we've heard from all the leaders about how they support the intention of the bill, when they have the choice with this bill, as amended—when it is called at third reading, that will be a recorded vote. People back home will want to know:

Did you support the bill, as amended? I think it is a strong and balanced piece of legislation.

There continue to be these great myths that are being spread, I say to my friend from Essex, perhaps even for some vaguely partisan intention. I could be wrong here, but I just get that certain sense that maybe they're being somewhat partisan about this and about the misrepresentation that could happen from the bill. I think that's a distinct possibility in this situation.

I want to talk about the precautionary principle, because I know my friend from Toronto–Danforth spoke to it in his remarks. This bill is inherently precautionary. If you read Justice O'Connor, when you talk about the need to have a multi-barrier approach, it isn't one piece of legislation; it's the entire community coming together do what needs to happen, which is to protect our sources of drinking water. But that's not enough. We also have to treat our drinking water and we have to distribute our drinking water.

I know what happens when that doesn't happen. In my own community of Stratford, when there was an accident and chemicals were injected into our water supply, that water was pure at its source, that water had been treated, and it was subsequently contaminated before it got to people's taps. Fortunately, because of the wonderful response of our local community, we averted a tragedy. I distinctly remember hearing compelling testimony in Walkerton when we were on committee. I remember saying to the good people of Walkerton, "Because of the tragedy and the hard lessons that were learned, you saved lives in my hometown of Stratford." I thanked them, because it meant a great deal to us.

I know that my friend Mr. Tabuns said that there's no provision in this bill to conserve water. I disagree with him fundamentally. Perhaps, as a new member, he hasn't had a chance to read the bill. But we say that there has to be a report for each and every watershed, both on the quantity and the quality of water—not just the quality, but also the quantity. Inherently, this bill deals with the issue that our drinking water is not an inexhaustible resource if we don't treat it with respect and value it.

I also remember being in Walkerton. I think the deputy mayor there was talking to us about the fact that, although in Alberta they may have billions of dollars of oil underneath their feet, in this province we are blessed, he thought, with having a trillion dollars worth of clean, pristine water, in a world that will need more and more of it. That's how he valued it, and we agree, under free trade, that we would never commodify it. But what he said was that that is a wonderful resource of ours.

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I want to share with my friends, particularly our friends in the official opposition—you know, you have to be careful of the friends that you make in this place. After we amended the bill we were able to receive support from OFEC, OFAC, AMO, OFA, Conservation Ontario, from a lot of the NGOs for the environment. But I distinctly remember a chap named Randy Hillier. He spoke to us in Cornwall. I don't know Randy very well,

but I know Mr. Tory said that he didn't endorse Mr. Hillier but he thought he had some good ideas. I remember him saying that. I just want to share with all of the members, those of us who believe in democracy, his testimony. We were in Cornwall. He says: "The last page is the consequence should you not recognize the solutions"—in other words, what Mr. Hillier wants. "All this legislation that is coming down on rural Ontario is showing contempt for us; it is showing disdain for us. When there is contempt and disdain by government to the people, there is only one consequence...: It builds hatred, and from hatred in society there is a far worse consequence. Violence is the only thing that comes out of hatred."

Like a lot of members here, I know, I go to grade 5. Grade 5 students study government. We go to them because we represent the people, and we talk about the wonderful career that we have here serving the people. We talk about democracy. In democracy, when we have a vote, it doesn't make everybody happy. But what is it? It is fair. Do we therefore, then, tell the kids in that school in Grade 5, "If there's a vote in your class as to what is the nicest picture or what we're going to have today for lunch, if you lose that vote or if you don't get your way, you're supposed to go out in the schoolyard and beat up, resort to violence, be a bully, get into a fight to get your way"? We don't do that in a democracy, and those people who want to go on the record and say that they feel their only choice is violence, we say to them, "No." And I say to their friends in this House, you should be very careful of the friends you are making and keeping.

I asked Mr. Tory to explain to us, since he doesn't endorse Mr. Hillier but he thinks he has some good ideas, is this one of the good ideas? Is this a good idea? Is that what the Leader of the Opposition thinks, that if people come here and say that if they don't get their own way, they have no choice but violence, when we are here in the house of democracy? I would say that I actually had—

*Interjections.*

**Mr. Wilkinson:** In spite of the fact that I had some reservations about his testimony, in a free society—

**The Acting Speaker:** Take your seat for a moment.

I need to be able to hear the member for Perth–Middlesex, and I would ask all the members of the House to come to order so that I can.

I return to the member for Perth–Middlesex.

**Mr. Wilkinson:** In the greatest of parliamentary and democratic traditions—and that's the point that I'm making. The point that I'm trying to make here is that we have to turn down the temperature and say to those people who want to stir people up for partisan purposes that this is a bill that our constituents are going to want to know, "How did you vote? Did you vote for it, or did you vote agin it?" If you are going to vote agin it, I say to my friends on the opposite side, is it therefore your platform that if you were to by chance form government, you would repeal the Clean Water Act? Is that the position of the official opposition? Is that what they're going to say?

“When we had a choice to vote for clean water, we voted against it, and when we form government you can count on us to repeal it, because we don’t believe there should be source water protection. Instead, we’re going to do some airy-fairy amendment to the Environmental Protection Act. We’re going to open that up.”

We don’t believe in that. We believe, as I said, that the people who drink the water need to come together. They’re the ones who need to work together. If you’re going to have some friends on this bill, you’d better be very careful about which friends you’re making and which friends you’re losing out there in Ontario, because the people have a great sense, a very good sense, of where parties are.

*Interjections.*

**Mr. Wilkinson:** I hear them howling, because I think perhaps I may have hit a central point that they’re going to have to debate in their caucus: “Do we or don’t we?” I can tell you that on this side of the House we are going to vote. To each and every one of us in our caucus, we are proud of our minister, we’re proud of our government, of what we’re doing. Why? Because we listened to the people. There has not been a single major piece of legislation from the McGuinty government that hasn’t been amended, because, unlike other parties who used to ram pieces of legislation through this House and think that they did not have to listen to the people, we’ve listened to the people because we have a government that is balanced and principled.

I want to say to all of my friends, I look forward to standing in my place, looking across the way and seeing which members are going to stand up with us and for clean water and which ones are going to vote against it. It will be interesting to run the next election on those platforms.

**The Acting Speaker:** Questions and comments?

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** There’s one thing I do agree with you on. There has been a lot of legislation come out there, and you’ve had to amend it all. You’ve made mistakes. You could never get it right the first time, and that is so true.

Let’s look at this bill: 200-and-some amendments. That’s mistakes you made. You can’t even get it right. And you’re absolutely right: All your bills are wrong. You have to amend them and you don’t even get it right then. Now, in this bill, you haven’t got it right and you’re just over there saying that anybody who’s against this bill is against clean water. Well, that’s the way you think over there. You can’t get it through your dumb skulls over there that just because somebody votes against a bill that’s wrong, they don’t agree with it. That’s your way of thinking. Unfortunately, you don’t know what’s happening over there.

I can tell you right now, when we become government we won’t scrap this bill. We’ll make it better; we’ll amend it to make it better. We’ll do the proper amendments that should have been done when you were in government. But unfortunately, you’re so into yourselves, giving yourselves hugs over there, and “We are so

proud,” that if you don’t get over that proudness, you’ll be sitting over here and in no time you’ll be saying—that’s what happens when you get this proudness. You’re so proud of your minister and you’re so proud of this, you forgot about the real people out there you should be listening to, and making the proper amendments.

This bill will certainly hurt rural Ontario, and you know that, and your rural members are all hiding. I guess they’re not so proud. I don’t hear them all out there proudly. Well, there may be one out there, and I guess there’s the odd proud one over there, but I want to tell you, if I sat as a Liberal on all the things you’ve done to rural Ontario, you can’t be too proud over there, let me tell you that.

With all these amendments, that means it should go back out to the people again. You got it wrong the first time; you had to amend it 200-and-some times. So let’s send this bill back out to see whether the people you’re talking about think it’s any good. That’s what you keep telling us: “Oh, we go and listen to the people.” But now you’ve changed the whole bill; you don’t want to listen to them. You say, “No, we’re going to ram this through, and if you don’t support it, you don’t like clean water.” That’s the way you think over there, and that’s really unfortunate.

**Mr. Marchese:** The member from Perth–Middlesex says, “We listened.” If only others could listen as well as he does. If only others could listen as well as Liberals listen. New Democrats introduced 70 amendments. The Liberals listened so, so well, they adopted two.

*Interjection.*

**Mr. Marchese:** My friend Mr. Bradley says that two is good. So I don’t know what a poor listener is. If a good listener only adopts two, what is a poor listener? One.

Secondly, I wonder what the member has to say about the 2003 Liberal platform promise, and it was an unequivocal promise: to make those companies who benefit from exploiting our water resources, such as bottled water companies, pay a royalty on the resources, as is the case in other resource sectors.

It was a clear promise. I know the Liberals are saying, “Please, try to forget what we said. Just focus on what we’re doing. Those promises—we moved beyond them. We transcended promises. We’re moving into another arena, another area of advancements.”

They are extracting water from the earth, sucking it out, these companies, and the Liberal government says, “We love water so much, we’re going to let the companies take it out and sell it for a dollar a pop.” You know those little water bottles—\$1 a pop, in some cases \$2, depending where you are. The member from Perth–Middlesex says, “Water is such a wonderful resource—we’ve got trillions of litres of water—that we will allow companies to take it out, and we’re not going to tax them, contrary to the promise we made.” That’s how much they love clean water. Think it through, John, think it through.

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**Mrs. Carol Mitchell (Huron-Bruce):** I want to rise and support today the good member from Perth–

Middlesex and just acknowledge that I will be supporting Bill 43. But I do want to add to some of the comments that were made by some of the other members, and more specifically the comments made by the member from Bruce–Grey–Owen Sound. When you talk about our government and what we have done for rural communities, clearly it has been demonstrated that these are local solutions. You talked about real people. The people who sit around the table working on the source water protection plans are the people who have been dealing with water sources for over 50 years in all of our communities. The people understand; they know the system. They're applying the knowledge they have and moving forward with the plans. So it is a true local solution, and we are allowing that to evolve.

One of the things that I want to recognize too is that our government has gone out, we have listened to the people, we are working with the people, and we recognize the financial hardships and contribute money to that.

The member from Bruce–Grey–Owen Sound talked about the good work they did. Let's talk about nutrient management, and let's talk about reg. 170. I know the member from Bruce–Grey–Owen Sound lobbied very heavily to get a lot of that changed. But you know what? Bottom line: It didn't happen. Our government came in, and 170 was changed. With nutrient management plans, we recognized the financial hardship of the agricultural community, and dollars were applied to that.

When we look at source water protection collectively, at what we can do in our rural communities to make them strong, this is a part of it, and recognition has been given. We will continue to support the rural communities, the ag communities, to ensure that their products and the tools that they have to use are going to make our food safe and our water clean.

**Ms. Lisa MacLeod (Nepean–Carleton):** It's a pleasure to actually rewrite the fiction that's been written and spoken on that other side, because this bill is an abdication by that government of its provincial responsibilities on the backs of our municipalities and our rural landowners. At the outset, it was us on this side of the House who recognized that this bill, the Clean Water Act, was fundamentally flawed. In fact, that is why we urged in this Legislature for you to go out and publicly consult the people. It was only then that the Liberals on the other side heard from the people—the people they're ignoring; the people, I might add, they mock, if you can believe it, in this Legislature because they have a different point of view than they do. They are going to continue to ignore them, and they obviously have continued.

Thanks to our side—Laurie Scott and others in our caucus—there was public consultation, and over 200 amendments to this fundamentally flawed bill were put before the committee. Unfortunately, the shame in all of this is of course that none save two of the opposition resolutions were accepted. In fact, over 100 amendments from the government on its own piece of legislation passed. This bill is flawed. The sheer number of amend-

ments made by this government is an admission of the fact that the Liberals have to agree that this bill is flawed.

The biggest flaw in this bill is funding. I heard it from my own constituents this weekend at the Metcalf Fair when Terry Otto of the OFA told me that they need financial assistance. In fact, the \$7-million support program that was introduced by the minister was simply a deflection, a mere public relations game. This legislation requires long-term and sustainable funding, but sadly there is not an admission by the people on that side, and there will be none, for our rural landowners in our municipalities.

They should put it back to the people. This piece of legislation should go out for further consultation, after they've basically rewritten it—and they've done it with several bills this summer. They'll say anything and do anything to get elected, and that is all this bill is.

**The Acting Speaker:** The member for Perth–Middlesex has two minutes to respond.

**Mr. Wilkinson:** First of all, I want to thank my good friend from Huron–Bruce, my neighbour, and also the members for Bruce–Grey–Owen Sound, Nepean–Carleton and Trinity–Spadina. I want to say on the record that I enjoyed working with your colleague Mr. Tabuns on this bill, but I want to say to my two friends from the official opposition: I didn't hear you say that Randy was wrong. Isn't that amazing? Did you hear that? I didn't hear anybody get up and say that somehow they thought Mr. Hillier was all wet on this, that he should go to Hansard and say that their only choice was violence.

It's interesting because I think the opposition are unhappy because they criticized the bill, we amended it, and now they don't know what to do. We actually fixed a lot of this bill, because we don't start, like they did, with the idea that we're perfect. We need to listen to people. So we set out that framework. I'm going to be very interested in entering into this debate because at the heart of it, what I want to say, and I want to remind people—and I say to the member from Nepean–Carleton—and I'm sure Mr. Bonnett, the president of the OFA, who's on the minister's advisory committee, is quite unhappy to hear your comments. I'm sure he will find it interesting about how the OFA came to all three parties and said we needed to amend the bill, that we needed the drinking water stewardship fund.

I want to thank our Minister of Education, Kathleen Wynne, the member from Don Valley West. I want to thank Dr. Kuldip Kular, the member from Bramalea–Gore–Malton–Springdale. I want to thank another one of our urban caucus, Khalil Ramal, the member from London–Fanshawe. They were great supporters of our rural caucus about the need to change that. They themselves realized that we needed to do that, and now after we do it, what do we hear from the opposition? "Oh, we're very unhappy."

*Interjections.*

**The Acting Speaker:** Further debate?

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** It's good to finally get the opportunity after you had to wait so long for those rowdy rascals to quiet down here.

Anyhow, it's a pleasure to rise and speak to Bill 43, the most gigantic download in the history of the province of Ontario. This government talks about how they promised when they were running for office that there would be no more downloading in the province of Ontario. We know that that hasn't happened. They have downloaded, and now they're proceeding with the biggest download that rural Ontarians will ever see.

They talk about the amendments that they put forward—\$7 million for a stewardship fund. As my friend from Bruce–Grey–Owen Sound said, “That might take care of my county or it might take care of his county, but it won't take care of the other 101 counties in province of Ontario.” They seem to think that they've got it right now.

I get a kick out of the member for Peterborough. When this bill was first brought to the House, the member for Peterborough says that everybody should be supporting this bill. It's in Hansard here. He was a big supporter of this bill. The member from Peterborough just thought this was the greatest thing since sliced bread. Then we're at the committee hearings in Peterborough, and we get presented with a letter to a constituent from the member from Peterborough saying, “I need your help. Help me. Work with me so we can stop this bill.” Oh, yeah, so we can defeat this bill.

So, here we are now today, and when I asked the member for Peterborough the other day, “So are you going to vote against it now?” He says, “Well, I would have if they hadn't come up with \$7 million.” So not only have they bought off the member from Peterborough, I know they've bought off Ron Bonnett too. Oh, yes, Ron Bonnett is a big supporter now.

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**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I'm absolutely convinced that the language that was used in terms of buying off a member was inappropriate, and I would like to have it withdrawn.

**The Acting Speaker:** I would ask the member for Renfrew–Nipissing–Pembroke to withdraw that remark.

**Mr. Yakabuski:** I withdraw that remark.

**Mr. Wilkinson:** But leave the one on Bonnett.

**Mr. Yakabuski:** Oh, it's there. I'm good with that one. Look, the man has been a Liberal supporter for years, and now you guys are happy; you've got him in your stable. But you know what? The farmers across this province, those who hold the cards that say “OFA member,” haven't signed off on that. They don't support what you're doing for \$7 million. I know; I talked to the farmers in my riding, and they think this is a joke. This \$7 million is a cruel joke on rural people in the province of Ontario.

You know why this bill is here? This bill is not because this government cares about clean water more than anybody else. We all care about clean water. I trust that I'm drinking clean water here. This is about the

politics of this government, where they continue, at every opportunity, to drive a wedge further between urban and rural Ontario. They know that this legislation is something they will be able to sell very easily to urban people. In fact, the Great Lakes aren't even part of this bill, so the water system in Toronto is not affected by this bill. But your water up in Renfrew or Owen Sound or Meaford or Listowel? Yes, it's affected, and those municipalities, those landowners and those farmers are going to pay, because \$7 million doesn't even scratch the surface. Somehow they think that for \$7 million, they're going to make a bad bill good.

As Justice O'Connor said, we have the tools at our disposal under the Ontario Water Resources Act and the Environmental Protection Act. I was amazed that the member from Perth–Middlesex said, “We don't believe in the Environmental Protection Act.” I couldn't believe he said that. So I've got to believe that maybe they are looking at some huge amendment there as well.

Let's look at the amendments to the bill. I asked the members, or somebody asked them, when we were at committee hearings, to talk about some of these things. I say “things,” because you'll remember that about 1982 or so, John Carpenter had a movie called *The Thing*. It was about this entity or being or creature that changed its shape and changed its image. Well, I tell you, this bill is certainly *The Thing*, because it has changed dramatically.

Let me read part of it here for you. Let me read some of the references here, under “use of force”:

“A person authorized by a warrant under subsection (10) to do anything set out in subsection (1) or (7) may call on police officers as necessary and may use force as necessary to do the thing.”

Then: “... a receiver or trustee in bankruptcy is not required to do the thing because of subsection 71(5)... each person required by an order made under section 55 to do the thing... to each person required by an order under section 72 to permit access for the purpose of doing the thing; and if a receiver or trustee in bankruptcy is not required to do the thing because of subsection 71(5), to the receiver or trustee in bankruptcy.” We could go on, but there's reference after reference in this bill about “the thing.”

**Mr. Marchese:** We need to define “the thing.”

**Mr. Yakabuski:** We couldn't even get a definition from the then parliamentary assistant as to what the hell “the thing” was. There was no answer as to what “the thing” was, and there are so many undefined “things” in this bill that it leads one to ask the question, “What really is going on here?” And we are supposed to stand back and say, “Let's just trust these Liberal things when they bring out regulations; everything's going to be fine in rural Ontario”? In my opinion, they've got another thing coming.

**Mr. Marchese:** That's right. The Thing from *Fantastic Four*; that's the thing.

**Mr. Yakabuski:** There's another thing, yeah.

I was speaking to a distinguished constituent of mine the other day, a parliamentarian of over 30 years. Do you know what he said to me?

**Mr. Marchese:** Your cousin?

**Mr. Yakabuski:** No. He said to me, “John, something has got to be done about how government is driving a wedge between rural and urban people.”

**Mr. Wilkinson:** Not Randy Hillier?

**Mr. Yakabuski:** No, no. As I said, it was a parliamentarian of over 30 years. You all know who that would be. And he was a Liberal member of Parliament. When they start saying these kinds of things, it is kind of sad that they recognize what this government is up to in the way it deals with rural Ontario and its problems. They're looking at the votes, but if I were these rural members sitting in this Liberal caucus, I'd be a little worried about this.

**Mr. Wilkinson:** Oh, we're feeling a lot better now.

**Mr. Yakabuski:** Oh, yes: \$7 million. You think your people are that gullible? I can tell you, they're not.

Down payment: The Liberals are always talking about down payments. You know what? As they said in Jerry Maguire, show me the money, because people have heard from you so many times about what you're going to do, and you don't do it. People in this province have just about had it. They've had it with a Premier who can't seem to get it right in the health system: \$2.5 billion in health care taxes, but we've got ERs closing across this province. We've got ERs closing in this province under Dalton McGuinty's watch, and that is quite shameful.

Rural people deserve fairness from this government. I'm not going to say everything is bad; that's not the case. In fact, I had the opportunity this evening to sit down and chat with the Minister of Agriculture. She's a rural member herself. I had a chance to bring to her attention a specific problem that a constituent of mine is having. She has agreed to look into it, and I believe she's going to. I trust that she's going to come back with some kind of a solution for this person because I think she genuinely understands it. Here's a person who needs some help and we have the capacity to possibly do that, and I appreciate that. I appreciate when things happen in my riding which are positive things, like highway work and stuff like that. That's important. We work with the people in the government to ensure that those things can happen. But at the same time, when you reach a point on a certain issue that you have to stand up and be counted and say no, that is exactly and precisely what you must do. You must stand with your people; you must stand with the rural people of this province who are being led down the garden path on this piece of legislation.

You talk about somebody who has been naming the people who are supporting this thing. I'll tell you, when the eastern Ontario people had their meetings in Kingston a few weeks back, they left with the position that this bill was the most dangerous thing for rural Ontario they had seen come out of this government yet.

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They simply have no idea of the damage and how much this could do financially to people in rural Ontario, because there is no bottom line. There's no end, no stop; the clock keeps ticking. It's a blank cheque, and it's the people of rural Ontario who are being hit harder than anybody else. No matter what happens, the rural people get it hardest. When taxes go up, the rural people get it worse. When hydro rates go up, the rural people get it worse. When any kind of fees go up, the rural people get it worse, and do you know why? It's because they simply don't have the level of income to be able to absorb those kind of shocks.

When these people who make all kinds of money get told, “You know what? It's going to cost you a few hundred dollars more this year to do this or to do that,” it doesn't matter. It doesn't matter. But when people in my riding are told, “You've got to pay this,” and it comes out of Dalton McGuinty—sorry. When it comes out of their pocket going to him, but the edict and the rules come out of Dalton McGuinty, they are hurting. That hurts them even more, because they don't have the cushion to absorb that.

Look, some of the people who came to visit us in Peterborough gave very, very articulate submissions, some of the people who, quite frankly, the Liberal members ridicule and dismiss as being of little consequence, or not important, or whose opinions are simply not to be listened to. They spoke, many of them representing landowners, many of them representing farm groups directly. They spoke at those Peterborough hearings, and they spoke in an articulate way about how this was going to hurt them.

We got over 200 amendments proposed to this bill and about 100 or so passed, but many of them are quite insignificant. They are simply changing the words from “the minister may” to “the minister shall”; or from “the minister shall” to “the minister may”; or instead of “the minister can,” “the minister must approve.” Stuff like that is basically window dressing.

The big issue is that Justice O'Connor said that if you're going to bring water protection legislation into this province—and I think it's recommendations 13 and 16—you've got to pay for it. You can't just say, “We're going to throw \$7 million into the pot and the whole world's going to be okay.” Well, that's not what it is.

**Mr. Wilkinson:** We didn't say that.

**Mr. Yakabuski:** Well, what are they saying? What are they saying? Are they saying it is a down payment? You tell us what the mortgage is then, Mister, because the people in rural Ontario can't afford the monthly payments on that one.

*Interjections.*

**Mr. Yakabuski:** They want to be able to take this bill for the next election and say to people in Toronto, “Look what we've done. We've passed the Clean Water Act.” But you know what? This bill is not about protecting water; it's about protecting those Toronto seats, and the

people in rural Ontario are the ones who are going to pay the price.

But I can tell you that those Liberal rural members who think that their support of this bill is going to go over well in rural Ontario had better think again. The people in rural Ontario are not supportive of this legislation.

*Interjection.*

**Mr. Yakabuski:** They are supportive of clean water; absolutely right. They are supportive of the protection of water; yes. They are not in support of this bill, where you make all the rules, you make all the decisions, and you hand the people of rural Ontario the bill. This is not acceptable and will not be accepted.

As Bonnie Clark, representative of the Peterborough County Landowners Association, said—

*Interjection.*

**Mr. Yakabuski:** Are you ridiculing landowners? I ask the House leader, are you?

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** No. What landowners?

**Mr. Yakabuski:** Don't be ridiculing landowners. You know that? It's shameful the way you ridicule people in here. That's kind of sad, really, because those people work hard and take care of that land. They nurse and protect it, and they are worried about the resources on it, too.

I ask you, as elected representatives, to take a step back from Bill 43, a bill that represents proposed legislation that is flawed, a bill that legislates reverse onuses being placed on individuals. We feel the responsibility for clean water needs to be collectively addressed with collective dollars. So what are we doing? No. We're putting it back to individuals, and we're putting it back to municipalities, the municipalities that were told they would not get any more downloading under this government. Shame. Shame.

They don't have any idea what the cost of the actual enactment, follow-through and implementation of this legislation is going to be.

**Hon. Steve Peters (Minister of Labour):** What you guys did on Bill 81—

**Mr. Yakabuski:** The Minister of Labour is concerned about some other bill which I don't have in front of me right now. Quite frankly, he should be more concerned about those people in his riding who are upset about Green Lane. That's what he should be worried about, not Bill 81. You should be worried about Highway 401, because you might have to take it out of your riding somewhere after the next election. That's what you should be worried about, I say to the Minister of Labour, because I'll tell you, those people in London who wondered why their members didn't stand by and didn't inform them about what was going on—secret backroom deals and—

*Interjections.*

**The Acting Speaker:** Would the member please take his seat?

*Interjections.*

**The Acting Speaker:** I would like to ask the House to come to order.

**Mr. Yakabuski:** I've lost all my time.

**The Acting Speaker:** No, no. Just relax.

Would the House please come to order so I can hear the member from Renfrew–Nipissing–Pembroke who has the floor?

**Mr. Yakabuski:** I try so hard to present an argument in a reasoned way, and it's just so hard to get over the shouting sometimes. But I am heartened to hear that the Minister of Labour is calling on all challengers to come and take his seat in the next election. He is very, very confident that he's got that won. Well, maybe the people of London will have a different opinion on October 4, 2007.

I can tell you I would never be so presumptuous to think that I can take for granted the support of my people in Renfrew–Nipissing–Pembroke. You've got to be out there earning their trust and their support each and every day of the year, and I intend to continue to do that. If I step out of line, I hope they will let me know, and I'll do my best to get back on course.

**The Acting Speaker:** Questions and comments?

**Mr. Marchese:** I want to say that I have some sympathy for some of the arguments put forth by the member from Renfrew–Nipissing–Pembroke, and I'm going to tell you why. I'm also going to announce that the member from Hamilton East will speak in approximately five minutes, and she will talk about many things, including the fact that the government has literally rewritten this whole act. I have rarely seen a bill completely rewritten, which leads me to believe they did not have a clue what they were doing to begin with. How many amendments were there—100 or so of their own amendments they've brought forth? This whole bill is completely rewritten. The member from Hamilton East is going to talk about that.

But with respect to the issue of financing, this government has decentralized control over the implementation, monitoring and enforcement of the source protection plan. It's going to cost money. You cannot deny it, all you fine Liberals. You cannot deny it. It's going to cost somebody a whole heap of money.

**2010**

Municipalities are saying, "We're broke." Municipalities are saying to the provincial government, "We're paying for soft services such as public housing. We're paying for welfare," in most parts of Ontario. In some parts of Ontario, they're paying for child care. They're paying for transportation unlike ever before. They're paying for ambulance services. They're broke. The taxpayers at the municipal level can't bear the burden of these soft services, and then you say to them, "You're going to have to pay for implementation, monitoring and enforcement of the source protection plan." And they're worried. New Democrats are worried.

Farmers, like municipalities, are concerned about the cost imposed by the source protection plan on affected landowners and would like to see a fund to offset new

costs of compliance. They're worried about who's going to pay. You should fix it.

**Mr. Wilkinson:** I go home and I turn on the tap. I don't know about you, but when I turn on the tap, is that water free? Or do I actually get a bill from my local utility that says, "It costs a little bit for us to get the water, to treat it and to get it to your house safely." We do that every day, but I think maybe there's a position developing that if we're going to do the smartest thing in the most cost-effective way, which is what Justice O'Connor told us, that we need to keep the sources of our drinking water safe, somehow the good people are not interested in shouldering any of that.

Let's look at the example of the county of Oxford. The county of Oxford came to our committee. I believe they testified in Walkerton. They have a very complicated water topography there, very challenging, just because of nature and how the county of Oxford is: many different aquifers, many different river systems. They estimated to us that it was about \$1.62 per month per water user for 10 years. That was what they told us.

I know that number got extrapolated out as a large number. But I remember being on committee, and I know that in second reading debate my friend Mr. Yakabuski said he had heard that it was some \$7 billion. I said, "Where did you get that from?" "Farm groups." Then we were in Walkerton, and the member from Bruce-Grey-Owen Sound said, "No, no, Mr. Yakabuski didn't get it from farm groups; he got it from me." So I guess maybe the good member is a farm group all by himself. You might want to go on a diet, then, if you're going to be a farm group. He said, "No; when I was at the Ministry of the Environment"—having the role that I had as PA—"that was the number." I said, "Who are these people?" And he goes, "Oh, I can't tell you that." I say to the member for Bruce-Grey-Owen Sound, and we've called on you before, if you've got numbers that you want to share with this House and not fearmonger, then you should table them, sir.

**Mr. Murdoch:** I shared them with you.

**Mr. Wilkinson:** Get me the names.

**The Acting Speaker:** Questions and comments?

**Mr. Robert W. Runciman (Leeds-Grenville):** In the last election, we only added two new members to the Conservative caucus. One of them was from Renfrew-Nipissing-Pembroke, and what an addition he's been. I served with his father; that says something about my age, I guess.

But I have to say that I'm really proud to serve with this member. He stands up and fights not just for his riding but for rural small-town Ontario. He's constantly there in the forefront on behalf of the people he represents and the people who care about rural small-town Ontario in this province, unlike the people who represent rural small-town Ontario in the Liberal caucus who've been written off by their own government.

We saw a vacancy in the cabinet recently. Whom did they appoint? Somebody from Toronto. Half the cabinet of the province in this Liberal government is represented

by Toronto members. It's a Toronto-centric government, and it shows in their policies constantly, day after day. We see—

*Interjections.*

**The Acting Speaker:** I'd ask the government members to please come to order, and return to the member for Leeds-Grenville to conclude his comment.

**Mr. Runciman:** We've seen it when they try to ban bake sales, when they try to ban church dinners. That's the kind of Liberal government we're dealing with. They don't understand or appreciate the traditions of eastern Ontario. We have signs throughout rural Ontario saying, "Back off, government. This is our land." You have to understand the intrusions of government and this government especially, this Liberal McGuinty government that does not understand or appreciate rural Ontario.

John Yakabuski is standing up for rural Ontario and the Progressive Conservative Party under John Tory is standing up for rural and small-town Ontario, unlike the backbench Liberals, who do not have the intestinal fortitude and will not stand up and represent the people who put them in office.

**Ms. Andrea Horwath (Hamilton East):** I look forward to having more fulsome comments when I get my opportunity to enter into the debate, but this is part of the questions and comments period.

I just want to say that many of the comments that were raised by the member from Renfrew-Nipissing-Pembroke were very to the point. It's about the fact that the government has had several kicks at the can when it comes to this piece of legislation. But when you look at this, which was actually introduced on December 5, it didn't even get to second reading until May 18, six months later. It went through second reading, and we have a bill that has got more strikeouts in it than anything I've ever seen in the entire time I've been here, which has not been a very long time, to be frank with you. Nonetheless, what it tells me is that the government was ill-prepared when they brought this legislation forward. They went through the committee process, hundreds of amendments came forward, and at the end of the day, we still end up with a bill that's not supported by the vast majority of people, not because we don't support the idea of clean water, as some would so spuriously suggest, but rather because we see this as a crying shame. We see this as an extremely major missed opportunity by a government that simply was asleep at the switch and forgot about all of the campaign promises they made, particularly the one that's most important, which is the one that would have enabled them to get a lot of the criticism that was brought forward by the previous speaker off the table: the simple matter of the water-taking fees that they promised in 2003, which they have not delivered on, that could have been in this bill. One of the strikeouts, one of the additions, could have been about water-taking fees. What would that do? That would help those rural communities, those municipalities, those conservation authorities pay for the source water protection plans that they

have to put in place. You lost the opportunity. You dropped the ball. Shame on you.

**The Acting Speaker:** The member for Renfrew–Nipissing–Pembroke.

**Mr. Yakabuski:** Thank you very much to the members from Trinity–Spadina, Hamilton East, Perth–Middlesex and Leeds–Grenville for their comments.

It is a fact that they really botched this one. This bill would never even have gotten to hearings if it wasn't for the work of our environment critic, Laurie Scott, and the PC caucus and the members of the third party to bring this bill to hearings. They wanted to just push this through the way it was. Can you imagine this? Even by their own admission, they had to put 100 amendments in it. They would have just shoved the whole thing through the way it was. The member for Peterborough thought it was a great bill before the amendments.

**Mr. Leal:** No.

**Mr. Yakabuski:** In Hansard, he was supporting it.

We forced this bill to go to the people so they could comment on it and try to salvage what was a real mess. What we got back was a dog's breakfast, edition 2. This bill, which has had to be amended 100 times, should go back to the people again. You haven't got it right. You won't get it right; you can't make a silk purse out of a sow's ear. You can't make anything out of this. You've got to start over, on the principle that people in this province are going to be treated fairly, and that if something is in the best interests of every citizen of the province of Ontario, then it should be the responsibility of every citizen in the province of Ontario to share in the cost of its implementation. It should not be simply borne on the backs of rural people because they don't have enough voices in that cabinet.

2020

**The Acting Speaker:** Further debate?

**Ms. Horwath:** I'm going to try to moderate my voice. There was quite a standard set by the previous speaker, but I tell you right now—I've experienced this in this place here once before—if I speak in too loud of a tone, I will lose my voice. I don't want to have that happen, because I have some important things that I need to get on the record in regard to this legislation, which the government is calling a Clean Water Act and which we really consider to be a disappointment act, from our perspective.

We believe that there were many, many opportunities that this government had to do exactly what needed to be done to actually address some of the criticisms that the Environmental Commissioner of Ontario raised in his report *Neglecting Our Obligations*, which he released today. And you know what? We are going to continue to neglect our obligations if we continue to neglect our opportunities. That's exactly what this government did: It neglected its opportunity to put into place in Ontario a system of source water protection, a system for making sure that that source water protection was properly funded and properly accountable so that we could rely on clean water for the province of Ontario many decades

into the future. Instead, what happened was, they've tabled this legislation, Bill 43. I mentioned a little earlier on that they tabled it in December of last year. It got to second reading in May of this year, it went through a committee process, and here we are at third reading tonight.

I have to say, one of the things that people who have gone through the process of this bill will know is that we in the NDP caucus are privileged to have a very effective environment critic speaking for us on the matters of this particular bill. Our critic has an astounding reputation. His reputation is unblemished in the environmental community. He has brought our caucus along in terms of understanding the nuances of this bill, to the point where we all agree that it's a sad state of affairs when a government comes forward touting this as a Clean Water Act when we all know very well, from the work of the member from Toronto–Danforth, that in fact it misses the mark by far.

I say that because there are many pieces of this bill where the government—in fact, my friend from Trinity–Spadina, Mr. Marchese, has said several times, “All you need to do is look at the bill.” Look at the amount of strikeouts in the bill. Look at the fact that these strikeouts don't even represent the 70, close to 80, amendments that our good friend from Toronto–Danforth, Peter Tabuns, tried to put on the table. Why did he put those amendments on the table? Not for any reason that's inappropriate, not for any particular desire to get under the skin of the government, not to give you any lessons about what the right thing to do in terms of source water protection is, but—

**Mr. Marchese:** To make it better.

**Ms. Horwath:** Exactly: to make it better, to make the bill an effective bill, to do the things that we all talk about wanting to do when it comes to protection of source waters in the province of Ontario. That's why those amendments got put forward. That's why our environment critic—again, a person who is very well respected in the environmental movement—took the time, didn't sit on his fanny, looked at the legislation, looked at it carefully, worked with our researchers, worked with people in the environmental community, and tried to figure out what was needed to make this bill pass the test of being a true and strong protector of source waters in the province of Ontario. And so we did: Mr. Tabuns, the member from Toronto–Danforth, put many amendments on the table. The government, in its wisdom—or lack thereof—saw the need to include only two of those almost 80 amendments that we put forward.

That's why, when New Democrats talk about Bill 43, we talk about it with a severe sense of disappointment, a severe sense of betrayal, a severe sense of anguish. The government, unfortunately, decided to play partisan and not take the real, appropriate, meaningful amendments at face value and include them in the legislation to make it better—not to make it better for us or for me personally, not to make it better for my friend Rosario Marchese from Trinity–Spadina, not to make it better for Peter

Tabuns or to make his reputation any better in terms of him being an effective environment critic for the NDP caucus; he put them forward to make it better for the people of Ontario. It's shameful that here we are talking about something you're calling the Clean Water Act, when we know very well that there are many missed opportunities this bill should have been addressing.

Mr. Tabuns has spoken very clearly about the specifics around where he sees the problems in the bill. I think it's fair to characterize this bill as a major letdown. I think it's a missed opportunity, and it's something we should all feel very sad about when we finally get to the point of the government and its majority moving it forward, as we know they're going to.

I think we all agree that source water protection is an important, necessary accomplishment that this province needs to have under its belt. Unfortunately, what we have in front of us doesn't quite pass the test. You know why it doesn't? Because there are many pieces of this legislation that are left to interpretation; there are definitions included in this bill that are simply not appropriately laid out, so that it leaves a lot to interpretation. We know what happens when things are left to interpretation: It weakens the intent. Why is the government content with having a weakened bill? I have no idea. That was certainly not what we as New Democrats were hoping would come forward when a bill was finally put in place.

Unlike the McGuinty government, we believe that all sources of drinking water, whether they're in the south, whether they're in the north or whether they're for municipal water systems or for private wells, deserve protection. Unfortunately, this bill doesn't cover off all of those areas. The government doesn't share that view. In this bill, it only talks about sources of water for municipal water systems, and only those that are in watersheds the province has with conservation authorities. The problem we have in terms of what the bill covers and doesn't cover is that it doesn't cover all source waters. It only hives off certain types of source water and talks about those types of source water for the purposes of protecting the drinking water across the province of Ontario. That's problematic, because we all know that, the way water systems and watersheds and water tables work, you can't hive them off and say, "This is one little area, so if we deal with this one little area, it's going to affect water quality across the province." It simply doesn't work that way. It's not logical. It's a patchwork approach, and it's one we don't support. It's one, in fact, that we know Justice Dennis O'Connor, in his report on the Walkerton tragedy, talked about, and his disappointment around the concerns about protection of sources of drinking water across the province that needed to be taken into consideration. In this bill, it didn't happen.

What happened when we put through the number of amendments we put through? They were ignored by the government. What is the most important one we wanted to see? It's hard to say; there were many. But my friend from Trinity-Spadina raised this already in his questions and comments earlier in the evening: One of the funda-

mental things you need to do if you're going to actually protect source water is get serious about the timelines, actually put in place timelines that are effectively going to make a difference sometime soon, not sometime later. That's a fundamental problem this government seems to have: They're unable to commit to doing something right now. They have to do something in the future.

I think the example my friend from Trinity-Spadina raised earlier was the example of the Ontarians with Disabilities Act. In that case, it's 20 years of implementation. People with disabilities have to wait 20 years until there's an accessible Ontario that they can feel is addressing their mobility issues in a way that is equitable to everyone else who doesn't have a mobility issue in the province of Ontario—or any other type of disability, for that matter.

#### 2030

Similarly, the government is saying, "It's good enough to wait for five years to implement source water protection, because you know what? Over the next five years, we don't need to worry too much. We know we have the right thing at heart." That's what they like to say, right? "We've got the right idea. We're committed"—isn't that one of the ones?—"to this issue. We're going to do something about it." When you read the fine print, they're not going to do anything about it anytime soon, and what they are going to do about it is hard to define because they haven't even bothered to solidify the definitions in the act. So everything is a little bit amorphous when it comes to figuring out exactly what some of the things are that they're planning on doing. But don't worry; they're committed to source water protection, just like they were committed to making sure that companies that are taking water and reselling it—bottling it and selling it, using that natural resource that we're so concerned about protecting—have to pay. That's what they promised in 2003. They said that water-taking fees were going to be implemented in the province of Ontario.

I didn't see that in Bill 43, I've got to tell you. I didn't see it in the original version that came out at second reading. Notwithstanding all of the strikeouts and the changes—and this very thick bill has many pages of strikeouts in it—I didn't see any additions, any amendments that included living up to that commitment of water-taking fees. Do you know why that's important? It's because it has become very clear through this debate and the process of committee hearings that the people who are going to be responsible at the local level for developing and implementing source water protection plans are those people, those municipalities, those conservation authorities, which, by the way, are funded in large part by municipalities, right?

We heard earlier from the member from Renfrew-Nipissing-Pembroke about—is it Renfrew? Is that right? Did I say it right?

**Mr. Marchese:** Yes, Renfrew-Nipissing-Pembroke.

**Ms. Horwath:** Okay.

We heard from that member his concern about the communities that he represents and their inability to

afford the implementation of this particular bill. The government doesn't seem to have a concern about that at all. So when I say that there's a missed opportunity, it's a combined double whammy, because it's not only a broken promise but also a missed opportunity, and the effect of that is to put a huge financial burden again onto the municipal level.

Does the government not hear when municipalities come, year after year, cap in hand, begging for support from the provincial government because they simply cannot afford to keep up with the ever-growing costs at the municipal level that are being foisted on their municipal taxpayers, who simply don't have the elasticity in their budgets to be able to cover off those costs? Are they unaware that when they put this kind of legislation in place and then refuse to implement the very promise that would have covered off the cost of putting this protection into place—

**Mr. Marchese:** Implementation, monitoring and enforcement.

**Ms. Horwath:** The implementation, monitoring and enforcement, right? How shameful is that? How irresponsible is that and how doubly irresponsible is it that we've been telling you that amendments have come forward, that we've been reminding you in case you forgot about those promises, about those obligations, about those realities at the municipal level, the lack of affordability, the lack of ability to implement this wish list of things that need to be done.

It is absolutely a huge, huge disappointment that we're debating this bill in the form that it is now. One of the things that our member from Toronto–Danforth has mentioned many times—and it's worth just going over one last time because I have the chance to do so—is the fact the bill leaves wide swaths of language uninterpreted. It leaves a number of terms undefined, terms like “groundwater recharge area,” “highly vulnerable aquifer,” “surface water intake protection zone,” “wellhead head protection area,” “vulnerable area.” They're undefined. They're being left to regulation.

Even at this point in time, as we're finishing up third reading of this bill, we don't really know what we're voting for. People don't really know in this Legislature what they're supporting because the government has refused to define in the legislation the very meaning of these phrases that they have inside the bill. Do you know what? That means the government really, in effect, is saying, “Oh, just trust us. Just trust us. We really believe in clean water. We believe in source water protection. You've got to trust us.” Well, I don't know about many other people in Ontario, but this government has not engendered trust as one of the touchy-feely kinds of emotions that I would have. “Trust us to break another promise”? Maybe. “Trust us to go back on our word”? Maybe. “Trust us that we're doing the right thing by the people of Ontario by not defining the terms in the legislation appropriately”? I can trust that, because that's probably what's happening here. They're purposely not defining the terms in the legislation so that they can get

away with less than what people deserve and expect in Ontario when it comes to source water protection.

So the “trust us” in this legislation is a huge hole, and we are certainly not in a position, not in this caucus anyway and not in most communities across Ontario, to be able to take at face value this legislation and say to the government, “We trust you.” Why would we, after three years of broken promises? It's funny, particularly because, when you look at the government's record on environmental issues, you have to wonder why we would trust them on this particular legislation.

I've already talked about the issue of the lack of fulfilling their promise, which should have been in Bill 43, around water-taking fees. But what about the Oak Ridges moraine and its importance in terms of source waters to the greater Toronto area? The moraine contains headwaters of 65 river systems, 35 in the GTA alone, and has a wide diversity of streams, woodlands, wetlands, kettle lakes, kettle bogs, and significant flora and fauna. You can tell I got that from our friend Peter Tabuns. That's his language, his ability to talk about these issues in a very descriptive manner. The moraine's sand and gravel deposits act like a giant sponge which absorbs rain and melting snow, but these aquifers filter and slowly release fresh water to those 65 streams that flow into Lake Simcoe, Lake Scugog and south into Lake Ontario, the drinking water source for 250,000 residents in the GTA.

The greatest, absolute, most significant threat to the function of the moraine is the inappropriate land uses on and below the surface, particularly in the headwater areas. People will recall that there were real promises that the McGuinty Liberals made around the moraine. And guess what? No sooner did they get elected but they started to backtrack on those promises, and they failed to stop the development of a 6,600-unit subdivision that was slated for Oak Ridges moraine. That's the very same moraine that serves the drinking water of Toronto. So how can it be, then, that we are expected to trust the government when not only do they break every other promise in their election platform—I think we're going to be debating that tomorrow, as a matter of fact—but, even on the very environmental issues they pretend to be so committed to in their language, it doesn't show up in their actions? It doesn't show up in their actions on the Oak Ridges moraine. It doesn't show up in their actions in terms of Bill 43, in terms of water-taking fees, in terms of making sure that the legislation is iron-tight, because it is not.

So when we're talking about the Oak Ridges moraine, when we're talking about the big pipe, which we've heard all about, when we're talking about the lack of dealing with the aggregates industry in this province, when we're talking about all of these kinds of issues—I mean, the issues go on and on and on.

This government has failed miserably in keeping its commitments on the environmental file. I think it's absolutely shameful that they would suggest that this paltry Bill 43 does enough. It simply doesn't. It does not

go far enough. For us over here it's a huge disappointment. For anybody who keeps in touch with what's happening on environmental issues in the province, if you stack up the record of this particular government, you will know darn well that Bill 43 shouldn't be that much of a surprise; it really shouldn't. The government talks a good talk when it comes to environmental issues. They spin a good spin. They take a lot of photos. They give out a lot of awards. They celebrate a lot of communities that are active on environmental issues. But when push comes to shove, they don't protect the moraine. When push comes to shove, they don't put water-taking fees on the corporate sector that's taking water from the ground and selling it to make a profit. They're not making sure that those water-taking fees are funding the very system they claim is going to be effective for maintaining clean water in the province of Ontario. Not only that, but the bill itself does not provide the strong, committed language we would expect the government to put in place if it really cared about source water production in the province of Ontario.

2040

**The Acting Speaker:** Questions and comments?

**Mr. Wilkinson:** With all due respect to my friend from Hamilton East, I've spent the last two years at the Ministry of the Environment. If we wait for every possible definition to be decided on this bill—this work has been going on for years now and will continue for years—this bill will not see the light of day. We were elected to put in all of the recommendations of Justice O'Connor. We believe this bill meets the test that he set in both its spirit and its execution.

I have seen our faithful public servants work on this file for months and months and the consultations that have been done to make sure this bill is correct. That requires the framework to be correct, and the framework is correct. We believe that people who share the same source of drinking water need to come together and solve this problem collectively. We believe that, through the framework we've allowed, we will have a committee representing local people—at one time we said it should be 16, but we've listened to people and say that it needs to be the number that it needs to be to represent the interests—and that there will be an assessment report, infused by science, from the terms of reference, which will lead to a source water plan that will be implemented.

This is not something that will be able to change the world overnight, but if that framework is not in place and if this bill is not passed before Christmas, then our opportunity to have water source protection, in my opinion, will be lost. People have to say, are they for the framework or not? I know there's a party in this place who would do something top-down, but there's another party in this place which I think believes in the framework and which should vote accordingly.

**Mr. Miller:** I'm pleased to add some comments to the speech from the member from Hamilton East on Bill 43, the Clean Water Act.

There are many members of the rural community and the agricultural community who have concerns with this bill. There are concerns about property rights, concerns about the cost to farmers and rural landowners. I think the question could be asked that if all society benefits from clean water, should the cost not be shared by more than just the rural landowners?

I know that many different groups came before the committee and made presentations. The Dairy Farmers of Ontario had some specific concerns, and at committee they stated:

"Our concern is that" Bill 43 "appears to shift the burden of proof to the agricultural landowner.... The process puts the onus on the agricultural landowner to" show "that the normal legal farm practice will not cause harm. Rather than creating a predictable, uniform and scientifically sound framework for effectively managing legitimate risks," the bill "establishes a regulatory process that could result in overly risk-averse municipal permit officials applying the precautionary principle to place an unfair and unnecessary burden on the landowner."

That was expressed by the Dairy Farmers of Ontario at committee.

As well, the Ontario Federation of Agriculture has also expressed concerns about the regulation of drinking water threats, especially to do with permits, inspections and enforcement. They state:

"Permits, inspections and enforcement: We're concerned with the whole permit approach.... A risk officer type of approach. That actually fits in with the types of approaches we've used in the past, and we find that they work."

These are just a couple of the concerns expressed by agricultural organizations, and there were many more that came before the committee. So I think that there are some legitimate concerns expressed by the agricultural community.

There have been over 100 amendments to this bill. I think we do need to take the time to get it right, with all of the flaws that have been exposed so far.

**Mr. Marchese:** The speech by the member for Hamilton East is a plea for making the bill better, and that's why she says this is the water disappointment bill. It's a plea for bettering. It's a plea for ameliorating, improving, strengthening. What we've got from the Liberal side is a resistance to improving. They seem to be impenetrable.

McGuinty talked about democratizing the committee structure, the committee framework, empowering MPPs to make things better in committee. They accepted two of the 70 amendments. What does it mean for mon ami Monsieur McGuinty to say, "We're going to democratize the committee structure"? What does it mean? What does it mean when the member from Perth-Middlesex says, "It's about balancing." What interests are we balancing? What science are the Liberals following when they say, "In order to implement this bill we need a five-year period"? What science is that? What interest in balancing acts are we talking about?

The member doesn't touch the fact that they promised to introduce a fee on the extraction of water from the earth, something we should not be commodifying. We're commodifying water. We're selling water. We're giving that right away to corporations to take water out and to sell it. We're saying to them, "We're not going to charge you anything to take this most important resource out." It's incredible. It's a broken promise, if nothing more.

What science is it to decentralize the control of implementation, monitoring and enforcement to the municipalities? What science is that?

We plead with the government to improve this bill.

**Mr. Delaney:** It's a pleasure to stand and reply to the comments of the member from Hamilton East. One of the things that I'm enjoying tonight is the chance to stand up and perhaps speak a little bit more rationally. The volume tonight has been inversely proportional to the wisdom or the content of a lot of the debate. In a nutshell, we've heard a lot of heat and fairly little light.

People have criticized the government of Ontario for taking the time to get it right. They've criticized the Ontario Ministry of the Environment for trying something bold and innovative—giving it a thorough debate, giving it lots of committee time—and then criticized the Ministry of the Environment for listening to what people said, for changing the bill and for making it better.

The member for Hamilton East said we didn't do everything for everybody in this bill. Of course, she didn't know what people would suggest at first reading and neither, in fairness, did the Ministry of the Environment. But that's why we have three readings of a bill. That's why we have committee hearings. That's why Ontario took the weeks and the months to draft the bill, to ask for input, to interpret the input, to test it, to redraft it, and to go back for more debate and for more consultation.

**Mr. Yakubuski:** And you know what? Baloney is baloney, no matter how you slice it.

**Mr. Delaney:** In fact, people point out that, after all of this, we actually made more than 100 changes in the bill.

If I were listening to this on television—and if you are, good evening—I'd conclude that my government got it right. They asked for advice, they received advice, they reworked the bill, and they addressed the issue. Let's get on with the job.

**The Acting Speaker:** The member for Hamilton East has two minutes to respond.

**Ms. Horwath:** I wanted to thank the member for Perth–Middlesex, the member for Parry Sound–Muskoka, the member for Trinity–Spadina and the member for Mississauga West for their comments.

The reality is, at the end of the day, this government has missed an opportunity to do the right thing by source water protection improvements in the province of Ontario. We can slice it any way you want—in fact, the member from Renfrew–Nipissing–Pembroke was saying it's like a big pile of baloney: You can slice it any way you want, but it's still baloney.

I wouldn't say that the idea or the issue of source water protection in this province could be reduced to the concept of baloney, but what I can say is this: The New Democrats had put forward numerous amendments to this bill. Why? Not for our own gain; not for any reason other than to try to convince the government that this bill could actually have been the pride of the province of Ontario, something we in this province could all proudly rejoice in, that there was finally real source water protection, there were finally water-taking fees that were going to pay for that source water protection.

Finally, we would have had something that this government could have hung its hat on, in terms of doing the right thing by the environmental commitments they made during the election campaign of 2003. But, unfortunately, we end up with lunch-bag letdown. We end up with a piece of legislation that is woefully inadequate and that is woefully—

**Mr. Marchese:** Woefully and wilfully, possibly.

2050

**Ms. Horwath:** Woefully and wilfully, possibly—long-ended in terms of reaching any real, tangible goals for source water protection in the province of Ontario. It may come at some point after several years, but it's not something we're committing to for the here and now. That's why I stick by my belief—because it's true—that this government has failed miserably and lost a very important opportunity.

**The Acting Speaker:** Thank you very much. Further debate?

**Mr. Delaney:** It has been my pleasure to spend this evening learning a little bit about how the members of the opposition and the members of the government see Bill 43, the clean water bill. I've spent this evening, perhaps along with Ontarians who may have tuned in and stayed with us on television—if you have, I commend you on your persistence—listening to the Conservatives and the NDP both say, "We don't think it's perfect, and therefore we should either do nothing or sink into the bottomless morass of analysis paralysis."

Maybe you've just tuned in, so let me recap: Bill 43 is a pretty simple bill. It's the first substantive effort in Ontario history to protect land and water surrounding water wells and municipal water intakes. So who could be against clean water? Not you, if you're watching tonight. Not you, if you remember Walkerton. Not you, if you're a farmer whose interests and needs form the core of this bill. Bill 43 protects municipal drinking water by providing the means to prevent water from being contaminated or depleted in the first place. It sounds simple so far. Really, it is a very simple bill.

I'm from Mississauga. Our water comes from the Great Lakes basin. The people of Mississauga drink the water that comes out of the tap, and they want it to be clean water. Bill 43 ensures that the water that comes out of your tap will be clean water. This bill protects the river basins that drain into Lake Ontario and form our drinking water in Mississauga, but the fact is that there are more quality control checks on the water that comes out of our

taps in Mississauga than there are checks on what goes into the bottled water you buy in the supermarket for more than twice the price of gasoline at the pumps.

Bill 43 says to areas like Mississauga that if you think it ought to be perfectly safe to drink the tap water, you're probably right. Bill 43 strengthens protection for the Great Lakes basin with environmental penalties—that is, measures with teeth, measures that reduce the risk of spills. Bill 43 is a key part of Ontario's plan to build a comprehensive system to protect drinking water from source to tap and to sustain Ontario's water resources for the future.

Our neighbours in rural Ontario feel as we do in the cities. They too want and need clean water. They especially don't want another Walkerton, and that's probably the biggest reason to pass Bill 43 and get on with it.

Our Conservative opponents have already written off urban Ontario, particularly Mississauga and Brampton, so they're trying to manufacture, as they often do, some type of urban-versus-rural split out of a bill that promotes clean water. Well, Ontario isn't about bashing cities to buy rural votes. Ontario isn't about bashing teachers to buy votes from wealthy supporters of private schools. Ontario isn't about gutting health care or consigning an entire generation of baby boomers to the dustbin to win votes from the privileged. Ontario is about looking after our cities and Ontario is about looking after our farms. That needs clean water.

Ontario is about listening to constructive suggestions. That's why this bill received the extensive debate that it has. That's why it received the thorough committee hearings that it did. Ontario is about learning from what we hear. That's why so many of the suggestions made in the hearings, made in the debates, made it into the version of the bill that now stands before this House for third and final reading.

I was in the software development business before I was elected, and there's a great deal in the process that we went through in Bill 43 that reminds me a lot of the development of a complex software program. At first reading, which would be an alpha test of a piece of software, what you've got is a concept, and even the developers say, "This is not perfect. What we want you to do is to take it out, work with it, fool around with it, tell us what's wrong, tell us what else we should do, tell us how we should do it differently." That's perhaps first and second reading debate.

If those of you at home have ever tried taking home a beta of Windows or a test version of Office—which you can probably do now for some of the most recent versions of Vista and Office 2007—you've probably sat there and said, "Wait a minute; it doesn't all work properly." Of course it doesn't. It isn't supposed to work properly yet. It's not feature-complete yet. So you'll send in your suggestions, as I have when I've tested Windows and Office, and I've said, "I recommend we do the following," or "I can find fault when I do the following things." You'll get back something that says, "We hear you; as a matter of fact, other people have said the same

thing." So when we rework the software—and in this case, when we rework the bill—what we're going to do is take the intelligent, thoughtful suggestion that you made and work it into the bill. If what you've done is found a way to trip up the bill or trip up the piece of software, if you've found a way to break it, we'll find a way to fix it. We'll find a way to make it work when we bring out the next release.

In the software business, as you bring out successive releases, you make sure that you don't inadvertently create a problem with a fix but you also make sure that you fix the problems that your users have found as you progress. So, too, when a bill goes to the House for first reading and second reading debate. Members bring up points, saying, "In my area, people would say the following," or, "In my area, the following things would apply." The Ministry of the Environment will have its people there, sitting and taking notes and saying, "Good point." That's the reason that you reward someone who has written an innovative bill.

In first reading and in second reading you can be ambitious, you can try something, you can put something out there and say to people, "Take it out and test it. Try it in your venue. Try it and see how it would work in your circumstances." When they reply back and say, "Maybe it should be changed," you'll say, "Okay, we're going to incorporate that." Our time to redraft the bill will come before clause-by-clause, but the point that you've made in committee, the point that you've made in the debates: We've heard that. We've heard that and we'll rework it and, to the degree that you've suggested and to the degree we can, we'll make it bulletproof.

That's what happened in Bill 43. That's what happened with the people that my colleague the member from Perth–Middlesex referred to. That's what took the Ministry of the Environment and actually rewarded them for doing the right thing, rewarded them for trying something that Ontario had never had before: a comprehensive bill, a bill that addressed how to make water clean from its source right to the tap, a bill that no other government had tried before. What they basically said is, "You've got a clean sheet of paper. We know you're probably not going to get it right on the first draft, but we've got a process that's going to allow you to get it right on the second or the third draft," or what we call clause-by-clause, which in the software business would be called release candidate 1, 2 and 3. That's how it worked. As the suggestions came up, they incorporated them, and the bill got better and better.

Our critics would say that perhaps you should compare this bill against the wisdom of the Almighty, but Ontarians would say you should compare this bill against the inaction of the alternative, which is the neglect and the inaction that privatized water inspection in the 1990s and that brought us Walkerton.

#### 2100

Mississauga is a community with rich agricultural roots. Those rich agricultural and, if I may say so, rural values persist to this day. In Mississauga we look after

our own; so too in Ontario we look after our own. We keep our books in balance; so too this government has brought its books in balance. We don't foul our living space; so too, Bill 43 is about not fouling our living space. In Mississauga we provide for the next generation; so too in Bill 43 we provide for the next generation with clean water.

Bill 43 helps Mississauga to protect its water sources. My colleague for Renfrew–Nipissing–Pembroke said that this isn't about the Great Lakes. He is simply wrong. It is. The Great Lakes are Mississauga's water source. Mississauga knows that Ontario took the time Ontario needed to get it right. Mississauga knows that the government it elected to actually pay attention to our city, something that didn't happen for eight long, lost years—that government at the very least is protecting its water.

The thing about Bill 43 that Ontarians need to keep in mind is a very simple point: Bill 43 will work. Bill 43 has teeth. Let me just go down some of the things within Bill 43 that are going to make a difference in our cities and make a difference in our rural communities.

One of the things Bill 43 does is to implement many of the recommendations of the Walkerton inquiry. It also means that Ontario is going to have the most comprehensive drinking water protection program in North America. Maybe that's not sufficient for our opponents, but that's what Ontarians are looking for. Ontarians want to know that when they turn on the tap, it's fine to drink the water.

Ontario's proposed Clean Water Act is the linchpin on that water protection program. The act would, if passed, help communities such as Mississauga better protect that drinking water by implementing procedures based on science from source production plans—and this is a key part—that are developed locally. What we don't need is the type of top-down thinking that brought us so many of the problems this government has grappled with for the past three years.

Say what you want about the last eight years; they're over. What we're here to do now is fix it. We're here to move forward, not backward. This bill, Bill 43, the Clean Water Act, 2006, is about moving forward, not backward.

We know that implementing some of these plans could have implications for some, be they cities, be they towns or be they farms, so the government took the time it needed to listen to people who are going to be most affected. They heard them, they implemented their suggestions and they've got it right.

One of the keys to this is the \$7-million Ontario drinking water stewardship program, which will help offset the costs of implementing some of the earlier initiatives to protect drinking water sources.

Here are some of the proposals. It involves replacing permits with risk management plans. If what you want to do is understand what the longer-term implications are of taking water out or of doing something around a water source, implement a risk management plan. A permit says you can, full stop. A risk management plan says, "Tell us what the implications are, keep it up to date,

keep studying it and know what the long-term ramifications are of what you propose to do."

One of the other things, and it's a very logical thing, is to ensure that the people involved, the officials who adjudicate the risk management plans, have appropriate qualifications. One of the issues of the Walkerton inquiry is that the people who were in charge of supervising water quality were singularly unqualified.

One of the other proposals was to increase the appeal period for a risk management plan to 60 days. Sixty days is enough time to be able to accumulate data, file an intelligent brief, adjudicate it and make a change. A very reasonable action came out of some of the suggestions that developed while this bill was in committee. Again, the government asked for advice and people offered advice. They said, "Well, maybe this isn't enough time," and they said, "Well, maybe you're right. Maybe it isn't enough time. How would 60 days sound?" When you try it out in discussion with a number of people, going back to my beta-testing analogy, you'll send out an interim release and say, "Okay, you guys have identified the following feature as being flawed, so we are going to send you "Build whatever. What we'd like you to do is to run the following stress tests. You'll take it home, you'll load it up on your computer and you'll see if you can crash it." That's what this is: They're saying, "In terms of the risk management plan, how do these proposals sound to you?" The people who were consulted said, "Works for us. We can live with it."

In Ontario, one of the other communities that has a real stake in clean water is our First Nations. One of the things that Bill 43 says is that as First Nations communities, they are invited to participate in the source protection planning process. Goodness gracious: We are actually consulting the First Nations. Fortunately, nobody complained about that particular provision. One of the other proposals requires that source protection plans assist in achieving Great Lakes targets. These are the waters that we don't want to foul. This is our drinking water. We have some targets to continue to improve the Great Lakes. As baby boomers, when we were younger, people were saying that Lake Erie would one day simply die. We addressed some of the problems of Lake Erie, and there's still a way to go. One of the things Bill 43 addresses is that the government of Ontario has a vision of clean water and clean lakes, and Bill 43 is about keeping those lakes clean and making sure that they have a chance to get cleaner.

On September 19, the Minister of the Environment announced the membership of an advisory panel on the proposed Ontario drinking water stewardship program. Again, if you want to have a good group of testers, you find people who can really force your software, people who can really give it a good stress test, people who are what you would call power users. In legislation, power users would be called a "stewardship panel." The advisory panel would include 11 experts from across rural Ontario to provide advice on how the program should be administered. The government has consulted with people

every step of the way. The government has laid, and will continue to lay, the groundwork for source water protection now and in the future.

On November 29, when the measure was first announced, the government announced some \$51 million for technical studies over five years and another \$16.5 million to help some of the authorities staff up to build operational capacity, to conduct background studies and to develop water budgets. I've got in front of me a fairly lengthy description of the consultation history that the bill went through, far more lengthy than the three minutes that I have remaining, so I will save visitors the trouble of my reading it all into the record. But in summary, and this is just a summary, public hearings on Bill 43 were held in Toronto, Walkerton, Cornwall, Bath and Peterborough. More than 100 presenters gave their suggestions. Some of them came from the agriculture sector, from industry, from municipalities, from First Nations—interested members of the general public.

In mid-September, Bill 43 proceeded to clause-by-clause before the standing committee on social policy. It took the time that it required in clause-by-clause. It was an exhaustive debate. By mid-September, the minister announced the membership of the advisory panel on the proposed Ontario drinking water stewardship program. I don't know them all, but here's just a partial list and some of their qualifications: Al Lauzon, chair, University of Guelph, past chair of the Ontario Rural Council; Ron Bonnett, president of the Ontario Federation of Agriculture; Dale Cowan, director, Ontario Agri Business Association; Carol Dillon, co-chair of the Friends of the Tay Watershed Association; John Maaskant, Chicken Farmers of Ontario, chair of the Ontario Farm Animal Council; Donald R. Pearson, general manager, Conservation Ontario—this is a real blue-ribbon panel; Russ Powell, chair of the Oak Ridges Moraine Foundation; and Ken Seiling, board member of AMO, the Association of Municipalities of Ontario.

#### 2110

In terms of due diligence, the government of Ontario has gone the distance here. In terms of providing for Ontarians a future in which they can turn on the tap and have reasonable confidence that the water they get out of tap, the water they can drink, is as clean and as pure as Ontario can make it, Bill 43 is an essential plank in that platform.

We've talked about Bill 43 enough. Bill 43 is ready to go. Bill 43 reflects the best advice that Ontarians can give us. It's time to vote on Bill 43. It's time to move on. It's time to enact Bill 43 and to give Ontarians the clean water that they've asked for, the clean water that they've deserved since Walkerton, the clean water that Ontarians depend on, now and in the future.

**The Acting Speaker:** Questions and comments?

**Ms. MacLeod:** I quite enjoyed the speech of the member from Mississauga West. There was something, though, that I want to address right now. He brought up an urban-rural split. I just got off the phone with my executive assistant, who is with the Ottawa Federation of

Agriculture. Right now, while he's talking about things that are going on in a suburban/urban municipality, the farmers in Nepean–Carleton are concerned that those who have farms on the Jock River are not going to be allowed to keep their livestock because of this piece of legislation. Right now, as it stands, this legislation will be determined by regulations which are yet to be determined. It is legislation by regulation. We don't know right now if the farmers who've been farming on the Jock River, and their families, who have been doing it for 200 years, are going to be allowed to continue because of this piece of legislation. That's a real concern from farmers in my constituency as of this evening.

Until the regulations are approved, municipalities won't know with any certainty what terms they will have to enforce and what the associated costs will be. After two years of inaction, the McGuinty Liberals have introduced legislation that provides no basic details to the farmers in Nepean–Carleton and across this province. It passes responsibility to municipalities and landowners to cover the costs and to do the work of protecting watersheds, and it delays the development and implementation of plans for another five years.

If any of these Liberal members want to stand up here tonight and assure me, the member for Nepean–Carleton, that the farmers on the Jock River in Nepean and in Rideau township are going to be able to continue farming in the next five years, I would urge them to do so and I'd urge them to do so tonight.

**Ms. Horwath:** I too enjoyed the remarks by the member for Mississauga West. I found it interesting that at the beginning of his speech, however, he tried to make it sound like it was all so simple. It's kind of like the KISS principle: keep it simple, silly. I don't think the other word is actually parliamentary.

**Interjection:** It should be parliamentary.

**Ms. Horwath:** It is parliamentary, do you think—"stupid"? I don't think so.

Anyway, the reality is, and the people of Ontario know this—they've become very sophisticated over the years, obviously—the devil is in the details. The devil is in the broken promises. The devil is in the environmental record of this government. The devil is in the costs being foisted on municipalities and conservation authorities. Ultimately, the government in this bill is saying, "Trust us. Just trust us." But the people of Ontario—certainly the members of this caucus—are saying, "How can we? How can we trust you? You've done nothing to show that you've earned our trust, even to this very day, when, in tabling this bill, yet another promise has been broken around water-taking fees. So you're not to be trusted."

Interestingly enough, the member said that at the end of all of the process that the government has undergone in regard to this bill, in his opinion, the bill is bulletproof. That's what he said: "bulletproof." First of all, I don't like that kind of language, but nonetheless, I beg to differ with that analogy, because what he says is that it's about comparing this bill with the inaction of previous administrations. From my perspective, we should be comparing

this bill to the ideal, to what we could have, to what we should have in the province of Ontario when it comes to source water protection legislation. The McGuinty Liberals instead are saying to the people of Ontario, "We've got to settle for less. We've got to settle for less than the ideal. We don't want to go on the inaction of the previous government; we don't want the ideal. Just settle for what the McGuinty Liberals are saying is good enough." For us, it's not good enough.

**Mr. Leal:** I think the member for Mississauga West certainly laid out in some detail the components of Bill 43. One of the things he highlighted is that the \$7-million stewardship fund is just a start down this road to provide support for those individuals and municipalities that will be working with Bill 43. Certainly, the \$5 million to support early action, to protect land and water surrounding water wells, waterhead protection zones, and close to municipal water intakes, and the \$2 million to support education and outreach related to source protection planning is something that was not in the original bill in the first reading, which I didn't support. I made it very clear and told the farmers of my community. But I said, "I want to look to make sure there's a stewardship fund enshrined in the bill that indeed I support."

The other thing is, the member for Mississauga West certainly clarified the issue of farmers' land being expropriated without fair compensation. It's very clear in Bill 43 that no land would expropriated without full compensation.

Indeed, is the issue a download to municipalities? In fact, the Ministry of the Environment has provided a substantial amount of money—\$67.5 million over the next five years—in order to plan for source water protection.

After a period of time when the previous government gutted conservation authorities in Ontario, this government has made a substantial commitment for conservation authorities to come back into the planning activities around watersheds that they have a history about.

I'd like to read a quote from the clause-by-clause: "We had the minister—it was highly exceptional—come this morning and say they are going to deal with some of the expropriation or land acquisition issues, as well as taking some time in the transition to get the education process in place and set up some of the infrastructure. We're in favour of many of those things. In fact, we're supporting them...." That was the member for Durham.

**Mr. Murdoch:** I'm wondering here what the member for Peterborough really—does he support this or doesn't he support it? One day, one, and the other day, the other. That's the way the Liberals are, you know. They just can't really get it together. We're just wondering.

I also hate to burst the bubble of the member for Mississauga West, whom we just heard speak. He was hoping that everybody at home was watching him on television. I don't know whether he thought he was on the Jimmy Kimmel show or what show he was on, but there are a lot of people watching the ball game tonight, too, so I'm sorry; there are probably not that many listening to him. Unfortunately, they really didn't have a

lot to listen to anyway, because that was a prepared speech from somebody in the backrooms of the Liberal Party telling him that this is a good bill.

I don't think he really understands that this isn't a good bill. We all know that now because there were—what is it?—200-some amendments to a 35-page bill. Here we like to call them "amendments," but in the real world they're called "mistakes," the mistakes you made when you drafted this bill. You had 100 mistakes of your own, and that's pretty bad on a 35-page bill that you keep telling us is so wonderful.

With that many mistakes on your first time around, I would think you would really want to go out and have the people talk about this bill again. I can't believe you wouldn't want to take it out after all the rhetoric we heard here about how you want to listen to the people and you want to support rural Ontario. Let's take this bill back out now with all of your amendments, mistakes—whichever way you want to put them—and let's see what the people have to say, see whether they say you did a good job or you didn't. This is the only way you can be truly democratic in your beliefs. If you want to be truly democratic, then let's take this bill back out on the road and have a look at it. I don't think that will hurt you at all, and then we'll know whether it's right or wrong.

**2120**

**The Acting Speaker:** The member for Mississauga West has two minutes to reply.

**Mr. Delaney:** I thank those who spoke to my comments.

To the member from Nepean–Carleton: As she freely admits, it's now down to the regulations. Thank you for the implicit okay on the legislation. I am equally confident that the government will get the regulations right too.

To the member for Hamilton East: She asks, "Why isn't it closer to perfect?" Because, just like my software analogy, it will get there as people use it and put it through its paces. Like a piece of software, it too will evolve and get better and better.

To the member from Peterborough: He notes that he too had concerns about the bill, just like many government members. We don't just take everything that comes to us; we'll sit there and be our own government's harshest critics. He saw them addressed as the bill moved forward.

Finally, to my colleague from Bruce–Grey–Owen Sound—we share some of the same taste in hockey teams—I would have to say, as my colleague from Perth–Middlesex says, where a scientifically demonstrable threat to drinking water exists, action has to be taken. That's what Bill 43 is all about. I'm voting for that.

All three parties here three years ago campaigned on implementing the Walkerton inquiry. This bill implements the findings of the Walkerton inquiry, and I'm voting for that. I'm going to ask Mr. and Mrs. Ontario to watch the progress on Bill 43, and if someone votes against Bill 43, ask yourself, "Were they really sincere about implementing the findings of the Walkerton inquiry?"

Bill 43 implements the findings of the Walkerton inquiry. Bill 43 is about clean water from source to tap. I'm voting for it.

**The Acting Speaker:** Further debate?

**Mr. Murdoch:** I know I don't have a lot of time to debate tonight, maybe six minutes, and that'll be fine. Maybe we'll get the rest at another time when the bill comes back on the floor. But in my six minutes—

*Interjection.*

**Mr. Murdoch:** Somebody wants to go past 9:30. I don't think the Liberals will want to hear any more of us tonight. I'm sure their ego is busted tonight after all the comments you've heard on this bill.

Now we're talking about regulations; you haven't even got this bill passed yet, and you're into the regulations. How could you expect anybody in Ontario to have respect for your regulations? We're really concerned. What are the regulations going to be? Are they going to put our farmers off the rivers? That's fine. I think it might be a great idea to fence all the rivers that our cows drink out of, but who's going to pay for it? The province has to pay for this. You can't expect farmers to go and fence all the rivers. We're saving that water. We're going to have clean water for everybody in Ontario, not just rural Ontario. That's why I've been so upset with this bill. You've come up with \$7 million, but as our member from Stratford knows, it's going to be at least \$7 billion. He knows that. He even admitted that in the House. You've told us it's going to be \$7 billion. He probably thinks it's going to be more than that, but he has come off saying \$7 billion.

**Ms. MacLeod:** And he wants you to put it on the record.

**Mr. Murdoch:** He wants it on the record; he asked me to put it on the record. I'm putting it on the record for him so that he knows, now that everybody is out there. He knows it's going to be at least \$7 billion—maybe more.

We had people in at Walkerton. He talked about that committee hearing. I was there. We had people—I'm trying to think of the right name—who were worried about wells that need capping. There are gas wells, there are water wells, there are oil wells that go into the aquifers, and they estimated it at around \$15 billion just to cap the wells. So the \$7 billion looked pretty weak to the \$15 billion.

As I say, the member from Perth says that it's \$7 billion. I'm sure he knows where he got that information; he mentioned it here. So I'm happy that he agrees with us now that it's going to cost a lot of money.

We mentioned before that \$7 million is a start. I'll accept that.

**Mr. Yakabuski:** That's 0.1 of 1% of the down payment.

**Mr. Murdoch:** Well, I'll accept that as a down payment to start out in Grey county or Bruce, whichever one they want to start with. But I can't accept this bill until they guarantee that 100% of the new regulations they're going to put into this bill are paid for by the province.

That's what we need and that's what we want. We want a guarantee from you, because we're having a little trouble really thinking that maybe you're telling us the truth sometimes, guys—we wonder. But put a guarantee right in the bill that any new regulations that you bring on us will be paid for 100% by the government of the day. Now, the thing is, that should be easy for you guys to do, because you're going to ram this through. You keep talking about regulation 170, a regulation that was wrong; I'll admit that. I'll be the first to admit that it was wrong. But you know what happened to us? We're over here because we did that.

Now we've got the arrogant people over on that side again, saying, "But we're right. We know everybody wants it. We'll be back over here." Well, I'm telling you, folks, that's what happens when you get arrogant. You end up coming over here. And we learned our lesson. But we had a regulation, just a regulation; you've got a whole bill full of holes. Where do you think you're going to go? You might not even end up over here; I think you'll end up on that little strip that's taken up by the NDP now, and they'll be down here. That's what's going to happen to you, the way you're carrying on.

You can just tell what's happening to you. We listen to you, and you get upset when we try to give you ideas about how to fix this bill. We try to give you advice, and you don't even want to listen to it. I've been here for 16 years, and I've seen them come and go, and you see what can happen. I've seen what happened with 170. That was a terrible regulation. It took you a long time to figure it out, but you helped it out a little bit—not totally.

But then you come up with something like this and have 100 mistakes right off the bat. Boy, that should show you there's something wrong. Whoever is writing your bills for you, you've got to get some new people over there, folks. That is a record for this House.

I see, Mr. Speaker, you are getting anxious to let us out of here. Will I go on for my whole 20 minutes? You only get 20 minutes, folks, to do this. I know there's somebody out there watching, because the member from Mississauga obviously had his family at home glued to the TV. He said, "Look, I'm going to make a speech they wrote for me tonight. I don't know what's in it, and I don't know whether I approve of it"—

**Mr. Yakabuski:** "But I know it's about software."

**Mr. Murdoch:** It's about software. Right. We wanted to mention that farmers are going to be so excited that water is the same as software. Now, isn't that something? We're going to be really excited about it out there. There again, they don't want to listen to the ordinary person out there, and they're trying to tell you folks that this bill is flawed. You cannot pass this bill in its present-day form. You'll have to learn that, folks.

Being that it's 9:30 of the clock, I will let the Speaker take over.

**The Acting Speaker:** The member for Bruce-Grey-Owen Sound is quite right. It is 9:30 of the clock, and this House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 2128.*

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Algoma–Manitoulin	<b>Brown, Hon. / L'hon. Michael A.</b> (L) Speaker / Président	Guelph–Wellington	Sandals, Liz (L)
Ancaster–Dundas– Flamborough–Aldershot	McMeekin, Ted (L)	Haldimand–Norfolk–Brant	Barrett, Toby (PC)
Barrie–Simcoe–Bradford	<b>Tascona, Joseph N.</b> (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton–Victoria–Brock	Scott, Laurie (PC)
Beaches–East York / Beaches–York–Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton–Est	Horwath, Andrea (ND)
Brampton Centre / Brampton–Centre	Jeffrey, Linda (L)	Hamilton Mountain	<b>Bountrogianni, Hon. / L'hon. Marie</b> (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West–Mississauga / Brampton–Ouest–Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton–Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings–Frontenac–Lennox and Addington	<b>Dombrowsky, Hon. / L'hon. Leona</b> (L) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Huron–Bruce	Mitchell, Carol (L)
Cambridge	Martiniuk, Gerry (PC)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Chatham–Kent Essex	Hoy, Pat (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon. / L'hon. John</b> (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Davenport	Ruprecht, Tony (L)	Kitchener Centre / Kitchener–Centre	Milloy, John (L)
Don Valley East / Don Valley–Est	<b>Caplan, Hon. / L'hon. David</b> (L) Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Don Valley West / Don Valley–Ouest	<b>Wynne, Hon. / L'hon. Kathleen O.</b> (L) Minister of Education / ministre de l'Éducation	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Lanark–Carleton	Sterling, Norman W. (PC)
Durham	O'Toole, John (PC)	Leeds–Grenville	Runciman, Robert W. (PC)
Eglinton–Lawrence	<b>Colle, Hon. / L'hon. Mike</b> (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London North Centre / London–Centre–Nord	Matthews, Deborah (L)
Elgin–Middlesex–London	<b>Peters, Hon. / L'hon. Steve</b> (L) Minister of Labour / ministre du Travail	London West / London–Ouest	<b>Bentley, Hon. / L'hon. Christopher</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Erie–Lincoln Essex	Hudak, Tim (PC)	London–Fanshawe	Ramal, Khalil (L)
	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga–Centre	<b>Takhar, Hon. / L'hon. Harinder S.</b> (L) Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
	<b>Cansfield, Hon. / L'hon. Donna H.</b> (L) Minister of Transportation / ministre des Transports	Mississauga East / Mississauga–Est	Fonseca, Peter (L)
	Qaadri, Shafiq (L)	Mississauga South / Mississauga–Sud	Peterson, Tim (L)
	<b>Brotten, Hon. / L'hon. Laurel C.</b> (L) Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga–Ouest	Delaney, Bob (L)
	Lalonde, Jean-Marc (L)	Nepean–Carleton	MacLeod, Lisa (PC)
		Niagara Centre / Niagara–Centre	Kormos, Peter (ND)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Falls	Craitor, Kim (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nickel Belt	Martel, Shelley (ND)	Sudbury	<b>Bartolucci, Hon. / L'hon. Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Nipissing	Smith, Monique M. (L)	Thornhill	Racco, Mario G. (L)
Northumberland	Rinaldi, Lou (L)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Superior	Gravelle, Michael (L)
Oakville	Flynn, Kevin Daniel (L)	North / Thunder Bay–Superior- Nord	
Oshawa	Ouellette, Jerry J. (PC)	Timiskaming–Cochrane	<b>Ramsay, Hon. / L'hon. David (L)</b> Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon. / L'hon. Dalton (L)</b> Premier and President of the Council, Minister of Research and Innovation / premier ministre et président du Conseil, ministre de la Recherche et de l'Innovation	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	<b>Smitherman, Hon. / L'hon. George (L)</b> Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Ottawa West–Nepean / Ottawa-Ouest–Nepean	<b>Watson, Hon. / L'hon. Jim (L)</b> Minister of Health Promotion / ministre de la Promotion de la santé	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Orléans	McNeely, Phil (L)	Trinity–Spadina	Marchese, Rosario (ND)
Ottawa–Vanier	<b>Meilleur, Hon. / L'hon. Madeleine (L)</b> Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Vaughan–King–Aurora	<b>Sorbara, Hon. / L'hon. Greg (L)</b> Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Oxford	Hardeman, Ernie (PC)	Waterloo–Wellington	<b>Arnott, Ted (PC)</b> First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Parkdale–High Park	DiNovo, Cheri (ND)	Whitby–Ajax	Elliott, Christine (PC)
Parry Sound–Muskoka	Miller, Norm (PC)	Willowdale	Zimmer, David (L)
Perth–Middlesex	Wilkinson, John (L)	Windsor West / Windsor-Ouest	<b>Pupatello, Hon. / L'hon. Sandra (L)</b> Minister of Economic Development and Trade, minister responsible for women's issues / ministre du Développement économique et du Commerce, ministre déléguée à la Condition féminine
Peterborough	Leal, Jeff (L)	Windsor–St. Clair	<b>Duncan, Hon. / L'hon. Dwight (L)</b> Minister of Energy / ministre de l'Énergie
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	York Centre / York-Centre	<b>Kwinter, Hon. / L'hon. Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Prince Edward–Hastings	Parsons, Ernie (L)	York North / York-Nord	Munro, Julia (PC)
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York West / York-Ouest	Sergio, Mario (L)
Sarnia–Lambton	<b>Di Cocco, Hon. / L'hon. Caroline (L)</b> Minister of Culture / ministre de la Culture	Burlington	Vacant
Sault Ste. Marie	Oraziotti, David (L)	Markham	Vacant
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York South–Weston / York-Sud–Weston	Vacant
Scarborough East / Scarborough-Est	<b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse		
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	<b>Phillips, Hon. / L'hon. Gerry (L)</b> Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	<b>Bradley, Hon. / L'hon. James J. (L)</b> Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		
St. Paul's	<b>Bryant, Hon. / L'hon. Michael (L)</b> Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

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

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

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