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Tuesday 10 October 2006

Mardi 10 octobre 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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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 3, 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): When we last debated Bill 43, the member for Bruce–Grey–Owen Sound had the floor. He's present in the chamber. I recognize the member for Bruce–Grey–Owen Sound.

Mr. Bill Murdoch (Bruce–Grey–Owen Sound): Thank you, Mr. Speaker. It is my pleasure to be able to continue the debate on this bill. We left it a few days ago and ran out of time to finish my little time that I do have to debate it.

It is really painfully clear that this bill has been downloaded onto rural Ontario, and unfortunately, the rural members of the governing party, of the Liberals, have let us down. It's almost the same as the members from London having let the people down in London. They're allowing Toronto to dump all over them, and there doesn't seem to be anybody here to stick up for London anymore, the same as the rural members from the Liberal Party, as I've mentioned, seem to have forgotten that this bill is going to download onto the municipalities rather than upload. They keep talking about this upload, and I have no idea of what they're talking about there.

In this bill, it states that municipalities will now be able to find out where the polluters are. Well, I think there are significant things they can do now to find out, but the kicker in this is that they will now be able to enforce the rules against polluters. That leads me to believe that this bill is definitely going to be downloaded onto the rural municipalities in order to have clean water for everybody in Ontario. This is truly a bill that, as I say, is being downloaded onto the rural areas of Ontario, just so everybody can have clean water.

Now let's get the facts straight. There isn't anybody in Ontario who doesn't want to have clean water, who

doesn't deserve to have clean water, but when you set up a bill that has over 200 amendments to it, when it comes back from being out in consultation amongst the people in Ontario, when over 100 alone are by the governing party, it shows you—and they call them amendments, but we all know what they were: They were mistakes when the bill was drafted. To say that this bill shouldn't go back out—it is only 35 pages long, and to have 100 of their own mistakes in it right off the bat shows you that there is something terribly wrong.

I would support this government. They should take it back out. This is third reading, but I don't think there would be any problem if their House leader today would stand up and say, "Certainly, we'll take this back on the road, go back out and see what the people think of the 100 mistakes we made the first time."

Of course, there were more. There were another 100 amendments from the opposition. Again, as we've heard today, you can probably count on one hand the number of amendments this government has accepted from the opposition. That's terrible, when it comes to that.

All three parties tried to work with this bill, because all three parties in this House know that we need clean water, that we want clean water and we want to build it to reflect that. But we also don't want a bill that's going to put all the cost onto rural Ontario, because they just can't afford that.

Now, we've had different estimates. They say this could cost as much as \$15 billion. I will give the government a small amount of credit on this. They did listen, finally, and come out and say, "Look, we will add some money to it," but \$7 million is not going to go too far in addressing what this bill has in it.

I think one of the terms, "significant threat," has not been defined. What does "significant threat" mean, Mr. Minister? It could mean a lot of things. It's not defined in this bill, but they talk about that in this bill. Are we going to have significant threats? Will rural Ontario, again, have to address that? Are they going to have to put the money up to see that these significant threats don't happen? Well, that's what it looks like. They have mentioned that, "Hey, we've got \$7 million here. This will help out." As I say, that may help out Bruce county or Grey county, where I'm from, but after that, what happens to the rest of Ontario? Where is that money going to come from?

1850

This government, if they want—truly want—to be a government that listens to the people and wants to help

out the people, they will come up and they'll put right into the bill that 100% of any new regulations that are forced upon rural Ontario—or anywhere, for that fact; anywhere in Ontario—are picked up by the provincial government. That's the way it must be. This Clean Water Act is for everybody right across Ontario, and we need this government to finally realize that.

We went to the hearings, and so many different farm organizations came in and said, "We are struggling now just to keep ahead." Some of them can't even do that with normal practices. If this comes along, again, we don't know what the significant threat is, and we don't know the regulations. They're all going to be put in later, which is certainly the wrong way to do it. If we could even have the regulations now before we vote on this bill it would help. But we have no idea what the regulations are going to be. For instance, if they just—which isn't a bad idea, to fence rivers and creeks that could be used by cattle to drink out of. There are ways to get that water to them. Not a bad idea, but who's going to pay for that? You can't expect farmers across Ontario to fence all the rivers and creeks that are there. You just can't do that.

If this government will come out and say, "That's not there," then I guess that's not one of the—or they'll say, "Yes, but we're willing to pay for that," which they should be. If you're going to force a farmer to fence his river that goes right through the middle of his property, right through a square 100 or a string 100 acres, then we must, here at Queen's Park, the province, pay for that, because that water he's protecting is for downstream, the people downstream who may drink from that river, or that river goes into aquifers or whatever; towns, cities. Wherever that water is going to flow, to protect it, the province must put the money up to be able to do that. If they don't, then this bill, if it's passed, will not work anyway. People just won't be able to do that. What we'll end up doing is driving farmers to bankruptcy, people who live in rural Ontario, or even if they own a lot in rural Ontario and there are some old abandoned wells on that lot. Yes, not a bad idea to see that they're filled in, because they could go into an aquifer. They could pollute water. But should those people in rural Ontario have to pay for that? I don't think so, because they're protecting that water for everybody in Ontario. That's what they claim this bill is for: to protect water for everyone across Ontario. To do that, again, as I say, we've got to come up with 100% dollars in this building to be able to do that.

We must go back out, I think. I don't know what the hurry is. The Liberals and the government seem to want to get this bill through now. It has been on the road for some time. But there's nothing wrong with trying to get a bill right the first time; nothing wrong. This whole place seems to be like that. It doesn't matter who's in government; they want to get bills passed and out there and then they find out, "Oh, we should have done this and we should have done that." Why not try to get a bill of as great a magnitude as this bill is—clean water for everybody across Ontario—right the first time?

They had 100 mistakes themselves the first time. You'd think they would want to, as a government that made promises—again, we get into these promises that they were unable to keep. For some of them, they have reasons. I don't know what their reasons would be. We want to go out and see the people. We want to know what the people want. We want to do what the people of Ontario want us to do. What's wrong with keeping that promise? Here's one way to do that: Take the bill out for a couple more times, with the amendments in it—that's fair—and let the people whom this water is going to protect, let the farmers, let the municipalities come in and say, "Yes, hey, we agree with you." Maybe it would be some good PR for this government, rather than all the negatives we see all the time. It may be a change. They could do something new here and say, "Yeah, we really meant what we said when we said we wanted to listen to the people of Ontario. We really actually meant that. It wasn't one of our little promises we made that we can't keep." This is one you can keep and go back out and say, "Yes, we're sorry. Whoever drafted this bill for us, we wanted to get it drafted, wanted to get it out there"—and you know something? Maybe, some of those other 100 amendments the opposition had, you might even want to implement some of those. Just maybe.

But here's the problem we go back to: Bills like this are all controlled out of the Premier's office. The Premier says no, so what happens is our rural members all go and hide. "Oh, we don't want to go down to the Premier's office; we don't want to go down there and tell him what to do. We wouldn't do that. We'll just go and hide and we'll forget about protecting rural Ontario." I assume that's what happened in London when Toronto said, "Hey, we bought a dump. We're going to dump our garbage in London." There used to be four members here. We haven't heard anything. They all went and hid again. Where did they go, the members from London?" It must be—

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):
The minister.

Mr. Murdoch: Well, the minister and some members. It must be horrible to be a citizen of the area of London and have no representation here whatsoever. We do have three ridings right now that aren't represented, but there are reasons for that. Those members changed and left. But here again, just like our rural members abandoned us on this bill—which they've done on many other bills in this House, unfortunately—rural Ontario, where they have a Liberal member, is not being represented here. They're being told how to vote.

That gets back to a promise made by the Premier of Ontario when he was running—again, one of these flippant promises that he makes: "Oh, I'm going to listen to everybody. I'm going to have more democracy in this House than any other person has ever had." Well, guess what? He gets here, he gets his office and all of a sudden he says, "Who are those other people out there?" I wonder if he remembers all the names of his members. You'd wonder if he really knew who they even were. If

they were going to his office and complaining about this bill, like they should be, I'm sure the Premier of the day would know who they were. But he's probably saying, "Don't worry about it. I'm the lord over the rings. I'm the lord in Ontario. I shall get what I want." Unfortunately this is what he's done on this bill.

If the rural members—and there are enough of them who got elected in rural Ontario—would get together, I think they would have a rural caucus. I understand there are about 18 of them. Eight showed up today for a meeting, so the other 10 maybe are hiding out there because maybe the Premier didn't know about the meeting they had. But why wouldn't they go? If 18 members over there went to the Premier's office and said, "We don't like this bill because our municipalities have told us, our farmers have told us, all those groups that came have told us, 'Hey, we all want clean water the same as you do, but you're not doing it right and we can't afford it.'" They're telling this government, "You're going to have to come up with a bill that says that you're going to protect us, but also you're going to pick the tabs up, because rural Ontario can't pay for this bill. There's just no way."

As I say, we've had different prices. There was the \$7-billion quote around, which the member from Perth—Middlesex—I think that's his riding, down near Stratford—got all excited about, but I think he's come inside. I know since the last time we spoke here, he was mouthing off, "\$7 billion," so I'm sure he's come inside with that. We even heard it was up to \$15 billion from the people who cap wells. Maybe the \$7 billion is not even near what's going to be needed, but \$7 billion is not going to cut it, folks, and we know that. The people in rural Ontario know that. Even the people in the cities know that, and they're telling you, "You've got to come up with 100% of the new regulations being paid for."

We don't know what the regulations are going to be. That's the hard part about this whole thing. We don't know how much exactly this is going to cost, but if you look at all the different things that are going to have to be done to preserve our clean water, then it's going to cost. There's no doubt about it. I think the people of Ontario would embrace something like this if the government of the day would say, "We'll make sure the money is there to pay for it." But, unfortunately, we haven't got the clout from rural Ontario in the government of the day. The Liberal government of the day just abandoned us in rural Ontario.

How many billion dollars did they give Toronto? I'm not so sure how many billion it was, but it was in the billions, to help out with their infrastructure and different things, and that was okay. That wasn't even the blink of an eye. Here we are, saying, "We want to protect clean water with you. We want to help out." The opposition is saying, "We're all for that." But we're finding the government saying, "Yeah, and we're going to force you to do it, too. We're going to ram a bill down your throat. We're going to tell you that you have to do this and we're going to make you do this."

I think I'm out of time. Am I?

1900

The Acting Speaker: Take a seat. Thank you very much. Questions and comments?

Mr. Gilles Bisson (Timmins–James Bay): I listened intently to the comments made by my good friend from Owen–Grey, Mr. Murdoch.

Mr. Yakabuski: Grey–Bruce–Owen Sound.

Mr. Bisson: Grey–Bruce–Owen Sound. I can never get the riding names right. I get the names sometimes. I've been here for a few years; one of these days I'll figure it out.

Mr. Yakabuski: It's Bruce–Grey–Owen Sound.

Mr. Bisson: Bruce–Grey–Owen Sound. There we go.

I just want to say he's a member—I was going to say he's an interesting member. That is true. I was just going to say he brings a perspective that I think people need to hear, and that is the perspective of rural Ontario when it comes to this bill.

Nobody disagrees with the fundamentals of where you're trying to go with the bill. We all accept that we want to basically have legislation that provides for clean water in Ontario and that we have some assuredness that when you turn on the tap, people don't get sick. As the member knows, he's experienced that all too well where people died in his community in Walkerton, and we learned the price of what can happen when the system fails. But he makes a point, and it's true, because there are two major flaws in the bill. It's a step in the right direction, I said the other day, but number one is, a lot of this stuff as far as the timeliness—not the timeliness of the bill but the amount of time allowed for various sections to come into force—is going to take some time to get to where we've got to go.

The second thing is that the municipalities are the ones left holding the bag to pay for this in the end. We don't see the funding commitments that need to go with this bill in order to give the municipalities the capacity to basically adhere to the bill. It's going to come down to decisions for municipalities. They're going to have to, at one point, follow what the intent of this bill is, and part of the problem is they're going to have to make decisions elsewhere where to cut. Do you not pave the road? Do you not fix the bridge? Do you not fix the arena roof? Do you not replace the windows on the municipal complex? Those are kinds of decisions they're going to have to make in order to go with that. So I just want to say to the member, point well made.

Mr. Brad Duguid (Scarborough Centre): I listened very carefully to the member from Bruce–Grey–Owen Sound and the comments he made. Frankly, it just reminds me of the same old Tory approach: duplicity in argument and divisiveness in the content of what they're trying to say.

I hear him trying to have it both ways when he says, "Get it right," but then he criticizes us for going to committee and listening to the rural communities and making amendments. Duplicity, Mr. Speaker, that's what duplicity is about.

Throughout his comments, references to Toronto, as though somehow—

The Acting Speaker: I would ask the member to withdraw his unparliamentary comment when he suggested that the member was guilty of duplicity in his argument.

Mr. Duguid: My apologies, Mr. Speaker. I certainly withdraw.

As I said, the argument was very divisive in nature, trying to once again divide rural Ontario from urban Ontario. When I think of the things the government has done in terms of listening to rural Ontarians, listening to farmers, let me just quote some of the very significant amendments that were made at committee. Here's a quote from Ron Bonnett in an editorial in Ontario Farmer: "It is gratifying to see the provincial government respond positively to proposals put forth by the farming community on issues such as the Clean Water Act. It is proof that a clearly articulated message from the farming community can be grasped by our government representatives and turned into meaningful legislation." That's a positive response from our rural community.

Let's hear from Tom Van Dusen, a journalist from Ottawa: "Most farm leaders and conservationists are celebrating the province's decision to smooth out some of the rough spots in Bill 43."

We're working with rural Ontario and coming forward with better legislation—

The Acting Speaker: Thank you. Questions and comments.

Mr. Yakabuski: What we see from the member from Scarborough Centre is exactly what the problem is in our system: So much of that power rests in the Premier's office. Now, for the member from Bruce–Grey–Owen Sound, it didn't matter who was in the Premier's office. He has stood up for the people he represents at all times. That's why he's sitting there now. He will always be re-elected, because he stands up for the people who sent him here.

On the other hand, these other people are completely intimidated by the Premier's office. That's the problem in a situation like this. We've got a whole gaggle of members over there who would like to stand up against this bill, but they're being told by the corner office there, "Keep your mouth shut or say what we tell you to say"—like the member for Scarborough Centre. He was talking about the president of the OFA and he said "Ron Bonnett," because he was told what to say but not how to pronounce his name. It's all messaging. They're completely intimidated by the Premier's office on this bill or any other bill. That is the shame of this House: that the Premier's office can tell these good people—and I respect every one of them; they've been elected in their own communities—"This is a bill that we want because of the political divisiveness of the bill." The whole point of this bill is to divide. They're being told, "You get on board." You see all of these people who have aspirations that, before they lose, they might get a car and driver. It's getting tight, folks. Those who have the car and driver

are thinking, "Jeepers, I don't want to lose it in the last year, so I'm going to do whatever the Premier tells me to do." That's the system we've got here. This bill is a disaster.

Mr. Ernie Parsons (Prince Edward–Hastings): To the member for Renfrew–Nipissing–Pembroke, I like you, but I may be the only one in here, and I accept that. Even on your own side, you got one clap.

You're not a new member anymore. You've been here for three years now. You've been in one caucus, and you believe that's the way that things work in the other caucuses. That's not the case. I can remember sitting over on that side in opposition and watching the Conservative members read speeches written by the ministers' offices. Every speech was written.

I look at these members on our side, and we stand up and say—now, I know that surely you're not opposed to clean water. The farmers are not opposed to clean water. The farmers' concern was the cost. I am very proud that our government introduced funding to assist with the cost. As a rural member, I have not received complaints about the cost for some weeks now.

Interjection.

Mr. Parsons: I'm as rural a member as you are, and I believe that my community has had ample—

Interjection.

Mr. Parsons: My riding is more than Belleville—and bless Belleville. It's probably the best city in Ontario, as I think you'll agree unanimously. But in my community, which is heavily agricultural, of course there's concern about costs. Farmers are facing world-caused challenges on this, and our government has listened and our government gave opportunity.

I used to be absolutely ashamed of your government, with your lack of public consultation on bills in the past, with the number of times in time allocation. You didn't want to hear the reaction when you were government.

Our government has gone out of its way to consult on every bill before this House. You sit on committees, Mr. Yakabuski. You see the number of amendments that come into every bill to reflect what the community has to say on it. I make no apologies for the way our government has handled this bill. It has listened to the public, it has responded, and it has brought into place a bill that will produce clean water.

The Acting Speaker: That concludes the time for questions and comments. I'll return to the member for Bruce–Grey–Owen Sound.

Mr. Murdoch: I want to thank, first of all, the member from Timmins–James Bay. We are good friends. He talked about the downloading, which is there; there's no doubt about it. I believe they're going to get rid of the Ministry of the Environment and turn it all over to the municipalities; this is the first step to do it. They criticized us for getting rid of people in the environment ministry. Well, you're doing it, and you're going to do it even more by telling the municipalities they have to enforce these rules. So the downloading is one of the big issues.

Now we get to the next member, from Scarborough Centre. I thought that in McGuinty's office they browbeat all the rural members because they didn't stand up. Now I see they're picking on their large urban—they've written a speech for him. He couldn't even get the names right, but that's okay; he doesn't work with these people too much. But the Premier's office is also browbeating them, so that's unfortunate. That promise went out the window a long time ago: "We're going to listen to everybody, even the backbenchers on the opposition."

Then we come to Renfrew–Nipissing–Penetang—I mean Pembroke. Penetang? I was just thinking he might have been to Penetang the odd time, but it's Pembroke

Interjections.

1910

Mr. Murdoch: Any time he does speak here, he's always right on. I may lose my two minutes to him yet, too. But anyway, he's always right on and I'm glad to hear him speak out.

Then we get to Prince Edward–Hastings. I'm a little disappointed in that member, because I know he works hard in his riding. I know that he's not going to come back, and we're going to miss him and things like that. But when you say, "We're proud," don't get so proud of your government. They're not to be proud of. They did put some money in, but until they put that 100% in, we can't trust you. I'm sorry; too many broken promises. We need that 100% guarantee. If we get it, fine, but we're not going to get it, by the look of it.

The Acting Speaker: Further debate?

Mr. Bisson: I was looking forward to the opportunity to say a few words on this particular bill, the Clean Water Act, because it affects not only towns and the agricultural community but affects a number of people when it comes to the issue of being able to take water and distribute that water for consumption.

First of all, I just want to put on the record straight up that there's not a member in this House who is opposed to the idea of trying to strengthen regulation and legislation towards being able to—

Interjection.

Mr. Bisson: Maybe there are some Liberals opposed. I didn't know that, but they're heckling over there. My point is that there is nobody here who is opposed to the whole idea of being able to fortify the rules when it comes to drinking water. We all know far too well what happened in Kashechewan, we know what happened in Walkerton, and we now hear what is happening up in Marten Falls. We certainly need to do something when it comes to making drinking water rules for all citizens of this province stricter.

I will speak to the First Nations aspect of this bill after, but I want to first start with a couple of points. This bill doesn't affect First Nations, because First Nations are not under this particular legislation. Maybe they need to be, but that's a debate for a little bit later.

I just want to say a couple of things upfront. The first problem with this bill is that although it's laudable and it tries to go in the right direction, there's a complete lack

of timelines inside the bill. We're left to wonder, based on the way the bill is written as far as the various implementations in the bill, if it's anywhere from one to five years to implement the various sections of this bill. I would be able to accept that if I understood clearly that it's because the government needs to put in place the funding mechanisms to allow municipalities and others to live to the standard set in the bill. I would argue that the standard is probably not as strong as some would like; it might even be stronger than some want. But part of the problem is that on the one hand you're saying, "We're going to stagger in and delay the implementation of various parts of this bill." I have to believe the reason the government does that is to give people a chance to adjust. But if there aren't dollars tied to it as far as a solid commitment from the provincial government saying, "In year one through year five, here's what we're putting forward as far as dollars to allow farm communities and others to be able to live up to the commitments in the bill," then you've got to say to yourself, what's this all about? It's about another issue where the government says, "We've got a great idea. We're not going to pay for it. We're going to let somebody else pay for it."

We've seen that under the federal government. The federal government has been notorious—and I'm probably in step with most people in this House when we talk about Ontario not getting a fair shake from Ottawa when it comes to the fiscal transfers that we get from the federal government. Part of the problem I've always had with the federal government is that they set a standard on something and then they say, "Let somebody else pay for it," and we, the province, end up picking up the tab. Then we have a Premier, such as we have now with Mr. McGuinty and had with other Premiers before him, saying, "Foul, foul," to the federal government for imposing a standard and then saying that we have to foot the bill. But we're not doing any different here. That's exactly what we're doing. We're saying, "Here's the standard that municipalities, the farm community and others are going to have to follow." Everybody stands back and says, "Okay, fine. How are we going to pay for this?" The provincial government says, "We're silent on that point in this legislation," and I have yet to see an announcement by the provincial government that is prepared to say, "Here's what it's going to cost the municipalities, the farm community, trailer park owners and everybody else, and this is how we plan to fund it."

I accept that part of the responsibility has to fall on the municipal government. I understand that. Municipal governments are responsible to a large extent for being able to run their water systems, depending on how they're structured. Some of them under the Clean Water Agency are funded through the municipalities but run through the provincial Clean Water Agency; in other cases, they run it themselves. But they are looking for assistance from the province to be able to pay for this.

Here's the problem, and I spoke to it very quickly when the member for Bruce–Grey–Owen Sound spoke: If we say the municipality—I'll just give you an ex-

ample; the town of Smooth Rock Falls—has to meet a new standard, and let's say it costs them \$800,000 or \$1.2 million to meet the standard, they're going to have to, by law, meet the standard—fine—but then they're going to have to pay for it. So where do they get the money? They either debenture and go into debt, something that provincial governments have often chastised as far as the level of debt the province and others hold, but also the issue is, that municipality is going to have to say, "Where else am I going to cut in order to offset this \$1.2 million that I've got to pay to meet the provincial standards?" What's the choice? A town like Smooth Rock Falls, who lost their only employer, Tembec—hopefully we'll hear some news in the not-too-distant future that will be positive news towards reopening, but at this point they're closed. Where does that community go to pay the \$1.2 million—I'm just estimating that that's the cost—that they would need to meet this particular standard?

They go back to the taxpayers. Well, the taxpayers can't pay any more. We all understand that people on the municipal side are feeling as taxed as they can. People are paying assessments on their homes that are quite high. People are paying anywhere from \$3,000 to \$5,000 a year in municipal taxes, depending on the value of their homes, in communities like Timmins, and in places like Smooth Rock Falls, anywhere from \$2,000 to \$4,000. And they're saying, "I can't afford to pay more." So the municipal council is sensitive to that and says, "I don't want to raise the taxes, so I'm going to find the money elsewhere."

What do they have to do? They've either got to lay off municipal workers who are used for essential services—ploughing the road, maintaining our sewer systems, doing whatever might have to be done at the municipal office—or they've got to find the money elsewhere. So they say, "For the next three years, we're not going to do any repairs on the arena. We're not going to do any repairs at the pool. We will not go ahead with reconstruction projects for our municipal roads." What ends up happening is that to fix one part of our infrastructure, we allow other parts of our infrastructure to fall apart.

I'm just saying to the government across the way that I support, as a New Democrat, the concept of the Clean Water Act as far as protecting our source drinking water. I don't think the legislation actually does what you set out to do, but the part that's got me upset and is going to have a lot of municipal councils upset is that at the end of the day the municipalities and others are going to be left holding the bag. Then we're going to have them making decisions about "Where else we can allow infrastructure to crumble in order to be able to maintain what's inside this particular bill?" So I say to the government, there needs to be a funding commitment tied to it.

On the issue of failed infrastructure, we're seeing, over the last number of years, less and less money going into infrastructure. Governments have been very clever, both the previous government and this government, when it comes to saying, "We're really doing something with infrastructure." But if you look at the overall amount of

money we spend as a whole in today's dollars compared to, let's say, 20 years ago, we're actually spending less, because each ministry in the past used to have its own capital infrastructure programs. If you were Ministry of Municipal Affairs or Ministry of the Environment or ministry of sports and recreation, or whatever ministry you were, you had various pots of infrastructure dollars, and municipalities were able to basically tie into that money to fix their infrastructure. So you saw across Ontario arenas being fixed, pools being constructed, community halls being built, roads being fixed, water and sewer. Why? Because municipalities had more ability to get capital dollars from the provincial government.

At one point, we even had the federal government doing a one third/one third/one third with the municipality and the province. What has the government done? They've said, "We're going to create a huge fund called SuperBuild"—that's what it used to be called—"and we're going to make all funding announcements come under one ministry." This Liberal government is calling it something else, but essentially it's still SuperBuild. But now what you've got is, a town like Hearst says, "I can only apply for one capital project. Which one is it going to be?" Spin the wheel, and it lands on 7th Street, and that's the application that goes in. They don't have the ability to say, "I need to get my arena fixed. I need to get the windows changed at the seniors' complex," or whatever it might be, because the various pots of dollars that were there for capital no longer exist, and they have to apply to one fund.

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My point, and the alarm bell that I ring, is that if we're not investing in our infrastructure in the good times—and the economy has been pretty good over the last number of years—over the longer time, it's going to cost us more money. For municipalities, big and small, it's a huge problem. What do you do when your infrastructure starts to fail and all of a sudden you're left holding the bag, having to pay the piper? It's going to be a really expensive fix 10 or 15 years down the road. This government may not have to worry about the problem, and I would argue maybe even the next government won't have to worry about the problem, but down the road we're going to have municipalities across this province that are going to be in dire need of major investments in infrastructure, everything from transit, to roads, to water and sewer, to swimming pools, to municipal complexes, you name it, because we have not put the dollars forward that allow them to do that. That's one of the criticisms I have of this particular government and the previous government when it comes to their approach on capital. This government says or the previous government says, "The way to do that is to bring the private sector in by way of partnership." I'm just saying that is not a very wise way of doing things, in my view, and we can get into that debate some other time.

I said at the beginning of my talk on this bill that one of the things we're failing to do is to deal with the drinking water issue in First Nations communities. We saw in

this Legislature and we saw in Ottawa last fall what happened to the community of Kashechewan. There wasn't a member in this assembly who wasn't shocked at what they saw in that particular community, where you had children who were sick with scabies, you had elders who were sick, an entire community that had to be evacuated because of the condition of the drinking water. You couldn't even bathe in the water, the way it was affecting the people in that community.

The province, to give them credit, when we put some pressure on them, evacuated the community. That, in turn, forced the federal government to respond. But here's the problem, here's the nub: What's wrong with a system that allows something like this to go to such a degree that we had to declare an emergency to get the federal government to deal with the problem in Kashechewan? There's a real, fundamental problem here. I think the problem is that the federal government has absolutely no capacity to deal with drinking water and sewer systems in those communities. They basically fund infrastructure through INAC, Indian Affairs. They have a limited amount of money. I think it's about \$600 million for Ontario per year. That money has got to go to all the First Nations communities, from southern to northern Ontario, from east to west, and it is done to build up the infrastructure. But what you end up with is water plants that are built to a standard that is less than the standard in the province of Ontario. In fact, if you look today, the water plant in Kashechewan does not meet the standards of the province. There are design flaws within that plant. If that plant were in the provincial system, it wouldn't be allowed. Currently, the drinking water is safe there, but another tragedy could happen quite easily based on the design of that plant.

We look at the community of Marten Falls that is just now starting to surface in the news. I was in Marten Falls in August for a powwow, along with my former intern, Mark Peverini. We went in to participate at the powwow and as we were sitting there, we noticed there were children who had the same type of sores that we had seen in Kashechewan the year before. We started asking the question, "What's this all about?" We went to talk to some of the kids, asked them who their parents were. They happened to be at the powwow grounds. We went to talk to them and they said, "Well, you know, every year kids get mosquito bites." That's what happens in northern Ontario, the mosquitoes come out. But what's happening this year is that the mosquito bites are infecting and making rashes and creating a form of scabies. Parents were quite concerned.

So what did we do? We said, "Let's take a look at the water plant." Well, here you've got a water plant that has been built by the federal government. There is no requirement—the federal government will argue with me on this. They'll say there is, but in practice there isn't any requirement to make sure that the water plant operators are properly qualified to run that water plant. They have one qualified water plant operator for the entire community. What happens if that person becomes sick or that

person has to go out of the community on holidays or is on a day off? You don't have anybody else who is qualified. As far as design, from what I saw, there were deficiencies within that water plant. As I looked at the logs, the chlorine levels were really high, which sort of got me thinking that if we're injecting chlorine into the water system, it must be because we think there's something wrong with the water at those levels. So the first issue is that these water plants, as designed and installed by INAC, have some inherent problems with them. We started asking, "Why is it that the water is contaminated? What's going on?" Chief Elijah Moonias of the community says, "It's simple. Our sewer sumps on the municipal waste system fail, the system fills and overflows into a creek that ends up flowing into the river that is just upstream from where the intake for the water plant is." Does that sound familiar? That's almost exactly what we saw in Kashechewan—maybe not to the same magnitude, but certainly the same problem. Here we are, a year after what we saw in Kashechewan, and we've again got a federal government that says, "Oh, we'll look at it. Don't worry." So my federal counterpart, Charlie Angus, and I said, "Listen. We don't want to be seen as trying to stir up the media on this thing. Let's try to work with INAC, let's try to work with Jim Prentice, let's try to work with the province to find a way to resolve this." The response has been the same as we had under the Kashechewan situation.

I say, it's clear that the federal government doesn't have the capacity to deal with this. One of the things I want to see is a very serious discussion from the province with the First Nations and the federal government to transfer over the responsibilities for monitoring and maintaining the water systems in First Nations communities. I recognize that that is not easy to do, because the federal government is going to have to agree. I also recognize there's a fiduciary responsibility on the part of the federal government to First Nations and that, whatever agreement we were to negotiate, the federal government would have to put forth its share of the money, as it is obligated to do under the Constitution of Canada when it comes to their responsibilities by way of treaty, by way of the Indian Act and the Constitution of Canada. So we can't leave the federal government off the hook.

My point is this: The federal government doesn't have the capacity to monitor water in the way we do as a province. I give the following analogy: It's like having two baseball clubs. One's called Ontario and the other baseball club is called Ottawa. The Ottawa baseball club has nine players and a spare—right?—and they're going into the World Series. The Ontario baseball club has nine players and a bench of 20. That's the difference. There is depth of bench when it comes to the Ministry of the Environment, the clean water agencies and others in the province that we don't see with the federal government. It's a question of capacity and the ability to respond to whatever crisis happens out there and to have the staff to inspect the water plants on a regular basis, to do drop-in inspections—or snap inspections, as they would call

them—and to make sure that we monitor the qualifications of all those people who run water plants and make sure they're run to a standard and maintained to a standard. The federal government doesn't have the capacity.

When we called the federal government on the issue of Marten Falls, we said, "At the very least, send a doctor up there to check somebody." The doctors did the same thing we saw in Kashechewan the year before: "Nothing wrong. I don't know what the heck's wrong. All I saw was a bunch of kids with scabies." For God's sake, if we had that in Toronto, if we had that in Sault Ste. Marie, there would be an outcry and the province wouldn't allow it to happen—rightfully so—but because it's a First Nations community, we play the game from the province: "Oh, well, it's a federal responsibility. We're going to have to go to them to fix the problem."

I'm saying, as a provincial politician and as the representative of Timmins–James Bay, which includes the communities of Marten Falls and Kashechewan, that's not good enough. It's clear: The federal government has failed. They will continue to fail. People will continue being ill and, God knows, people might die. The province has to take the responsibility. I challenge this government to work with us—with Howard Hampton, my leader, who represents one half of northern Ontario when it comes to First Nations, myself and a few other northern members who have First Nations—to enter into discussions with Nishnawbe Aski Nation, with the Chiefs of Ontario and others, to look at how we can transfer over the responsibility for water to the provincial government so that First Nations members who live in those communities can have the same basic right as any other Ontarian in this province.

I would just end on that. How can we have, in this day and age, a system that says, "If you live in a non-aboriginal community, here's the standard, but if you live in an aboriginal community, the standard is different"? Clearly, the federal government has missed the boat. Clearly, the provincial standard is better and stronger and more developed and has the ability to respond. We need to equal it out—not by pulling down the provincial standards to the feds', because that's how we got into this mess in the first place, but by removing the federal government from the equation and bringing those communities to a standard that is the same as for any other Ontarian.

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If I live in Attawapiskat or Big Trout Lake or Six Nations or wherever it might be—the last time I checked, those people were Ontarians. They live in the province of Ontario; they work in the province of Ontario; they pay taxes in the province of Ontario. Unbeknownst to people, First Nations people do pay taxes. A lot of them live off reserve and live in communities like mine and pay taxes. They have a right. We have a responsibility to maintain an infrastructure that is equal to any other community in this province and is not to a standard that is lesser because these people happen to live in a First Nations community.

I just want to say that in the end it was a very interesting discussion, considering this conversation behind me for the last 20 minutes; thank you. I would just stand on this point: I want to say clearly again that nobody in this House opposes the direction of making water safer in this province. The opposition that is coming from both the Conservatives and New Democrats is a little bit different, but basically in the same vein. What I'm saying is, the way this bill is written, there's a lot of time between when things get implemented and they actually get done, and there's no guarantee that we're going to fund the changes that we're requiring under this act.

The Acting Speaker: Questions and comments?

Mr. Bob Delaney (Mississauga West): When I was asked to comment on the remarks by the member for Timmins–James Bay—a member who, I might add, represents an area larger than most countries on the globe—I thought I was experiencing a bit of *déjà vu*. I thought to myself, "Didn't I comment on this bill just last week?" I looked it up, and indeed I did. So let me start with a contrast.

Before I was elected by Mississauga West—a community, by the way, that wanted real, active, hands-on representation—the government that Ontarians had shown the door in 2003 had introduced its own Nutrient Management Act and, by the way, time-allocated it and had no debate at all on third reading. Here I am commenting on it for the second night of third reading debate. That act, by the way, really did stick it to our farm community, with no promise of compensation. This government's act has \$7 million just to start.

The member for Timmins–James Bay, in his remarks—one can never take away from him the passion that he brings to the representation of his rich and diverse community. Just as clarification, he did mention, with regard to water—Minister Broten, the Minister of the Environment, did in fact order the province's chief drinking water inspector to Kashechewan to evaluate the situation and propose a solution, and these solutions were delivered to Indian Affairs and Health Canada within 30 days, exactly as they should have been.

He made another comment, again regarding drinking water on First Nations reserves. I think it was Marten Falls. Again, the ministers of the environment and of natural resources wrote to the federal minister for Indian Affairs—this was just last week—to offer technical assistance, exactly as was done in Kashechewan.

One other comment worthy—oh, I'll do that the next time. Thank you very much, Speaker.

Mr. Yakabuski: It's always enjoyable and informative to listen to the member for Timmins–James Bay. He brings, as he said about the member for Bruce–Grey–Owen Sound, a unique style and a unique perspective to the Legislature, and he does not simply get up and make things up. He believes in what he's talking about and he delivers it with a great deal of passion, and we certainly respect that.

Some of the things he was talking about are the same concerns that we have with regard to the impact on

municipalities here in the province. It has been all over the papers in my riding, and I happen to represent 17 municipalities. Unlike, for example, some of the members over there, where there might be 20-some members representing one municipality, I actually represent 17 municipalities in my riding of Renfrew–Nipissing–Pembroke, and they are all very concerned about the implications and the impact of this bill.

You've got to remember: These are citizens and politicians who have heard it all from these people across the way before, and now they're supposed to just say, "Oh, well, the Liberals are telling us everything's going to be okay"? Well, certainly we can take their word for it. They haven't broken any promises—my goodness, gracious, more than Carter has pills. In fact, I can't keep count of them because every day the number changes. Every time the Premier gets up to speak, you can rest assured that something else will happen: A promise will be broken, or the people simply will be misinformed in one way or another.

We're going to have more opportunity to speak to this, but it looks like my two minutes run by so fast.

Mr. Dave Levac (Brant): I want to compliment the member for Timmins–James Bay on his analogy of concerns he has regarding First Nations. He and I share a passion for improving the lot of people on First Nations.

I want to share with him something I already did, but I'll do it publicly: It's not just a problem in the north, as he knows. There is southern Ontario, where we have in Six Nations, identified by me, 165 places that don't have running water, sewers or septic tanks. That should not be acceptable anywhere, absolutely anywhere, in Ontario. What's unfortunate is that the opposition on the Conservative side have decided to do nothing but throw out rhetoric and talk about how things are not right. What we should be doing is talking and working together on all three levels of government to improve the circumstances of the First Nations people.

I do agree with him that we need to put more pressure on the federal government, for them to come to the plate and make sure they understand clearly that this isn't about politics. This is about people who are literally getting sick and should not be subjected to that in Ontario. So I would work hand in hand with him, as I've made the commitment to do. I believe that anyone can stand up and say all kinds of rhetoric, back and forth, about what's going on and what shouldn't happen. What we should be working on is making sure that in the situation and the circumstances that our First Nations people face, they have as much opportunity as possible to have clean water and a sewer or septic system that could be used by anybody in this province. The fact is that our government did take action, and I think he acknowledged that. Within a 30-day time period, the Minister of the Environment did notify Jim Prentice that there was a problem and sent the experts up there, but that's still not good enough. I'll say to him boldly that not to have clean water is still not good enough for our Six Nations people or anybody in the province of Ontario.

Mr. John O'Toole (Durham): I do rise with respect for the member from Timmins–James Bay and the work he does to represent First Nations, as the member for Brant has just said. But I want to get back to basics here in the few seconds that I'm allowed to speak.

Our critic, the member for Haliburton–Victoria–Brock, Laurie Scott, has done a yeoman's service on this particular bill throughout the province of Ontario. In fact, our House leader, Bob Runciman, forced this government to have public hearings. That has to be on the record here. They were forced, literally dragged, kicking and screaming, to have hearings.

If you really want to get into the details of this bill, the NDP member from Toronto–Danforth, Peter Tabuns, who is their critic, and Laurie Scott, in the hearings—subordinated, time-allocated almost—for the amendments to that bill, moved amendment after amendment. In fact, you should know that the bill was about 40 pages; there were 250 pages of amendments, entire sections. In fact, the public was calling this Bill 43 "legislation by amendment." There were more amendments—entire sections were amended. This bill was poorly consulted, poorly drafted, and will achieve none of the objectives that were set out under Justice O'Connor's vision.

So the member for Timmins–James Bay has done a very good service of bringing to light the real-life experiences he's ascribed to the First Nations issues that aren't adequately addressed by this bill.

The member from Scarborough Centre was quoting some statements from Ron Bonnett. Ron Bonnett's initial response to Bill 43 was that he was opposed to it. But after they gave them the \$7 million, he sent in a quote that they were accepting of it. This does nothing for rural Ontario. Indeed, it does nothing for the water quality of Ontario.

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The Acting Speaker: I return to the member for Timmins–James Bay, who has two minutes to reply.

Mr. Bisson: I'd like to thank the various members for their kind comments in regard to the work that I and other members in this Legislature do when it comes to trying to advance the cause of First Nations.

I just want to say to my good friend the opposition whip that I appreciate the comments you made earlier today in private, and repeating them here, that you agree that, in the end, we need to find some way to bring some reality to the system. What's clear is that the federal system is not working. What we need to do is not accept the federal government's non-answer when, every time we call them, they're not answering the phone or every time we send them a letter, they don't answer the letter. I think we need to, and this is maybe where I disagree, politicize it to an extent, but politicize it from the perspective of the First Nations. We need to get the First Nations working together in order to put the pressures that need to be put on the federal government to take this issue seriously. What happened in Kashechewan and what's now happening in Marten Falls, you were correct to point out, is happening in many communities in

southern Ontario, as much as in northern Ontario, and is going to continue happening.

As they say in one particular saying, "An injustice to one is an injustice to all." It not only speaks badly as far as what First Nations have to see, but it speaks badly about all of us. We need to stop ringing the alarm bells and we need to engage in some really meaningful dialogue with First Nations in looking at how we can transfer those responsibilities over to the federal government.

I recognize, in the last 20 seconds that I've got, that this is a big-ticket item. This would cost a lot of money.

Mr. Yakabuski: A lot more than \$7 million.

Mr. Bisson: A lot more than \$7 million, but this is something that needs to be done, and I truly believe that at the end of the day, all Ontarians should be treated equally, First Nations or non-First Nations. We should all get the same treatment when it comes to having clean drinking water.

The Acting Speaker: Further debate?

Mrs. Liz Sandals (Guelph-Wellington): I'm pleased to be able to rise tonight to speak in support of Bill 43, the Clean Water Act. If passed, this act would implement 12 more of Commissioner O'Connor's recommendations and contribute to the operational implementation of all 22 recommendations related to source protection.

If you have been listening here in the House, it would actually be rather difficult to figure out what the bill really does. The starting point of the bill is to require municipalities, led by the conservation authority in the area, to map out the sources of municipal drinking water—and those sources could be either surface water or groundwater—to get some really good science-based data about how we collect our drinking water, what are the threats to that drinking water, and then to develop a local source water protection plan. The source water protection plan would be required to identify threats to the local drinking water source, to propose actions to reduce or remove those threats and to empower local authorities to take preventive measures before a threat to drinking water can cause harm.

I think it's very important to note that the majority of funding that has happened so far has actually been directed towards the scientific study of the drinking water sources and ultimately to the development of the plans. In fact we have committed, just in the last year, \$67.5 million to that source protection planning process. Specifically, \$51 million is going towards municipalities and conservation authorities, and an additional \$16.5 million for conservation authorities. When you include that with funding in previous years, there's actually a total of \$120 million which has gone into the whole process of doing the scientific studies that will lead to these source protection plans.

It's very important, certainly in my area, Speaker, and you would be aware of this: In the Guelph area, our drinking water actually comes from groundwater. In fact, in the upper Grand River area, most of the municipal drinking water actually comes from groundwater.

While a fair bit is known about source water and how it travels, a whole lot less historically is known about groundwater flow patterns. The groundwater doesn't necessarily flow in the same direction as the surface water, so you can have the surface water going east while you've got the groundwater flowing west. This is really something that, in a lot of areas, we don't know a lot about. When we finish the mapping for the source water protection, we will know a whole lot more than we do right now about what really is going on with our groundwater, and knowing that, we can come up with good science-based plans.

We did do extensive hearings between second and third reading, unlike the previous government, which often went directly from second to third reading without any public hearings. We do look on public hearings as an opportunity to listen to people who will be affected by legislation and to look for ways in which we can improve that legislation. In fact, in this case, we made significant improvements to the legislation, particularly with respect to things that farmers and people in the agricultural and rural communities were saying to us.

In particular, we have set up right in the legislation a fund that will allow us to make grants to rural areas, to farmers, to assist with the actual implementation. So far, we have committed \$7 million to that fund, but we know perfectly well that \$7 million is not the end of it. That's what we've committed to in the next budget, but when we know we have those source protection plans in place and see the technical details, we will know much better what it is we need to do. At that point, we will be able to arrange the funding to assist rural communities.

In fact, as has been said previously, those amendments have gotten very positive play. Ron Bonnett, president of the Ontario Federation of Agriculture, said, "The government is clearly listening to the concerns of rural Ontario."

John Maaskant, chair of the Ontario Farm Animal Council and co-chair of the Ontario Farm Environmental Coalition, said, "This is an encouraging announcement and indicates that agricultural concerns have been taken into account."

Richard Hibma, who's the chair of Conservation Ontario, said, "This step is an important one to help protect drinking water sources in rural Ontario."

Doug Reycraft, president of the Association of Municipalities of Ontario, said, "It means municipalities and property owners can better work together to protect local water supplies."

We didn't just set up a drinking water stewardship program, the \$7 million in initial funding. We've also made some other amendments which were important to rural communities, to make sure the people who are vetting those local source protection plans know full well that they have good training, both with respect to source water plans but also with respect to biosecurity. That was very important to our farming community.

I'm very pleased to be able to support Bill 43, because I think it is something that will make a great difference to all Ontarians in terms of protecting their drinking water,

but it also recognizes the challenges that are faced in rural Ontario—working with our farm community, not against it.

The Acting Speaker: Questions and comments?

Mr. O'Toole: I'm anxious to hear our member from Renfrew–Nipissing–Pembroke, who is about to get up and who will provide a lot of input.

The member from Guelph–Wellington should know that one of the strongest Ministers of the Environment we had here, talking about this particular bill, which is an environment bill, was Brenda Elliott from Guelph–Wellington. It's my sincere hope that Brenda will come back—not to put the member in a disadvantaged position to respond to that comment.

This bill does nothing of the sort that you espouse it does. I attended the public hearings, as did our critic, Laurie Scott. The only thing I can say with certainty is Ron Bonnett—

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

Mr. O'Toole: Bonnay. The member from Scarborough Centre called him “Bonnett.”

Interjections.

Mr. O'Toole: Ron Bonnay, Bonnett—Ron Bonnett, who's the president of the Ontario Federation of Agriculture, his initial response, as Ms. Scott could tell you, was categorically opposed to Bill 43. It achieved nothing that it has espoused to achieve.

But after some manipulation, and I don't think that's an unparliamentary term, after some undue influence by a couple of ministers to get Ron—they twisted his arm, actually; they gave him \$7 million, and they appointed him to the advisory committee, the 12-member panel—Ron relented. And they sent him, I'm sure—I can't attest to this without insightful knowledge—a quote saying, “Ron, would you mind signing this endorsement?” I wouldn't want to attribute that to Ron, as having signed it without reading it, but Ron—

Mr. Tascona: Bonnay.

Mr. O'Toole: I think a lot of Ron Bonnay, but I think more of Ron Bonnett. Quite frankly, this bill has been foisted on the people of Ontario. It does nothing to solve the problems of water quality. It creates more bureaucracy and more cost to the people of Ontario.

Mr. Bisson: On behalf of all francophones, it's “Bonnett,” just to get the record straight. But I understand. I've been called all kinds of things. We understand that people, at times, are not able to pronounce names that they're not used to. How frustrating that might be for some of us is for another debate.

I just say to the member across the way, I really truly hope that the government would have actually tried to listen to the opposition on this particular bill. I want to say again: Nobody is opposed to the idea of clean drinking water. That's motherhood and apple pie. The devil is in the details, and as I said, as I see it, there are really two fundamental flaws. One is that the time lines within this bill are staggered. I say on the one side that may be a

good thing, because it gives municipalities and others an opportunity to adjust to the bill. But we don't see any of the dollars that are necessary, that need to be attached by way of announcements from the ministry, to say how we're going to pay for this.

Municipalities are short on cash and long on need and, quite frankly, we're just adding more to the need and not doing anything about the cash side. All I say is, municipalities will find themselves in a position of having to say, “All right, I must maintain this standard. Fine, it's the law, we're going to do it,” but where are they going to cut other infrastructure to be able to pay for it? Because we know that municipalities don't want to raise municipal taxes. They feel that their citizens and property owners are as taxed as they could be. So where are they going to have to go? Debenture debt and pay it over a longer period of time, or take it from other capital reserves if you happen to have it, or take it from future capital projects in order to be able to offset the amount of money this would cost. I'm just saying that we're coming close to the wall when it comes to infrastructure deficits in this province. We've already gone over that line as far as I'm concerned, and this bill will push us further.

Mr. Delaney: Is that M. Bisson or Mr. Bisson? I'm not sure.

It's a pleasure to comment on the remarks by the member for Guelph–Wellington, the member who, I believe, represents the University of Guelph, which includes perhaps Canada's leading academic programs on agriculture. She very effectively, of course, makes the point that the Clean Water Act implements another 12 of Justice O'Connor's recommendations and that, in fact, Bill 43 is really a very simple bill. Despite all the smoke-screen thrown up—and I use those words deliberately—in the name of obfuscating what is a very simple bill, it is in fact the first substantive effort in Ontario history to protect land and water surrounding water wells and municipal water intakes.

Now, perhaps some of the members here are against clean water. Not me, and not the city of Mississauga. In fact, again, if you're watching tonight, if you remember Walkerton, if you go back six years, you'll understand the need for this bill. Our farmers, whose interests and needs form the core of this bill, have been very vocal in their support.

Bill 43 protects municipal drinking water. It provides the means to prevent water from being contaminated or depleted in the first place. It's really a very simple bill. This bill is about looking after our cities and our farms. This bill is about clean water. This bill is about listening to constructive suggestions, and that's why this bill received the extensive debate that it has. That's why it received the thorough committee hearings it did, and that's why we're here tonight debating it at third reading. This bill is about learning from what Ontario has heard. That's why so many of the suggestions that were made in the hearings are reflected in the bill.

Mr. Yakabuski: I'm pleased to respond to the comments of the member for Guelph–Wellington. She was

delving into her interpretation of the science, which was interesting, but I want to go back a little bit.

I feel a little bad for the member for Scarborough Centre, who was struggling with the name of the head of the OFA. As I see it, it's Bonnett. But I can understand, because my own name in this Legislature, quite frankly, gets kicked around quite a bit too. I have heard Yakabusski, Yakabuchi, Yakabushi, Yakabouski, Yakabushki, and in fact it's Yakabuski. For the record, it's Yakabuski, and I would hope that all of those folks over there would get that clear. It's Yakabuski. If you want to monkey around with Ron Bonnett's name, that's one thing, but mine is Yakabuski.

Getting back to the issue at hand, Bill 43: Again, the member for Guelph–Wellington was going on ad infinitum, but she didn't use the 20 minutes. Could she not explain the science a little more completely? She ran out of gas, or I'm not sure exactly what it was, but she didn't continue with the scientific explanation.

I'll tell you what the explanation is in my riding and across rural Ontario, and all of those rural members had better key into that a little bit: It's about representing the people who send you here. When you're telling people that this bill is going to be good for them and cost them little, and that the government is going to come up with \$7 million to cover a bill that is going to cost a thousand times that number—and they're saying we've got a down payment of \$7 million—the people can't afford this bill the way it is. There must be a rewrite.

The Acting Speaker: That concludes the time for questions and comments. I'll return to the member for Guelph–Wellington, who has two minutes to respond.

Mrs. Sandals: I'd like to thank the members from Durham, Timmins–James Bay, Mississauga West and Renfrew–Nipissing–Pembroke for their various comments.

Perhaps I had an advantage over the member from Durham, who seemed to have listened to Ron Bonnett at the hearings, because I actually had the opportunity to talk to Ron Bonnett—and it is “Bonnett”—after the bill had been amended. I know in conversation with Ron that he was very pleased with the amendments that we made and—

Interjections.

The Acting Speaker: Will the member please take her seat for a moment. I would ask the members of the House to please come to order so I can hear the member for Guelph–Wellington.

I return to the member for Guelph–Wellington.

Mrs. Sandals: With respect to the comments of the member for Timmins–James Bay, I think he is quite correct in recognizing that when we look at water systems in a number of our municipalities, there certainly is some aging infrastructure and there are some difficulties there. In fact, one might argue that part of the problem in many communities is that water infrastructure, both clean water and sewage management, tend to be viewed as underground, out of sight and therefore not worth spending

money on. That, quite frankly, is part of the problem that we're dealing with.

But to put this in a bit of a context, when you look at some of the municipalities that have been keeping their infrastructure up to date, that have been looking at water protection—let me give you some samples. In Waterloo, it costs about 75 cents a month per user to implement the clean water source protection planning, the sort of thing we're talking about; in Oxford county, over 10 years, about a \$1.50 per month, per user. That is not out of the way to keep your drinking water safe.

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The Acting Speaker: Further debate?

Mr. Tascona: I'm very pleased to join the debate on Bill 43, and I want to start off in my comments tonight by quoting our critic for the Ministry of the Environment, Laurie Scott, the member for Haliburton–Victoria–Brock. She said, and this was recorded in the Lindsay Daily Post of September 18, 2006, “The province was running away from the responsibility of source water protection and it got caught.” We made a loud enough noise that it did get caught.

I want to quote my colleague to the right of me, John O'Toole, the member from Durham. This was in Hansard, September 12, in the social policy committee: “... and also note that this is a bill that has been drafted through amendments. There are more amendments than there is content; a 35-page bill with 226 amendments. I'm amazed how they can draft this so quickly, on the fly, on such an important thing. I'm disappointed.” And I believe that. That's correct.

There's also an article involving Toby Barrett, the MPP for the riding of Haldimand–Norfolk–Brant, which was in the Toby Barrett editorial on September 13, 2006. The headline is, “Rural Ontario Unites Against Source Water Bill.”

“In the past three years one thing has become increasingly clear: The Ontario government has never seen proposed rules or regulations or red tape it didn't like.

“Over the past week, my staff and I have been working on corrections to the province's controversial source water protection legislation.

“We believe the title—the Clean Water Act—is disingenuous.” This is out of an article I'm reading. “It will do little to clean up water supplies. Since it deals primarily with placing regulations on land within defined proximities of municipal wellheads, we propose it be titled The Municipal Source Water Act.

“For years, farmers have been society's closest allies in environmental stewardship and source water protection. Reflecting this, I trusted that the McGuinty government would have worked co-operatively with the farming community, providing the necessary assistance to prevent source water contamination.

“But after reading about the steep fines—up to \$100,000 per day—I realized Premier Dalton McGuinty sees farmers as his opponents, and unqualified to manage their own land.

"In the wake of the Walkerton water tragedy, Justice Dennis O'Connor called for changes to the Environmental Protection Act. Instead of following his advice, the McGuinty Liberals decided to strike out on their own and create a totally separate piece of legislation. This is also not needed in much of rural Ontario, as the farming community is already covered by the Nutrient Management Act.

"During public hearings, stakeholders made their objections clear. They told us Bill 43 is frightening, punitive, unworkable, unnecessary, and unjust.

"In Toronto, Norfolk Federation of Agriculture representative Vic Janulis described the Liberal plan to give bureaucrats power over farmers' livelihoods as 'frightening.' I agree.

"In Cornwall, the Dairy Farmers of Ontario echoed my belief that Bill 43 has sticks, but no carrots. According to Norma Winters, this legislation is '...overly punitive and not a positive improvement over existing legislation to improve Ontario's drinking water quality or risks.' I agree.

"One of the most scathing criticisms of the so-called Clean Water Act came from the Ontario Cattlemen's Association at the Bath hearings. Kim Sytsma put it best, saying 'You need to stop downloading onto municipalities and take ownership and responsibility over source water protection, as Justice O'Connor told you to do. So get rid of the concept of a permit official or whatever you're planning to call it. It won't work in rural Ontario.' I agree.

"Chris VanPaassen, of the tobacco board, told politicians at the Bath hearings that farmers 'are doing a great job of controlling the situation without Bill 43.' I agree.

"In Cornwall, Randy Hillier, of the Ontario Landowners Association, gave a dire assessment of the controversial source water legislation. He said, 'Bill 43 is not about clean water. It is about control, about authority. It's about injustice.' Once again, I can't help but agree.

"Through Bill 43, the McGuinty government has set the stage for conflict in the agricultural community and rural Ontario. To his detriment, Mr. McGuinty failed to calculate the degree of unity present among farmers and rural communities. And these groups don't forget.

"In the coming weeks the campaign to fix Bill 43 will be heating up. My colleagues and I proposed a series of amendments.

"Rest assured—if Mr. McGuinty doesn't allow us to fix Bill 43, the opposition caucus will be voting against it."

That was by Toby Barrett, the MPP for the riding of Haldimand-Norfolk-Brant.

Obviously, the opinion from rural Ontario and the opinion generated from the hearings is that the government really didn't want to hear anything from the opposition, didn't want to hear anything from rural Ontario. Yet they came out with a lot of amendments. There's no doubt about it; they amended a lot of things.

Interjection.

Mr. Tascona: I'm the member from Barrie. It's not "buddy." Thanks very much.

I'll tell you right now, looking at this bill—and I'm reading it very closely. I want to comment on the expropriation part of the bill. This is where a lot of people have difficulty with this bill: with respect to expropriation and the possibility of expropriation without compensation.

Many presenters at the hearings cited this portion of the bill as very troubling. The Ontario PC caucus put forward a number of amendments that would strike any possibility of such a thing occurring, and the Liberals voted them down in the hearings. Many stakeholders remain very concerned about the implications of such sections as 83 and 88.

I'm going to read section 83, entitled "Expropriation," for the Liberal government here, because I doubt very much that any of them have read the bill. This section says, "A municipality or source protection authority may, for the purpose of implementing a source protection plan, acquire by purchase, lease or otherwise, or, subject to the Expropriations Act, without the consent of the owner, enter upon, take and expropriate and hold any land or interest in land."

The difficulty with this is looking at it from the point of view of implementing a source water protection plan, which is the responsibility of the municipality and the local conservation authority. Also, in doing that, the municipalities have been given the unbridled authority to implement bylaws to do just what they need to do with respect to that particular requirement under the act. I'll deal with that a little bit later.

I think everybody can understand "acquire by purchase"—that's purchasing the land—"lease"—that's leasing the land, compensation for that. But what's troubling here is "or otherwise." That terminology is vague; there's no definition and there really is no meaning. "Or otherwise" is about as broad a discretion as you could possibly have, which could mean no compensation in terms of taking over the property. There's also "or, subject to the Expropriations Act, without the consent of the owner...."

Under this bill, they can go in there without even relying on the Expropriations Act. When you go on to section 88, the limitations on remedies and the barring of any action being taken against the government or the officials involved in implementing the source water protection area, it says, "(6) Nothing done or not done in accordance with this act or the regulations, other than an expropriation under section 83,"—which I just read—"constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law." What that means is that if you want to take action against somebody who has taken your property without compensation, you can't. That's what it says. That's what is troubling to a lot of people out there who believe in property rights in this province, who have seen their property taken away through the greenbelt legislation, with no opportunity to deal with their own property. The

greenbelt legislation essentially took away people's property rights in the most arbitrary way you could possibly do.

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Now we have the source water protection, which allows municipalities unbridled authority to pass bylaws as they deem fit to deal with the principles of this act, allowing them not only to change the bylaws, which obviously would affect your property rights in terms of changing it from a particular designated type of property for zoning to making it environmentally protected, but to do it without even compensating you for those changes. If they decide they want to take the land, they can do that and give you nothing.

I don't know where we are. I don't know whether we're in Communist Russia or over in Communist Eastern Europe. Those are the things that used to happen in those areas in the 1940s and 1950s, when the government came in and said, "We're taking over your farm. We're taking over your property. Like it or leave it." That's not what this country is about. This country is about people having the opportunity to own and to have control over their land, not having the government take over their land and rezone it without any input and take over their property without any compensation.

What are we coming to in this country with respect to this type of action by the government? I don't think we're coming to much in terms of accomplishing anything with respect to balancing people's rights to own property and the public interest in terms of trying to deal with a situation. Obviously, everybody believes we need to have clean water. Nobody's against that. But we're saying, don't put out a piece of legislation that strips people of their property rights and allows you to rezone it, allows you to take the land without compensation and walk away and say, "We can do this because we're the government. We can do this. Don't try to sue us, because you can't." That's basically what this bill is about.

This government likes to intimidate. They like to litigate. They like to get in your face with respect to dealing with rights in this province. They like to get in your face, they like to litigate, they like to take the people to court, because that's the way they are. That's the way they are. They like to take away your rights and see if you're going to stand up to them. Well, people are standing up to them, because they don't like this bill. They don't like to be pushed around in terms of their rights. It's not the government's right to take away people's property and not compensate them for what they're entitled to.

The other side believes that's the way to do business in this province. I can tell you, that isn't the way we do things in this province. Nobody agrees with taking away people's property rights. What they do believe in is making changes that will protect the public, but not by saying, "We don't care what the public wants. We're going to do what we want and you're going to like it." Well, not a lot of people are liking this bill in the way they've cavalierly gone over them and said, "We're going to do this." It's downloading in the extreme. They're

making sure the municipalities are responsible for the environment within their community without giving them any funding, making sure the local conservation authorities are out there doing their job not only with respect to setting up the source water protection area but also making sure they're going to monitor it and enforce it, but with no money—nothing.

I agree with the member from Bruce-Grey-Owen Sound when he says, yes, they're downloading the Ministry of the Environment responsibilities onto municipalities. The member from Renfrew-Nipissing-Pembroke was correct when he said this bill is going to cost local taxpayers 10 times what this government is predicting it's going to cost. They have no idea what this bill will cost local taxpayers; in fact, they don't even care. What they care about is saying, "Oh, we did something. Go talk to your municipal official." I get those letters all the time from the ministers in this government: "Go talk to your local official. They'll deal with it. It's their responsibility." It's the same thing with school boards: "Go talk to your school board. They'll deal with it. Don't come to us." They're doing really well with respect to downloading their responsibilities and making sure that there is no accountability at the provincial level, because that's what they want—no accountability—and they're good at that. Whenever they get caught with their finger in the pie, they get bitten, because everybody knows you cannot really believe what they say they're going to do.

What is this about? This is an embarrassment in terms of a legislative procedure. They came forth with the bill, and then they went to committee, and then they came out with 226 amendments, and they didn't support even one amendment from the opposition. To me, that means the legal penmanship in terms of drafting this bill was either poorly done—which I don't believe, because I think they have very good drafters over at the Attorney General's office. I've used them. They're very intelligent people. They know what they're doing.

This government didn't think through the bill. They have still not thought through the bill, because there are still so many flaws in this bill. They can say, "No, we'll pass the Clean Water Act. Live with it. We'll see how it works." Well, that's not the way to run government. This government has no vision in terms of where they want to take this province.

This is not a bill that anyone should be proud of. Let's face it, we should be able to do better. They didn't even implement the recommendations of Dennis O'Connor's report. That's how good this bill is. They don't even want to do that. They basically want to say, "Well, we've solved the problem. We've pushed it off to municipalities. Go talk to your municipal official or your local conservation authority, because they're the ones who are going to do it. Don't blame us for changing the bylaw to strip you of your land rights. Don't blame us because they took your land from you and didn't give you a nickel. Don't blame us. It's all in the best interests of the province. We did the right job. We passed the buck and gave it all to the municipalities to do. So if your water

charges are going through the roof, don't look at us. It's the municipalities. We didn't have to give them any money. It's their job to make sure the water is clean. It's their job to make sure that they set the right prices for the water you drink. The province doesn't have to do anything." Well, if that isn't a lack of leadership, a lack of vision, a lack of the way to do things in this province, I don't know what is. This bill is a disgrace.

They took two years to get this bill into place. I've been dealing with my mortgage fraud bill. For three years-plus, they've done nothing with respect to that. People are losing their property rights through that. This government has no respect for property rights in this province, not one bit.

So what are we doing here tonight? We're into debate of this bill. The government wants to run it through. We're speaking here tonight. I don't think they're very happy that I'm still speaking. They would like to have this thing run right through. They don't want to hear anyone in the opposition. They want this bill through.

I can remember the House leader talking about democracy in the House; it was nice to hear him talk about that. I guess when you're in the opposition, you're all for democracy, but now that you're on the other side of the benches, what happened to democracy? You're going to time-allocate this bill. You know you will. It lets you shove it down our throats, and that's what you want to do.

Yes, we're speaking here tonight. The House leader is not too happy and the other side is not too happy either. That's too bad. We're here and we have a job to do. This isn't a dictatorship. You can take people's property away because you're acting like a dictatorship—take it away, rezone it, not give anybody money for their property. You can just do that because you're the government and because you're right. It's so right to be Liberal in this province. You can do anything you want in the name of the public interest, and everybody knows what that means: They know it's a joke. We need a government with vision, we need a government that cares and a government that wants to solve the problems that have to be solved. This bill will not do it.

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The Acting Speaker: Questions and comments?

Mr. Rosario Marchese (Trinity-Spadina): I have to say this. While I do not agree with the political proclivities of the Conservative Party, the member from Barrie-Simcoe-Bradford raises some good questions about farmers and landowners, and I have to say that the Environmental Commissioner of Ontario on page 25 raises some interesting questions vis-à-vis farmers and landowners. He says the Ministry of the Environment "has proposed allowing municipalities to impose site-specific permits on farm operations, based on scientific risk assessments, to protect vulnerable drinking water source areas while still allowing farming in those areas. Farmers' concerns include adequate representation of agriculture interests and other landowners and industries on local source protection committees, the interaction

between source protection and nutrient management programs, and the potential restrictions on farmers' land use."

The Environmental Commissioner is a strong environmentalist. He raises good questions on this, including other points which I will make in my own remarks in approximately eight minutes or so. But I wanted to read for the record what he has to say about farmers and landowners. He raises good questions.

Like municipalities, farmers are concerned about the costs imposed by the source protection plan on affected landowners and would like to see a fund to offset new costs of compliance. They raise good points. This should be taken into account. I don't agree with what my good buddy Joe, the member from Barrie-Simcoe-Bradford, was getting at, in terms of property rights, but the questions raised by the Environmental Commissioner are important to keep in mind, and the questions I raised about how you offset new costs from compliance are serious enough to take into account.

Mr. John Wilkinson (Perth-Middlesex): My, how the worm turns in the place. Here, we just had the member for Barrie-Simcoe-Bradford explain to us, as only a trained lawyer could, that an expropriation is an expropriation unless, of course, it isn't an expropriation. That's because we have the Expropriations Act.

What I find really interesting about this is he quotes subsection 88(6) as he goes on, and I distinctly remember, in the history of this place, a member opposite of the previous government voting for the Nutrient Management Act and the Oak Ridges Moraine Conservation Act that dealt with that very issue. I didn't hear him—I checked Hansard—and I didn't see him jump up on his hind feet right then and say, "Oh, yes, this is important."

This bill deals with a very simple fact. I want to talk to the people at home. If you own property and there has been a lengthy assessment, and at your property there is a significant threat to your drinking water and the drinking water of your neighbours, the McGuinty government actually believes, because we listened to Justice O'Connor, that action has to be taken. How unreasonable is that?

We've had people come to us and say, "Listen, you've drafted that bill and it needs work." The opposition can come in and say either, "You got the bill wrong and you should amend it," or "You should never have amended it." But they've come in to say the bill was wrong because we didn't listen to people and we needed to amend it. And then of course we amended it and they said, "Now you're wrong because you amended the bill."

Listen: It's one or the other, boys over there. You've got to pick a lane. I know you have Mr. Tory, and he's great at straddling down the middle of the road, right on the dotted white line there, but you've got to pick a lane in this business, you've got to decide: Are you for this bill and the clean water or are you going to vote against it? I say to the member for Renfrew, if you think this bill is going to cost 10 times as much, it had better be in your platform that you're either going to repeal the bill or not, and then how much you're going to pay for it while

you're busy cutting taxes. We look forward to the vote on this—

The Acting Speaker: Questions and comments?

Mr. Toby Barrett (Haldimand–Norfolk–Brant): The member for Barrie–Simcoe–Bradford gave quite an impassioned rendition this evening on behalf of rural Ontario, farm Ontario and those small municipalities. All these groupings are going to have to foot the bill for this. We heard the figure presented tonight as \$7 million that will pass hands, hardly enough to accommodate the cost of this draconian legislation, something that during the hearings we were told amounted to billions of dollars.

The member made mention of the hearings. I attended the hearings in Toronto, Bath, Walkerton and Cornwall. I was so impressed with the calibre of virtually each and every presentation at those hearings. Granted, there were only five days of hearings. I noticed that the presentations that came forward were often from organizations that were involved in previous hearings conducted for the Nutrient Management Act. I chaired or co-chaired virtually all of the hearings conducted for that. We spent 18 days on that legislation and on the regulations for that legislation. Again, I regret the fact that this government did not take into consideration the kind of input they received from these hearings—hearings that had built on the presentations done previously with respect to nutrient management.

One thing that I think bothered a very large number of the presenters was the fact that, in a sense, this legislation has gone down the same road as the spills bill. It's a piece of legislation that focuses on rules and regulations and red tape, that focuses on permits and fines and negative sanctions.

Mr. Delaney: That was quite a rant by the member from Barrie–Simcoe–Bradford. But we're not Tories on this side; we're Liberals. We don't time-allocate these things, because they deserve some debate.

The Clean Water Act is not about litigation. But if it were, I'd probably be looking for a litigator with the vocabulary and the delivery of a chainsaw and perhaps the sweet, even-tempered disposition of a stepped-on rattlesnake. Perhaps if he were available, I might even approach the member from Barrie–Simcoe–Bradford to litigate on my behalf. But the bill is not about litigation; it's about clean water from source to tap. Bill 43 is about protecting water for our farms, for our rural municipalities and for our cities, like the city of Mississauga from which—

Mr. Tascona: On a point of order, Mr. Speaker: I think my friend is using hyperbole with respect to insinuation about my character as a lawyer, as a member.

The Acting Speaker: I'll return to the member for Mississauga West.

Mr. Delaney: Thank you, Speaker. Let me also say that I have nothing but respect for the character of the member from Barrie–Simcoe–Bradford, a fine member in every respect.

Mr. Duguid: Don't push it.

Mr. Delaney: All right, a fine member in most respects.

I'm from Mississauga. Bill 43 is about helping Mississauga protect its water sources. Mississauga knows that Ontario has taken the time that it needs to get this bill right. Mississauga knows that the government it elected to actually pay attention to affairs important to Mississauga got something right that's going to last for a long time.

The Acting Speaker: I return to the member for Barrie–Simcoe–Bradford, who has two minutes to reply.

Mr. Tascona: I want to thank the members from Trinity–Spadina, Perth–Middlesex, Haldimand–Norfolk–Brant and Mississauga West for their comments.

Quite frankly, the important point here with respect to Justice O'Connor's report, which has been referred to here, is that Justice O'Connor's report recognized the high cost of water protection improvements, and stated, "If the system is ... too expensive, the provincial government should make assistance available to lower the cost per household to a predetermined level."

What's he's talking about is infrastructure. He's talking about infrastructure that's needed to make sure the system works, and that's very important. It's not important about doing mapping exercises like the greenbelt and mapping exercises like we have here in the Clean Water Act. What is important to make the system work so we can have pure water, to make sure that we can have clean water in the future, is to make sure that the infrastructure is brought up to a state that it can be affordable for the householders and that the province makes sure they put the money forth that is needed.

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We do not need a system which basically is going to make sure that the municipalities are expected to go around doing bylaws and taking over the land here and there. Who is going to pay for that? Are you going to expect that a municipality is going to go out there and expropriate every piece of land without being afforded the opportunity from the province to make sure that they do it? This is a provincial responsibility, and they're basically shirking their responsibility and pushing it back down to municipalities.

The recommendations 13, 14, 15 and 16 of the O'Connor report, whether they like it or not, are not even put into this bill and not even acted on by this government, which is a broken promise again.

The Acting Speaker: Further debate?

Mr. Marchese: I'm happy to have this opportunity to speak to Bill 43, the Clean Water Act, this long-awaited source protection legislation promised by the Liberals in the 2003 election platform and promised for the last two long years, whose objective is to protect our source drinking water from contamination and destruction as called for in part two of the Walkerton inquiry.

I want to say that there are some positive things in this bill. One positive thing is the provision of a relatively public and transparent process for developing assessment reports and source water protection plans. But I am going

to leave the job of talking about the positives of this bill to the member from Perth–Middlesex, who is happy to expound on the great strengths of this bill, and I leave him to do that job, including the member from Mississauga West, who is here tonight to also entertain us with his positive remarks, and I'm sure others. So I'll leave that job to the Liberals.

I'm here however to speak to some of the weaknesses of the bill. We all know the importance of protecting the sources of our drinking water. But unlike the McGuinty government, we in the NDP believe that all sources of drinking water, whether in the south of the province or the north, whether the source of water is for a municipal water system or a private well, deserve protection. Unfortunately, the McGuinty government, the government of the member from Perth–Middlesex, does not share that view and has decided to only protect sources of water for municipal water systems, and only in those watersheds in the province with conservation authorities. That is one serious limitation that I wanted to mention straight off.

Secondly, Mr. Yakabuski, the member from Perth–Middlesex is saying that we need to act today, that we can't wait.

Mr. Yakabuski: It's Yakabuski.

Mr. Marchese: Did I not say that? I apologize.

The member from Perth–Middlesex says we have to act today. We can't wait for a long time to deal with this; we've got to act now. And he nods in agreement, as if to suggest that he's in agreement with me, yet this long-overdue legislation, needed yesterday, comes with a five-year implementation period—not two, not one, not three, not four, but five. We needed it yesterday and we need it today, but it can wait five long years to implement because so much in need are we to get going on this job. John, my friend from Perth–Middlesex, will explain why “now” means five long years, in the same way that my good buddy John, the member from Perth–Middlesex, said, when we introduced the bill dealing with people with disabilities, “We needed that bill today.”

Mr. Yakabuski: Twenty years.

Mr. Marchese: And for a bill that required giving people with disabilities access to services today, they have an implementation period of 20 long years, to the point that those waiting will be so infirm that waiting could mean what? Being closer to death? But the Liberals say, “No, we need it today and the implementation period is going to come,” but it will take 20 long years. And the Clean Water Act, so, so important is it, we've got to wait five long years.

Imagine what it means. Imagine what “immediate” means to Liberals. They cannot grasp the concept of immediacy—meaning now or today—that it should take so long to implement. You understand what I'm saying. You understand how language and time are such flexible things for Liberals—and for the previous Conservative government as well, I would add. But we've moved beyond the Conservative government; we're now on to

the Liberals. So we have to get hold of time under the Liberals because it is ever so long to deal with.

So such long-overdue legislation—source waters are being impacted daily and we need the source protection plans to be developed and implemented within a shorter period of time, but no, we've got to wait five years. All right.

Let's look at other problems that the government promised in 2003. But I should point out, given what I was talking about in terms of why we need to wait so long, that the work acquiring the necessary information for the source protection plan has been ongoing, and many conservation authorities already have substantial information on the affected watersheds and the activities that need to be curtailed. Given that they have such knowledge and that they've been working on these plans for so long, why not take their work and move on it quickly? They're not doing it. So we've got to wait.

Let's look at another promise the Liberals have made. In 2003 the Liberal platform made an unequivocal promise—understand that “unequivocal” means quite clear—to make those companies who benefit from exploiting our water resources, such as bottled water companies and Omya, a drywall slurry company, Leona, which happens to be in my good friend Dombrowsky's riding—that they should be required to pay a royalty on the resource, as is the case in other resource sectors. I looked high and low.

Mr. Yakabuski: How high?

Mr. Marchese: High and low.

Mr. Yakabuski: How low?

Mr. Marchese: To see if anywhere in that bill they mention that if you're going to extract water, one of the most important resources in our living lives, we would require those who profit from it to pay, I'm not saying a lot, but a little something, as a way of saying, “They're making billions of dollars taking the water that belongs to the people. They should pay just a small, little amount of money.”

Mr. Yakabuski: A token amount.

Mr. Marchese: I'm not saying much, a little bit, to take that water, that precious, clean water, out from the aquifers down there. They put it into these little bottles—eh, Dave?—and they charge you a buck. And depending where you are, it could be more—two bucks—for a little bottle of clean water taken from the aquifers. They sell it to you for a buck or two, and they take it out for free. Based on the Liberal promise, they should force them to pay just a little bit—not asking for much—to be able to pay for some of these costs that people will incur to enforce this bill. Would that be helpful? Do you think keeping a promise is important?

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Mr. Yakabuski: Absolutely.

Mr. Marchese: And do you believe that if you made that promise to charge royalties on the water you take, maybe they should keep it?

Mr. Yakabuski: Rosie, if you make a promise, you keep a promise.

Mr. Marchese: Mr. Yakabuski, why wouldn't they implement such a simple promise? Why wouldn't they? I tell you, good citizens—and I'm not talking to taxpayers; I'm talking to citizens here—why would you commodify water? It's something that is desperately needed by human beings to live, and you commodify it, i.e., selling it. I've got a problem with that.

But let's just say I have no control over this because I'm in opposition, third party, and I don't have any power to control this, and the government says, "Yeah, okay. You can take the water out." But the Liberals come forth and say, before 2003, "We're going to make sure they pay." Then they introduce this bill, the water bill, not the Safe Drinking Water Act but the Clean Water Act, and do not include one little line, one little short line; it doesn't have to be long.

I wonder whether the member from Mississauga West, who spoke earlier, and the member from Perth–Middlesex, who spoke earlier, agree with me on this. I'm not saying, "Talk about your promise," because I know how much you hate to be reminded of the countless promises you have made, promises such as the one the McGuinty government broke: the failure to stop the development of a 6,600-unit subdivision slated for development on the Oak Ridges moraine, the same moraine that is crucial to the protection of the headwaters of 35 GTA river systems, many flowing into Lake Ontario. I'm not even talking about that promise. I'm not even saying that you have to keep your promise. Let's just say I'm not even interested in that.

Mr. Yakabuski: I think it's important.

Mr. Marchese: I know. But I was just thinking of one little short line in the bill that would say, "Okay, we're going to make those companies pay a little bit."

If Jim Bradley were there as the Minister of the Environment, he would keep that promise. If he were there, he would keep that promise. But do you think they would make him the Minister of the Environment? No, they made somebody else the Minister of the Environment so that they wouldn't have to keep that promise. He was a good Minister of the Environment when he was in the former government—he was good then—but now he is out of the loop, so to speak. They don't listen to him. But if he were there, he would have forced the Liberal government to say, "We've got to keep this promise." And you would think the Liberals would learn from people like me, because I remember saying to Bob Rae on the whole issue of the auto insurance plan, "We can't break that promise. We promised we would make it public, and we would be breaking a promise that our members would crucify us for, should we not keep it."

And he didn't listen to me. Hopefully other Liberals will listen to him, should he become the Prime Minister of the country, but he didn't take my advice. That was one of the most crucial promises to have kept. So when the Liberals break their promises and say, "Ah, but what about you? You broke this and that," and I say, "Yes"—

Mr. Yakabuski: I guess that's why he supported Bob Rae as leader now.

Mr. Marchese: Not Jim, no. There are a few others, like Greg Sorbara, who are supporting Bob, and the Minister of Health, but Jim is a bit uncertain as to what he might do in that regard.

I say to the Liberals, don't you remember that when you break promises, as New Democrats did, as we did on the auto insurance pact, you're going to get hurt and crucified. We could never free ourselves from that broken promise, and you would think Liberals would have learned their lesson from us. Now, 10, 12 years later they break so many, not just one or two. Good God, I can't even count them. They're too long. You need a speech unto itself—unto itself—to talk about broken promises, they made so many. And every time you talk about broken promises, McGuinty says, "Oh, please, why do you remind us about that? Can't we talk now about our successes and move on? Let us subsume the promises under our presumed successes." He thinks that by subsuming them, people will have forgotten. People don't forget, John. People don't forget your broken promises, so stuck to you that you can't pull. What is that, when you go to the beach and you have those slugs that stick on your body?

Mr. Yakabuski: Leeches. Bloodsuckers.

Mr. Marchese: Bloodsuckers; even better. Those broken promises stick to your body like bloodsuckers. When you try to pull them off, you get so scared to pull them off. It's a scary thing, right? But eventually you do, and you've got to use pliers to squeeze the blood out of those bloodsuckers. But when you squeeze that blood-sucker or burn it—

Mr. Yakabuski: Salt.

Mr. Marchese: Salt might work.

Mr. Yakabuski: But there isn't enough salt in Windsor to get rid of all their broken promises, their leeches.

Mr. Marchese: You think? Good God, so much salt they need. Then what else do we have? We have this government that says we have to decentralize control over the implementation, monitoring and enforcement of the source protection plan, and they say that's okay. Understand this: Municipalities are broke. Well, my good buddy, John, comes from that Stratford area; beautiful area. He says that's okay, because he's in good touch with the municipalities. They're friends and they're like this. Not like leeches, but hand in hand.

Ms. Lisa MacLeod (Nepean–Carleton): Like blood-suckers.

Mr. Marchese: From one bloodsucker to another kind of thing? He thinks that they will bite the bullet and just do it. It's costly; understand that this is costly. That's why I wanted them to keep their promise on charging a water fee for taking water out of our aquifers. They haven't even done that. They're broke. They don't want to increase taxes because, God knows, the Tories would beat them up, day in and day out, as the tax-increase party, remember? The party that says, "We're not going to increase taxes, but increase your services." Then they've got, "We're going to increase your taxes." Re-

member the premium? Uh, not a premium; it's a tax. Do you remember that?

Mr. Yakabuski: Did you see the size of that leech?

Mr. Marchese: Oh, biggie, biggie, biggie. You need lots of salt for that one.

Mr. Bruce Crozier (Essex): What's your point?

Mr. Marchese: My point—my good buddy Bruce has joined us.

Mr. Yakabuski: He just woke up. He must have just woken up.

Mr. Marchese: No. Bruce Crozier from Essex is here with us and I like him. I particularly like him in the Chair, because he looks good. He's got that nice bow tie and he looks really sharp. But you can't wear it there. You should, you know, because you look really sharp. You really do. It's impressive.

Mr. Yakabuski: I've got to get myself one of those, Rosie. Wouldn't it look great on me?

Mr. Marchese: No, it looks good on Bruce. I wouldn't recommend it.

Mr. Yakabuski: What's the problem?

Mr. Marchese: It just doesn't look so good. But can we talk about the Clean Water Act?

So I was saying, my good friend Bruce Crozier from Essex, that you and your buddies are decentralizing control over the implementation, monitoring and enforcement of the source protection plan onto the backs of the municipalities, who are broke. Understand that they have to pay for a whole lot of responsibilities, like public housing—Bruce, do you agree?—from the property tax base. They're paying for welfare in a lot of municipalities. You understand. You probably say that it's not right. It's not fair. It shouldn't happen. So the property tax system is a bit broken and it's hurting a whole lot of people. The property values introduced by the Conservative government, kept by the Liberals because they don't know quite what to do, are jacking up the property taxes of every homeowner across the land. They're so pummelled and whacked by the property tax increases that they can't take any more. So John, my friend from Middlesex, is saying, "That's okay. Too bad, so sad." Someone's got to pay, and it can't be the Liberal government that pays for this; no, no, no. The municipalities will have to pay. Where do they get the money from? The property taxpayer, the property taxpayer who's getting whacked day in and day out ever since—sorry—those guys introduced that current value system, and it's kept by the Libs. How can municipalities afford the cost of implementation, monitoring and enforcement of the source protection plan? They can't. That's why municipalities are worried. That's why farmers are worried, because it will involve costs for the farmers. The farmers, quite rightly, are saying, "We are worried about our inability to pay for this," and they're looking for a fund to offset new costs of compliance, which is reasonable.

2050

Mr. Wilkinson: Right.

Mr. Marchese: John, my friend from Perth—Middlesex, says, "Right," and he's right that I'm right. But he

has nothing in this bill that says that we're going to create that fund to help farmers, that we're going to create a fund to help municipalities.

Interjection.

Mr. Marchese: You were probably on municipal council, weren't you? You know they're worried about this.

The Environmental Commissioner has a lot of concerns and questions that need to be answered:

"Protecting waters beyond conservation authorities' boundaries: Bill 43 proposes to allow, but not require, the Minister of the Environment to make an agreement that municipalities prepare source protection plans...."

"Appeals process: The proposed approach to source protection planning requires public consultation, but limits rights to appeal...."

"Interim protection from significant threats...."

"Planning from best available data...."

I will try to do that in my two-minute response. There are a lot of concerns—pages 24 and 25—raised by the Environmental Commissioner, concerns we have raised here on the record, which I'm hoping that the two illustrious Liberals members from Perth—Middlesex will address in the next two minutes.

The Acting Speaker: Questions and comments?

Mr. Levac: I've always enjoyed listening to the member from Trinity—Spadina and the challenges that he leaves before us in the House. I want to take him up on a couple of the challenges.

The first one was the discussion he was having about the areas that the commissioner spoke of outside of the conservation authorities. I want to bring him back into the conservation authorities for a moment, to talk about the one in my riding, the Brant conservation authority. What people need to know about this conservation authority is that it has on its payroll some of the most expert people in the entire world when it comes to water and source water protection, and understanding how the river flows. The Grand River Conservation Authority actually sets some of the standards that are being applied right now, which the commissioner actually mentioned in his report. I think if he read the report through—sorry, not this one, but Justice O'Connor's report—it mentioned the Grand River Conservation Authority for its fine work on source water protection. The consistency around conservation authorities seems to be the problem; that is, understanding that we have to shore that up to make sure that all of the conservation authorities are dealing with source water protection.

They're fully in support of what the bill is trying to do. As a matter of fact, what they wanted me to relay to the House is that they're more than willing to take up the mantle of spreading the good word of what they do across the province. They were some of the first to have fences put up along the streams and the creeks inside of the water basin. They understood that. What the commissioner was talking about as well is taking those examples and using them as an application outside of those areas,

and I think that's something that could be wisely adapted—taking up the challenge for all of us to do that.

One of the things that seems to be difficult to understand is that one piece of legislation does not mean it's the end of the discussion that we're going to have on water protection. There is going to be a continuation, and I hope we can start dealing with the one that he talked about, which is permits for taking water. I'd love to get into that with him the next time around.

Ms. MacLeod: I really appreciated the presentation today by my friend from Trinity–Spadina. I was very impressed that he was able to bring out some very key components that I have opposed in this bill: the lack of consultation, the lack of respect for our taxpayers, our municipalities, our farmers, our landowners and our rural community.

I'm going to read a couple of quotes, and they're going to make my point by the end of this. I'm going to read a quote here from Chris VanPaassen of the Ontario tobacco board. He told politicians at the Bath hearings that farmers are doing a great job of controlling the situation about Bill 43. In Cornwall—this one is my favourite—Randy Hillier of the Ontario Landowners Association gave a dire assessment of the controversial source water legislation. He said, “Bill 43 is not about clean water. It is about control, about authority. It's about injustice.”

They just made my point, because one thing this government has been unable to do is respect the people of Ontario. My parents taught me well. They taught me that you respect, not necessarily accept, people's points of view. You went across Ontario. You decided not to listen to the people of Ontario. Instead, you sit here and you mock them. You mock the very people whom you went out to consult, after we forced you to consult with them, because you refused to listen to the people of Ontario. We brought forward over 200 amendments, 100 of which were from this side of the Legislature, and you refused to implement any of them. Because what you can do is sit there, and whether it's Randy Hillier or any other stakeholder out there who doesn't get bought off by you or who doesn't listen to you, you mock them in this Legislature. This place is not for that; this place is actually to respect the people of Ontario.

Interjections.

The Acting Speaker: I would ask the government members to please come to order and allow the member for Nepean–Carleton to finish her comments. I return to the member.

Ms. MacLeod: Thank you, Mr. Speaker. I want to close on this, and they should learn this: You must respect, not necessarily accept, other people's points of view. You should learn that in the next year, before you go back to the electorate.

Mr. Wilkinson: I think if you were going to show respect for people, what you would do is take a bill out to committee, you would listen for five days and you would hear a very tough message repeated over and over again, and what you'd do is amend the bill.

I say again to the members opposite, you've got to pick a lane on this bill. You can't be criticizing us for somehow having a bill that didn't respond to people if we introduced and passed a hundred amendments. We listened.

I say to the member from Trinity–Spadina, it's exactly the fact that we have the Ontario drinking water stewardship fund that all three parties allowed the minister to come in, all three parties commented positively at the time. We did that, and that was because of the feedback that we got from people.

What I find amazing as I enter into this debate is the fact that we have parties opposite that are on the horns of a dilemma: Will they vote for the Clean Water Act, yes or no? We all campaigned on O'Connor and I think we all said we were going to do source water protection, and the vote is coming.

My friend from Renfrew–Nipissing–Pembroke said, “We're going to vote against the bill. If we form government, we're going to”—I said, “Are you going the repeal it?” No, they're going to amend it. He said—and he said this quite honestly—he believes it's \$7 billion. I'll be interested to see that in the platform of Mr. Tory, that he's going to find \$7 billion. Because as the member from Barrie said, “Oh, no, all of this should be paid by the province.”

I say to the member for Trinity–Spadina, people pay their property taxes, but they also pay for water. It's not free. I pay a fee for the water that comes into my house. In the county of Oxford, those good people are paying about \$1.50 more per month just to make sure that the sources of their water are clean, because they listened to Justice O'Connor. That's the cheapest way. They don't want to have a disaster. They want to spend some of the money up front to keep the sources of their water clean, and there are people in this House who are going to vote against it. I am sure that this will be something that all will want to know about in the next election.

Mr. Yakabuski: Going back a little bit to where the member for Barrie–Simcoe–Bradford had spoken, what it amounts to in this bill is expropriation without any compensation, and that is what people in this province cannot accept. Fair-minded people accept and believe that if you're taking something away from someone that was theirs because you have changed the rules of the game, you are going to compensate them for it.

The member for Trinity–Spadina, who is certainly one of the most entertaining speakers in this House—

Mr. O'Toole: The most informed speaker.

Mr. Yakabuski: —and informed—talked about the cost to municipalities. Municipalities in this province, as a result of the failure by this government to address funding issues—and now they're going to just put it on the back burner for 18 months—are suffering significant financial hardship. They are very, very worried that they are not going to be in a position to implement the edicts of this bill and the requirements of this bill, because they are already going to the taxpayer, as my friend from Trinity–Spadina said, and the municipal taxpayer feels

like he's got the leeches and the bloodsuckers attached to him just sucking every little bit that's left in there. I mentioned to the member from Trinity–Spadina that one way of removing those is to put salt on them. Another certain way is that the leech will fall off by itself once there's no more blood left. And these Liberals would like for the taxpayer of Ontario to lose those leeches on their own because there is simply nothing left for the taxpayer to give. For God's sake, recognize that on the other side of this House.

2100

The Acting Speaker: That concludes the time available for questions and comments. I return to the member for Trinity–Spadina for his two minutes' reply.

Mr. Marchese: I'm always interested to listen to the member from Perth–Middlesex. He raised a couple of points. He talked about all the amendments that were made. I would remind him that the NDP introduced 72 amendments—only two were taken up. The member from Perth–Middlesex says: "We made changes. We listened." I don't know who he was listening to, but when New Democrats introduce 72 and you only take up two, we wonder how selective you are in what you accept.

Remarks in Italian.

He says people pay for water that gets to their homes, and he says water is not free. I agree with John. Why is it that he has not kept the promise to charge a fee to those corporations that suck out the water from the aquifers for free and sell it back to the consumer for a buck—the little one—or two, depending on the circumstances? John says the homeowner's got to pay; it ain't free. But the corporations that suck out the water from the earth don't got to pay even though they take it out for free. Something is wrong with that. Something is wrong when to implement this legislation takes five years if we have to act now, not earlier. Something is wrong when we have to decentralize control over the implementation, monitoring and enforcement of the source protection plan on to the backs of the municipalities, which means the property tax owner and others, and they don't have the ability to pay. I raise serious questions, such as, the government does not share our view and has decided only to protect sources of water for municipal water systems and only in those watersheds in the province with conservation authorities. We need to do a lot more to make this bill a lot better.

The Acting Speaker: I wish to inform the House that from this point on with respect to this bill, speeches will be 10 minutes in duration. Further debate?

Mr. Barrett: I appreciate the opportunity to weigh in on Bill 43, the Clean Water Act. You would know, Speaker, that this Legislature is often marred by negativity and generally bad behaviour, primarily from the government side. So I'd like to start my remarks with a bit of a positive note. I issue a compliment to this government's spin doctors for a very clever name they have given Bill 43. They call it the Clean Water Act. They have disguised this bill as something that will somehow clean up our water supplies. Now, this is something that

the stakeholders who attended the hearings indicated would be unlikely at best.

Despite my compliments to the Liberal spin doctors opposite for this clever title for their proposed piece of legislation, we do have to recognize that it is somewhat disingenuous. From our side, in the name of honesty, we really felt it should have been called the Municipal Source Water Protection Act; in fact, that was one of our amendments. It was one of 240 amendments that were shepherded through by our environment critic, Laurie Scott, and the member from Durham, John O'Toole.

I do want to be clear: I support clean water. I support source water protection. The entire opposition caucus supports clean water. Who doesn't? Who doesn't support clean water? In fact, the Liberals opposite, those across the way, would support clean water. But what I'm putting forward tonight is that this proposed bill will do very little, if anything, to clean up our water supplies, and in my view it really represents a missed opportunity.

I was hoping the government would have proposed some more effective measures, some positive sanctions, if you will, some measures in the realm of education and information programs. Tax incentives or grants often-times are very effective ways of influencing people's behaviour—low-interest loans, for example—the kinds of things that were recommended when we debated the spills bill. In fact, the Minister of the Environment of the day had an advisory committee, and the minister's advisory committee recommended some of those things that I just mentioned: low-interest loans, grants, positive incentives, to rely more on education and information rather than using the heavy stick, to rely a bit more on positive incentives to encourage people to make investments in cleaning up the sources of our supply of water. Well, that was another minister of another era. That legislation passed, with not nearly as many amendments as this one, probably half the number of amendments for that spills bill. It is regrettable that the advisory committee for the minister of the day was ignored.

It's very simple. Honey is sweeter than vinegar and carrots really can be much more effective than sticks. Instead, the Liberals loaded Bill 43 with sticks, forgot about the carrots, forgot about the honey, and here we have it.

During second reading debate, I proposed a litmus test to evaluate legislation like this. I'll state it again. First of all, we need to ask whether the proposed legislation will accomplish its stated intentions. This government needs to clearly say what they hope to achieve in the legislation and should cost-effectively and efficiently work towards that goal. A second test: All of us in this Legislature need to ask whether this proposed legislation represents the fairest possible approach to stakeholders. We heard from stakeholders as we travelled the province, in Walkerton, Toronto, Cornwall, Bath and in Peterborough. I did not attend the hearings in Peterborough. Is it the fairest approach to those landowners, those farmers, the small municipalities, representatives of rural—

Mr. O'Toole: On a point of order, Mr. Speaker: I wonder if a quorum is present.

The Acting Speaker: I would like to ask the table staff to determine if a quorum is present.

The Deputy Clerk (Ms. Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

The Deputy Clerk: A quorum is now present, Speaker.

The Acting Speaker: Thank you very much. I'll return to the member for Haldimand–Norfolk–Brant.

2110

Mr. Barrett: As I was saying, I'm very concerned. If this proposed legislation were to fail either one or both of these tests, where do we go from here? Obviously, legislation like this, which cannot measure up to the mark, should be scrapped or, at minimum, repaired before it is passed. We had some hope, with the advent of well over 200 amendments, but regrettably, there were some very key amendments that didn't go forward. Through the debate and through that brief week of public hearings, stakeholders made it very clear that this legislation did fail on both tests.

Let's deconstruct Bill 43. Let's contrast its actual content with what the Liberals promised. We all know that the promise was there, the promise of clean water. But in terms of content, Bill 43 is simple. It's all about rules and regulations and red tape. It's all about enforcement, penalties and permits, a constellation of negative sanctions. It's about Dalton McGuinty coming onto your land uninvited, ticket book in hand, big stick in the other, and laying down the law.

During those hearings, the proposed legislation was referred to in a number of ways. It was called "expropriation without compensation," and we have certainly heard that argument this evening. It's been called "the perfect storm of injustice." And it has been called "just another attempt by the McGuinty government to infringe on the rights of landowners, farmers and all of rural Ontario."

Bill 43 will not achieve what has been promised by Premier McGuinty. It essentially sets the stage for yet another McGuinty broken promise. Last week, as many in this House will know, the broken promise total was somewhere around 50, but in reality I feel it's much higher. Maybe that's why the Liberals last week voted against the resolution brought forward during the opposition day. Perhaps the members opposite knew there were more than 50 promises and didn't want the official record to stay at 50.

In my riding of Haldimand–Norfolk–Brant, and I think this goes for much of rural Ontario, farmers and rural landowners are very angry about this particular piece of legislation. They're angry about the lack of consultation. They're angry that there were five days of hearings. They remember the 18 days of hearings made available to people across the province during the deliberations around nutrient management.

The second thing people are angry about is the punitive nature of this bill. The hearings for source water

protection became a lightning rod of dissent against this McGuinty government. It was a symptom, in my view, of a broader disconnect between the Premier of today and the people in this province, a disconnect between this Liberal government and people who live across rural Ontario.

Going back to nutrient management, I mentioned the 18 days of hearings. I travelled the province on all 18 days. It was an opportunity for farmers, municipalities and stakeholders to present some key input. The calibre of presentations I felt was very significant during the mere five days of these hearings, but we saw a government that appeared to show no semblance of concern or no awareness, really, of what was coming through at the witness table. They did not seem to be listening to the opinions, what I considered the quite valued and honest input from people who came forward. I would suggest, with respect to this particular government, that it uses honesty in consultation much like doctors use salt: sparingly.

The Acting Speaker: Questions and comments?

Mr. Marchese: The member from Haldimand–Norfolk–Brant says we should scrap this bill. I have to say I don't agree with scrapping the bill. I agree with making it better, more responsive. When the farmers are concerned about the costs imposed by the source protection plan on themselves or affected landowners and they say there should be a fund to offset new costs of compliance, it's a reasonable request. So we can make the bill better.

When we look at implementation and they say it should be a five-year implementation period, I say that's wrong. If we believe we should act now, then the implementation period can be reduced from five to a shorter period of time. We know that to implement and to monitor—

Interjections.

Mr. Marchese: Speaker, there are people yapping here. It's so hard to speak.

When we know that it's costly to implement and to monitor and to enforce, and that the money has to come from somewhere, we say to the Liberals, keep your promise by making sure that those corporations that suck out the water for free and sell it for a lot—they should charge a royalty on that free water they take from the ground. That was a Liberal promise, and they do not keep it. We say it's wrong. We say to them, keep your promise and make this bill better. We say municipalities are cash-strapped. So when you say, "We're going to decentralize control over the implementation, monitoring and enforcement of the source protection plan onto them," which means onto the backs of property owners, we say it's wrong. The bill can be improved. When we say this proposed approach to source protection planning requires public consultation but limits the rights to appeal, it's wrong. It can be improved, and it must.

Mr. Wilkinson: I say to my friend from Trinity–Spadina, it's five years and \$120 million of uploaded responsibility by the province to do the science. For the

Clean Water Act to work, people have to agree on the science, and that's what's being done right now.

I know that the member wants to talk about the permit to take water, but I distinctly remember some other colleagues in your party saying that we would never pass the spills bill. Someone would eat their hat—they're not here anymore—had we passed that. And I say, on the permit to take water, we're not done our mandate yet.

I say to my friend from Haldimand–Norfolk–Brant, again, you have to pick a lane on this thing, Toby. You have to pick a lane on this. You know, as I do, because we sat through those committee hearings and we did those amendments, that references to permit officials have been expunged from the bill and replaced by risk management. So to say that there are people running around giving permits—I know, and perhaps you have forgotten, that that is something we did; the fact that we've had mandatory training in biosecurity; the fact, and really the key thing, that we created the Ontario drinking water stewardship fund.

I know that the OFA, OFAC, the Association of Municipalities of Ontario and Conservation Ontario all said to us that we listened over those five days of committee hearings and acted with amendments to improve the bill. So you have to pick a lane: You're either for the bill or you're against it. If you're against it because you can't remember that we amended it, we'll let the record show that. If you are against it because I believe you committed Mr. Tory and your party to scrapping the bill—I'm still trying to get it. Is the position of both opposition parties to scrap the bill?

I know Mr. Marchese believes that there is some suspension of democratic rights, and now, at third reading this bill is somehow going to be changed. I know he has much more experience than I, but that is not going to be the case. There are some who say, "This is bill is not the whole loaf, and I won't pay for it," but we will all stand and be held to account for this bill. You're either for it or agin it, and we're looking forward to the vote.

The Acting Speaker: Questions and comments? The member for Durham is up first.

Mr. O'Toole: The member from Renfrew–Nipissing–Pembroke has had one comment tonight, and I apologize if I exceeded his—but I do want to get up and recognize the member from Trinity–Spadina. A lot of what he said is true. In the consultation process, if what you're hearing is not exactly to your satisfaction, then tell them some more information. In fact, I recalled it was going so poorly that they had to call in many of the stakeholder groups. I think the Ontario Federation of Agriculture was the main one. Ron Bonnett was called in. They kind of promised about \$7 million to get this thing to go through. I think they gave Ron a pre-scripted quote to endorse Bill 43, because his original position was categorically opposed.

The hearings that they had—it was almost tragic. There were protestations at almost every hearing. I attended them. To my understanding of it—and Mr. Yakabuski from Renfrew–Nipissing–Pembroke attended

those along with our critic, Laurie Scott—we could categorically say there were more amendments to this bill than there was substance to it. In fact, they acquiesced so badly that I think the only remedy of escape is to do as the member from Haldimand–Norfolk–Brant is suggesting: to have further hearings. This bill is at best flawed and at worst completely imperfect. We, the Tory opposition here in this Legislature, support the goal of safe, clean drinking water. What we oppose adamantly is the process itself, the obfuscation of parliamentary process and the process of listening to the people of Ontario. I think the member from Trinity–Spadina and his colleague Mr. Tabuns, who was the critic at that time, did a wonderful job. We ourselves, Laurie Scott and our Tory caucus—

2120

The Acting Speaker: Thank you. Questions and comments?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I'm delighted to have an opportunity to make a comment on the member from Haldimand–Norfolk–Brant's words to us this evening.

But I have to say it's very interesting that the member from Durham would have the nerve to stand in his place and say the things that he did tonight, particularly when he talked about our government and our respect for government processes—this from a person who was part of a government that never took a bill to committee. We—this government—have not passed a bill into law in this House without it having first gone to committee—public hearings, the opportunity for the public to participate—and he's giving us a lecture about the process. We have gone to the people with public hearings on a very important piece of legislation, what I would say is a defining piece for this government and for the province of Ontario, to protect our drinking water. It is our commitment to fulfill the recommendations that have been made by Justice O'Connor.

I want to make a comment as well with the suggestion—I really don't know exactly what the member from Durham was trying to imply when he made a comment about the president of the OFA. I think everyone in this Legislature would agree that any individual who serves in a representative role for a provincial organization would always act in the best interests of their membership. I think it is really quite reprehensible that it might be suggested otherwise in this Legislature.

With respect to the member from Haldimand–Norfolk–Brant, I would say, sir, this government has listened. We have paid very close attention and that is why we have amended the bill, and I believe we've brought forward the best bill, for the people of Ontario to protect their water.

The Acting Speaker: The member for Haldimand–Norfolk–Brant has two minutes to reply.

Mr. Barrett: Thank you to the member for Trinity–Spadina. He indicates that we shouldn't scrap this bill. Maybe he's right. Maybe what's wrong is that we haven't done the research as legislators. There is so much

material contained in those submissions during a mere five days of deputations. To my mind, research is essentially searching and searching again. I think there should be further analysis of what—I don't know whether you were at any of the hearings, Minister, but I was. In fact, I don't think I saw you at any of the hearings. It's regrettable. There's so much good material there.

The member opposite makes mention of science. Take a look at what was said. Do the research. Search again. Pull out that valuable material. The presentations were only 15 minutes in length—actually 10 minutes plus questions. I regret they were held during the summer. That silenced a lot of people who would have had to come in from the fields, literally, to testify in August. That's certainly not my approach to citizen participation.

We know there were 240 amendments. Does that not suggest we take another look at this particular piece of legislation? As the member from Durham indicated, the hearings were tragic. I offer my kudos to those presenters. The deck was essentially stacked against them. I will say that the Liberal members who did attend those hearings got an earful. I know the member for Perth—Middlesex got quite an earful from the people at the witness table.

So just to recap, we heard from real people living in the real world, people who are farming, running small municipalities, people who felt their views were not reflected in this proposed legislation.

Mr. Levac: On a point of order, Mr. Speaker: Earlier in the evening, I believe I was admonished for some of my heckling. I wish to apologize to you and to the House for that if it caused a disruption in the House. I also understand that what I said may have been out of order, so I withdraw the comments.

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

Ms. MacLeod: It is a pleasure to be speaking here tonight. I know I only have about five minutes of my 10, but I'm very thankful for it. The Liberals place such a low importance in priority on this bill that we lost quorum for a bit tonight. I suspect that after tonight they're probably going to force closure on this bill, because they really don't care if this bill hurts the people of Nepean—Carleton, the people of rural Ottawa or the people of rural Ontario. I'm happy to speak to this bill nonetheless, because the clean water bill is a very important piece of legislation for us all; it's a very noble goal.

But this piece of legislation should actually be sent back to the people. It should be sent back to the people immediately. The very first time I spoke about this bill, right after I was elected—

Interjection.

Ms. MacLeod: Just learning from the best, Madam.

The very first time I spoke about Bill 43, the Clean Water Act, was shortly after I was elected last March. I spoke in this Legislature about the need for consultation. I was very thankful that two of my colleagues, Toby Barrett and Laurie Scott, were very vocal in trying to make sure that we had public consultation.

Interjections.

The Acting Speaker: I would ask all members of the House to come to order so that the member for Nepean—Carleton can continue her remarks.

The member for Nepean—Carleton.

Ms. MacLeod: Mr. Speaker, thank you very much. I also just want to compliment our critic, Laurie Scott, who has done a tremendous job on this piece of legislation. I believe, if it were not for Laurie Scott and my colleague Toby Barrett, there would not have been public consultation on this piece of legislation. They did it throughout Ontario this past summer. But only once the public consultation took place did those on the other side realize that this bill was fundamentally flawed and needed numerous amendments. If you can believe it, over 200 amendments were brought forward by all parties to rewrite this 35-page bill; 200 amendments for a 35-page bill is unbelievable.

It's fundamentally flawed, and the public told this government that it needed to go back to the drawing board. So it did, and they really rewrote the entire piece of legislation. In fact, the public lined up to tell them that, but the public has not seen this piece of legislation.

Mr. Robert W. Runciman (Leeds—Grenville): It's a reflection on their competence.

Ms. MacLeod: Exactly. It is a reflection of their competence. They've reached that glass ceiling.

So let's go through some of the quotes from the key stakeholders across Ontario during the 11th-hour consultations.

Interjections.

Ms. MacLeod: See, there we go with the lack of respect for the taxpayer, for the rural Ontarian, for the landowner, for the farmer, because the fact of matter is, whenever somebody does not agree with them, they have to heckle them.

Interjections.

Ms. MacLeod: Listen, you can hear them going right now on the other side.

Interjection: At least they're here now.

Ms. MacLeod: Yes, at least they're here right now, because as we noticed about five minutes ago, they were running for the hills trying to get out of here, because they're ashamed of this piece of legislation.

Interjections.

The Acting Speaker: I would ask the House to come to order so as to allow the member for Nepean—Carleton to continue her comments.

Member for Nepean—Carleton, please continue.

Ms. MacLeod: I can't believe they're continuing to do this.

Let's talk about Kevin Durkin, president of the Hastings Federation of Agriculture. I believe his MPP is a Liberal. He says, "Until farmers see the act, however, they worry about the new costs they might be saddled with. Anything that costs anything is a huge concern."

Here's another one from Hastings. It's farmer David McNeven: At \$50,000 per day, "Rural Ontario might as well throw in the towel right now." I wonder how the

Minister of Agriculture feels about this, when we start to hear things from farmers across the province.

We've got Gary Otten, who's the president of the Peterborough County Landowners Association. My good friend Mr. Leal represents this individual. He says this is "legislative land fraud." This is unbelievable. I can't believe it.

The Liberals here, this Liberal government, have decided to put forward a bill that they're probably going

to invoke closure on, which they couldn't keep quorum on tonight, and they're going to just force it through without proper public consultation. We're very upset on this side. We're very upset.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until tomorrow at 1:30 p.m.

The House adjourned at 2130.

CONTENTS

Tuesday 10 October 2006

THIRD READINGS

Clean Water Act, 2006, Bill 43,

Ms. Broten

Mr. Murdoch	5335, 5338
Mr. Bisson.....	5337, 5339, 5343, 5345
Mr. Duguid.....	5337
Mr. Yakabuski.....	5338, 5342, 5345 5354
Mr. Parsons	5338
Mr. Delaney.....	5342, 5345, 5350
Mr. Levac	5343, 5353
Mr. O'Toole	5343, 5345, 5357
Mrs. Sandals.....	5344, 5346
Mr. Tascona.....	5346, 5350
Mr. Marchese	5349, 5350, 5355 5356
Mr. Wilkinson	5349, 5354, 5356
Mr. Barrett.....	5350, 5355, 5357
Ms. MacLeod	5354, 5358
Mrs. Dombrowsky.....	5357
Debate deemed adjourned	5359

TABLE DES MATIÈRES

Mardi 10 octobre 2006

TROISIÈME LECTURE

Loi de 2006 sur l'eau saine,

projet de loi 43, *M^{me} Broten*

Débat présumé ajourné.....	5359
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