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**Jeudi 30 novembre 2006**

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 30 November 2006

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 30 novembre 2006

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ONTARIO ECONOMY

**Mr. Ted Arnott (Waterloo–Wellington):** I move that, in the opinion of this House, the standing committee on finance and economic affairs should immediately begin an investigation into Ontario's industrial and economic competitiveness to develop an action plan to maintain and expand our domestic and international markets in the coming years.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Arnott has moved private member's notice of motion number 6. Pursuant to standing order number 96, Mr. Arnott, you have up to 10 minutes.

**Mr. Arnott:** I want to begin my remarks this morning by mentioning the significance of private members' business, our Thursday morning ritual. I believe that our debates on Thursday mornings strengthen our role as private members and, in doing so, enhance our ability to represent our constituents in this Legislature, which is ultimately one of the pillars of our democratic system.

Currently, I have four private member's initiatives before the Legislature: One calls upon the government of Ontario to establish a fund to support the families of first responders such as firefighters, police officers, paramedics and medical personnel who lose their lives in the line of duty. I'm suggesting a benefit of at least \$500,000 to the families of these fallen heroes.

I don't believe we have enough opportunities as private members to debate our initiatives. In my view, once every 18 months or so is just not enough. So I have a second resolution which would have our private members' business begin an hour earlier than we do at present, having it begin at 9 o'clock on Thursday mornings instead of 10. This would increase the number of private members' items we debate and vote upon each Thursday morning from two to three, and it would allow an MPP to have a private member's ballot item every 12 months or so instead of every 18 months or so, a modest reform to make this place more relevant for members.

Also before the House is my Bill 44, which supports double-hatter firefighters who, as all MPPs know, typically are full-time professional firefighters who work for a

city fire department but live in a small town nearby and want to serve their home communities as volunteer firefighters on their days off. There is a need for legislation to allow them to serve as volunteers without the threat of expulsion from their union and the loss of their full-time position. Most every other province across the country has laws which protect double-hatters. I know the McGuinty Liberal government is totally opposed to my bill, but I remain resolute that it is needed for reasons of public safety in rural Ontario, and I know that the respected former fire marshal Bernard Moyle agrees.

For this resolution, I want to start at the beginning, when I first brought forward this initiative more than a year and a half ago, and why I believe that the Legislature's ability and responsibility to address the loss of manufacturing jobs, our economic competitiveness and our economic well-being is represented in what I'm talking about today.

Back in May 2005, I attended two meetings hosted by the Greater Kitchener Waterloo Chamber of Commerce and came away convinced that Ontario's manufacturers were facing a pending crisis. On that day, we heard from the president and CEO of the Canadian Manufacturers and Exporters, Perrin Beatty. Mr. Beatty was the member of Parliament for our area for many years, and I have known him since I was in high school. Based on his presentation, it became clear to me that there were severe storm clouds on the horizon for workers and their families and something had to be done to get ready to see us through. It became clear to me that without immediate government action, we were going to experience massive job losses in our factories and industries.

In an effort to make a difference, I introduced this resolution on May 31, 2005, and I say again, that was a year and a half ago. I said at the time that we needed a jobs plan because the world wasn't standing still and our manufacturers were facing unprecedented challenges in the global marketplace. I said if we weren't competitive, we would lose jobs. I asked the Legislature to look ahead, recognize what was on the horizon and develop a strategy so that companies, large and small, could expand their markets, create new jobs and protect the jobs we had.

Midway through that summer, Ontario was hit with the news of a 12-month trend showing the province's factory jobs were disappearing in droves. An article in the *Globe and Mail* at that time said that Ontario had put in the weakest performance in the country in terms of sustaining manufacturing jobs. That fall, our leader, John Tory, and other members of our caucus raised the jobs issue in question period on many occasions, and we put

forward two complementary opposition day motions on the problems facing our manufacturers, which were costing us jobs. Our second opposition day motion on jobs, debated last December, was passed by this House with support from members from all three parties.

Despite the warnings, despite the job losses, despite the opposition day motions and the one that was passed by the House, the government has taken few meaningful initiatives and, to date, has ignored my resolution even though it has been on the order paper for a year and a half. I would submit that if the government had taken heed and had assigned the all-party finance committee to study the manufacturing jobs issue and develop an action plan—sending a signal that we understand that there is a competitiveness challenge and we are trying to provide leadership toward solutions—jobs in Ontario could have been saved.

The manufacturing job numbers may go up and down from month to month, but there is absolutely no disputing the fact that we have lost many thousands of manufacturing jobs in the last year and a half. The most recent Statistics Canada report says that the number of manufacturing jobs continued its downward trend last month. According to StatsCan, so far in 2006 there are 83,000 fewer factory workers across Canada, and Ontario has been particularly hard hit. These job numbers are not just numbers; they are people, they are families, they are our neighbours, and they have hit home.

Yesterday, the Kitchener-Waterloo Record reported that the profuse bleeding of manufacturing jobs continues in our area—40 more good-paying manufacturing jobs were lost in the Kitchener portion of my riding of Waterloo–Wellington. The workers of Huron Model and Gauge showed up for work on Tuesday of this week to learn that their jobs were being terminated immediately. In their press release, Huron Model and Gauge pointed to competitive factors, not just the strength of our dollar, but they said, “The continual downward pressure on pricing that has become the norm in the automotive industry has also contributed to an increasingly inhospitable business environment.”

This follows last week’s bad news for 111 workers at Lear Canada in Kitchener, who learned that these jobs would soon be eliminated. This comes on the heels of 700 lost jobs at ThyssenKrupp Budd Canada and 1,100 lost jobs due to the closure of BF Goodrich in recent months. All of these plants are located in the city of Kitchener and in Waterloo–Wellington. At the end of the summer, it was reported layoffs are driving away scores of automotive jobs at Dura Automotive Systems Inc. and Dana Corp., both located in the riding of Perth–Middlesex, next door to Waterloo–Wellington. Other recent factory closures in our area include Imperial Tobacco in Guelph, La-Z-Boy in Waterloo and Glenoit in Elmira, at a cost of many hundreds of jobs. This is where we stand now, amidst dark clouds of uncertainty, with workers and their families wondering how they will replace the good-paying jobs they once had. Our response to these families should not be indifference. Our obligation to these families should be to give them hope.

#### 1010

Recently, I had a brief opportunity to inform Roger Martin of this resolution. Members will know that Roger Martin is the dean of the Rotman School of Management at the University of Toronto and he is chair of the Ontario Institute of Competitiveness and Prosperity. This institute’s Task Force on Competitiveness, Productivity and Economic Progress was established in 2001 to stimulate business, government, educational institutions and individuals to increase the pace of innovation and enhance our competitiveness. Central amongst their goals is to increase our standard of living.

Just last week, the task force released its fifth annual report, entitled Agenda for Our Prosperity. In this report, Mr. Martin highlighted the fact that even though Ontario has one of the most successful economies in the world, we are not achieving our full potential. He illustrates this by showing how much Ontario’s per capita domestic product has fallen in comparison to our neighbouring jurisdictions over the past two decades. Comparing the province to 14 of our peer jurisdictions in North America, Ontario’s \$6,100 per capita GDP puts our province near the bottom. We’ve slipped from the middle of the pack two decades ago to second to last today. He concludes that Ontario is not meeting its full potential, and clearly the empirical evidence backs up this statement.

Mr. Martin referred to the dwindling strength of our GDP as our prosperity gap, the difference between where we are and where we should be. If we were able to close the prosperity gap, each Ontario family could stand to gain approximately \$8,400 in disposable after-tax income, on average, every year. At the same time, governments would generate many billions of dollars in additional tax revenues, which could be used to retire debt, reduce the tax burden, be spent on health, education, the environment, or some combination of these important public policy goals.

To achieve these objectives and enhance competitiveness, Mr. Martin proposes a multifaceted approach to strengthening our economy. To quote him directly, he says, “We are calling for a shifting of our overall attitude from collective complacency to a shared determination to close the prosperity gap. If party platforms over the past few elections are any guide to public attitudes, it’s clear that issues related to our competitiveness, productivity, and prosperity are not seen as centrally important to the public. We need to raise the volume on these issues.” The task force calls for a shift away from consuming today’s resources and a move towards investing in future prosperity.

My resolution has received support from the Greater Kitchener Waterloo Chamber of Commerce, and I also received letters of support from Perrin Beatty of the Canadian Manufacturers and Exporters, Richard Paton of Canada’s Chemical Producers, and Thomas D’Aquino of the Canadian Council of Chief Executives. I’ve also received support from the C.D. Howe Institute, the Employers’ Advocacy Council and the Ontario Real Estate Association. I would ask that members set aside partisan

considerations this morning and carefully consider the points I have made in this debate.

**The Deputy Speaker:** Further debate?

**Ms. Andrea Horwath (Hamilton East):** I'm pleased to have a few moments to talk about the resolution brought forward by the member, because I come from a community that has seen significant change as a result of the loss of manufacturing jobs in our community. As I was looking through some of the things that I've collected over the last year and a half to two years in my files around what has been happening in my community, I came across this article that was published in the *Hamilton Spectator*. It says, "Back in the days of the P&G families, Stelco families, International Harvester families...; the Hamilton Memory Project." This is a series of articles that the *Spectator* was running to kind of highlight the rich history of Hamilton, and this particular one focused on the role the manufacturing sector has played historically in the city of Hamilton.

I wanted to share with members a couple of key pieces of this article, because I think what these pieces do is set a backdrop for the reality of what communities used to look like and what they are turning out to look like now as we continue to erode, as the member would say, our competitiveness, and as I would say, our good family-sustaining, high-quality-of-life-sustaining jobs in our manufacturing sector.

The first quote that I thought was interesting is this one. It says, "The list of Hamilton's industrial ghosts is long. Some of their hulking shells dot the streetscapes of the core and waterfront. Others have been transformed into museums, office space or even condos."

The article goes on to rely heavily on work done by a gentleman named Rob Kristofferson. He's the coordinator of business history at the Schulich School of Business at York University. He says, "Hamilton is but a shadow of its former industrial self"...

"The city built its reputation as a lunch-bucket town on the backs of craftsmen who opened small shops in the first half of the 19th century to sell products to the agricultural hinterland to the west.

"They made stoves, farm tools, carriages, blown glass, boilers, boats, tobacco, beer and spirits. In the 1860s and 1870s, Hamilton was the sewing machine capital of Canada and soon became one of its biggest textile centres." It goes on to talk about a number of other industries that were based in Hamilton.

"Kristofferson says, 'Hamilton had an "amazingly diverse economy" by the late 19th century. Almost any consumer good needed at the time was made in our own backyard. That was a dramatic shift from the reliance on imported goods'—back in those days—'primarily from England and Scotland—just half a century before.

"Some of those early industrial threads weave through our community today: Stelco formed out of the 19th-century rolling mills at the base of Queen Street; GS Dunn Mustard, John Calder and Company (now Copley Apparel), the *Hamilton Spectator*, Brown Boggs all still breathe today.

"Well-paying, secure jobs at companies like these allowed the city's economy to diversify and thrive,' said Kristofferson, who researched Hamilton's industrial past as part of the Made in Hamilton Industrial Trail project in 2000," which was part of the Workers Arts and Heritage Centre, an excellent workers' museum that celebrates the history of working people in the province of Ontario.

I just have one more piece of this article that I wanted to share with members: "'You had buoyant, lively communities built around those industries. Take Ottawa and Barton Streets, for instance. What has happened to them since the downturn in the manufacturing sector? They've gone down with it.'

"Hamilton is known for steel, but was a pioneer in labour rights, had the first major electric power service for industry in Canada, was once a textile and hosiery power, was headquarters to the largest canning corporation in the British Empire and over the years, had six automobile manufacturers."

Unfortunately, all of that great history is very rapidly, recently, going down the tubes. There are several companies that have recently left Hamilton, closed their doors, moved on or simply closed completely in the area. I go to back to companies like Levis, Rheem Canada, Cameco, Tiercon and Ball Packaging. There are just numbers and numbers of companies that have left our community. Those companies leaving means hundreds of thousands of families having either lost their livelihood completely or having their livelihood reduced significantly, so much so as to not be able to maintain a decent standard of life. The pressure and stress that comes with these job losses is considerable and is something that we should always be considering ourselves. When we talk about strategies to deal with the crisis in our manufacturing sector, the very first strategy that we need to consider, the very first consideration we need to have, is simply an acknowledgment that there's a problem.

I know that my leader, Howard Hampton, has attempted on several occasions to raise this issue, initially having put a motion on job losses some time back, in October 2005. During that discussion, during that raising of the issue, we went through a number of different stakeholders, or participants in the economy, that agreed that there is a crisis. That was over a year ago now. It's over a year ago that we first raised this issue in the Legislature. I can remember at the time talking to some of the industrial leaders in my community. At the time the sale of Dofasco hadn't yet occurred, and a person I know well whom I had met at a fundraiser, Mr. John Pether, who was at the helm at the time, the CEO of that organization, and I talked for some time about the challenges that were facing that industrial giant in our community. There were a number of factors, one of which was the government's wrong-headed direction on Hydro. The reason I wanted to raise that once again is because, in the context of the motion we're debating today, I suspect that if we ever got to a point where this government would admit that there's a problem and started focusing on whether they do it themselves or whether they do it, as this member has suggested, in a kind of an all-party committee to re-

view the issue and come up with some solutions, the bottom line is that organizations like AMPCO, back over a year ago, were critical of the government's Hydro policy.

**1020**

They stated in a document that they had put together in January 2005, Ontario Industry Position on Electricity Restructuring, that there's an indication here that those large manufacturers of Ontario, the Association of Major—I can't even remember exactly what their acronym stands for, but hopefully before the end of this I will.

Nonetheless, AMPCO says, "Energy policy in Ontario leaves a number of vital questions unanswered. The answers to these questions must be clearly understood and communicated in order to avoid serious ... economic fallout." Lack of informed dialogue on electricity issues is a concern. There is little evidence that stakeholder concerns are being recognized and acted upon, nor does it appear that the full impacts of policy decisions are being communicated to the public.

This is a criticism that was levelled against the government well over a year ago, and unfortunately there's no evidence the government has taken up the mantle and made any efforts at all to respond to the concerns the member raising the motion today has brought forward, the concerns we brought forward well over a year ago, and more recently, the concerns the Association of Major Power Consumers in Ontario, AMPCO, was raising.

In concern and frustration, we raised that motion over a year ago. We have a motion we're debating on the same issues today. You will note that the leader of the New Democratic Party, Howard Hampton, brought a motion not too long ago into this Legislature talking about some kind of solution, some kind of structural way to deal with these companies that are considering leaving Ontario—in fact, to deal with them prior to the final decision to leave.

Of course, members across the way like to laugh and snicker about these kinds of ideas, but I can tell you that the people on this side of the House are getting pretty frustrated by the government's lack of action on the job files and lack of action on the reality that we are losing our industrial manufacturing sector in the province of Ontario. It is, in fact, a sector that is significant to the livelihood and well-being of our diversified economy, of maintaining a diversified economy.

The article I quoted from the Hamilton Spectator at the beginning of my remarks outlined in a very nice way just from a city perspective what that manufacturing base means in terms of the ability to have a diversified economy. That is exactly the same kind of system or relationship that a strong manufacturing base has to maintain for the province of Ontario: a provincial economy that is diversified and robust. Unfortunately, for some reason, the Liberal McGuinty government is prepared to watch 136,000 jobs walk out of Ontario. From all accounts, it looks like they're prepared to continue to have a laissez-faire attitude about this crisis in manufacturing.

I'm not sure if my friend would like to speak to this issue herself, so perhaps what I'll do is wrap up in a few minutes by simply reflecting on what it means when these good jobs are lost from communities.

Hamilton used to be a very well off community in terms of its economy, its residents and the wealth that not only was generated but was keeping its economy going. We are now equal to Toronto in terms of our poverty rates. We have significant homelessness problems. We have child poverty: One in five children is living in poverty in the city of Hamilton. We have a significant downturn in our industrial base, as I've already noted. Thousands upon thousands of jobs have been lost, and the jobs that are coming to our community are simply not ones that sustain a good quality of life for families. So we see increased use of food banks to a startling degree. We see families now living homeless in the streets of Hamilton. We see seniors living in poverty.

We have a significant problem, and it's casting a very negative pall on our city. Our frustration is that there's not very much of a sign that the provincial government is going to take a proactive role in helping cities like Hamilton maintain the glory of their past and maintain a good, strong economy that keeps families living with a decent quality of life and not having to rely on food banks or, even worse, ending up on the streets.

**Mr. Bob Delaney (Mississauga West):** If the member for Waterloo-Wellington has a detractor in this Legislature, then I have never met this individual. Indeed, the member is a thoughtful, hard-working and effective member. His resolution reflects his desire for a better Ontario. It's not loaded with emotive language. Who can dispute its objective to "maintain and expand our domestic and international markets in the coming years"?

The temptation might be to say, "Oh, yeah, when you guys were in government, you sold highways, ran up \$30 billion in debt, neglected every type of public infrastructure and picked a fight with education, health care and everyone else who wanted to help build Ontario"—and the list can go on. But while all of that is true, it's not the type of thoughtful response that this resolution deserves.

Is Ontario competitive? The resolution suggests that the member isn't so sure we are, so I asked my staff to look up some numbers for me. Other than fishing and oil and gas extraction, Ontario dominates every sector within Canada, from tourism to arts and culture, through heavy manufacturing and high technology. Alberta's principal fear is that oil prices will stabilize below about US\$50 per barrel. At that point, three of Alberta's MLAs told me last year, Alberta would likely be looking at budget cutbacks.

Ontario has one renewable resource in abundance that no other province has: some 13 million people, with the education infrastructure to turn those people into educated risk-takers, astute managers, skilled professionals and tradespeople, dedicated service workers, and so on and so on. Alberta's principal resource is thick black glop that can be turned into petrochemical products. Ontario's

principal resource is organized and educated brain power. Ontario is where the rest of the world aspires to be.

We looked at the leading jurisdictions in the United States. The Bureau of Labor Statistics shows that manufacturing employment in the USA peaked in the late 1970s at just under 20 million jobs. It crashed with the recessions of the early 1980s and fluctuated between 17 million and 18 million jobs from about 1982 to around 1999. After that, its trend has been a sharp downward plunge to less than 14 million jobs, a level last seen in the United States in the early 1950s, when America's population was just more than half of what it is today. Is America competitive? Would the member's investigation turn up anything in Ontario not seen in the industrial heartland of the United States? Likely not.

Set against the American experience, Ontario looks like a pretty good place to set up a manufacturing business. Would the member's proposed investigation yield anything more profound than can be found in the writings of management theorists like Peter Drucker, Michael Porter, Robert Heilbroner, Alvin Toffler and John Naisbitt? I suspect not. I pulled out some of their books last night and I skimmed through them. All of them, in the last 35 years, foresaw and predicted more or less what has occurred in manufacturing in North America and western Europe since the closed societies of the East opened, with the cheap labour to do the long production runs in manufacturing. In his conclusion to *Megatrends 2000*, written in the late 1980s and published in 1990, management guru John Naisbitt said, referring to manufacturing, "Less-developed countries, where labour is cheaper, become more attractive areas for that investment."

One may well ask, why does anybody manufacture anything in North America anymore? Because you send your intellectual property overseas at your gravest peril. Because where value-added service and one-of-a-kind manufacturing—such as is done, for example, at Mold-Masters in the member's own riding—are important, then you need to be close to your customers. Your product and service bundle has to have value that can't be done in mass production. Because culture still means something, as companies like Enersource will tell you, having outsourced some customer support and then brought it back because their customers wanted to speak to Canadians who understand a problem their way.

**1030**

Our currency, our Canadian dollar, has performed well in comparison to the US dollar and even against the euro, the pound, the yen and the rand. That's a challenge, because if an Ontario company just stands still, they'll become uncompetitive. But most of our trade is with the USA, where just plain stupid federal government economic policy has caused the US dollar to tank against every other major world currency. In 2000, the US was looking at a 10-year accumulated budget surplus of \$4 trillion. Now, today, some six years later, they're looking at a \$6-trillion deficit over that same 10-year forward period. Where, America must ask its leaders, has \$10 trillion gone? That's 200 times the fortune of Bill Gates.

The rest of the world doesn't depend on the US market to the extent that we do. Combine a business slump and a skidding dollar in the United States, and Ontario companies that depend on that US buyer are going to hurt. We don't need an investigation to tell us that.

Ontario's strategy is no secret: Back your winners, as we've done in the auto industry. Be where your customers are—and our Premier has gone to China and soon will go to India and Pakistan. We're opening trade offices in major consumer capitals in the world's expanding markets. Build an infrastructure that business can depend on and give them a competitive advantage. That's what Ontario is doing in education at all levels, with electricity and roads and with our world-class public health system. Be competitive with taxes. That's why Toronto and Ottawa are the two lowest-cost jurisdictions among major metropolitan areas in North America. That's why total business costs, including taxes, have stayed lower in Ontario than in the Great Lakes states, Massachusetts, California and Florida. Nobody is saying that competitiveness will ever be easy—any company will tell you that—but the winning industries of the 21st century are coming to Ontario, and for all the right reasons: the right strategy, the right execution of the right plan and the right government at the right time and in the right place.

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to rise in support of my colleague the member for Waterloo-Wellington, Mr. Arnott, and his very important and thoughtful resolution here today. As we heard from the member for Waterloo-Wellington, he actually brought this forward to the assembly in a similar form more than a year ago. In fact, his forward thinking impressed our leader, John Tory, who brought forward a similar motion on behalf of the official opposition, which I was very pleased to say passed here in the Legislative Assembly on December 8, 2005, based largely on the work Ted had already done in his May 31 resolution. But despite the fact that Ted brought this forward over a year ago—a motion actually passed here in the assembly for a jobs plan—the Dalton McGuinty government continues to look the other way as well-paying manufacturing jobs flee the province of Ontario.

I hope that during debate today, I will hear some government members at least admit that there is a significant, if not massive, problem faced by the manufacturing sector today in Dalton McGuinty's Ontario. The forest industry is in a crisis like it has never seen before, with some 4,000-plus jobs leaving the forest industry sector, which affects particularly small-town Ontario, northern Ontario, and Cornwall in eastern Ontario. We still can see a bleeding of jobs from those sectors having a devastating impact on those small and northern communities.

I find it rather disquieting that many members of the government side tend to have this Pollyanna attitude that all is well and good and we're in the time of wine and roses in Ontario, when their jobs record has been absolutely dismal when it comes to creating private sector jobs. In fact, from 2004 to 2006, we have seen a mere 1% growth in private sector jobs in Dalton McGuinty's On-

tario. We have seen in that two-year time some 140,000 well-paying manufacturing jobs leave the province.

When the government boasts about its 250,000 or so new jobs, which it claims credit for creating, we can't forget that approximately half of those jobs are government jobs, masking the true decline in the manufacturing sector and the extremely lacklustre performance of the private sector economy. That's simply an unsustainable strategy. Hiring more and more bureaucrats may pad your job numbers, so you try to fool people that the economy is doing well, but unless you have a strong, robust private sector creating jobs and wealth and investing in Ontario, you can't afford to pay for high-quality health care or education or transportation or police services.

Some members are even worse than Pollyanna. A colleague, Tony Wong, who was the member for Markham—I couldn't believe he said this when he was parliamentary assistant to the Premier: "What they (Ontario communities)"—that are losing jobs—"should do is look for new ways to create jobs to develop their economy and not just come as crying babies to the province." And what did Dalton McGuinty do about that? He looked the other way. Mr. Wong continued to serve as his parliamentary assistant, which was absolutely shocking. With that kind of callous comment, Mr. Wong continued to serve in that role.

"In November, McGuinty described the loss of 3,600 General Motors jobs as 'a little bit of a contraction,'" Toronto Star, January 2, 2006.

"Liberal MPP Liz Sandals (Guelph–Wellington) said the fact Imperial Tobacco in Guelph was closing its doors and throwing 550 people out of work proved to her the government's anti-smoking legislation 'is working,'" December 9, 2005. Five hundred and fifty families are now without jobs and the member is applauding that result.

I know I have many colleagues who want to speak to this resolution today. I say kudos to Mr. Arnott for championing the importance of this issue. Ontario has always been the economic engine of Canada, and its bread and butter has been the manufacturing sector. In Dalton McGuinty's Ontario we have fallen from that to a very lacklustre, if not behind-the-pack, performance in both sectors.

**Ms. Cheri DiNovo (Parkdale–High Park):** It's my pleasure to speak to this motion. Of course, as New Democrats, we would support it. You heard my colleague Andrea Horwath speak about some of the motions that we've put forward, that our leader Howard Hampton has talked about, including the creation of a jobs commissioner who would actually address this problem directly and come up with a solution, one would hope.

I can speak about what the current state of the economy is in my particular section, and that's Parkdale–High Park, and certainly in downtown Toronto. I can tell you that in downtown Toronto what has happened to the manufacturing base is that there is none. The manufacturing companies that used to exist in downtown Toronto are—guess what?—loft apartments. We have the Candy Factory loft apartment; the old GE building is now a loft

apartment. We have apartments going in where manufacturing once was.

I did want to comment a little bit on my colleague from Mississauga West's comments. For one thing, when he said arts and culture, my ears kind of pricked up because it's one of my portfolios. I can tell you that an artist in downtown Toronto—we have many in my riding—makes an average of \$26,000 a year. They live at the poverty level. Yes, there are occasionally dribs and drabs of money that go into the arts but never for the artists. We're still waiting for status-of-the-artist legislation. So there's one community that's very hard hit.

He talked about the changing face of business. I would love to have those comments addressed to one of those workers who lost their job in the forestry sector or the mining sector. I wonder what words of comfort those would be, to know that they're part of a global economy: "Oh, so sorry, the manufacturing role in the world is changing and, oops, sorry, you're the loser." I wonder if those are really words of comfort to someone with a family who has just lost their job and wonders how to pay their mortgage or their rent. I don't think so.

You heard about the rising poverty rates, and that's certainly true. Also, he talked about small business. Certainly, I've been in touch with TABIA members in Toronto. Small business isn't thriving in this city. I don't know who he's been talking to. Small business has had to shoulder disproportionately high property tax rates in downtown Toronto and other places. They're losing their businesses. Certainly where my constituency office is on Dundas Street West, you can look down the street and see empty storefronts. This is the Toronto of present times and this is the Ontario of the present. This is the real world. This is not the world of global economists and multinationals; this is the world of Ontario, the world in which we live, the world in which poverty threatens, and it doesn't have to be that way. We have examples globally, for example Ireland, where they have a 4% poverty rate, where they've done it by raising the minimum wage, where they've done it by building housing, and they're an economic marvel of turnaround. We could do it with some planning, and that's what we need. So I certainly support this motion.

1040

**Mr. Khalil Ramal (London–Fanshawe):** I'm pleased to stand up and speak to the motion brought by the member from Waterloo–Wellington.

I was listening carefully to his resolution and to the many members of this House who spoke in detail about this issue. I agree that we have some kind of problem, not just in the province of Ontario but in the whole nation—as a matter of fact, globally—especially when we have a high dollar in Canada, when we have a shift in the economy in Canada and when we have a shift in economy globally. It's a very important issue to talk about, because we value the businesses in the province of Ontario. We value every business, whether it's small or large, small-paying jobs or high-paying jobs.

As a matter of fact, I would like to support this resolution, but I don't see any need to support it, because

he doesn't have to have investigations, we don't have to have a committee to study this issue. We have a government and a minister working very hard on a daily basis to maintain the jobs we have in Ontario, to create more jobs, to attract more jobs and to invest in the economy to maintain the high-paying jobs.

Since we got elected, our government has attracted a lot of auto industry jobs, which are high-paying jobs. Our investment in the auto industry put Ontario as the number one jurisdiction on Earth in the auto industry. Our investment to maintain our infrastructure makes it easier for all the companies that want to open in Ontario. Investment in education and higher secondary education—universities, elementary schools and high schools—all this to build infrastructure to maintain and create skilled workers in the province of Ontario.

I want to tell you something very important. The member from Waterloo–Wellington can make an appointment with the minister, and she can explain what we're doing to maintain the good-paying jobs in Ontario, what we're doing to maintain and attract the jobs to Ontario. I guess we are the number one jurisdiction on the whole Earth, by investing in the economy, by opening many spots and planning many trips to many different nations, like the last trip to China when we were able to sign a more than \$13-billion contract, and also the trip which is being planned by the Premier and many different business people in the province of Ontario to go to Pakistan and India to deal with a lot of things: to talk about education, to talk about health, to talk about innovation and research, to attract more business to Ontario. All these initiatives play a pivotal role to maintain our high economic prosperity in the province of Ontario.

As I mentioned in the beginning, I'd love to support the resolution, but I don't see why we have to support it. I don't see a need to support it. But, you know what? If he has some kind of concern, if he doesn't understand what we're doing, it's simple: He can call the minister, he can call the government, and we'll update him on our strategy and on our plan for the future. It's simple.

He can go to all the people in the province of Ontario to see and notice our investment. It's simple. He can see the infrastructure when driving on the 401 toward Windsor. Or when he goes to visit Woodstock, he'll see the Toyota plant or the Hino plant being built. He can go to Oakville and see our investment in the auto industry there. He can go to GM, to Kingston, to Belleville; he can go to the north where we've invested in the diamond industry. He can go to the north where we invested back in the forest industry. These are all initiatives to maintain the jobs, not in one sector, not in one corner of the province; to make it a level plane in the whole province of Ontario—the north, the west, the east and the centre—because every community is important to us and because we believe strongly that we cannot do it just in Toronto and we cannot do it just in London and Windsor. We all have to work together. We have to invest in every corner of the province to create a prosperous economy, an economy working together, from manufacturing to industry to universities to the auto industry. All of us have to

work together to maintain our prosperity. Thank you for giving me a chance to speak.

**Mr. Garfield Dunlop (Simcoe North):** I'm very pleased to be able to take part in this debate this morning and support the resolution of my seatmate and colleague, the member from Waterloo–Wellington.

There are a couple of things I wanted to put on the record here today. The one is that, of course, something has to be done. I mean, we've lost, we know, at least 100,000 manufacturing jobs in the last year. Those are very, very valuable jobs to our economy, and there's no question that the government has to show some leadership in this area. I think the problem, one of the key things I see, is that when people think of a Liberal government, they think of a government that is anti-business; they don't want to support the economy. That's just a stigma that is attached to that party. So you talk to people in the manufacturing industry and they're not too excited about being here in the province of Ontario under the leadership of Dalton McGuinty as we proceed in the future.

I'll give you a good example. In the small community I live in, we have a manufacturer, a company that manufactured stainless steel sinks since the late 1950s, when they set up there. It was called at one time Taman Industries. They even survived a fire. The fire destroyed the building and they built a brand new building. This building would have been built approximately 20 years ago now. But they've stayed with that small community. They've employed probably 100 people in the Coldwater, Waubauskene and Victoria Harbour area of my riding. These people have had jobs there for the last 40, 50 years. Well, we just found out recently that what is happening is that the plant is closing. They're going to go right down that highway, past Windsor, the community where we're spending \$400 million on a casino that we really don't need. Those jobs are going right out of our country, right down to the United States of America, because where they're going, there are more incentives and they can survive there. I find that appalling, that a company would leave this province and go there, and most of it is because of the lack of leadership here, the fact that we don't have any—the stigma that the government would leave everybody feeling is that companies aren't wanted here. The red tape is getting worse by the day; it doesn't matter what kind of business you're in. That's what you hear from business people across this province. As a result, jobs are lost; very, very valuable manufacturing jobs are lost.

I appreciate the opportunity to say a few words here this morning, and I thank my colleague for bringing this forward. It shows the leadership he is showing in his community.

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** It gives me pleasure to rise this morning to participate in this debate on the resolution by the member from Waterloo–Wellington.

I'd like to preface my comments this morning—I've never done this before and I hope I'm not out of order,

but I do know that a very special person in my life is watching this debate. She watches every day, actually, and I sometimes wonder why: my mother, who 55 years ago today was giving birth to her second daughter, her fifth child of 12.

Mother, I know this is a big day for you because it's St. Andrew's Day. She was from St. Andrews West—her first address. I always wanted to do this. I know she's sitting in her living room, watching. It's a pleasure to get up and speak today.

**Mr. Jeff Leal (Peterborough):** Jim, did she get that tie for you, that beautiful—

**Mr. Brownell:** Well, she told me that I had to wear that today.

This debate today is an important one. It's a chance for our government to participate in the debate and to indicate that we have already done much in this province to strengthen the economy and build on opportunity.

The member from Erie–Lincoln mentioned Cornwall in his comments a few moments ago. I want to say that, yes, Cornwall has had some economic problems in the past year. Cornwall has had economic problems for a long time with regard to the textile industry. Back in the 1940s and early 1950s, we had Canada Cotton shut down. Fortunately, those buildings are now being rejuvenated into other opportunities. Then we had Courtaulds Ltd. and Domtar this year. But, you know, we build in Cornwall and in eastern Ontario on what we have. In our agricultural sector, we build on research and innovation. I've seen that happen in my riding, where farmers are building on that and getting the newest technology in their operations. Marimac industries from Cornwall—they're not moving; they're expanding in my riding. They have a manufacturing company in Cornwall. They're expanding into Iroquois, a part of my riding that has had some severe economic problems this past year. But 250 jobs are being created with Marimac industries in Iroquois, and that's exciting news.

#### 1050

They're building because they know of the position of that area, they know of its position in the world, and they know of the position of our government in building on opportunities. Certainly this government, with the establishment of four new international marketing centres in London, New Delhi, Tokyo and Los Angeles, and with seven offices now in world, and more coming, is expressing to the world that we're open for business and we want to expand those business opportunities.

The Minister of Economic Development and Trade and the Premier himself have gone on a number of missions around the world, to China and Japan—China in November 2005, Japan in June 2006—and there's an upcoming visit to India and Pakistan, to promote those opportunities, to indicate and focus on sectors that are critical to Ontario's prosperity, including research and innovation, financial services, education and cultural industries.

If I could just take a moment to look in my own riding at Pat Finucan from St. Lawrence College and Mayor

Phil Poirier, who went over to China this past year to build on education opportunities, to have a chance to express to business people in China opportunities that we have here in Ontario for investment, certainly also in my riding of Stormont–Dundas–Charlottenburgh and the city of Cornwall.

So we have done a lot in the past three years, and we certainly have the courage to do more in the future.

**Mrs. Julia Munro (York North):** Before I begin, I want to welcome the students from Dr. John M. Denison Secondary School in Newmarket. This is a particular pleasure for me, having been on staff at Dr. Denison some years ago.

I rise today in support of the resolution put forward by the member from Waterloo–Wellington. I think it's important for all of us to appreciate the fact that the economy is not something that doesn't change; it is in a state of change permanently. I think that it's important, then, looking at this resolution and the manner in which it's presented to us, that an investigation should begin.

If you look at various areas in the literature on the economy, you can see how important it is to keep abreast of the kinds of challenges we face. I'm going to take a moment to read what I think is a very important explanation in a paper presented by the Canadian Council of Chief Executives called From Bronze to Gold. In that, they discuss why there has to be a creative economy. It says:

“The extent of our prosperity as a country depends on how much value Canadians can create through their labour and what returns they can earn on their savings.

“This is why concepts such as productivity and competitiveness matter to all Canadians. Other countries are passing us by in raising their standards of living because they have found ways to attract more investment, generate higher returns and create more jobs that pay higher wages. Higher productivity produces more money for individuals and families to improve their quality of life directly. It also generates more tax revenue for governments to provide better public services and infrastructure.”

I think that is really why the member from Waterloo–Wellington undertook this resolution, because it is important, both on the basis of individual families and society as a whole.

When you look at some of the features that I believe any task force or any committee should be looking at, one of those surely is to take advantage of or recognize the need for skilled people. We hear constantly of areas of shortage in particular areas of industry and commerce, and looking at immigration and integration of people into this country is certainly one of the key steps. Our leader, John Tory, introduced a paper on immigration that's designed to benefit both the individual who comes to this country and that individual's opportunity to integrate within our community and be a part of a productive and strong community.

One of the other areas that's very important to developing a strong economy is the question of the creation of ideas, because everything starts with an idea

and the ability to take that idea and transform it into a product or service. That's why, as a member of the former government, we invested in providing research funding, specifically to be able to take the very best from our universities and colleges and move those ideas into products and services.

Another area that, again, is vital to a strong economy is the ability to attract investment. In today's global world, obviously investment can come from anywhere, including at home. So the importance of having a tax structure that remains competitive, that becomes a method of attraction, is absolutely paramount in a world where money can be transferred in a matter of minutes and investments can be set up in a matter of days.

Another area that is equally important is the regulatory one. Obviously, everybody has to abide by regulations that deal with safety, that deal with quality and a host of other things, whether it's the environment or personal health. But those regulations must be timely, they must be predictable, they must not overlap and they must be seamless. Only in that way can you provide surety within the regulatory environment.

In the brief time I have left, the question of energy costs is obviously a very important issue. We look at this province today, where closing coal-fired furnaces has moved from being a promise to what the Minister of Energy now describes as a "noble goal." That doesn't create the kind of stability or the kind of opportunity for competition that we need in Ontario.

Finally, the question of transportation: It has to be something that provides opportunity for goods and services, for people to be able to travel.

I noted with interest that the Minister of Finance introduced in a speech a couple of months ago something he referred to as the dark clouds gathering on the horizon. I suggest to the government members that supporting this resolution would in fact go a long way to dissipating those dark clouds.

**The Deputy Speaker:** The member for Waterloo-Wellington.

**Mr. Arnott:** I want to express my appreciation to all of the members who have spoken to this important resolution today—the members for Hamilton East, Mississauga West, Erie-Lincoln, Parkdale-High Park, London-Fanshawe, Simcoe North, Stormont-Dundas-Charlottenburgh and, of course, York North—all of whom have offered the House thoughtful comments with respect to the issue of the manufacturing challenges that we're facing in the province of Ontario.

I received word just now from our party's economic development critic, the member for Halton, who informed our caucus that the Statistics Canada numbers for the month of September have just been released this morning. Manufacturing output has fallen in the month of September by 1.4%, which is a substantial drop, and of 21 major industry groups, 16 cut back production. Of course, the manufacturing sector is very important in the province of Ontario, and so these national numbers would reflect, in a huge negative sense, on the province of Ontario.

When I brought forward this resolution in May 2005, it was my belief that I could bring the issue forward, put it before the Legislature, and that in the summer of 2005, the all-party standing committee on finance could begin public hearings and public discussion with the affected interest groups, including organized labour; I had hoped that the Ontario Federation of Labour and the auto workers—everyone who has an interest in manufacturing jobs—would have had a chance to participate in this discussion. I had envisioned that over the course of the summer we could develop an action plan, and that it could be presented in the House in the fall and the government could start implementing it. That was a year ago, and it was a year and a half ago that I introduced the resolution. Much time has been lost.

**1100**

Of course, we know that the finance committee will very shortly undertake important work with respect to its pre-budget consultations. That process is going to start a little earlier this year than normally is the case. We are going to be starting in December and then resuming after Christmas. My suggestion now is, if this resolution passes the House, I would hope that it will be accepted by the government and that the standing committee on finance and economic affairs will be directed to undertake this study immediately after it concludes its pre-budget consultations, so as to provide an action plan that can begin to be implemented this spring.

Obviously, much time has been lost. I wish that this could have started a year and a half ago, but given that it hasn't, I would hope that the government will take this seriously and take seriously what's been discussed today. I would say again, this resolution has the support of the Canadian Manufacturers and Exporters of Canada, the Canadian Council of Chief Executives, the C.D. Howe Institute, the Ontario Real Estate Association, Canada's Chemical Producers, the Employers' Advocacy Council and the Greater Kitchener Waterloo Chamber of Commerce. And I know that the Institute for Competitiveness and Prosperity is very interested in what we do here today. Thank you very much, Mr. Speaker. I ask all members—

**The Deputy Speaker:** Thank you.

I would ask members to join me in welcoming to the Legislature, in the members' east gallery, Ruth Grier, former member for Etobicoke-Lakeshore in the 33rd to 35th Parliaments. Welcome.

COMMUNITY RIGHT TO KNOW ACT  
(DISCLOSURE OF TOXINS  
AND POLLUTANTS), 2006

LOI DE 2006 SUR LE DROIT DU PUBLIC  
D'ÊTRE INFORMÉ (DIVULGATION DES  
TOXINES ET DES POLLUANTS)

Mr. Tabuns moved second reading of the following bill:

Bill 164, An Act to amend the Consumer Protection Act, 2002, the Environmental Protection Act and the

Occupational Health and Safety Act / Projet de loi 164, Loi modifiant la Loi de 2002 sur la protection du consommateur, la Loi sur la protection de l'environnement et la Loi sur la santé et la sécurité au travail.

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

**Mr. Peter Tabuns (Toronto–Danforth):** I rise to ask the members assembled in this chamber to take action—action to protect public health, our environment and our emergency personnel. I ask them to vote for this bill, Bill 164, Ontario's Community Right to Know Act, and to move it forward to committee stage. It encompasses a community's right to access information on pollutants released into the environment, a consumer's right to know about hazardous substances they may be exposed to when they buy a good or a service, and the right of firefighters to know about the chemicals they may encounter in responding to a fire.

Community-right-to-know legislation is identified as a best practice in cancer prevention and environmental protection. It's been a fixture in jurisdictions like California for the past 20 years. In contrast, Ontario and the other provinces of Canada lag far behind. Bill 164 is supported by the likes of the Canadian Environmental Law Association, the Canadian Strategy for Cancer Control, the Toronto Cancer Prevention Coalition and the Toronto Environmental Alliance.

Community-right-to-know recognizes the inherent right of individuals to know the hazardous substances to which they may be exposed. It's for these reasons that community-right-to-know is endorsed as a primary cancer prevention measure and a tool for environmental protection by environmental and health advocates.

Research linking negative health impacts with exposure to pollutants and toxins in our environment continues to grow. And we are exposed. Environmental Defence Canada found 38 carcinogens in the small sample of persons it tested as part of carrying out its study on pollution in Canadians entitled *Toxic Nation*. The incidence of cancer in Canada has risen by over 54% over the past 18 years. Almost one in two Canadian males and more than one in three Canadian females will be diagnosed with cancer at some point in their lifetimes.

To give you a sense of the public interest in the issue, today is November 30. The *Globe and Mail* has been running major articles about cancer virtually every day since November 20. They'll continue to run articles until December 6. Their December 6 piece will focus on the environmental links to cancer.

This series has considerable traction, in part because this disease now touches most Canadians' lives, either directly or indirectly. The response to the series so far mirrors how large audiences watched and responded to Wendy Mesley's series on CBC this past year, *Chasing the Cancer Answer*, in which she confronted the gaps in Canada's cancer-fighting strategy, one of which is reducing Canadians' exposure to known or suspected cancer-causing agents in the first place.

An aging population can help explain the rising rate but not completely. Genetics can help explain that rising rate but not completely. The Canadian Cancer Society has found that, after adjustments for age, the incidence of non-Hodgkins lymphoma, thyroid and testicular cancers, all of which have links to environmental contaminants, has risen among Canadians in the age bracket 20 to 44.

Research and the action plans derived from this research, like the Canadian Strategy for Cancer Control, are increasingly calling for urgent acceleration of cancer prevention policies, including measures that lessen or prevent our exposure to toxins.

Boston University School of Public Health and the University of Massachusetts Lowell released in September 2005 a research paper entitled *Environmental and Occupational Causes of Cancers*. It concluded, "Cancer evolves from a complicated combination of multiple exposures. No one exposure single-handedly produces cancer, and many causes of cancer are still unknown... The sum of the evidence regarding environmental and occupational contributions to cancer justifies urgent acceleration of policy efforts to prevent carcinogenic exposures."

Today, we can take action to help prevent at least some cancers by reducing our exposure to toxic chemicals. We know with certainty that some substances cause cancer and others are suspected of triggering it, and we have taken some steps to deal with them. In this bill, we take a long overdue step forward.

The first part of the bill adds a provision to the Consumer Protection Act, 2002, that requires consumers to be informed about a commercial good containing known or suspected carcinogens. This aspect of the bill, known as the "labelling provision," has garnered the most attention so far. A host of organizations, including the Canadian Cancer Society, have long called for such labelling of consumer products. California, Vermont and the European Union already require such information labelling.

Unfortunately, existing legislation here in Canada does not provide us with that protection. It doesn't provide us with the information that we expect, as analysis by the Canadian Strategy for Cancer Control has demonstrated. The Hazardous Products Act does not address protecting consumers against chronic, low-level exposure from toxic substances in household products. Canadian Consumer Chemicals and Containers Regulations, the Food and Drugs Act and the Consumer Packaging and Labelling Act don't require full disclosure of all potentially harmful ingredients, such as carcinogens.

Health Canada finally, after prolonged delay, introduced new labelling requirements for cosmetics, but it doesn't require labels to indicate if the product contains a known or probable carcinogen. Labelling is a shared jurisdiction, something that both the provinces and the federal government can do, as confirmed by lawyers at Health Canada and by environmental law experts. In fact, Ontario already exercises its power to impose labelling. It has requirements for a range of items. If you check your upholstery or your bedding, the label detailing the quality

of fill is an Ontario-imposed requirement. We have the power; we already use it.

By acting in this field, Ontario will fill a vacuum that currently exists and start protecting consumers. In doing so, we will follow a path that's already been blazed by California with its proposition 65, adopted in 1986, that provided consumers with information about the hazards they faced with some products, but also brought about change in the way that products were made and the contents of those products to eliminate cancer-causing agents in ceramics, nail polish removers, white out and bottled water.

1110

People ask, "How will we determine which carcinogens or suspected carcinogens to list?" The schedule would be drawn from the International Agency for Research on Cancer, a body of the World Health Organization. How will that information be disclosed? In terms of the shape and form of the disclosure, we can borrow from the best practices in Vermont and California. In California, there are proposition 65 labels, and there are notices that can be issued. In Vermont, information labels can be placed on store shelves where items that contain known or suspected carcinogens are placed.

I've been asked about the economic impact of this legislation. California has carried out five-year and 10-year reviews on the impact and found no noticeable economic impact from this legislation.

The second part of the bill establishes a comprehensive pollution inventory containing a variety of information relating to the type and level of pollutants released into the environment and their environmental and health impacts. In the absence of a formal community-right-to-know policy, Ontario doesn't provide a consolidated, comprehensive inventory that aggregates information about emissions to water, land or air.

The third part of the bill amends the Occupational Health and Safety Act to require employers to provide to the local fire department all material safety data sheets which list hazardous materials that are on site. This will be of tremendous utility to firefighters' knowing what they're encountering when they go to a scene, and it complements the pioneering work done by my colleague from Hamilton East, who has worked on these issues of occupational health and safety for firefighters.

I've outlined the substance of the bill and the reasons for adopting it. I call on all my colleagues in the House to take the next step in cancer prevention, to take the next step in empowering communities, to take the next step in protecting our emergency responders. I call on them to support this bill.

**The Deputy Speaker:** Further debate?

**Mr. Mario G. Racco (Thornhill):** I'm pleased to speak on Bill 164, introduced by the member for Toronto-Danforth.

Bill 164 proposes to amend the Occupational Health and Safety Act. The proposed amendments to the OHSA, section 38, would require the employer to provide to the local fire department copies of all the material safety data

sheets, which the OHSA requires the employer to have for hazardous materials used in the workplace.

I would like to remind the members in this honourable House about the history of section 38 of the OHSA, the Occupational Health and Safety Act. When section 38 of the OHSA was first drafted in the late 1980s, the Ministry of Labour consulted the fire services sector through the section 21 committee. At that time, fire departments advised the ministry that they did not want—and I repeat, they did not want—to automatically receive the material safety data sheets from employers. They felt at that time that they did not have the ability to handle the volume of information they would have received from employers, nor would this information have been useful in many instances. In the 15 and more years since section 38 has been enforced, fire services have not advised the Ministry of Labour that changes are needed to enhance their access to workplace material safety data sheets.

The OHSA already provides a mechanism through medical officers of health for the public to have access to information about hazardous materials used in workplaces within their community. Therefore, any member of the public can go to the local medical officer and ask to see a copy of all MSDSs for a workplace within the local public health unit. That is available already.

I would also like to remind the member for Toronto-Danforth, as well as all honourable members in the House, what the McGuinty Liberal government is doing for workers. First, the health and safety of Ontario workers is our number one priority, and we certainly have shown that in many instances. Exposure to hazardous substances is a major cause of occupational illness and adds significant cost to businesses through lost time and higher workplace insurance claims. Under Ontario's Occupational Health and Safety Act, occupational exposure limits are established to protect workers.

In the year 2004, our government implemented a system to update annually occupational exposure limits for hazardous chemical substances in the workplace. This approach means that limits are updated annually based on the recommendations of the American Conference of Governmental Industrial Hygienists. The ACGIH annually publishes recommendations developed using the most up-to-date information in scientific and medical literature. Of course, before this system was put in place, OELs were not significantly updated for nearly 15 years, so we have done that.

In 2006, this year, we have consulted to update occupational exposure limits. For instance, in 2006 we invited stakeholders to review the proposal for changes to the limits for 27 substances. This includes new limits for two substances and revised OELs or listings for 25 substances.

The McGuinty government wanted to know what our stakeholders thought about the proposed limits. We also wanted to hear about other substances that stakeholders thought should have an occupational exposure limit. The consultation period ended in September of this year. The ministry is now reviewing the comments received from the stakeholders, and you will hear from the minister.

**Ms. Cheri DiNovo (Parkdale–High Park):** It's my privilege and pleasure to speak to Bill 164. I support this brave piece of legislation by my colleague Mr. Tabuns. It's certainly a piece of legislation that we need, and we need it soon.

I just wanted to start off by quoting something from the Cancer Prevention Coalition. They talk about the risk for leukemia increasing "by four to seven times for children, ages 10 and under, whose parents use home or garden pesticides." They go on to speak about "the risk of childhood brain cancer ... associated with the use of pesticide 'bombs' in the home, pesticides to control termites, flea collars on pets, insecticides in the garden or orchard, and herbicides to control weeds in the yard, including exposure to two common pesticides available in garden shops—carbaryl and diazinon.

"In 1990, more than 4,000 toddlers under age four were admitted to hospital emergency rooms as a result of household cleaner-related injuries" and infections related to that. Again, these are just a few figures that one could throw out. "Residues of more than 400 toxic chemicals—some found in household products and foods—have been identified in human blood and fat tissue" as hazardous and also as carcinogens—over 400. That's a significant number.

I want to draw the Speaker's attention to my former life, and that was as a United Church minister. It was then my sad duty over many years to preside over more than 200 funerals. Many of those funerals were the deaths of those under my care who had died from cancer. I remember the honour and privilege of being able to sit with their families, to be bedside with them as they suffered, and then as they breathed their last. We engaged in those conversations in a great many deep theological issues, questions like, "What will happen to me after death?"; questions about, "Why would a loving God do this to me?" The conversation was always free-flowing. It never lagged.

But I do remember one young woman who was about 28 years old at the time of her death. She had cancer. She said to me, "You know, I've never smoked. I've never engaged in any hazardous activities. I've never worked in a plant where there were hazardous materials. I want to know not what will happen after my death but how my death happened." I was unable to answer that question, and so were the doctors, nurses and all the specialists who had attended this one individual. She passed away at 28.

I've also sat at the bedsides of children who have died, again of cancer. They've never smoked, never touched hazardous materials that they know of, and yet there is no answer forthcoming.

**1120**

Certainly this bill, Bill 164, is part of the answer to that young woman's question and part of the answer to the questions of the children's parents because, until we know what is in our homes, what is in our makeup and what is in all of those materials that surround us daily, we don't know what is killing us, and it's literally killing us.

It was interesting doing some research on this, and all of the websites that came up. There is a huge amount of support for an endeavour, a piece of legislation, like this.

I was looking at a website that is run, kept and maintained by the Campaign for Safe Cosmetics. Many of us in this House, both male and female, I'm sure, use cosmetics. They point out 12 different issues:

"(1) Toxic chemicals are widespread in beauty products—and in our bodies.

"(2) The government should be protecting us, but it's not.

"(3) You can't believe industry safety claims.

"(4) The \$35-billion cosmetics industry routinely opposes laws that would protect consumers and the environment.

"(5) We have to protect ourselves until we convince the government to protect us." The endeavour here today is to try to convince this government to protect us.

"(6) Two of the highest-concern cosmetics categories are marketed especially to" African–Canadian and "African–American women." This bill also touches on some feminist issues that are close to my heart.

"(7) Most product ingredients have never been assessed for links to long-term health problems. However, even ingredients that are known to cause harm can be put into personal care products. Eight of the most problematic are"—and I will stop here, because I know my colleague wants time on the clock to speak to this bill as well. But things like these are in products that we use right now: mercury, lead acetate, formaldehyde, toluene, petroleum distillates and coal tar. Do we know this? Do we know that when we use soap, it might have one of these ingredients? Do we know if the skin cream that we use might have some of these ingredients? Do we know about the products we use on our babies? Do they have some of these ingredients in them? There is no way of knowing right now, under the current situation in Ontario, and certainly in Bill 164 we begin to address that problem.

I can't imagine why one would oppose this bill, why one would not want to see this bill pass speedily into law. Of course we need to know. How can we spend billions, and we spend billions on cancer research, when this little piece of the puzzle is left out?

Again I go back to my experience as a United Church minister and all of those bedsides that I stood beside, all of those families I sat with, and particularly that 28-year-old woman who asked that question, "How did I get this cancer?"

I think everyone in this House would want to answer her and would want the tools to be able to answer her. I certainly encourage everyone in this House to support this brave piece of legislation, Bill 164.

**Mr. Jeff Leal (Peterborough):** It is a pleasure for me to have the opportunity to speak to the private member's bill of my colleague the member for Toronto–Danforth. I know a little bit about cancer. I lost my father at age 63 and my mother at age 66, so I know the impact this terrible scourge has on one's family.

I asked some folks in the Ministry of the Environment yesterday to look at this issue and give their observations on this particular bill. I happen to think it's appropriate to have a pan-Canadian approach to deal with this particular issue and to provide levels of standards for each and every Canadian from coast to coast to coast. In fact, in working with Environment Canada and the Canadian Food Inspection Agency, that's the course they've recently embarked upon.

I have some information that's been provided to me by Nancy Croitoru, who is the president and chief executive officer of Food and Consumer Products of Canada. I'll just read into the record some of the points that she's making.

Currently, as we speak, "Environment Canada and Health Canada have together embarked on a groundbreaking systematic investigation of over 23,000 substances currently used in Canada, as mandated by the Canadian Environmental Protection Act (CEPA). CEPA is a key piece of legislation that regulates all substances from a human health and environment protection perspective. It governs the safe use of substances in Canada. The federal government's risk assessment process is taking into account information from a variety of sources including published scientific journals and databases, international reports" and extensive international research "computer modelling estimates, and commercial data from" various industry and health stakeholders.

Over the next 36 months, this group—Environment Canada and Health Canada—will be looking at producing a set of new standards that will be pan-Canadian, that will:

"Limit the use of certain substances to specific dosage levels

"Limit the use of certain substances to specific applications

"Eliminate substances from commercial use entirely

"Allow commercial use of the substance with no" severe "restrictions.

"Environment Canada and Health Canada have made a commitment to complete risk assessments on 500 high-priority substances within the next 36 months. The Canadian food and consumer products industry takes product safety very seriously. If Environment Canada and Health Canada decide, following comprehensive risk assessments of specific substances, that current levels of use and application need to change to further protect human health and environment, industry" and other provinces "will comply fully."

Indeed, I've had the opportunity to review my colleague's bill, Bill 164. By comparison, at this time, his bill is limited to about 411 substances and I believe lacks the comprehensive scope and scientific rigour of the federal government's current risk assessment in this area. This bill would also apply to Ontario consumers only. Indeed, just yesterday I had the opportunity to speak with executives from Unilever, which is a large multinational corporation that employs union employees here in Ontario and right across Canada. One of their chief con-

cerns, of course, is always, when we change regulations—and they're supportive of changing regulations, because they're in the consumer products business. But to have one standard in Ontario that we move forward on, and then to have the federal government in about 36 months' time add another series of regulations—they think it's easier for them from a business perspective to go to the higher federal standards which will be in place when their work is completed by Health Canada and Environment Canada over the next 36 months.

We also have, of course, the Environmental Protection Act in the province of Ontario. Our approach, undertaken by this current government, was to toughen the standards so carcinogens just won't be allowed to enter into the environment. Notification versus prevention and reduction—it's as simple as that. Getting toxins that cause cancer, make children sick, out of the plant environment, out of the air in their schoolyards and out of the products in their homes is what regulation 419, that we've implemented, is all about. What's more, it's the first time that the province has adopted a comprehensive risk assessment approach that puts human health, especially children's health, at the forefront of the analysis that is undertaken in order to set toxic chemical limits in the field.

Our approach is about getting results from communities, about involving communities and setting very high standards. Indeed, to give you one example, playground equipment, we have playground equipment in every community throughout Ontario. There was a real issue, particularly for that playground equipment that incorporated pressure-treated lumber. At that particular time there was an issue with regard to chemicals that were incorporated in that pressure-treated lumber used in building new playground facilities, not only in one's backyard, but indeed in schools. So there were dramatic changes made then by the Canadian Standards Association and Health Canada to make sure that those substances, that product, was eliminated for use in the building of schoolyards. I happen to believe that the pan-Canadian approach that's been embarked upon is the right one: high standards right across the country, which we know the province of Ontario will be involved in, in consultation with the federal government, to make sure that we have the highest water and air standards in the country and that we protect our citizens.

1130

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I appreciate the opportunity to join the debate on the private member's Bill 164, the Community Right To Know Act, introduced by my NDP colleague and critic for the Ministry of the Environment, the member for Toronto–Danforth. I've certainly had the privilege and the opportunity to get to know the member since he was elected, as we toured across the province for the hearings on the Clean Water Act, Bill 43. He has a great depth of knowledge on environmental issues. As well, he's certainly personally dedicated to those causes, as we've seen here since he was elected to the Legislature, but also

from his past associations before he entered the field of politics. I certainly appreciate the intent of the bill that he has introduced today. He did a lot of research into preparing us to speak today, and he's developed the idea through. So I thank him for all the work that he has done.

He has indicated that California is the state which has had this right to know in for some 20 years, saying that we can follow other models. In politics, I don't think we have to reinvent the wheel; as with anything, we can look to see what other countries, other jurisdictions, have done. But he's looking for the best practice that we can get in cancer prevention and environmental protection. He has indicated that Ontario lags behind in this jurisdiction, and there's no question that we can always do better and learn from other cases, as I mentioned before. Ontario has been trying over the past number of years. Yes, we lag behind, but we have made some forward steps, and I believe that this private member's bill today is another part of that step forward that we need to engage in debate about. So I thank him for that.

I know that the previous government brought in some initiatives that included the development of the anti-smog action plan in 1996, which committed to reducing smog-causing emissions by 45% by 2010. They introduced mandatory monitoring and reporting of 358 harmful air pollutants for all industry sectors, formed the drinking water division of the Ministry of the Environment, and created the position of chief drinking water inspector and the requirement for a yearly report on the status of drinking water quality in Ontario. They implemented the first air quality index in Canada, which gave reports on air quality seven times a day, seven days a week, which I'm sure you hear on the radio all the time. But that's good; it's part of the education system out there. They implemented airborne contaminant discharge monitoring and the Ontario Water Resources Act. They initiated the Safe Drinking Water Act, the Environmental Protection Act, and introduced the Nutrient Management Act and the Environmental Assessment Act.

So we have done a great deal of work in the province to protect our citizens; I've mentioned some of the laws and regulations that exist today. But we can do more, and we should never stop investigating all the positive methods of protecting Ontarians. That is our job as legislators. Bill 164, which was brought forward today, does directly address some of these issues that are of the utmost importance.

I know the Canadian Cancer Society was here last week. For sure, cancer rates are increasing every year. In Canada, the statistics show that they've risen by 54.4% over 18 years. An aging population explains part of that, but it doesn't explain it completely. I know statistics about non-Hodgkin's lymphoma, thyroid and testicular cancer have been mentioned, all of which have links to environmental contaminants. They've risen among Canadians aged 20 to 44, and those statistics are from the Canadian Cancer Society in April 2002. According to the Children's Health Environmental Coalition in 2002, cancer now ranks as the most common cause of death by disease for children.

I've spent over 20 years as a nurse. I certainly see the disease first-hand and how we have to use more preventive methods for early detection, but also address why the rates are increasing. It's a bigger picture out there. This is what this private member's bill brought forward by the member for Toronto—Danforth is trying to make us aware of.

The member for Peterborough mentioned earlier that all of us have instances of cancer in our family, our loved ones being taken way too early in age. And we look back and we say, "How could we have prevented that? What was he exposed to? How do we prevent further exposure to this possible cancer-causing agent?"

There's a lot of interest in pesticides, especially in rural Ontario. Education and more research needs to be done on what they're exposed to in dealing with the agriculture industry. And the agriculture industry itself has made some progress in research. You see municipalities—and there's an incident in Quebec where the municipality took the lead on banning pesticides used on lawns. So there are some forward-thinking people who are using initiatives to make it known, to educate us on how we can further protect ourselves from cancer-causing agents.

Certainly the major part is prevention, reduction and educational awareness for consumers, employees and just the population in general. So we should be doing everything in our power to ensure that pollutants and toxins do not have the exposure to cause the adverse effects that we hear about and see, some of us first-hand, every day.

There's concern, certainly, in the legislation. I think here we all want everyone to work together, and that is business, industries and everyone to have input into how we can all work to protect our citizens. We have to work with the retailers. It's important that they have the sustainable and correct balance that we can strike. Labelling how, when and what—how is it going to go on? If we don't have the co-operation, we're not going to move this forward as quickly as we want to.

The bill also affects a number of other acts currently in place, including the Consumer Protection Act, in that no consumer be sold or supplied goods unless the person is informed of the chemicals and the risks. It also amends the Environmental Protection Act and aims to create a pollutant inventory which would be available to the public. Thirdly, it will amend the Occupational Health and Safety Act to require employers to provide safety data sheets to the local fire departments.

We've had the fire departments in, speaking about the increased cancer risks with their job, with situations they were going into, the statistics they have—certainly they all have colleagues they work with who have contracted cancer—and the struggle they have to prove that their cancer is connected to the occupation they're in, and they want to protect their families. So it affects all sectors, and we've heard about the different groups that have come in and told us about the increased cancer rates associated with, in this case, the fire departments and their increased exposure to cancer-causing agents.

We need to work with everyone: businesses, emergency medical services, and it goes on. So it's good to debate, to try to strike a balance of education and awareness, and put with that legislation and regulations that we can embrace co-operatively and make people more aware. Simply posting environmental reports on the ministry website will certainly educate some and make more consumers and businesses aware, but how many people go on there? How many people look? There are questions about how many people read the warnings on labels, as they presently stand. Usually people who are sensitive to products, whether they're aware because of their own self-interest or because they have allergies, read more than the majority of us who go into stores, buy products and don't really think twice about what's in them. That's back to the components of the bill, that we need to make more people aware of what carcinogenic agents are out there.

1140

The member from Toronto–Danforth did a great job last week. I thought he got a great amount of media around this right-to-know bill that he's bringing in, and he certainly created more awareness for myself as I read the articles.

With regard to the regulation, including the labelling provision for both known chemicals and those that could possibly or probably cause cancer, there are a great deal of carcinogenic groups listed in the details of the bill—group 1, group 2, and it goes on and on. So that is why I think we need to consult with stakeholders and the federal government. Certainly the province and the municipalities can take the lead, but we need to have a consensus as to the probable, the possible, the amounts. We need to take the lead not only as a province but as a country to strike that balance, to see the scientific data and to figure out who is going to be the responsible body for identifying the materials which are known or suspected carcinogens in consumer goods.

Who's ensuring that these reviews, as was mentioned—the member from Toronto–Danforth said that there are reviews in California every five or 10 years on the impact, which is great. I think that should be in the legislation, in the regulations, if we can get that far. Everything needs to be reassessed. Research is advancing. We're finding out more things are harmful than we ever knew before, and that's just part of the evolving scientific world we live in.

Both the provincial and the federal governments need to have a hand in this for it to be most effective. As is often the case with environmental health initiatives, cities, states and provinces all have certain jurisdictions over aspects that relate to these issues. Again, we always say that we want all levels of government to work together. Sometimes we don't get there, but it's critical that we work together, especially with issues about health concerns, and that it's set out what needs to be labelled, what the carcinogen is, who it's decided by and who does the review.

The Canadian Strategy for Cancer Control has stated that minimizing and eliminating, where possible, the

public's exposure to carcinogens should form a foundation of public health policy. There's no question; I don't think anybody disagrees with that. And the Canadian Environmental Law Association has stated that they look forward to support for Bill 164 as it moves through the legislative process. That is what we'd like to see for this bill, that it be moved forward through the legislative process.

It's also important to note that we've heard from Food and Consumer Products of Canada, which has stated their concerns with the bill as it stands. Food and Consumer Products of Canada is saying that Bill 164 has limited scope and reach, will cause undue consumer confusion and alarm, and that implementation would be complex and costly. They're concerned that it's going to pre-empt a comprehensive federal substance initiative currently under way at Health Canada and Environment Canada.

We've got some pros and cons and some people worried, so let's all sit down together and review it. The member from Toronto–Danforth has taken the lead in the province of Ontario by saying that it's a right to know, that we should get some more labelling done and at least give the people a chance to be made aware and educated. I think that's a noble thing to do. I certainly promote more discussion and look forward to this bill going to committee so that we can discuss it. Let's strike the balance; let's all work together co-operatively. I hope that all members of the Legislature will look at this bill seriously and move it through the legislative process in the positive manner in which this bill is being presented to us today. Thank you very much.

**Ms. Andrea Horwath (Hamilton East):** It's certainly my pleasure to rise in support of my colleague Mr. Tabuns, from the riding of Toronto–Danforth, in his attempt to have us get on to a more positive, proactive phase when dealing with toxins and carcinogens in our environment.

Bill 164 is a bill that has been brought forward by my colleague. It's probably a bill that should have been here, debated and passed many moons ago. You'll know from his remarks as well as other remarks in this debate that many jurisdictions are far ahead of Ontario and far ahead of Canada in regard to this very, very serious issue.

Before I speak specifically to the issue around how these toxins and agents in our environment and in everything we eat, drink and breathe affect children particularly—and I have an interest in that as the critic for children and youth services—I wanted to first acknowledge and compliment my friend for including the issue of material safety data sheets for firefighters.

Certainly people in this Legislature are well aware of the fact that firefighters do unfortunately become susceptible to many diseases and cancers as a result of exposure to carcinogens and toxins in their jobs as firefighters. That's what my bill, Bill 111, was all about: to acknowledge the fact that these hazards are the everyday reality of workers who happen to be firefighters as they undertake their profession in helping and saving people and property from fires. Just to go quickly over what those

cancers are, what those diseases are: primary site brain cancer; primary site bladder cancer; primary site kidney cancer; primary non-Hodgkin's lymphoma; primary leukemia, including multiple myeloma; primary site ureter cancer; primary site colorectal cancer; primary site lung cancer; primary site testicular cancer; degenerative neurological disease; primary site esophageal cancer; primary site stomach cancer; as well, there's an issue around the effect on the heart of the kinds of work that firefighters do.

That's only one piece of this bill before us, the piece that says when there are these kinds of agents, materials or toxins in a business, in a community, that information about those products or those toxins be provided to the firefighters in that community so that they understand what it is they're getting into as they rush in to save people and property, if a fire should occur in that location. So I laud my colleague for adding that or including that in the bill that he's brought forward.

I wanted to focus a little bit more in my remarks on the issue of toxins in the environment and what they do to our children. Members of this Legislature should be aware, in fact, that Environmental Defence has been doing some work on this issue for some time here in Ontario, and has come up with a recent report, actually, that was tabled, I believe, or that was made public in June 2006, just a couple of months ago.

I wanted to read a couple of quotes from this particular report, or at least the summary of the report. The Environmental Defence report is quite substantial. Members, I encourage you to actually have a look through it. It's extremely interesting on the one hand and extremely frightening on the other hand. "Canada's Toxic Kids: Pollutants Contaminate Children's Bodies: First-ever study reveals children have higher levels of some chemicals than their parents." The report is called *Polluted Children, Toxic Nation: A Report on Pollution in Canadian Families*. "The groundbreaking report, *Polluted Children, Toxic Nation ...* reveals that toxic chemicals, such as stain repellents, flame retardants, mercury, lead, DDT and PCBs, are polluting Canadian children and their parents. In several cases, children in the study were more contaminated than their parents by chemicals that are still in use, including stain repellents (known as perfluorinated chemicals or PFCs), brominated flame retardants (PBDEs), heavy metals, organophosphate insecticide metabolites, and PAHs (polycyclic aromatic hydrocarbons)." How do you like that? I should have taken a science degree. "Many of the chemicals discovered in the children's bodies are associated with cancer, developmental problems, respiratory illnesses, damage to the nervous system and hormone disruption."

It's a first-in-Canada report that tested a number of children and their parents. I just wanted to share with you this one quote:

"Our children are being poisoned every day by toxic chemicals that surround them at home, school and play," said Dr. Rick Smith, executive director, Environmental Defence. "The fact that children in our study have higher

levels than their parents of a number of chemicals is an indictment of federal inaction and shows the failure of federal environmental law."

#### 1150

Of course, our member from Toronto-Danforth would argue that the provincial government has a role to play. It can be an actor in the prevention of these kinds of exposures by giving people the opportunity to be aware of what they're exposing themselves and their children to through labelling and through the process of indicating for people where local industry, for example, is polluting or what they're spewing into the air in their manufacturing process or whatever else they're doing as a business in that community.

Here's what one of the parents said: "When I saw how many different chemicals are in my body, I was astounded. But when I saw the toxic chemicals in my son's body, I was angry. Our children deserve better protection."

This is a bill that is certainly well at its time and, in fact, is probably something we should have done long, long ago in the province of Ontario. I think that the member from Toronto-Danforth should be absolutely supported in moving the yardsticks on this. I look forward to every member of this Legislature who has children, who has grandchildren or who has nieces and nephews to take a look at this, acknowledge and understand that we can't simply go around with our head under the cover, pretending that these things don't exist and, worse, pretending that they're not affecting our children, because they absolutely are.

I recently had an opportunity to spend some time at a conference in the United States. I received some information at a workshop there about this very issue and have been reviewing some of the data and information that they provided to me at that time: *Healthy Environment, Healthy Kids: A Guide to Children's Environmental Health*. Just reading what's happening in some of the American jurisdictions puts us to shame in terms of what we are not doing here in Ontario and in Canada. Just on the issue of connecting environment to children's health and environmental effects on children's health, I could list a number of different jurisdictions: the California Legislature, the Hawaii Senate, a Michigan House bill, a New York assembly bill, another New York assembly bill, a Virginia state joint resolution, a Washington state bill. What these bills do is that generally they're the impetus or the structural creation of children's environmental health and protection advisory councils or sections of government that actually are committed and resourced to deal with children's environmental health impacts.

I was looking through that information and was very interested to find the things that we know for sure: Children are closer to the ground. They're very tactile. They're touching and putting things in their mouths all the time, especially in their young years, those very years when their organs and brains are forming. This is when

the exposure is great. This is when children are breathing three times as much as adults. They're drinking three to four times as much liquid as adults are. They're eating two to three times more, based on their body weight, than adults do, so their exposure is significantly higher. It should be no surprise, then, that we find high levels of chemicals and toxins in children. We have to stop that. Give consumers the opportunity to decide whether or not they want to expose their children.

**Mr. Vic Dhillon (Brampton West–Mississauga):** I'll be speaking today on Bill 164, the Community Right to Know Act (Disclosure of Toxins and Pollutants). This bill proposes amendments to three different acts and three different ministries. I would like to focus on the consumer protection provisions with the time I have today.

Under the amendments proposed, suppliers would be prohibited from providing a consumer with goods or services that expose the consumer to toxic chemicals. The supplier must warn the consumer of the potential exposure, and that warning would usually be in the form of a label. I understand that the member from Toronto–Danforth is proposing this provincial piece of legislation due to frustration and slow progress federally. Believe me, we share that frustration on a number of fronts on this side. But the amendments presented in Bill 164 are not appropriate and will present a patchwork of standards. Legislation of this nature is more appropriate to the federal government's programs, given their current role in both product labelling in general and for health or hazard concerns.

The Consumer Protection Act, 2002, does not currently apply any requirements to product labelling, nor does the Ministry of Government Services administer any such requirements. Health-related labelling or disclosure has not traditionally been addressed under consumer law. In addition, even when not specialized, product labelling is dealt with primarily at the federal level. There are several federal laws that address product labels, such as the Consumer Packaging and Labelling Act, the Canada Agricultural Products Act and the Food and Drugs Act.

There is a very limited provincial involvement in the field of labelling except in, for example, upholstery and stuffed articles. The federal Hazardous Products Act does not require disclosure on some chemical products and establishes the use of some commonly recognized hazard symbols; for example, symbols such as the skull and crossbones for "toxic."

I would also like to discuss some of the operational components of administering Bill 164. It's been said that the costs would be negligible because the government already has labelling legislation and bureaucracy to enforce the act. This statement is not correct in reference to the Ministry of Government Services and with respect to either the legislation currently administered or existing programs.

If the bill proceeds, it would be required to seek legal advice with respect to the authority of the province to

regulate in this field and to enact these specific requirements, given the existing federal legislation.

I like the general thrust of the bill but I do have certain reservations towards it.

**The Deputy Speaker:** Mr. Tabuns, you have up to two minutes to respond.

**Mr. Tabuns:** I'd like to thank the members from Thornhill, Parkdale–High Park, Peterborough, Haliburton–Victoria–Brock, Hamilton East and Brampton West–Mississauga for taking part in this debate.

I have to say that I don't have a lot of confidence in the federal government, moving forward, but no one should be surprised. What's interesting to me is that the government, which has consistently expressed lack of confidence, is saying, "Leave it to the government at the federal level to act." I don't find that a consistent position.

I appreciate the comments of the member for Brampton West that in fact we could get into debate in committee. We could go through this bill, improve it, find out where there are weaknesses, deal with those and build on its strengths.

I have to say, in response to the comments of the member from Peterborough, that it's interesting, when I introduced the tobacco legislation in the city of Toronto in the 1990s, that I heard essentially the same arguments at that time. I find it odd to have these recycled arguments continue to come back when people try to take action on cancer.

I want to thank a number of groups for the heavy lifting, the work that they did, to actually do the research and analysis and provide me with a basis for bringing forward this legislation: the Canadian Environmental Law Association, the Toronto Environmental Alliance, the Toronto Cancer Prevention Coalition, Environmental Defence, and the Canadian Strategy for Cancer Control. Those organizations are devoted to protecting us from cancer. I think their advice and their analyses were sound. I was pleased to present a bill in this Legislature that carries forward the arguments that they've made.

I'd like to thank Ruth Grier and Lina Cino for being here—those who have fought very hard to prevent cancer. I also want to thank Fiona Nelson, who is not able to be here but whose words were very simple: "Get on with it."

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

## ONTARIO ECONOMY

**The Deputy Speaker (Mr. Bruce Crozier):** We will first deal with ballot item number 63.

Mr. Arnott has moved private member's notice of motion number 6. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

COMMUNITY RIGHT TO KNOW ACT  
(DISCLOSURE OF TOXINS  
AND POLLUTANTS), 2006

LOI DE 2006 SUR LE DROIT DU PUBLIC  
D'ÊTRE INFORMÉ (DIVULGATION DES  
TOXINES ET DES POLLUANTS)

**The Deputy Speaker (Mr. Bruce Crozier):** We will now deal with ballot item number 64, standing in the name of Mr. Tabuns.

Mr. Tabuns has moved second reading of Bill 164.

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

Pursuant to standing order 96, Mr. Tabuns—

**Mr. Peter Tabuns (Toronto–Danforth):** I would like it moved forward to the committee on regulations and private bills.

**The Deputy Speaker:** Mr. Tabuns would like the bill referred to the standing committee on regulations and private bills. Agreed? Agreed.

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

*The House recessed from 1201 to 1330.*

MINISTER'S COMMENTS

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** On a point of order, Mr. Speaker: I wish to clarify remarks I made yesterday in response to a question from the member from Parry Sound–Muskoka. I made comments around the events of the native occupation in September 1995. As we all know, there is currently a public inquiry underway into the circumstances surrounding those events. I join all members in this House in respecting the role of the inquiry and awaiting its findings. I regret if my comments were interpreted otherwise.

MEMBERS' STATEMENTS

WATER AND SEWER  
INFRASTRUCTURE

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I rise on behalf of John Tory and the PC caucus to once again make note of the ongoing promise-breaking and avoidance of responsibility by the McGuinty Liberals. Yesterday, a sewage report card was released by Sierra Legal which indicated that billions and billions of litres of raw sewage are being poured into our Great Lakes. Those are disgraceful numbers, but what's even worse is that the Minister of the Environment has had in her hands for over 15 months her own government-commissioned Watertight report. That report outlines the aging infrastructure deficits for water and waste water that are in desperate need of repair. The Minister of the Environ-

ment hasn't once had the courage to step forward, and refuses to address the aging water and waste water infrastructure in Ontario. Yesterday, in the House, the minister indicated the location of her riding by saying, "I look at that lake every single day." The minister thinks it's okay to simply look at the lake while at the same time allowing billions of litres of raw sewage to be poured into it.

The member from Perth–Middlesex had made a point of commenting on other members who have missed votes. So let's address that. I think it's particularly important to note that this member from Perth–Middlesex did not bother to show up for the vote on the resolution on November 16 regarding the Green Lane landfill site purchased by the city of Toronto. This is—

**The Deputy Speaker (Mr. Bruce Crozier):** The member knows full well that you don't refer to the absence of other members. So please refrain from it.

**Ms. Scott:** I was responding to a similar point that the member from Perth–Middlesex had made earlier in the week.

But let's go back to the member from Perth–Middlesex, with the now-famous broken promise for waste diversion: "We have an amazing plan." I think it's time for the Liberals to stop being paper environmentalists and saying anything to get elected.

HOLLY MICUDA

**Mr. Kevin Daniel Flynn (Oakville):** I rise today to recognize a very important person. Her name is Holly Micuda. She's an 11-year-old Oakville elementary school student. I'm rising to recognize her for her outstanding contributions in support of Canadian amateur athletes. I recently had the privilege of visiting Holly's school with Adam van Koeberden, two-time Olympic gold medalist from the 2004 Olympic games in Athens, who, I might also add, is from my riding of Oakville. It's my great pleasure today to welcome Holly to the Legislature along with her father, Tony. Please join me in welcoming them; they're in the members' gallery.

This remarkable young girl has taken action and set the ambitious goal of selling 500,000 Canadian Athletes Now bracelets in support of our athletes. Holly has already sold 18,000 bracelets, with all proceeds going to Canadian Athletes Now. She is a great role model for us all and especially our youth. In support of Holly, I've purchased a bracelet for each member of this Legislature; many of you will have them. I would invite members to proudly wear them and promote this great initiative in their own ridings. Donations can be made to, and additional information is available on, the Canadian Athletes Now website at [www.Canadianathletesnow.ca](http://www.Canadianathletesnow.ca).

MINIMUM WAGE

**Ms. Cheri DiNovo (Parkdale–High Park):** I rise in the House today for the 1.2 million Ontarians who earn under \$10 an hour and the approximately 200,000 who

earn minimum wage, two thirds of them women. Many of those women have children, children who often need to use food banks. There are 13,500 children who use food banks in the GTA alone. We know that a third of those children have parents who work.

In 1989, all parties agreed in the House of Commons to eradicate child poverty by the year 2000, and yet one in six of our children are currently impoverished. We know one of the best weapons against poverty is a living wage. Ten dollars an hour is the poverty line. Anything less than that is unacceptable in a jurisdiction as wealthy as Ontario.

We in the New Democratic Party are not calling for a raise in the minimum wage so much as asking for back wages owed to our poorest citizens. In 1972, the minimum wage was \$2 an hour. Using the Bank of Canada inflation calculator, that would be just under \$10 an hour today. I ask that my bill for a living wage be brought back for third reading and passed as soon as possible.

In this season when we are called to be generous and gift our children, let us call upon this government to be generous and gift its children.

#### ENERGY POLICIES

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):**

The energy sector in this province has a problem. From one day to the next, they can't figure out where this Liberal government stands on energy in the province of Ontario.

Dalton McGuinty and the Liberals promised they would shut down all coal-fired generation by 2007, come hell or high water, and they promised that they would replace it with one of the key components of that replacement power, being wind. So what did they do? They lured investors into Ontario with promises of lots of wind development going to be going on in Ontario, which would obviously be advantageous to them from a financial point of view.

What do we find out now? A few weeks ago, they told those people, "If you're planning to build wind, the opportunity to build wind is over. If you're planning to connect between Tobermory and Lake Huron down to Longwood and Lake Erie, we're reserving those lines because they're full for other forms of generation." Now we find out that they've put a moratorium on wind development on water. So many wind projects are now either delayed or outright dead. How can they be taken seriously when their policy changes like the wind?

With regard to coal-fired plants, with the incoherent policy they have we don't know when they'll stop operating, but we do know that as long as they do, they will burn much dirtier than they would have under the Progressive Conservative government. Shame.

#### ONTARIO ECONOMY

**Mr. Vic Dhillon (Brampton West–Mississauga):** I rise today to speak about the McGuinty government's

efforts to ensure that Ontario can succeed in the new economy.

In the three years we've been in office, we've leveraged over \$7 billion in new auto investment, which is creating 7,000 new jobs; introduced a \$500-million advanced manufacturing investment strategy to help manufacturers develop cutting-edge technologies; and made a record \$6.2-billion investment in post-secondary education. We have also invested in research and researchers at our universities, and we're helping Ontarians bring new technologies to market. The Premier has led a trade mission to China and will lead another one to India and Pakistan in the new year, because we understand that developing business opportunities with the fastest-growing economies in the world can only be good for business.

While we're doing all this, Peter Kormos and the NDP showed us last week that they're still stuck in the past. While we work to build on relationships that are worth over \$1.2 billion in two-way trade each year, they speak disparagingly of "junkets." It just goes to show that Mr. Kormos and his friends didn't learn any lessons from their time in office. They made all the wrong decisions then, and they can't support the right choices now. While we on this side of the House are working hard to make sure that Ontario can thrive in the new economy, the NDP is stuck in their tired and failed policies of the past.

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#### CONSIDERATION OF BILL 107

**Mr. Robert W. Runciman (Leeds–Grenville):** If there was any doubt left that the government made the wrong decision to shut down public hearings on Bill 107 and stifle hundreds of groups from presenting their views, it vanished yesterday as the Liberal members on the committee were so disorganized that they feel asleep at the switch and mistakenly deleted a section of their own bill.

This mismanagement and lack of integrity that the government has shown with respect to Bill 107 has been nothing short of extraordinary. The Attorney General claimed that he was prepared to debate this bill "for however long it takes," and then he not only cut off public hearings, he introduced 60 amendments and had them discussed in just one day of clause-by-clause consideration, about half of which were passed without debate due to the guillotine time-allocation motion.

The Premier stood up in this House on Monday and claimed that his government had listened to groups like AODA and the African Canadian Legal Clinic. Those two groups have repeatedly expressed their dismay at the Attorney General's refusal to consult. In fact, we have a letter from the executive director of the ACLC, Margaret Parsons, stating, "The African Canadian Legal Clinic has not been consulted at any time by the Attorney General."

In the words of Keith Norton, the former chair of the Human Rights Commission, this is quasi-constitutional legislation, yet this government is so arrogant that it has

no problem cutting off debate and muzzling people. The irony that the government deleted one section of the bill indicates their mismanagement from the start. They couldn't organize a one-car funeral.

#### WHITE RIBBON CAMPAIGN

**Mr. Dave Levac (Brant):** Violence against women is one of the most serious human rights violations on this planet, and the White Ribbon Campaign is the largest effort in the world by men working to end men's violence against women. The campaign was started by men in Canada in 1991, on the second anniversary of the December 6 Montreal massacre, and has now spread to over 50 countries around the world. Each year, between November 25, the United Nations International Day for the Elimination of Violence Against Women, and December 6 we wear the white ribbon as a symbol of our commitment to never commit, condone or remain silent about violence against women.

We have all heard about the horror stories of the violence perpetrated by men against women and we are all sickened by them. I have spoken before in this House about the need for all of us to stop violence against women. I have spoken before in this House about the need to educate men, young men and boys that violence against women in any form is absolutely wrong.

The organizers of the white ribbon campaign say this: "While most men may never condone or use violence against women, we believe that all men have a responsibility in ending it." I agree with them and I know all men in this place do too.

I've also had the opportunity and pleasure of joining the mayor's task force in Brantford in our drive to eliminate violence against women. I encourage us all to sign a campaign commitment that I will be circulating in the House in the near future.

#### EDUCATION

**Mrs. Carol Mitchell (Huron-Bruce):** In the month of October, I took the opportunity to visit two of the many schools in the riding of Huron-Bruce. This is an annual tradition that I started upon taking office. I must say that every year that the McGuinty government has been in control of the education system, the improvements are so visible, not only to the people coming in but to the students, teachers and parents. Everyone is so grateful.

This year, I visited with students in Mount Carmel and Lucknow and had the opportunity to see at first hand how the education system is serving those we cater to: the students. Thanks to a \$545-million investment in smaller class sizes, once again they are shrinking, as promised. Since taking office, our government has also funded a total of 3,600 new teachers in the province to help further reduce class sizes. We are on track to implementing a cap of 20 students per classroom in the primary grades.

In addition to adhering to our promise to reduce class sizes, we have also begun to improve overall education standards. In 2004-05, 62% of elementary students were meeting the standards in reading, writing and math. This is up from only 54% of elementary students.

I could go on and on about all the ways the McGuinty government is improving education from what it was, the tattered system with the previous government.

#### ENERGY POLICIES

**Ms. Jennifer F. Mossop (Stoney Creek):** I rise today to highlight some of our achievements in the McGuinty government in energy production.

The negative effects of pollution on our environment are undeniable. As a Liberal government, we not only understand that but we are working very, very hard to do a lot about it.

Under this government, Ontario has gone from worst to first in wind power generation. We are now the national leader, having gone from 15 megawatts of generation to a whopping 414 megawatts, thanks to Premier McGuinty's leadership in this area.

Unfortunately, the New Democrats and the Tories failed us when they were in power. The New Democrats failed us by slashing conservation programs and cancelling the Manitoba Hydro deal. The Tories failed us on renewables, on hydro costs and on reliability.

There are many figures being bandied about. We're hearing all sorts of numbers and all the rest, but many of them are not accurate, and we need to be accurate when we're talking about this. Let's look at the facts: The facts are that the monthly average price for electricity in October 2003, when this government first took office, was 5.9 cents per kilowatt hour. The average price in October 2006—just last month—was 4.02 cents, a decline of 32%.

The facts are that the McGuinty government has worked hard to ensure Ontario's energy needs are met at an affordable price with a focus on renewables and conservation. That means sustainability. We are proud to be managing electricity generation responsibly and effectively so that we will have it long into the future.

#### VISITORS

**Mr. Mario G. Racco (Thornhill):** On a point of order, Speaker: I would like to welcome to this honourable House from my riding of Thornhill the grade 5 class from E.J. Sands Public School with their teacher, Mark Molder, and a number of parents and other teachers. Welcome.

**Mr. Norm Miller (Parry Sound-Muskoka):** Mr. Speaker, I have two points of order I'd like to do. First of all, I'd like to welcome to the Legislature former MPP for Sudbury Mr. Jim Gordon, who's here with his wife, Donna, today in the west members' gallery. They are visiting their grandson, Connor Boyce, who's here as a page at the Legislature.

For my second point of order, I'd like to welcome Peter Marshall and the environmental class from George Brown College, who are in the east visitors' gallery. They're here visiting Queen's Park this afternoon.

**The Deputy Speaker:** I declare the motion carried. Pursuant to the order of the House dated Tuesday, November 21, 2006, the bill is ordered for third reading.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON JUSTICE POLICY

**Mr. Vic Dhillon (Brampton West–Mississauga):** I beg leave to present a report from the standing committee on justice policy and move its adoption.

**The Acting Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bill, as amended:

Bill 107, An Act to amend the Human Rights Code / Projet de loi 107, Loi modifiant le Code des droits de la personne.

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the report be received and adopted?

All those in favour, say "aye."

All opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1348 to 1358.*

**The Deputy Speaker:** Mr. Dhillon has moved adoption of a report from the standing committee on justice policy.

All those in favour, please stand one at a time and be recognized by the Clerk.

#### Ayes

Balkissoon, Bas	Fonseca, Peter	Phillips, Gerry
Bentley, Christopher	Gerretsen, John	Pupatello, Sandra
Bradley, James J.	Jeffrey, Linda	Qaadri, Shafiq
Brotan, Laurel C.	Kular, Kuldip	Racco, Mario G.
Bryant, Michael	Levac, Dave	Ramal, Khalil
Cansfield, Donna H.	Marsales, Judy	Ramsay, David
Caplan, David	Matthews, Deborah	Rinaldi, Lou
Chambers, Mary Anne V.	McNeely, Phil	Sandals, Liz
Colle, Mike	Meilleur, Madeleine	Sergio, Mario
Delaney, Bob	Milloy, John	Smith, Monique
Dhillon, Vic	Mitchell, Carol	Van Bommel, Maria
Dombrowsky, Leona	Mossop, Jennifer F.	Watson, Jim
Duguid, Brad	Peters, Steve	Wynne, Kathleen O.
Flynn, Kevin Daniel	Peterson, Tim	Zimmer, David

**The Deputy Speaker:** All those opposed, please stand one at a time and be recognized by the Clerk.

#### Nays

Arnott, Ted	Kormos, Peter	Scott, Laurie
Chudleigh, Ted	MacLeod, Lisa	Sterling, Norman W.
DiNovo, Cheri	Martel, Shelley	Tabuns, Peter
Dunlop, Garfield	Miller, Norm	Tory, John
Hardeman, Ernie	Munro, Julia	Wilson, Jim
Horwath, Andrea	Prue, Michael	Yakabuski, John
Klees, Frank	Runciman, Robert W.	

**The Deputy Clerk (Ms. Deborah Deller):** The ayes are 42; the nays are 20.

## INTRODUCTION OF BILLS

### PROVINCIAL ADVOCATE FOR CHILDREN AND YOUTH ACT, 2006 LOI DE 2006 SUR L'INTERVENANT PROVINCIAL EN FAVEUR DES ENFANTS ET DES JEUNES

Mrs. Chambers moved first reading of the following bill:

Bill 165, An Act to establish and provide for the office of the Provincial Advocate for Children and Youth / Projet de loi 165, Loi visant à créer la charge d'intervenant provincial en faveur des enfants et des jeunes et à y pourvoir.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Does the minister have a statement?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'd like to make my statement in ministerial statements, Speaker.

### OWEN EISSES ACT (WRONG-WAY SIGNS AND LIGHTS ON CONTROLLED- ACCESS HIGHWAYS), 2006

### LOI OWEN EISSES DE 2006 SUR LES PANNEAUX ET LES FEUX QUI INDIQUENT UNE MAUVAISE DIRECTION SUR LES ROUTES À ACCÈS LIMITÉ

Mr. Wilson moved first reading of the following bill:

Bill 166, An Act to amend the Highway Traffic Act with respect to wrong-way signs and lights on controlled-access highways / Projet de loi 166, Loi modifiant le Code de la route à l'égard des panneaux et des feux indiquant une mauvaise direction sur les routes à accès limité.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Does the member wish to make a statement?

**Mr. Jim Wilson (Simcoe–Grey):** The bill amends the Highway Traffic Act to require the Minister of Transportation to install signs and flashing red lights on every ramp leading to or from 400 series highways in the province if the ramp is designated for one-way traffic. The signs and lights will indicate to drivers whether they are driving the wrong way on the ramp. In addition, the Minister of Transportation is required to install large red-and-white wrong-way signs on these highways, warning drivers that they are going the wrong way on the highway. Similar signage is currently in place in Nova Scotia and British Columbia. There have been 259 incidences

reported by the OPP in the last six months alone in the GTA and in the central region of drivers going the wrong way on these highways.

The bill is named after Owen Eisses, now two years old. When he was seven months old, he and his mother survived being hit by a wrong-way driver on Highway 400 just near Barrie. Unfortunately, the man who hit them died in that accident.

LEGISLATIVE ASSEMBLY  
AMENDMENT ACT (SALARY IN LIEU  
OF RETIREMENT CREDIT), 2006  
LOI DE 2006 MODIFIANT LA LOI SUR  
L'ASSEMBLÉE LÉGISLATIVE  
(TRAITEMENT TENANT LIEU DE DROIT  
À RETRAITE)

Mr. Runciman moved first reading of the following bill:

Bill 167, An Act to amend the Legislative Assembly Act with respect to salaries in lieu of retirement credits /  
Projet de loi 167, Loi modifiant la Loi sur l'Assemblée législative en ce qui concerne le traitement tenant lieu de droit à retraite.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

Does the member wish to make a statement?

**Mr. Robert W. Runciman (Leeds–Grenville):** I regret to inform members that this doesn't cover what they hope it covers. This is actually a reintroduction of legislation that has been altered on the advice of the Speaker. What it does is amend the Legislative Assembly Act to remove age discrimination against older members of the assembly. There are members on both sides of the aisle who are impacted by the current wording of the act, and hopefully we'll have the support of all three parties to address this situation.

**STATEMENTS BY THE MINISTRY  
AND RESPONSES**

CHILD ADVOCATE

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** Today, our government is taking a very significant step forward to provide better protection for vulnerable children and youth. I am pleased to announce the introduction of legislation to make the province's child and youth advocate an independent officer of the Legislature. In moving forward with this change, we are fulfilling a promise this government made on behalf of our most vulnerable children and youth to better protect their interests.

While in opposition, we announced we would pass a law that would have an independent child and youth advocate report to the Legislative Assembly. We said the appointment would take place through an all-party legislative committee. And we said we could make the advocate as independent as the Auditor General and the Ombudsman.

This legislation would meet that commitment. When it comes to the rights of our children, there is no room for political interference. If passed, this legislation would ensure that no government, current or future, could attempt to suppress the voice of the child advocate, because if the advocate's voice is not heard, we run the risk of letting down our most vulnerable kids.

The child advocate represents children and youth who are seeking or receiving services under the Child and Family Services Act. Those services could be in the youth justice system, in the children's mental health or complex special needs systems, in the child protection and well-being system, or in provincial and demonstration schools for the deaf and blind. The advocate's office also reviews cases that involve complaints about the treatment or care of a child or youth in a program funded by the Ontario government.

Every year, the advocate's office receives more than 3,000 calls. The majority of calls have been about standards of practice in residential care, violence between peers, children living at home with special needs and aboriginal child protection. Simply put, the advocate speaks for children and youth who are unable to bring their issues forward on their own behalf.

I would like to take this opportunity to recognize Judy Finlay, who is in the east gallery. For more than 15 years, Judy Finlay has served with the utmost compassion and integrity as Ontario's chief advocate for children and youth. I have had the privilege of working closely with Ms. Finlay as Minister of Children and Youth Services. She has helped me to acquire a more profound and more personalized understanding of the substantial challenges that some of Ontario's children and youth face in their day-to-day lives. I would also like to recognize Les Horne, Ontario's first provincial child advocate and the current executive director for Defence for Children International-Canada. We also have youth and Voices for Children here.

**1410**

We anticipate that the independent child advocate would issue annual reports and special reports, as necessary, championing the systemic and perhaps individual concerns of children and youth who might otherwise not be heard.

There are members of this Legislature of all political persuasions who have at one point or another expressed support for our government's commitment to the establishment of an independent child advocate. So I am looking forward to all-party support of this legislation. If the legislation we're introducing today is passed, Ontario will have an independent watchdog looking out for the province's children and youth.

By making the advocate truly independent, we will be giving children and youth the strong voice that they deserve. Establishing an independent advocate will serve not only to further protect the rights of our young people, but will also give them a right to be heard.

This is an exceptional opportunity for this Legislature to demonstrate its support for Ontario's most vulnerable children and youth.

## WORLD AIDS DAY JOURNÉE MONDIALE DU SIDA

**Hon. Jim Watson (Minister of Health Promotion):** I rise in the House today to draw attention to World AIDS Day tomorrow, December 1, which also marks the end of National AIDS Awareness Week. At this time, I'd like to ask for unanimous consent for all members to wear the red ribbon in the assembly today to commemorate this important date of awareness.

**The Deputy Speaker (Mr. Bruce Crozier):** The minister asks for unanimous consent for the wearing of the red ribbon. Agreed? Agreed.

**Hon. Mr. Watson:** World AIDS Day gives us reason to pause to reflect on the HIV/AIDS pandemic. World AIDS Day reminds us of suffering left in the wake of this pandemic that respects no borders and continues to exact an enormous toll on the people of the world. We know that 39.5 million people worldwide are infected by HIV/AIDS, more than the entire population of Canada.

In Ontario, more than 24,000 people are living with HIV/AIDS. Of that number, some 28% are women, a number that has doubled since 1999. As well, there's been a 106% increase in HIV diagnosis in Ontarians from African and Caribbean countries, a 42% increase in HIV for gay and bisexual men, and a 29% increase in HIV for IV drug users.

World AIDS Day is a time to recognize the courage of, and affirm our support for, people living with HIV/AIDS, their families, their caregivers and their communities.

Aujourd'hui, nous manifestons notre respect et notre admiration aux professionnels de la santé qui font face à cette crise avec passion et compassion. La communauté des intervenants ontarienne en matière de VIH/SIDA a accompli un travail extraordinaire dans la lutte contre cette pandémie.

This was deeply demonstrated this past summer when we hosted the 16th International AIDS Conference, the largest of its kind in Canada. It was an event of enormous pride for Toronto, for Ontario and for Canada.

It was a landmark conference. It merged medical science, human compassion and social tolerance on an unprecedented scale. More than 15,000 delegates—including scientists, health care providers, researchers, activists, UN workers, community, business and political leaders, global media reporters and people living with HIV/AIDS—gathered right here in Toronto. We owe thanks to the conference organizers, including the International AIDS Society, and the Toronto local host.

I'm proud that our government provided \$3 million to support this international event as well as the establishment of a scholarship program.

Knowledge and discovery across the disciplines flowered in scores of presentations by pioneering minds. It became clear that strong, compelling scientific information from strong, knowledgeable voices can indeed motivate nations, corporations, and international organizations to do more and to do it better.

I commend the researchers who worked so hard to find new treatments for people living with HIV/AIDS. They're the people who transform raw information into coherent research and then transform research into action.

I commend the activists and the educators who share knowledge. It's knowledge that leads to prevention. It's knowledge that's shared and used to improve care, treatment and prevention services. And it's knowledge that defeats ignorance, our most pressing enemy.

In remembering those who live with HIV/AIDS, we must not forget that thousands of HIV-positive Ontarians also experience HIV/AIDS-based stigma and discrimination. Stigma is a major obstacle to effective HIV/AIDS prevention and care. Fear of discrimination prevents people from seeking HIV testing and treatment or from acknowledging their HIV status publicly. It drives them underground and it furthers the spread of this deadly pandemic.

Now is the time to reflect on our own strategies to prevent HIV/AIDS and care for people here in Ontario. This year, our government will be spending roughly \$55 million for HIV/AIDS-related programs, and that does not include physician billings to OHIP or HIV/AIDS drugs.

In my community of Ottawa, for example, our government provides \$1.5 million to fund eight community-based organizations that provide HIV/AIDS prevention services as well as treatment and housing services for people living with AIDS. They include the AIDS Committee of Ottawa, Bruce House, the Oasis program at the Sandy Hill Community Centre, Ottawa Health Research Institute, Ottawa Public Health, Pink Triangle Services, Somerset West Community Health Centre and the Youth Services Bureau of Ottawa. We are very proud, in Ottawa, of these groups and the compassionate work that they do day in and day out to help support those individuals and their families living with HIV/AIDS.

As legislators, we can be rightly proud of what the government has achieved. But we must remain diligent. We must support education that makes society more fully understand the nature, destructive capacity and preventability of HIV/AIDS. After all, we will be judged by our actions in response to this human tragedy. I want the record to show that in Ontario we did, forcefully, compassionately, decisively. That is our plan. We'll continue to partner with more than 80 HIV/AIDS organizations in this province, including the Ontario Advisory Committee on HIV/AIDS.

We'll continue to strive for new prevention strategies addressing high-risk groups across Ontario, and we'll

reach out to undiagnosed individuals, at least 8,000 people in Ontario who don't know that they're infected, with prevention efforts in high-risk communities. We're expanding the number of anonymous HIV-testing sites across the province.

We'll continue to support those living with HIV/AIDS and we'll unceasingly promote education to people at high risk. We'll continue to fund the AIDS hotline that provides telephone information, counselling and referral to local community agencies. We'll fight stigma and discrimination. We'll innovate in our quest for treatments. We'll ensure treatments are accessible to those who need them.

Nous poursuivrons notre quête de connaissance et continuerons à appuyer la recherche. Nous continuerons à financer le Réseau ontarien de traitement du VIH/SIDA, un organisme indépendant regroupant de multiples intervenants et créé dans le but de soutenir la recherche spécialisée dans le domaine du VIH/SIDA.

We'll share our findings and our knowledge with the world until the world no longer needs a World Aids Day. Merci beaucoup.

**The Deputy Speaker:** Statements by ministries? Responses?

#### CHILD ADVOCATE

**Ms. Lisa MacLeod (Nepean–Carleton):** I'm proud today to stand to respond to the Minister of Children and Youth Services on behalf of the Progressive Conservative Party.

We in the Progressive Conservative Party are very proud of our progressive past in being the first to introduce legislation and a child advocate in this province, under the premiership of Bill Davis. Les Thorne is with us today; he was our first child advocate. I'd like to welcome him—I guess he's just stepped away.

1420

We also have with us today Judy Finlay, who I understand has taken some 3,000 calls this year on behalf of children, and Agnes Samler and Matthew Geigen-Miller, who have been tireless advocates and who have met with me, and I know with other members of this Legislature. You deserve an awful lot of credit, too, as great advocates for children in this province.

In 2003, this Liberal government promised an independent children's advocate. Twenty months ago, one year and a half ago, the former Minister of Children and Youth made a promise, and I quote, "The McGuinty government will introduce legislation this spring."

Now today, three years after they made the first promise and 20 months after the second, we see before us legislation that, I won't kid you, may never see royal assent based on the time frame. But interestingly enough, the announcement comes the same day when the CBC is reporting a leaked copy of the Auditor General's report detailing improper spending at children's aid societies across Ontario.

Never has the need been greater to advocate on behalf of Ontario's most vulnerable children. Today, I was saddened and disappointed to learn that several executives with children's aid societies across this province were given vehicles, including two SUVs worth over \$50,000 apiece. Sources with residential treatment centres indicate to me that \$50,000 would go a long way in the treatment of one troubled youth in a year. We also learned in this CBC report that one third of cases reviewed revealed that initial visits to Ontario's at-risk children were delayed by, on average, three weeks. Someone must protect these children, and it is clear not enough is being done today.

On behalf of John Tory and the Progressive Conservative caucus, I want to assure Ontarians that we will take this legislation very seriously. We will study it, we will consult on it, and we will make sure this government gets it right. We will be there every step of the way to ensure funding to children and youth has the appropriate oversights so never again will we have to learn that children's aid societies have traded kids for cars.

We will be there every step of the way to ensure that we are measuring the effectiveness of programs for our children and youth, so that we are not just blindly throwing money at a problem, hoping it will go away. No, we will be there every step of the way to ensure that our kids come first so that never again will we learn that money meant for our most vulnerable children in this province is being spent on junkets for staff to the Caribbean and China.

I assure you the PC Party will be active participants in this legislation on behalf of Ontario's children.

#### WORLD AIDS DAY

**Mr. Norman W. Sterling (Lanark–Carleton):** I'd like to make a brief comment with regard to World AIDS Day and the Minister of Health Promotion.

First of all, I'd like to acknowledge the work that was done and has been done by Stephen Lewis, a former leader of the New Democratic Party in this Legislature, on behalf of many, many, many victims of AIDS, particularly in Africa. I acknowledge his frustration with the problem, but I urge him to keep working in the way he has in the past on behalf of these defenceless children.

Secondly, I would say to the Minister of Health Promotion, in the most constructive way possible, that he and his ministry should put a great deal more emphasis on fighting this particular matter. On his website there is no mention of HIV or AIDS. There's no information about preventing HIV or AIDS.

On our MPP guide to the Ministry of Health Promotion, there is only mention of this particular noting of World AIDS Day.

I believe this problem is much, much more important than some of the other issues perhaps his ministry has been paying attention to. So I urge him, in the most constructive way: Let's get on with fighting this as we have

fought perhaps smoking in Ontario. I believe that this is probably a more urgent and more important problem.

#### CHILD ADVOCATE

**Ms. Andrea Horwath (Hamilton East):** In response to the minister responsible for children and youth services, I have to say that New Democrats not only support the idea of an independent child advocate, but in fact have been pushing this government to keep its promise year after year in this very Legislature. Whether it was the initial promise just before the election that was made by Dalton McGuinty, whether it was the promise that came from the then minister, Marie Bountrogianni, back in March 2005, regardless, at every single chance we got, we were getting up and trying to convince this government that now is the time. Unfortunately, they didn't see, three years ago, that now is the time, but today they've seen that perhaps it is finally time.

It's interesting that this comes at a time when, yet again, the public is concerned about what's happening with our children's aid societies in Ontario. I have to say that while the government has diddled and wasted time on this particular issue, children have suffered in this province needlessly. And today we hear from a leaked Auditor General's report that in fact there is perhaps financial wrongdoing at a couple of children's aid societies in Ontario. This is unnecessary. Had the government brought this legislation forward earlier, things like this may have been headed off. In fact, had the government done what we expect them to do, which is to bring companion legislation into place that creates an independent oversight of the children's aid societies by the Ombudsman, like the bill that I introduced into this Legislature, we would see true oversight of children's aid societies, which is what we need in this province.

I have to tell you I was shocked, when I took some time to look at this compendium that came with the bill on my blotter today, to see that the provincial advocate would not have formal investigatory powers and would not be able to summon and enforce the attendance of witnesses, compel testimony under oath or compel the production of documents or evidence.

This government is hamstringing the very advocate they are saying they need and want in this province to look after the interests of children. Shame on you.

I look forward to the legislative agenda as this bill goes through the process and New Democrats can look through the details of what else might be in this bill that might be a surprise to people who think that the government is fulfilling a promise. I can tell you, they are not fulfilling it to the degree that we think they need to. So we too will be there. We'll be there through committee hearings, we'll be there through clause-by-clause, and we will be making sure that the government of Ontario finally does the right thing by the children of Ontario.

Today is a sad day, because the government not only took this long to get here, but it is doing so in a way that

does not give the child advocate the tools that he or she is going to need to do the job for the children of Ontario. That's what New Democrats have to say.

#### WORLD AIDS DAY

**Ms. Shelley Martel (Nickel Belt):** Tomorrow, December 1, is World AIDS Day. We in Ontario need to acknowledge the grim reality that there are 24,250 people who are now living in Ontario with HIV, 32,037 people in Ontario have been infected with HIV, and 8,267 Ontarians have died. We are all touched by AIDS; no one is immune. We need to respond effectively and aggressively every day.

There are three points that I want to make about what the government can do.

The quality of care for AIDS patients varies greatly. In northern Ontario, for example, people have to travel a long distance to access medical care, to access specialized care, and to receive emotional support. The northern health travel grant is not flexible enough to allow these patients to have these needs met, and it needs to be. Changes have to come with respect to the travel grant.

With respect to the ODSP process and income, many people who live with HIV/AIDS depend entirely on ODSP for their income support. That's why on September 11, 2005, the Ontario AIDS Network passed a resolution calling on the government to do the following: "To promote a raise in the monthly income of recipients to a level that reflects the real cost of living, including all the basic necessities of life and shelter costs." This government is sadly failing in this regard. In May 2006, the Report of the Task Force on Modernizing Income Security for Working-Age Adults said, "Since 1995, ODSP benefits have eroded from inflation by roughly 22% ... the benefits are still less than federal benefits for seniors who have no other resources." In fact, even with the increase in ODSP in the March budget, once inflation is taken into account, ODSP recipients are worse off now under the McGuinty Liberals than they were under the Harris-Eves government, and that is a shame.

Finally, with respect to Bill 107 hearings, it's interesting that the Ontario AIDS Network requested standing at the Bill 107 hearings before July 10, 2006. I don't know if they were in favour or if they were opposed; neither does anybody else, because these hearings were shut down, were choked off, and groups like this one, like the Ontario AIDS Network, never even had a chance to have their say. Shame on this government for choking off that committee.

#### CORRECTION OF RECORD

**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** On a point of order, Mr. Speaker: I'd like to draw your attention, and that of the table, to page 6554 of Hansard from yesterday. In response to a question from Mr. Tabuns, I believe I'm recorded as saying, "In the Ontario

small town and rural program: over a period of time, over \$3 million.” In fact, that should read “\$300 million.” I’d like to correct my record, Speaker.

1430

#### VISITOR

**Mr. Peter Fonseca (Mississauga East):** On a point of order, Mr. Speaker: As a former Olympian, I’d like to acknowledge and thank Holly Micuda, who is in the east gallery, for helping our Canadian athletes. Holly sold 18,000 wristbands to raise money for our Canadian athletes. Thank you, Holly.

### ORAL QUESTIONS

#### CHILDREN’S AID SOCIETIES

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Children and Youth Services. Today, the CBC is reporting there’s been a leak of the section of the Auditor General’s upcoming annual report dealing with the children’s aid societies. The stories claim that more than \$1 billion of taxpayers’ money is spent each year by the children’s aid societies without any oversight at all by the government. The story goes on to claim, in the extract from the report, that instead of going to children, this money is being spent on luxury cars and expensive trips—and there are a lot of details on that. This is hard-earned taxpayers’ money that is supposed to be going to help children, but instead it seems that it’s being spent on cars and trips.

What does the minister have to say to the children, to the foster parents, to the people who work in that field who are short of resources and to the taxpayers about this gross mismanagement taking place on her watch?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** The first thing I’d like to say is that I’m very proud to be the member of a government that saw fit to expand the powers of the Auditor General to enable the Auditor General to look into the books and the operations of children’s aid societies so that we can ensure that children in need of protection are, in fact, better off because we are involved their lives.

**Mr. Tory:** I would suggest that the minister and the government don’t have very much to be proud of when we hear that thousands and thousands of taxpayers’ dollars are going to provide luxury cars, trips and things like that instead of going to the children who need it. That’s nothing to be proud of.

My question is this: We have reports of several CAS executives getting \$50,000 SUVs. That is thousands of dollars more than deputy ministers get for their car allowances. Another one had a car and got a \$600-a-month car allowance.

If the oversight the minister claims is there, that you’re taking so much credit for, will she tell us, were you per-

sonally briefed on a quarterly basis, as I believe is the case, on the reports the children’s aid societies submit to your ministry, and when did you become aware of these extravagant expenditures of taxpayers’ monies going to cars and trips instead of kids? When did you know about it?

**Hon. Mrs. Chambers:** First of all, I will not comment on a report that has not yet been released by an officer of this Legislature. You should know, as Leader of the Opposition—in fact, as a trained lawyer—that I could be accused, and you would be the first person to accuse me, of being in contempt of the Legislature if I pre-empted the Auditor General in releasing a report. So I would suggest to you that I’d be happy to take your questions next week.

**Mr. Tory:** What I know, as a member of the Legislature, is that you have had the allegations contained in this section of his report for months, because you had an opportunity to respond to it, and we’ll see that when his report comes out on Tuesday.

So my question was, when did you first know about these allegations of spending money on trips to the Caribbean, expensive luxury cars and car allowances for people who already had a car, instead of that money going to the children? When did you know about that? And what I want to know further—beyond your knowing about trips to the Caribbean and Buenos Aires, and gym memberships—is what did you do about it the minute you found out, not waiting around behind some excuse of a report that hasn’t come out yet? You know about these allegations; what did you do about them?

**Hon. Mrs. Chambers:** Let me tell you some of what I know. The auditor’s reports in 1997, 1999, 2000 and 2002—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order.

**Hon. Mrs. Chambers:** —raised concerns about children’s aid societies. What happened? His government—their government—would not allow the auditor access to those books. Our government has given the auditor the opportunity to access that information so that we can—

**The Deputy Speaker:** Thank you. New question.

**Mr. Tory:** My question is to the Minister of Children and Youth Services. Children’s aid societies today are responsible for \$1 billion of the taxpayers’ money. Your government keeps track of the number of eggs laid by chickens on farms each year and reports that to the public. You keep track of the number of bears killed by municipal agents and the number of phone calls that come to the bear hotline. All I asked you today is, when did you find out about the allegations that took place not on the watch of some previous government but on your watch, the watch of the McGuinty Liberal government, when money was being spent on luxury cars, money was being spent on trips to the Caribbean and on gym memberships instead of being spent on vulnerable kids in this province? So let me try again: When did you first learn of these allegations and, even more importantly, what did you do about it? What specific actions did you take to stop this gross mismanagement of the taxpayers’ money?

**Hon. Mrs. Chambers:** I really have to tell you, I take exception to vulnerable children and youth being compared to eggs and bears. But then again, that's the history—

*Interjections.*

**The Deputy Speaker:** Order. I warn both sides that it's difficult to hear the questions and the replies. I would like your co-operation in that respect. Minister?

**Hon. Mrs. Chambers:** So once again, let me remind you—

*Interjection.*

**The Deputy Speaker:** Member for Erie–Lincoln.

**Hon. Mrs. Chambers:** Let me remind you of your record. It's interesting that our government is introducing legislation for the independence of the child advocate. Do you know what their government did, Speaker? They actually muzzled the advocate. There is a lot, perhaps, that they could have done during their two terms in government that we are doing now and will continue to do.

**Mr. Tory:** I'll just keep trying here, because what we're talking about is money that was spent on your watch during the last year, the term of the McGuinty government, or the last couple of years—allegations that were brought to your attention months ago. We want to know, first of all, when were they brought to your attention, and, even more importantly, what did you do about it? What we have here is money that is being spent on trips to the Caribbean and gym memberships instead of on winter coats or other help for children. That's what we have. And all you can get up and do is talk about anything except your responsibility for that money as the minister in charge.

Stand up in your place and tell us. All we want to know is when you found out and what you did about it. If the answer is, "Nothing," fine; tell us it's nothing. But don't keep trying to evade the responsibility.

**Hon. Mrs. Chambers:** Let's talk a little bit about evading responsibility. Today is actually an exciting day for other reasons, such as the proclamation of Bill 210. And I seem to remember the struggle I had from the leader of the official opposition in passing a bill to help strengthen and protect children in the care of children's aid societies because he was more interested in following around and stalking one of my colleagues. What are we talking about?

*Interjections.*

**Hon. Mrs. Chambers:** You know exactly what I'm talking about.

I stand by our record. It is our government that is doing what needs to be done to protect the children and youth in this province.

**Mr. Tory:** The sad part is that, at the same time as all this is going on—the trips to the Caribbean, the gym memberships, the cars—

*Interjections.*

**The Deputy Speaker:** Just a minute. Minister of Economic Development and Trade, come to order.

**Mr. Tory:** The sad part is, as the trips to the Caribbean and the cars and the gym memberships are taking

place at the taxpayers' expense, the children's aid societies are failing the children they're supposed to protect. The at-risk kids, in the very same report you have, are being left unvisited for an average of three weeks longer than they should have been. Some kids never received a visit, and yet all you can do is sit here and not answer at all for what is your responsibility. It's outrageous.

One more time, I'll try. What specifically did you do, upon having these misexpenditures of public money brought to your attention, to make sure that the vulnerable kids were getting the money—not the trips, not the cars and not the gym memberships? What have you done?

1440

**Hon. Mrs. Chambers:** The leader of the official opposition should relax, because if he thinks I am going to do anything that will demonstrate contempt of this Legislature in responding to a report that has not yet been released by an independent officer of this Legislature, to whom our government has given expanded powers so that we can better protect the interests of children and youth in this province—the auditor tried to do that when they were the government of the day. They made it absolutely impossible for the auditor to protect Ontario's children and youth. It's our government that's doing that, and we will continue to take steps like Bill 210, like the independence of the child advocate and like the expansion of the auditor's powers to ensure that we provide better protection for children and youth in this province.

**The Deputy Speaker:** New question.

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Children and Youth Services. The Auditor General has found shocking evidence of improper spending at four of the largest children's aid societies. The auditor says that under the McGuinty government, children at risk went without basic services while CAS executives spent money on high-end restaurants, jetted to the Caribbean, South America and Asia, and spent money on luxury vehicles costing more than \$50,000 each.

Minister, you're responsible for this ministry. I think you owe people across Ontario a straightforward and direct answer. When did you first learn about this situation?

**Hon. Mrs. Chambers:** The leader of the third party is also, I gather, a trained lawyer. So if he thinks that I am going to give him the opportunity to accuse me of contempt of this Legislature or if he thinks I am going to speak to a report that an independent officer of this Legislature has yet to release, he is sadly mistaken. But I look forward to responding to that report when the auditor tables the report.

**Mr. Hampton:** Minister, this is about your responsibility to vulnerable kids, some of whom were dying while these improprieties were happening. You know how the auditor's system works. They come back to your ministry officials and they give you the information. They give you this report before it's ever released to the

public so that you have a chance to respond to it. And that's the question here. Your officials would not have been kept in the dark; they would have received this information from the Auditor General's office. You would have had a chance to respond.

The question is this: When did you first learn about it and what did you do about it, other than look around for someone else to blame?

**Hon. Mrs. Chambers:** I may have served for fewer years in this Legislature than the leader of the third party has. However, I know the rules and I will abide by the rules and I will respect this Legislature. I will not show contempt of this Legislature. I look forward to receiving the report of the Auditor General, and I will also look forward to responding to that report at that time.

**Mr. Hampton:** Minister, you and the rest of the McGuinty government can choose to conduct a charade, but the report is already out there and the report—we know because some of us have been around here for a while—has been in the hands of your ministry officials. This is very serious: kids being neglected. The auditor says that children literally went weeks, months without being seen when they should have been seen. Some kids were not seen at all.

This strikes of stonewalling. It strikes of a government that wants to avoid responsibility, even though you've been the government for three and a half years.

I ask the question again for all those kids who are vulnerable, many of whom have been neglected: When did the McGuinty government learn about this, and what did you do to stop it?

**Hon. Mrs. Chambers:** Here is why the leader of the third party shouldn't really be so proud of being around this place for such a long time: In all of the time that he has been here, he did nothing. He did nothing to shine the light on what kinds of services our vulnerable children and youth are receiving in this province.

Our government, the McGuinty government, is the government that expanded the powers of the Auditor General so that the Auditor General could help us take good care of vulnerable children and youth. You have nothing to feel proud about. You have been around here for too long doing nothing. We're the ones who are acting. You're just going to have to accept that.

**The Deputy Speaker:** New question. Leader of the third party.

**Mr. Hampton:** Minister, over a year ago I asked and my colleague from Hamilton East asked that the Ombudsman of Ontario be given independent investigative oversight of children's aid societies because we were hearing from front-line CAS workers that there were serious problems. Can you tell people across Ontario why the McGuinty government refused to do anything, why you stonewalled, why you delayed the Ombudsman's request to have independent oversight so he could get at some of these issues that were being raised over a year ago?

**Hon. Mrs. Chambers:** The leader of the third party has been known to use the word "dither" in this House. In fact, I didn't know that word before he used it. So I am

really wondering if that word can also be applied to the fact that he's just telling us that for quite some time he has been hearing from front-line children's aid society workers that there were problems. What did you do about that? How responsible is it for you to be so-called "hearing" from front-line workers about problems? What did you do about it?

Let me tell you a little bit about their record. It's the NDP that cut \$3.5 million out of children's aid societies. That's what they did about it. I can't see why I should take any lessons from you.

**Mr. Hampton:** Minister, just to give you a bit of recent history, we proposed an amendment to Bill 210, which you were boasting about today. We proposed an amendment over a year ago that would have given the Ombudsman the capacity of independent investigation and oversight to get at these kinds of problems. What did you and the rest of the McGuinty government do? You voted against independent oversight. You voted against independent investigation of children's aid societies.

My question again, Minister: Can you tell us, what is the McGuinty government's justification for delay and stonewalling on this issue while vulnerable children suffer?

**Hon. Mrs. Chambers:** It's our government, the McGuinty government, that expanded the powers of the Auditor General, thereby allowing the Auditor General—I gather you didn't agree with that. I'm finding it really kind of ironic—

*Interjections.*

**The Deputy Speaker:** Member for Nickel Belt.

**Hon. Mrs. Chambers:** —that they should be speaking about the revelations that they're speculating about, when in fact we're the ones who sent the Auditor General in. They didn't want us to do that. So let's just be very, very clear about it. It is our government, the McGuinty government, that is taking steps, several steps, to better protect vulnerable children and youth in this province, and we will continue to do so.

**Mr. Hampton:** Minister, your own answers are confusing. You just said a while ago that the Auditor General, then known as the Provincial Auditor, did reports on CASs in 1997, 2000. So don't claim that suddenly you have done something wonderful while children have been suffering and some have been dying, while the McGuinty government stonewalled and delayed on these important issues.

Minister, my colleague from Hamilton East, Andrea Horwath, also put forth Bill 97, which would have given the child advocate independent authority over a year ago. You refused that as well. You stonewalled on that. The McGuinty government promised independent oversight authority by the child advocate in 2003. You promised it again in 2005. It's now a year and a half after that. I ask again: What is the excuse of the McGuinty government for stonewalling on and delaying these important changes that could have happened while vulnerable children suffered and—

**The Deputy Speaker:** The question has been asked. Minister?

**Hon. Mrs. Chambers:** I'm really very happy to hear that they're interested in establishing an independent office of the child advocate for this province because that means they're going to support the bill that I have introduced today.

But the leader of the third party also has a very selective memory. The leader makes reference to the audits that I made reference to as having been done in 1997, 1999, 2000 and 2002. What the leader of the third party has chosen to forget, and what in fact he has been discussing and accusing me of, is that the auditor could not actually access the records of the children's aid societies. It is our government—and I don't recall them being concerned about that at the time, so there is some question of the argument here on the floor of this House. Without a doubt, we are the ones who expanded the jurisdiction of the auditor so that—

**The Deputy Speaker:** Thank you, Minister. New question.

**Mr. Tory:** To the Minister of Children and Youth Services: It seems that all of us in here don't understand the rules and procedures, that you're the only one who does. So I just want to go through the procedures that are followed here, and you tell us which part we don't understand.

The auditor conducts the audits in respect of various agencies and ministries and does his work. He then sends the work to you and your ministry for you to comment on and respond to. That was what was done weeks, if not months, ago.

The question that I asked of you earlier was, when you got notice of the fact that there was scandalous misspending going on with trips, cars, gym memberships and expensive meals, did you do anything at that time? Did you phone anybody? Did you write anybody? Did you call your officials in? Or did you just do nothing?

If you don't stand up and say that you did something when you received that draft of his findings, that you at least lifted your finger to protect the children and the taxpayers' money—I don't know why you wouldn't stand up and say what you did do. What did you—

**The Deputy Speaker:** The question has been asked. Minister of Children and Youth Services?

**Hon. Mrs. Chambers:** The Leader of the Opposition is unnecessarily complicating things. This is really very simple. Today is Thursday, November 30, 2006. The report from the auditor will be released on Tuesday, December 5, 2006. You can wait until then and I'll be very happy to respond at that time.

**Mr. Tory:** It certainly is great to have you tell us and the people and the children of Ontario what they can wait for and what they can't wait for.

The fact is, you get quarterly reports from the children's aid societies in your department, in your own office—quarterly reports every quarter, year in and year out. You have had a summary of the Auditor General's findings for months in your office and you've had time to respond to it already. It's at the printers now being printed and your response is in hand.

All we're asking you is, what did you do when you found out about it to protect the interests of these families and children? What did you do? Don't tell us and the children of Ontario to wait. Get up in your place and have the courage to say that you either did nothing or you did something. Why can't you just answer the question?

**Hon. Mrs. Chambers:** The only true courage that has been shown in this Legislature is the courage that has been shown by our government in expanding the powers of the Auditor General, in not muzzling the advocate, and in not hearing stuff from front-line workers and keeping it to ourselves as opposed to enabling actions to be taken in that regard.

I will once again repeat what I've said before. Our government expanded the powers of the Auditor General to help ensure that Ontario's most vulnerable children and youth are provided with the very best protection possible, and we are looking forward to the formal, official release of the auditor's report. It is, in fact, the auditor's report, and I will look forward to responding to that report.

**The Deputy Speaker:** New question.

**Mr. Hampton:** My question is to the Minister of Children and Youth Services. Everyone around here knows how the auditor's office works. They do not keep information from ministries. When they're conducting an investigation, they come back to a ministry and share the information with officials in the ministry and ask officials in the ministry for their response. Only after that process is a report actually released to the public. The question is this, Minister: Your officials have known about this. Did they brief you: yes or no?

**Hon. Mrs. Chambers:** I'd very much like both opposition parties to know that I will not tire of saying I will look forward to responding to the report when the report, which belongs to the Auditor General of this province, is released. I don't think it's unreasonable for us to honour this Legislature by not showing contempt of this Legislature but by allowing the Auditor General to release his report. Why not? Let's allow the Auditor General to release his report. I am just very happy that we, our government, gave the Auditor General the powers to go and look at what is happening in children's aid societies so that we can better protect Ontario's children and youth.

**Mr. Hampton:** Minister, you're contradicting your own earlier answers. You are the one who said earlier that the Provincial Auditor has conducted audits into the activities of children's aid societies in the late 1990s and into the year 2000. My question is this, Minister: One of the Auditor General's allegations is that the law of Ontario protecting children has not been followed. Did you inform the Attorney General? Did you inform the Premier? Did you do any of those things which a responsible minister of the crown would have done, Minister?

**Hon. Mrs. Chambers:** I'm really glad to see that the leader of the third party is trying to show some interest in children who need protection, because it was their government that cut \$3.5 million from the child protection system. But let me remind you, because you keep selectively referring to what I've said: In 1997, 1999, 2000

and 2002, the auditor raised concerns about children's aid societies. The problem was that the auditor was not able to go in and access their files and access their information because that government, that claims to be so interested now, would not allow the auditor to have access. I don't recall hearing the third party complaining about the auditor being prevented from accessing that information. It's our government that was concerned about that.

#### DOMESTIC VIOLENCE

**Mr. Mario G. Racco (Thornhill):** My question is for the minister responsible for women's issues, the Honourable Ms. Papatello. Minister, as you well know, new Canadian women are among women who suffer through domestic violence. Often, when they access different services, there can be language barriers that are sometimes difficult to overcome. As a result of this, I know that you and Minister Colle made an announcement. Can you please tell us more about the announcement?

**Hon. Sandra Papatello (Minister of Economic Development and Trade, minister responsible for women's issues):** I was very happy to participate last week with Minister Colle, our minister for citizenship and immigration, in a \$2.1-million language interpreter announcement. The very good news about this is that it is helping people across Ontario: 10 different programs being funded to provide 24-hours-a-day, seven-days-a-week interpreter services. What's really important about these services for women, for women who have suffered domestic abuse, is that when they finally have the nerve to reach out and they don't have a language that is in use there, whether it's English or French, now they have access. Imagine the horror of being in that position and they don't understand what you say. But we are there, as part of our domestic violence action plan, to provide those services for so many new immigrants who aren't speaking English or French to have access 24 hours a day, seven days a week.

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**The Deputy Speaker (Mr. Bruce Crozier):** Supplementary?

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** Thank you, Minister. It certainly is great to know that we're investing so much in newcomers and programs that will help those whose first language is not English. They especially need help when they need to navigate through our systems. I know that as a part of the plan we have to end domestic violence and to assist women who are victims of abuse, you announced last week an employment pilot program. Could you tell us more about that, and how it would help abused women in my riding of Lambton-Kent-Middlesex?

**Hon. Ms. Papatello:** We have tremendous support from our MPPs in this House for this particular program because, for women who finally make that tough decision to leave, often the barrier to that decision is financial independence, not just for themselves but for their children

as well. This project aims to help women who have suffered abuse or are at risk to actually get into areas, sometimes non-traditional areas for women, where there is a market for good-paying jobs.

We announced two weeks ago now \$4 million in 10 agencies across the province where we can work with them. In Sarnia-Lambton we have the Women's Interval Home that is benefiting here, to actually take women who are preparing to go into the workforce and have them trained in work that can result in jobs.

We've had some tremendous uptake. Our \$4-million announcement last week will result in hundreds of women who will receive training that will help them get back on their feet financially, and not be afraid to stay away from that abusive relationship.

As you know, often the finances will—

**The Deputy Speaker:** Thank you. New question.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Community and Social Services. Minister, as each day passes we're getting closer to the announced closure of the three regional centres for the developmentally disabled: Huronia, Rideau and Southwestern.

As the minister may know, I've toured Huronia and visited with residents, with families, with some of the outstanding employees who care for the residents, and with government officials. In a meeting with the minister's predecessor after the tour, I said, as I do today, that I thought that the absolute minimum standard that should apply to any single resident we proposed to move from those centres was that the care they receive after they are moved—including dentists, speech pathologists, therapy pools and a whole host of other things—should be at least equal to the care that they were receiving in any of those particular residences—without exception, equal to the care they receive today.

My question is this: Is the minister prepared to assure and to undertake to this House—and more importantly to the vulnerable people, the residents and their families—that you will guarantee that that level of care will be at least equal in every respect to what they're receiving today, if and when any of those people are moved?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs):** I want to thank the Leader of the Opposition for his interest in people with developmental disabilities.

Yes, the closure of the institutions is taking place; it's progressing well. I want to remind him that the three parties—his party supported it too. I want to assure him that the service will be at least equal to what they are receiving, if not better.

I have also visited the three institutions—again, last Friday, I visited one group home in my riding. It never ceases to amaze me the good service that they are receiv-

ing there and also the involvement of the community around. It's heartwarming to see that they are in their community, close to their family, and that they are receiving good services, including health services.

**Mr. Tory:** I will agree with the minister: There are some good stories out there. But when I met with her predecessor after the tour, I also suggested to her that there may be, for some of the people with the highest needs, the need to look at another model. I want to raise that with you now, because in Nova Scotia this week they announced a new residential support program of the kind I suggested to her predecessor about a year ago. To quote the Nova Scotia minister, it provides highly specialized services for people with complex needs. It's a small, community-like setting where people are having made available to them services that maybe just couldn't be made available in a setting that would be for people with fewer needs.

I'd like to ask the minister, is she familiar with the initiative in Nova Scotia? Has she asked her officials to examine it as a possible way of addressing what I also heard on the day I was on the tour from senior officials from your ministry, namely, that for a lot of these services there are long waiting lists, so people who go to this community setting can't get the services they get in places like Huronia and Rideau today: therapy pools, speech pathology, dentists and so on? Have you looked at the possibility that some of the very high-needs, most vulnerable individuals may need a slightly different model—

**The Deputy Speaker (Mr. Bruce Crozier):** The question has been asked. Minister?

**Hon. Mrs. Meilleur:** I'm pleased to remind the Leader of the Opposition that we are creating and we have created four community networks of specialized care that will coordinate support for adults with developmental disabilities who have some of the highest care needs. So we have been looking at it and we have a very nice model that is working or close to being in place in our communities.

I want to quote one of our family members who wrote to my colleague Minister Papatello: "Like other residents' family members, my sister and I had enormous fears both about the trauma of such a substantial transition and about the quality of life that John would receive in a group home.

"To our delight, John has found an exceptional residence"—

**The Deputy Speaker:** Thank you, Minister. New question, the leader of the third party.

#### CHILDREN'S AID SOCIETIES

**Mr. Howard Hampton (Kenora–Rainy River):** My question is for the Minister of Children and Youth Services. I have a press release from Dalton McGuinty dated July 10, 2003, raising serious issues with respect to children's aid societies. I have another press release from the McGuinty government dated March 8, 2005, promis-

ing that the child advocate will be made independent and be given greater authority, saying legislation would be introduced in the spring of 2005.

We now have the auditor's report. You yourself referred to auditor's reports from 1997, 1999 and 2000. Obviously, the McGuinty government has been aware of these problems. Can you tell us why the McGuinty government has stonewalled and delayed taking action with respect to vulnerable children and the operations of children's aid societies for three and a half years now, when obviously you must have known there were serious problems?

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'd like to speak about Bill 210, which is being proclaimed today, a significant, substantial review of the Child and Family Services Act. The third party actually participated, as did the official opposition, in the committee hearings and the debate on this bill. I'm really pleased that we are at the point now of proclamation of this bill, because this bill is going to increase accountability of children's aid societies, improve the complaints process, making it more timely and independent, serving the interests of the children and youth in a better fashion. It will also, very importantly, provide for more permanent placements for children and youth who are in need of protection.

**Mr. Hampton:** Your attempt at damage control today still isn't going to do what the Ombudsman suggests needs to happen with respect to the operations of CASs and the protection of vulnerable children. Minister, the question is why you have delayed, over a year ago, at the death of five-year-old Jeffrey Baldwin. The executive director of one of the CASs said, "This tragedy has presented us with a very powerful lesson of what can go wrong. It was the worst outcome that can happen if you don't have the safeguards in place." She called it "a collective blind spot for child welfare agencies."

My question is simple. What we've seen from the McGuinty government for over a year, two years, going into three years, has been an exercise in stonewalling and delay in terms of taking child protection, child welfare, seriously. What is the excuse? What is the justification of the McGuinty government for this delay, this stonewalling, doing nothing? While the Auditor General says—

**The Deputy Speaker:** The question has been asked. Minister?

**Hon. Mrs. Chambers:** To tell you a little bit more about the Child and Family Services Act and Bill 210: With proclamation today, we're making adoption more flexible by allowing more children to be adopted while still maintaining ties to their birth family and community. This addresses a problem that prevented more than 60% of kids from being adopted.

1510

We'll create more options, more legal options beyond the traditional adoption, so that children and youth in care can be placed in a permanent home. We will help resolve more cases outside the courtroom through media-

tion, a less costly, more collaborative and speedy approach. We are making it easier for relatives, including grandparents, to provide permanent homes for those children and youth who need them.

We have made these changes because we knew the current system needed to be strengthened. Bill 210 is a major accomplishment, but it is only one of the steps that our government has taken to protect children. Today, introducing legislation to establish an independent office of the child advocate is another huge step in the direction of helping to protect our children and youth.

### SOCIAL ASSISTANCE

**Mr. Lou Rinaldi (Northumberland):** My question is to the Minister of Community and Social Services. Where my office is in Cobourg, in my riding, it shares a building with a self-help office which helps a lot of people on social assistance. I have the opportunity to meet with those folks once in a while, along with some of the clients served. Minister, I must tell you that one of the comments I get is that I'm the first MPP in the riding who ever visited that office, right next door.

Given that the holiday season is approaching, constituents in my riding are concerned that people receiving social assistance are being forgotten. Minister, what are you doing to help our most vulnerable Ontarians and vulnerable constituents in my riding?

**Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs):** I'd like to thank the member from Northumberland for his dedication to the most vulnerable people in our community.

This government is committed to helping people on social assistance get the supports they need to break away from poverty. Since taking office, we have taken many steps to help people on social assistance. I'm pleased to say that we have raised social assistance rates by 3% in 2005 and 2% now; we will raise it another 2%. In fact, ODSP recipients get their cheques with the 2% hike today and OW recipients will receive their 2% hike tomorrow. So we are removing barriers to employment and providing people on social assistance with more support so that they can find and keep jobs. In my supplementary, I'll go on—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Supplementary?

**Mr. Rinaldi:** Thank you, Minister. Let me tell you this is welcome news. The 2% increase in social assistance rates being implemented today for ODSP recipients and tomorrow for Ontario Works is occurring several months after the commitment was made in the 2006 budget. Minister, can you explain why this has happened and how we move forward from this particular position?

**Hon. Mrs. Meilleur:** Yes. When we decide on improving a social assistance rate, we would like to have it on and in the hands of those the next day, but it takes some time to work out the implementation details of an

increase to the benefit of hundreds of thousands of people across the province.

Rate increases are only one part of the picture. We have also been working hard to increase the rates to transform the way our social assistance system works. For example, we have simplified rules around earning exemptions so that the more you work, the more money you can keep. We have extended drug, dental and vision care benefits for people leaving social assistance for employment. We have increased the maximum deduction for informal child care costs from \$390 to \$600 per month. We are creating new employment benefits to help people on social assistance who are working—

**The Deputy Speaker:** Thank you, Minister. New question.

### HIGHWAY SAFETY

**Mr. Jim Wilson (Simcoe–Grey):** My question is for the Minister of Transportation. Earlier today I introduced the Owen Eisses Act, a private member's bill to install wrong-way signs and lights on the 400 series highways and on ramp entrances to those highways, like they have in British Columbia and Nova Scotia. With us today is April Sobisch and her young son, Owen Eisses, of Alliston. They were struck head-on by a wrong-way driver while travelling on Highway 400 in August 2005. Miraculously, both April and Owen survived the horrific crash, although the gentleman who hit them did die instantaneously. April has had to have several operations to enable her to walk again, and it's been a horrible ordeal for her.

Minister, this bill will help stop the carnage on our highways, which is preventable if we simply follow what other jurisdictions are doing. Will you commit to supporting my private member's bill to stop the carnage on our highways?

**Hon. Donna H. Cansfield (Minister of Transportation):** I thank the member for his question. I'd like to acknowledge Ms. Sobisch and express to her my sympathy for all she's gone through with this very horrific and tragic incident.

Obviously, highway safety is paramount to us. It's a priority within our government. Currently, under the Highway Traffic Act, we are able to actually enlarge the signs, and we are already reviewing the whole issue around what other jurisdictions are doing. So I'm very prepared to look at all those options and to sit down with the Ontario Provincial Police and with regional police as well to look at their recommendations on how we can improve road safety right across this province, because it is a high priority for us. I'm also very prepared to sit down with the member and with the constituent to engage in further discussion on how we can work together.

**Mr. Wilson:** Thank you, Minister, for that response. As you know, the OPP have told us that in the last six months alone, 259 wrong-way drivers have been caught in the province of Ontario just in the central region and in and around the GTA. In addition to that, since 2002, 14 people have been killed as a result of being hit head-on

by wrong-way drivers, either driving down a ramp the wrong way or driving down the highway the wrong way.

I appreciate your response and look forward to sitting down with you. I wonder if you could give us some sort of time frame, given that the incidence of wrong-way drivers and collisions has been increasing significantly in recent months, on when you'll act either on my bill or on your own initiatives to stop these accidents.

**Hon. Mrs. Cansfield:** I'll act right away. Unfortunately, I can't meet with the individual this afternoon, but I'm quite prepared to go up to Alliston, because as a mom, I know what it's like to have a little four-year-old running around; it's not all that easy.

On the other hand, I will also sit down with the member opposite around the ideas that he has. I will engage the Ontario Provincial Police and the regional police, which is currently happening. As well, we are reviewing what other jurisdictions are doing. I commit to you that we will continue to do this, and we'll do this as quickly as possible. As I indicated, if we can prevent one death on our highways—hopefully we can prevent many deaths on our highways just by improving road safety. We're very open to working to that end, and we'll sit down with you right away in order to do that.

#### CONSIDERATION OF BILL 164

**Mr. Peter Tabuns (Toronto–Danforth):** My question is for the Deputy Premier. Today Bill 164 passed second reading in this House. What is your government going to do to ensure that this bill goes to committee soon and is back in the House in the spring for third reading?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** The Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** I congratulate the member opposite on the passing of his private member's bill today. I certainly look forward to an opportunity to continue to work with him and his stakeholders and others who are concerned with respect to notification.

I can tell him, as I indicated in the House the other day, that the goal of our government is to move much beyond notification and to actually take a look at removing toxins from the air, removing toxins from those products that exist. That's what we've been doing as a government, because I think it goes much beyond labelling, and we need to tackle these issues. We need to deal with prevention, and that's what we have been doing with regulation 419.

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**Mr. Tabuns:** The reality is that the Canadian Environmental Law Association, the Toronto Environmental Alliance and the Canadian Strategy for Cancer Control all see this as an effective way of getting toxic substances out of consumer products. I'll go back to the minister again: What will she do to ensure that this can come to committee and come back to the House for third reading in the spring?

**Hon. Ms. Broten:** I'm sure my friend opposite knows that I don't hold the role of House leader on this side of the House, but I do take responsibility with respect to the Ministry of the Environment. Toughening our air standards, tackling what is truly in society and making determinations that we need to improve those standards is what we're doing at the Ministry of the Environment.

Labelling is important, and it is an important step; there's no doubt about it. But the reality is that moms across the province and moms across the country are not the scientific experts. We at the Ministry of the Environment have many of those scientific experts, and that's why this year, for the first time in 25 years, we said we are going to tackle and improve those standards. We are looking at a number of other toxins and carcinogens right now. We are moving on the best-known science, and we are making those standards tougher, because, at the end of the day, we don't want something simply to be labelled; we actually want it out of the air, out of our water and out of the ground.

#### IMPAIRED DRIVERS

**Ms. Monique M. Smith (Nipissing):** My question is for the Minister of Transportation. As we head into the festive season, I know we're all looking very forward to the opportunity to celebrate with our family, our friends and our co-workers and to perhaps share a cup of good cheer or two. But, Minister, this morning there was yet more tragic news of another victim of drunk driving, which I know saddened everyone in this House and saddened all Ontarians. I know that many Ontarians are wondering what is being done to ensure their safety and protection in the coming weeks and months.

**Hon. Donna H. Cansfield (Minister of Transportation):** I'd like to thank the member for the question. Unfortunately, this morning, you're right, there was another tragedy: A young woman, a mother of three, who was going to adopt another child; her life was tragically ended. The individual was charged with drunk driving. It's just totally unacceptable and completely preventable.

One of the things we're doing is that we're working very closely with the Ontario Provincial Police and the regional police around programs such as RIDE. That program actually started in Etobicoke in the early 1970s. RIDE stands for Reduce Impaired Driving Everywhere. It doesn't just happen at this time of year; it actually happens all year round, but we put an emphasis on it at this time of year. Mothers Against Drunk Driving is another program.

We need to be able to get out there and say to people, "This is preventable if you simply just don't drink and drive." There are options out there for you to take another route home: public transit and Operation Red Nose, where someone will drive you home. There are so many opportunities. You do not have to get in your car and ultimately get behind the wheel—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you, Minister. Supplementary?

**Ms. Smith:** I appreciate all the good work that we're doing with our partners and stakeholders to make Ontario's roads safer for the holidays. However, as you mentioned and as everyone here knows, drinking and driving is a pervasive problem, not just at this time of year but all year round.

In my riding, Mothers Against Drunk Driving, through the able management of Louise Ranger, a mother herself who lost a child, organized a band challenge in the spring for all of our high school students. They all come together for a big band challenge to raise awareness about drunk driving during the festive graduation season. I usually participate in that as well.

I wonder, though, can you share with us what else this government is doing to deal with the challenge of safety on our roads and highways throughout the year?

**Hon. Mrs. Cansfield:** In addition to education and public awareness, if you blow between 0.05 and 0.08, the warm, you'll have an automatic 45-day suspension. If you blow 0.08, then you're going to have a 90-day suspension, you're going to have a mandatory education and mandatory interlock program. By the time you're through with your fine and your insurance, it's going to cost you somewhere around \$20,000 for a first-time offence. We need to be able to enforce those laws to ensure that those drunk drivers are off our roads.

Education is paramount, getting the awareness out there, but also to say that if you drink and drive, folks, you are toast. You are in fact going to suffer the severest consequences in North America. It will cost you up to \$20,000 and may in fact take your driver's licence away for a good 10 years or more.

So don't drink and drive. There are alternatives. Think before you get in that car. As they say—and I say it to all my friends in the House—don't cross the stupid line.

#### CROWN FIBRE EXPORTS

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a question for the Minister of Natural Resources. Minister, can you tell me why MNR staff in northeastern Ontario don't follow your ministry's own guideline for exporting crown fibre out of the province? I have an e-mail from an operator in Timmins and he says, "Crown and private wood flows to Quebec from across northeastern Ontario are increasing at an alarming rate. This fibre is an important part of the fibre supply both from a cost and volume perspective as Ontario mills work to remain or return to profitability. There is something very wrong with our government for allowing this to happen."

Minister, can you tell me why MNR staff in northeastern Ontario don't follow your ministry's own guideline for exporting crown fibre out of the province?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** First of all, I'd say to the member that Ontario is a net importer of logs from many jurisdictions, including Quebec. But in this particular instance in Timmins, there is a labour dispute in a mill. If I were to say that the wood no longer

could be harvested because it is not in demand at that particular operation, I would be putting our woodworkers who harvest and haul the logs into these mills out of work. So we're allowing the cutting to go on, and right now there is a mill in Quebec that can take some of this wood. That keeps the bush workers working right now, just before Christmas. So while, on one hand, there's a labour dispute, I don't want to put more people out of work.

**Mr. Miller:** Minister, I'm hearing directly from companies in northeastern Ontario who have allocations of crown fibre. Operators tell me they want the fibre, but they don't necessarily want to cut it this year. Your guidelines require that the harvesters get letters of rejection from local companies that have a crown allocation, and then the harvester should make an application for an export permit. Only then should the harvester be allowed to ship crown fibre out of Ontario.

In northwestern Ontario, the MNR does follow an export permitting process, but your staff in northeastern Ontario say they don't really follow any guidelines. Minister, these operators are losing access to crown fibre that they've been allocated. This is fibre that is closest to their operations and therefore fibre that is most economical for them because it's closest to their plants. Your ministry's unwillingness to follow these guidelines is going to kill more forestry jobs or ensure that those people who are already laid off aren't going to be called back.

Minister, will you take action today to ensure that your guidelines for crown fibre export are implemented by your staff in northeastern Ontario?

**Hon. Mr. Ramsay:** I would say to the member that I will ensure that our staff are following and complying with guidelines. They need to be doing that, and I will certainly look into that and make sure that is happening.

I would say in regard to the producer there, if that producer is no longer consuming that wood, then basically the wood could be consumed elsewhere. Once that production gets back up and running, the wood is going to be there that they would have had in that time period and the wood will flow to the mill. They're not going to be losing any production other than their being shut down because they've got a labour dispute. So they're not going to lose any material when they need it. It will be there, available for them, once they commence production.

#### ONTARIO LOTTERY AND GAMING CORP.

**Ms. Cheri DiNovo (Parkdale–High Park):** My question is for Minister Caplan. Minister, yesterday at the government agencies committee, I, along with the Conservative members of the committee, voted to reconvene the committee to expressly examine allegations of inappropriate practices at the Ontario Lottery and Gaming Corp. The Liberal members on that committee voted against the motion.

Minister, first it was anomalies in the number of major prizes being won by lottery retailers. Next it was problems with the high potential for insider fraud and cheating on scratch-and-win tickets. Then we found that the OLGCA allows scratch-and-win tickets to be sold when the grand prizes that are advertised have already been won.

All of these scandals, Mr. Minister, point to major structural problems with OLGCA that require a full, transparent investigation. My question is, why has your government prevented the government agencies committee from holding hearings to investigate these problems at OLGCA to finally get to the bottom of this mess?

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**Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader):** In fact, the member is quite mistaken. It was this government that finally allowed the government agencies committee to take a look at the OLGCA, and I know that this member has been on that committee and in fact had a chance to speak with Chair Michael Gough and the president and CEO, Mr. Brown, along with other members of that all-party committee. But it didn't just stop there.

The Ombudsman, an independent officer of this Legislature, is undertaking an independent review based on many of the comments the member has made. I want you to know that I trust the officer of this Legislature, Mr. Marin, to get to the bottom of these allegations. But it doesn't just stop there.

The chair of the board has engaged KPMG, one of Canada's leading forensic audit companies, to also undertake a review and an investigation.

We have an all-party legislative committee which has undertaken an investigation, an independent officer of this Legislature and one of Canada's leading forensic audit firms. That's transparency, and that's why this government has taken quick and decisive action.

## PETITIONS

### EDUCATION FUNDING

**Mr. Ernie Hardeman (Oxford):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to

extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I present this petition on behalf of many parents for equity in education who have signed this petition.

### CHILD PROTECTION

**Ms. Andrea Horwath (Hamilton East):** I have a petition entitled "Grant Ombudsman Oversight of Children's Aid Societies."

"To the Legislative Assembly of Ontario:

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

"Whereas Ontario is one of the few provinces that does not have independent oversight of child welfare administration; and

"Whereas eight provinces now have independent oversight of child welfare issues, including child protection; and

"Whereas all provincial Ombudsmen first identified child protection as a priority issue in 1986 and still Ontario does not allow the Ombudsman to investigate people's complaints about children's aid societies' ... decisions; and

"Whereas people wronged by CAS decisions concerning placement, access, custody or care are not allowed to appeal those decisions to the Ontario Ombudsman's office;

"Therefore, be it resolved that we support the Ombudsman having the power to probe decisions and investigate complaints concerning the province's children's aid societies...."

Obviously I agree with this and I affix my signature thereto.

### NATIONAL CHILD BENEFIT SUPPLEMENT

**Mr. John Milloy (Kitchener Centre):** I have a petition from the Canadian Federation of University Women.

“To the Legislative Assembly of Ontario:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario Council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

### SCHOOL FACILITIES

**Ms. Lisa MacLeod (Nepean–Carleton):** “Petition to the Parliament of Ontario:

“Whereas Longfields and Davidson Heights in south Nepean are some of the fastest-growing communities in Ottawa and Ontario; and

“Whereas the Ottawa–Carleton District School Board has voted to authorize the final design phases for a grade 7 to 12 school to serve the Longfields and Davidson Heights communities; and

“Whereas the government of Ontario has lifted a three-year moratorium on school closings in order to make way for new educational facilities;

“We, residents of Nepean–Carleton, petition the Parliament of Ontario to ensure that the Ottawa–Carleton District School Board continues with plans to build a new grade 7 to 12 school no later than autumn of 2008 to serve the Longfields and Davidson Heights communities.”

I affix my signature. I also want to thank the Minister of Education for keeping me briefed on this.

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Shelley Martel (Nickel Belt):** I have a petition signed by 416 people who live in the riding of Nickel Belt. It was sent to me by Anne Deveau of Levack, Ontario. It reads as follows:

“To the Legislative Assembly of Ontario:

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

“Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities,

many of whom have multiple diagnoses and severe problems that cannot be met in the community;

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

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

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

I’ve affixed my signature to this.

### FAIR ACCESS TO PROFESSIONS

**Mr. Kevin Daniel Flynn (Oakville):** I’ve got a petition to the Ontario Legislative Assembly. It’s “Access to Trades and Professions in Ontario.” It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario’s trades and professions could remove many such barriers, but Ontario’s trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

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

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario’s regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario’s employers, Ontario’s newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

I agree with this petition and will affix my signature.

## EDUCATION FUNDING

**Mr. Jim Wilson (Simcoe–Grey):** “Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

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“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I agree with this petition and I will give it to young Philip Spencer here, who I know went to Timothy Christian School in Barrie.

NATIONAL CHILD BENEFIT  
SUPPLEMENT

**Ms. Shelley Martel (Nickel Belt):** I have a petition that’s been sent to me by the Canadian Federation of University Women, the Haliburton Highlands chapter, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario Council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

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

**Mrs. Liz Sandals (Guelph–Wellington):** “To the Legislative Assembly of Ontario:

“Whereas the national child benefit supplement was created to reduce the depth of poverty across Canada for low-income families earning less than \$35,000;

“Whereas the government of Ontario claws back the supplement from families receiving income from Ontario Works or the Ontario disability support plan;

“Whereas Premier McGuinty decried the discriminatory nature of the NCBS clawback and vowed to end this practice in his first mandate;

“Whereas the government of Ontario has failed to end the clawback for those families on OW or ODSP;

“We, the undersigned from CFUW Ontario Council, petition the Legislative Assembly to end the clawback of the national child benefit supplement.”

This is submitted by the Guelph chapter of the CFUW.

## EDUCATION FUNDING

**Mr. Ted Chudleigh (Halton):** “Petition to Ontario Legislature to End Discrimination

“Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I'm pleased to support this recommendation.

#### LONG-TERM CARE

**Ms. Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas, in June 2003, Dalton McGuinty said Ontario Liberals are committed to ensuring that nursing home residents receive more personal care each day and will reinstate minimum standards, and inspectors will be required to audit the staff-to-resident ratios; and

“Whereas Health and Long-Term Care Minister George Smitherman, in October 2004, said that the Ontario government will not set a specified number of care hours nursing home residents are to receive each day; and

“Whereas Ontario nursing home residents still receive the lowest number of care hours in the Western world; and

“Whereas studies have indicated nursing home residents should receive at least 4.1 hours of nursing care per day; and

“Whereas a coroner's jury in April 2005 recommended the Ontario government establish a minimum number of care hours nursing home residents must receive each day;

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

“That the government of Ontario immediately enact a minimum standard of 3.5 hours of nursing care for each nursing home resident per day.”

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

#### FAIR ACCESS TO PROFESSIONS

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** This petition is to the Legislative Assembly of Ontario.

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent, arbitrary and unnecessary

obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas action by Ontario's trades and professions could remove many such barriers, but Ontario's trades and professions have failed to recognize that such structural barriers exist, much less to take action to remove them, and to provide fair, timely, transparent and cost-effective access to trades and professions for new Canadians trained outside Canada;

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

“That the Ontario Legislative Assembly urge the members of all parties to swiftly pass Bill 124, the Fair Access to Regulated Professions Act, 2006, and to require Ontario's regulated professions and trades to review and modify their procedures and qualification requirements to swiftly meet the needs of Ontario's employers, Ontario's newcomers and their own membership, all of whom desperately need the very skills new Canadians bring working for their organizations, for their trades and professions, and for their families.”

I agree with these petitioners, and I affix my signature on the petition as well.

#### BUSINESS OF THE HOUSE

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** Pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

On Monday, December 4, 2006, in the afternoon, third reading of Bill 107, the Human Rights Code Amendment Act; it says for the evening TBC, so that's a TBC.

Tuesday, December 5, 2006, in the afternoon, third reading of Bill 151, the Budget Measures Act (No. 2).

Wednesday, December 6, 2006, in the afternoon, third reading of Bill 52, the Education Amendment Act (Learning to Age 18).

Thursday, December 7, 2006, in the afternoon, third reading of Bill 28, the Mandatory Blood Testing Act.

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#### ORDERS OF THE DAY

##### ELECTION STATUTE LAW AMENDMENT ACT, 2006

##### LOI DE 2006 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Resuming the debate adjourned on June 14, 2006, on the motion for second reading of Bill 62, An Act to amend the Election Finances Act and the Legislative Assembly Act / Projet de loi 62, Loi modifiant la Loi sur le financement des élections et la Loi sur l'Assemblée législative.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Michael Prue (Beaches–East York):** When I first looked at this bill, I must admit I was rather perplexed: It was debated so long ago, it came up for one day of hearings and then it simply disappeared from the radar. I'm really quite perplexed, because I don't even remember having seen it the first time through. I don't know where I was, but obviously it came up so fast and disappeared so fast that I didn't think it would ever see the light of day again. Here it is before the Legislature again this afternoon.

I am very perplexed. One has to be perplexed at why the government sees fit to bring this bill back. It seemed to me that the Supreme Court of Canada, in the Figueroa case, looked at exactly what is being proposed here today and struck it down as unconstitutional. It appears to me that the Supreme Court of Canada said that what the federal Parliament was trying to do in terms of political parties and the law they were trying to establish for Canada was struck down as unconstitutional. Now we have the government of Ontario trying to put in through the back door a similar type of law that purports to restrict the number of candidates, or set a minimum on the number of candidates a political party must have in order to be registered. I can only quote Justice Iacobucci: "Forcing a party to meet any threshold for candidates may contravene the charter."

I know that this government in this bill has set the limit spectacularly low, at two candidates, but the learned justice said, and I quote again, "Forcing a party to meet any threshold for candidates may contravene the charter." So whether it is 50%, as the law now exists, or whether it is two candidates, as this government proposes, it may be in violation of the charter of Canada. I must state that I am perplexed as to why this government is proceeding, in view of the very strong statements made by the Supreme Court of Canada.

I looked at the bill and thought, "What else is in the bill?" Quite frankly, this is a very, very limited bill. It reduces to two candidates or 1,000 signatures the 50% of ridings having to have a candidate from a particular party and/or 10,000 signatures before they are registered. It also requires the party leaders of any number of parties in Ontario to submit a form annually indicating that their fundamental purpose is electing MPPs. Last but not least, it allows the Chief Election Officer to deregister a party if it does not have candidates in at least two electoral districts in a general election.

At first I thought, this is better than the old law, so why wouldn't we support it? But in looking at the decision of the Supreme Court of Canada, I cannot support it and I cannot imagine that anyone in this Legislature, if you're familiar with what the Supreme Court has said on this very issue, would support a bill such as this.

I'd like to go through what they had to say. I ask the members just to look at how the decision made on a federally constituted bill coming out of Ottawa, reflecting

on all of Canada, is in many ways identical to what is being put here. Do the learned justice's words not ring just as true for what we're doing here as for what was happening in Canada?

The first one was the right to vote: whether the right is a "meaningful participation" for citizens. The learned justice said as follows: "The fundamental purpose of section 3, in my view, is to promote and protect the right of each citizen to play a meaningful role in the political life of the country. Absence of such a right, ours would not be a true democracy."

So he said that everything flows from the right of an individual to participate. Everything flows from section 3 of the charter, which promotes and protects "the right of each citizen to play a meaningful role in the political life of the country."

He went on in very learned discourse to talk about whether or not other democratic concerns could trump the right to "meaningful participation." He went on: "Legislation that purports to encourage the aggregation of political preferences might advance certain collective interests, but it does not benefit all citizens, namely, those whose interests are not aggregated by the mainstream political parties."

That is, again, exactly what we have here in Ontario. Although the number of parties is being limited, it still has a number. What the learned Justice Iacobucci—I hope I got it right that time—said is: "Legislation that purports to encourage the aggregation of political preferences might advance certain collective interests, but it does not benefit all citizens, namely, those whose interests are not aggregated by the mainstream political parties." If you happen to believe in the dictates, the mandates or the policies of the Marijuana Party, the Confederation of Regions Party, the Communist Party of Canada, the Communist Party of Canada (Marxist-Leninist), or any of the plethora of parties that may be out there and may still continue to exist or may exist for the first time in the future, this shows that you are not being aided by the charter.

He goes on to talk about smaller parties being legitimate democratic options. I quote him again in his decision. He writes: "Large or small, all political parties are capable of introducing unique interests and concerns into the political discourse. Consequently, all political parties, whether large or small, are capable of acting as a vehicle for the participation of individual citizens in the public discourse that animates the determination of social policy." He's saying that it doesn't matter if you belong to one of the big three parties or the big four parties or the big five parties in Canada; you can belong to or you can support any of the parties—each one of them, large or small, is capable of introducing unique interests—and that the citizen has the right to cling to those parties, to support those parties, to finance those parties, and it cannot, under ordinary circumstances, be abrogated.

In conclusion—because I don't want to get too legal on this—he goes on to say: "Voters who select smaller parties make a meaningful choice that should be

respected.” Here’s where it comes down to the meat of it all. He writes, and I’m going to quote a couple of sentences in their totality: “Participation as a voter is not only about the selection of elected representatives. Irrespective of its effect on the outcome of an election, a vote for a particular candidate is an expression of support for a particular approach or platform. Whether that vote contributes to the election of a candidate or not, each vote in support of that approach or platform increases the likelihood that the issues and concerns underlying that platform will be taken into account by those who ultimately implement policy, if not now then perhaps at some point in the future.”

He goes on to canvass some of the arguments. Of course, the government of Canada sent their legal experts before the Supreme Court of Canada, and they made all kinds of arguments as to why their bill should be allowed to go forward. In fact, they only made three arguments. The three arguments they made, which were all ultimately shot down as being meaningless—with the greatest of respect to the people who thought them up—were: “(i) to improve the effectiveness of the electoral process; (ii) to protect the integrity of the electoral financing regime; and (iii) to ensure that the process is able to deliver a viable outcome for our form of responsible government.” The Supreme Court, in its wisdom, shot all of those down. They were not legitimate arguments that would support the bill that was passed by the House of Commons.

They said, quite candidly: “There is no connection ... between the 50-candidate threshold and the objective of improving the electoral process through the public financing of political parties.” I would put it to the members opposite that there is no connection whatsoever between the two-candidate threshold and the objective of improving the electoral process through the public financing of political parties, because there is nothing different. The number is the only thing that separates what is attempted in this bill and what was attempted in Ottawa.

It goes on to say: “If the right of individual citizens to play a meaningful role in the electoral process is to be limited for fiscal reasons, the savings would have to be much more substantial than those associated with the restriction on the right of non-registered parties to issue tax receipts to individual citizens for donations received outside the election period.”

**1600**

This is identical to what is happening here, because if you run two candidates, then what this bill says is that you’re going to be deregistered. What the Supreme Court has said is that that, in itself, cannot be a rationale for doing so.

In the end, it all comes down to a few words: Would eliminating the threshold make majority governments less likely? That was the argument that was made. You limit these people and you’re going to make more majority governments. I don’t know; I guess governments in power always want to have a majority.

The learned justice went on to say that even if it did, it would not be justified, that, “The legislation fails the third branch of the proportionality test: the proportionate effects test. The government has failed to demonstrate that the salutary benefits of the legislation outweigh its deleterious effects.”

I looked at this bill; I looked at the bill that was in Ottawa. The numbers are different but what is purported to happen with those numbers is identical. I am shocked that the government lawyers, the members opposite, many of whom are legally trained, would not heed the Supreme Court of Canada’s advice when drafting this bill. I am quite surprised that they expect that this bill will pass, unassailed, through this Legislature and not be challenged by the selfsame parties that challenged it in the Supreme Court of Canada.

The Figueroa case was named after the leader at that time—I don’t know whether he still is—of the Communist Party of Canada. They were the ones who launched the challenge, they were the ones who won the challenge, and everything that was attempted to have been done under the federal legislation is now undone.

I looked again at the bill and I thought: What else is the bill supposed to do? The bill makes it mandatory that the party leaders annually submit a form indicating that their fundamental purpose is electing MPPs. With the greatest of respect, any first-year student of political science can tell you that that is only one of the functions of a political party. A political party exists to formulate policy. A political party exists to elect members. A political party exists to have a leadership. A political party exists for education purposes. A political party exists to recruit new members. A political party exists for any number of functions, and only one of those functions is, as it says here, for the fundamental purpose of electing MPPs. I would think that this too will be challenged. Anybody will be able to challenge it with a first-year political science book that lists the 10 or 12 functions that a political party in all democracies, and even in non-democracies, undertakes. This is clearly not good law.

The last one: The Chief Election Officer is required to deregister a party if it does not have candidates in at least two electoral districts in a general election.

**Mr. Ted Chudleigh (Halton):** On a point of order, Mr. Speaker: Is a quorum present?

**The Deputy Speaker:** Is a quorum present?

**The Clerk-at-the-Table (Mr. Todd Decker):** Quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Clerk-at-the-Table:** Quorum is now present, Speaker.

**The Deputy Speaker:** The member for Beaches–East York.

**Mr. Prue:** Thank you very much, Mr. Speaker. I’m glad that members have come forward to listen to the balance of my speech.

There was so much more that can and should be debated around this particular bill. As I said, I am quite surprised that the bill contains the mandate that it does

and that the bill purports to do something which has already been ruled unconstitutional. Would that this government had contained within the body of the bill something that actually strengthened the political parties. Would that, within the body of the bill, in preparing for the bill, they had actually involved the political parties.

There are a number of political parties registered in Ontario at this time. I am not sure how many of them ran two or more candidates in the last election. Certainly we know that the big three did. We know the Liberals ran a full slate. We know the Conservatives ran a full slate in 103 ridings. We know the New Democratic Party ran a full slate. But there were other parties as well. I think the Green Party may have run a full slate. I know they ran it federally in the last election. But we have the Freedom Party, the Family Coalition Party, the Confederation of Regions Party, the Libertarian Party and the Communist Party all registered in the province of Ontario. I would hazard a guess that we probably have a number of much smaller parties as well. The Communist Party of Canada (Marxist-Leninist), I know still exists. I don't know if the Marijuana Party or the Rhinoceros Party is still around.

I want to say that we attempted to find out whether or not any of these parties that exist in Ontario were contacted in the preparation of this particular bill, particularly the smaller ones, whether they were consulted on the number of signatures they would have to get or the fact that they would have to run two candidates or the fact that they would have to swear a statement each and every year that their primary purpose is the election of members of Parliament.

We know that none of that was done, and we know that for that reason this bill is fraught with difficulties. It is fraught with difficulties because it does not take very much for a gentleman like Mr. Figueroa of the Communist Party of Canada to completely derail the government of Canada and its lawyers before the Supreme Court of Canada on the unfairness of their bill, and it's not going to take very much for these selfsame people to do the same thing in the Supreme Court of Ontario or, through the Supreme Court of Canada, to unravel this bill as well.

This bill is just simply bad legislation. I personally do not have any great difficulty with lowering the numbers from 50% to 2%, but I do say that I will not be supporting a bill which I believe at the outset is unconstitutional. I do not know, and I did not have the opportunity on the opening day to hear, what the minister had to say about this, but I am given to understand that this is some kind of a compromise to make it easier so that it might better withstand some kind of constitutional challenge. Would that it didn't have to do that at all.

A party exists simply because a party is. A party exists because a group of like-minded people get together and believe in the principles of that party and want to establish it in whatever format best meets their needs, whether that is to elect people, whether it is to educate people around policies and platforms, whether it is to agitate for change or whether it is simply to be a protest

movement, as at one time the CCF was described in western Canada. It was more of a movement than a party until it actually decided to start running candidates.

None of that is here, and I am afraid that this government overstepped its bounds. Would that they had done something else; would that they had looked at the legislation that is essential to get change taking place in Ontario, to strengthen the political parties, to fund the political parties, to make it so that the political parties have a real say in proportionality within this Legislature.

We have another bill before the House which has caused some great consternation from a great many groups in Ontario related to the referendum that is going to take place in October next year. In that bill, this government has set impossibly high standards at 60%. However, in this bill, they choose to do something which is clearly and will probably, in all likelihood, be found to be illegal.

I don't know where this government is going on all of this. They ran in the last election saying they were going to democratize this House, and failed to do so. They ran in the last election saying they were going to include members of all parties in making decisions, particularly at the committee stage, and to a very great extent have failed to do so.

They have run on a campaign of having ordinary citizens have more input. We saw what happened on Bill 107 last week, where those ordinary citizens were guillotined right out from making their presentations—they had put their names down since last July and they were not given an opportunity—and all the ill feeling that took place here yesterday.

**1610**

I looked at this bill—and I ask the members opposite to go back to your lawyers. Can this withstand a constitutional challenge? I doubt it. If it can't, I don't know why we're debating it in this Legislature, because to make a bad law is tantamount to having the courts overturn it as soon as it gets out of this House.

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

**Hon. Michael Bryant (Attorney General):** I listened to the speech from the member for Beaches—East York. I can assure all members of this House that the bill is consistent with the Constitution Act, 1982, and with the Constitution Act, 1867. Under the old law, in order to be a party you basically need to be running candidates in about 50 seats, or you need to have the signatures of 10,000 voters. Now, under this bill, you need to have candidates in two seats—from 50 down to two. In order to be a party, you need to have more than one person; you need to have two people. So the argument is, in order to be a party, you can't just be running in one seat; you need to be running in at least two seats. This is surely the minimal numerical standard for establishing a party, unless the member wants to argue that under the Constitution a party of one suffices. I think that this is reasonable.

I also think that having minimal standards for being a party strikes a balance between, on the one hand, not

trivializing the importance of party status within our electoral system, while at the same time ensuring that there is freedom and flexibility and different understandings and respect for democracy in terms of establishing a party.

So I cannot imagine—and I'm sure the member will speak to this—how it is that having a minimum requirement of two people to form a party under the laws of Ontario is inconsistent with the Constitution. But I can assure the member that this is worth debating, that this is consistent with our Constitution and that this is a worthy change to our electoral laws in the province of Ontario.

**Mr. Jim Wilson (Simcoe–Grey):** I somewhat agree with the member for Beaches–East York that this is kind of a strange bill. You're going to have every kook in the province forming a party. I don't mind saying that because that's exactly what's going to happen; I'm sorry, Attorney General: every two kooks in the province forming a party. I thought the reason we had 10,000 votes or at least 50% of the seats you had to run candidates was that parties had to be serious and they had to be showing they had public support before they waste our tax dollars and get on every ballot in the province because they're two kooks. Mr. Speaker, you will remember we had prisoners who were exercising rights out of prison that they shouldn't have been exercising, and they were crazy. Finally, people cracked down on that. I remember when I used to work for Perrin Beatty, the prisoners used to write him all the time. They had more privileges than he did as a member of Parliament, including the right to vote. I could go on and on.

I don't know why you're doing this. I guess the government, as Mr. Prue said, also has Bill 155, the Electoral System Referendum Act, which is just complete nonsense. You're trying to fulfill a campaign promise by saying you're bound by that act if the citizens' assembly comes up with change, and of course they will. They've got umpteen months together, locked up in rooms, and it's natural, it's human nature that they're going to come up with changes. They're not going to come back and say "Don't change the system."

I don't know why we want to change the system. We live in the best country in the world, in the best province in that country. We are the most prosperous people who have ever lived in humankind and we have the best democratic system, and you want to change it all. You want to change it all because you tried to convince people in the last election that it was all screwed up. Well, it isn't all screwed up. It's not screwed up at all. You Americanized the system by going to fixed election dates. Stop messing around with our system. Long before you were the government and long after you won't be the government, it will still be the best system in the world, as long as you stop screwing around with it.

**Ms. Andrea Horwath (Hamilton East):** It's certainly my pleasure to make a few remarks about the member from Beaches–East York's speech on Bill 62. I have to say, my personal experience with party status is a very unique one in that the by-election in Hamilton East, some

may recall, was what brought party status back to the New Democratic Party caucus here at Queen's Park. I was very proud to be one of the people who made that happen for the NDP.

I think the member from Beaches–East York has brought forward to the debate today issues that need to be considered by the government. There are many specifics that need to be reviewed in the committee process, but nonetheless there are instances of these issues being reviewed by the courts currently in Canada, as the member from Beaches–East York has indicated. There are concerns he has raised in referring to that process around a number of different pieces that smaller parties bring. For example, is there a threshold? The Attorney General says that there isn't really one in this bill, although there's one written in ink; so there is one. Whether or not it's necessary, I think, becomes the issue. Is it necessary to put that in black and white or isn't it? Perhaps it's splitting hairs, perhaps it isn't, but certainly the opportunity to debate that, to determine whether or not it is in fact appropriate to have that in the bill, is an important matter for the members of this Legislature.

So there's some work that needs to be done on this bill, and Mr. Kormos, the member from Niagara Centre, as well as Mr. Prue, the member for Beaches–East York, have put on the record a number of issues the New Democrats would like to see fleshed out.

**Mrs. Linda Jeffrey (Brampton Centre):** I thought I would speak about the second reading of Bill 62, and I realize we're deviating a little bit on the bill. So I thought I'd remind people that this legislation is a key part of our strategy to make democracy stronger and not to question people on what their motive is to run.

I welcome these proposed changes, because I think political parties are one of the vehicles that citizens have to participate in the democratic system, and we need to make it easier to register smaller parties so that people can participate and they aren't intimidated. We want them to be encouraged and we want diversity. We want different people and different people's voices at the table. It's important that we have them there. We end up with better legislation, better policies when different voices end up at those tables.

Using the provisions of this bill, new parties could run, as was said earlier, by endorsing at least two candidates. Outside the campaign period, the parties could register by providing the Chief Election Officer with a petition signed by at least 1,000 people. That's a pretty intimidating process. That's not something that you do on a whim. That's something that would take some effort and some thought for somebody who is serious about making sure that we consider another point of view. We need to make it easier to register so that we end up with better representation and a full diversity of people across the province. The registration in Ontario entitles political parties to receive a number of benefits. That's important. It's different from a municipal campaign. It's part of provincial legislation that includes the ability to solicit contributions, to issue tax receipts. That's important

when you're running as a new candidate. It's important to be able to get that assistance in helping you run. It helps you also to get a permanent register of the list of the electors. It puts you on a level playing field. It's important to do that. That's what we're trying to do with this legislation. We're trying to make democracy easy, hands on, affordable and manageable.

**The Deputy Speaker:** Member for Beaches–East York, you have two minutes to respond.

**Mr. Prue:** I thank everyone for listening attentively to my speech: the Attorney General, the member from Simcoe–Grey, the member from Hamilton East and the member from Brampton Centre.

To the Attorney General: I would gladly be persuaded, except that it was very clear from the decision of the Supreme Court of Canada that forcing a party to meet any threshold for candidates may contravene the charter. I would agree with you, and I think everyone who looks at this would agree, that having 50% of the ridings needing to be covered with a candidate is far less democratic than only having two. But the fact that you have still set a number may cause difficulties; it may cause a contravention of the charter.

I am not so glib or so happy that I can just say, “Of course this will meet a constitutional challenge,” because I thought the last one, the one in Ottawa, would have met the constitutional challenge as well, with the whole body of lawyers that the government of Canada was able to send to defend its position, only to lose it. I have to say again: When you are setting up this legislation—and for sure it is going to be faced with the same constitutional challenge that was faced federally—then you ought to make sure, really sure, that it meets the Constitution, yes, because the Supreme Court said that forcing a party to meet any threshold for candidates may contravene the charter. That threshold can be one or two or five or 50; any threshold may contravene it, and two is a threshold. I understand why the government has chosen two: It's the least number you can choose other than one. I understand that. Okay.

In the end, political parties do more than simply run elections. This legislation contravenes what any political science student will tell you: Political parties have a whole bigger role than simply running candidates.

1620

**The Deputy Speaker:** Further debate?

**Mr. Chudleigh:** You know, two people isn't a party, it's a date. It's a very serious matter. If they become a political party, they have access to the electorate list, the list of electors. That is something that can be abused. We have to sign papers when we get that. If that's available to people, these things can be abused; they can be misused. There are all kinds of things that people can do with the electorate list. Good heavens, we've gone to great lengths in the last five years to protect our privacy, and I think those are good things. The way people use lists—it's important that people have some security that their names aren't going to be bandied about.

Perhaps even more importantly, a political party can issue tax receipts. Those are something that have to be

very, very carefully looked after and balanced, and that, I think, could be open to abuse as well. A legitimate political party is extremely careful about how they handle their receipts, how they solicit funds, how they collect monies. They're very careful because there is one true way to death in politics and that's to be seen to be abusing the money that's being collected. We've seen that in this House. We've seen that with a former member who bought a suit with taxpayers' collective money. We saw the abuse that was heaped on that member, even though that member did a very adequate job. In private, I might be more congratulatory than that, but he did an adequate job in his portfolio as Minister of Economic Development and Trade. So lowering the standards down to where there are only two people who form a party seems to me to be taking it to an extreme that is far beyond the level of where we might want to go as a society.

What could happen with this bill, I suppose, is that the current statute—the current requirement is that a party that wants to become a provincial party has to have members in 50% of the ridings across Ontario. In the next election, I guess it would be 53 ridings. They would have to run candidates in 53 ridings across the province of Ontario in contesting a general election. If an election is not being held, they must submit a petition with the names and addresses and signatures of 10,000 eligible electors endorsing the registration of the party. The fact that they needed 10,000 when the Election Finances Act was passed or amended, the fact that 10,000 signatures were needed, gives you an indication of how important and how integral the creation of a party is to our system. The fact that 10,000 eligible electors endorse a registration might be adjusted. That might be adjusted downward somewhat, but I would argue that it shouldn't be adjusted too low. I would suggest that if they go down to 1,000 eligible electors, where this bill is suggesting they go to today, I think that's a little low. I think there's something in between that might be found to be acceptable.

The bill also lowers the threshold so that new parties are required to nominate candidates only in two ridings, as opposed to 50% or 53 ridings in Ontario. Again, I think this is too low. This is where two people who can register in two different ridings can form a party. I say again, that is not a party; two people are a date.

And 1,000 is something that—as any of us who have ever collected signatures on a petition know, getting people to sign petitions isn't the most difficult thing in the world to do. You can stand in the mall and get signatures on a petition with some rapidity. It's not all that onerous. But 1,000 signatures—it wouldn't take much of a conviction on the part of someone to say, “I want this political party,” and 1,000 signatures would be fairly easy to come by. I would suggest it must be much higher than that.

At \$200 a candidate for registration, again, \$200 is—I don't want to say it's not a lot of money, but it's not significant. Quite frankly, I think that number is probably about right. I don't think a dollar sign should perhaps enter into the formulation of a political party.

It's interesting that this bill is coming forward today. We're debating this in the Legislature. We haven't seen it for some time, but we're debating it in the Legislature today instead of Bill 107, which we could have had more time on. I don't know if this bill is going to see the light of day at the end of the session, but Bill 107, which is not being debated in the House today and is not being heard in committee, has had a few hiccups, of course. Today in committee—yesterday. It was yesterday; sorry. Yesterday in committee, the committee deleted, I think, the first section of the bill, and it had to be corrected. It's of serious concern to the people of Ontario, because there is a large number of people who are not going to be heard on Bill 107. They are not—

**The Deputy Speaker:** The member for Halton, you were correct: We are not debating Bill 107 today; we are debating Bill 62.

**Mr. Chudleigh:** It's a shame we're not debating Bill 107. Instead of debating the Election Finances Act, we could be debating Bill 107.

The Election Finances Act, which hasn't been seen in this House for quite some time, all of a sudden, here it is. It comes in at a time in the election calendar that is a critical time in the House. It's a critical time, when the government is bringing forward its agenda, and yet here is a bill that hasn't been heard for a number of weeks—months, I think, since this bill has been discussed. I'm not sure it's on the government agenda. I'm not sure it is ever going to see the light of day.

It's surprising that the government would bring this piece of legislation forward in debate when the House could be debating more serious pieces of legislation, such as Bill 107, which has been guillotined by this government and is no longer before the House, no longer before committee. It's a shame that so many people in Ontario who wanted to speak to that bill aren't able to do so because of this government's actions.

The time in which this is coming forward, again, is interesting, in that the last couple of weeks of the House before the adjournment just before Christmas always brings out the best that a government has, because they want to go out and talk to the electorate about what they've done and accomplished. Yet here is this bill coming before the House at this time, instead of Bill 107. I think Bill 107 should be the one that we are discussing in some degree, because the foundation of our province, of human rights, is something that is very, very important. If we're not going to discuss that, I think we shouldn't discuss anything. I move adjournment of the debate.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1630 to 1700.*

**The Deputy Speaker:** Mr. Chudleigh has moved adjournment of the debate.

All those in favour, please stand and be counted by the Clerks.

All those opposed, please stand and be counted by the Clerks.

**The Deputy Clerk (Ms. Deborah Deller):** The ayes are 6; the nays are 25.

**The Deputy Speaker:** I declare the motion lost.

The member from Halton has the floor.

**Mr. Chudleigh:** It's not the numbers that matter when you feel something strongly. This debate is taking place because Bill 107 isn't being discussed in this House, and Bill 107—

**The Deputy Speaker:** Member from Halton, we're going to start out the right way. We're not going there. You're going to discuss Bill 62 or you won't be discussing anything at all.

**Mr. Chudleigh:** Mr. Speaker, if I'm not allowed to discuss Bill 107, which this—

*Interjection.*

**Mr. Chudleigh:** The Attorney General wants to guess. I think he may be right. If we're not allowed to discuss this bill, which is critical to Ontario's—

**Mr. Dave Levac (Brant):** On a point of order, Mr. Speaker: I understand what the member's trying to say, and I dare him to ring the bells.

**The Deputy Speaker:** Member for Halton.

**Mr. Chudleigh:** Thank you, Mr. Speaker. I may just make the members pay for this.

This bill, quite frankly, which I have talked about earlier, is what we refer to in politics and in this House as perhaps a piece of fluff, because it is not a serious piece of legislation. Can you imagine two people in Ontario forming a party? Two people in Ontario is not a party; it's a date. If you want to go on a date, get two people. Incidentally, when you get two people and you go on a date, then you can issue tax receipts. How ridiculous is that? How ridiculous would you say it is that two people on a date can all of a sudden issue tax receipts, they can collect money, they can solicit funds? It's a ridiculous piece of legislation. We're not discussing Bill 107, and I move adjournment of the House.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1704 to 1734.*

**The Deputy Speaker:** Mr. Chudleigh has moved adjournment of the House.

All those in favour, please rise and be counted by the Clerk.

All those opposed, please rise and be counted.

**The Deputy Clerk:** The ayes are 5; the nays are 25.

**The Deputy Speaker:** I declare the motion lost.

**Mr. Chudleigh:** It's a sad day in the Legislature when we're here to discuss a bill that will never see the light of day. The government is just bringing it in in order to kill time. This government is out of ideas. They're out of

ideas, they're out of initiatives, and they're bringing in this bill.

We all know that two people forming a political party in this country does not promote democracy. Two people are not a party; two people are a date. The Attorney General is nodding his head. He knows that two people are a date, not—

**Hon. Mr. Bryant:** Unless you're an accountant.

**Mr. Chudleigh:** Unless you're an accountant. An accountant needs three people for a party, or one?

**Hon. Mr. Bryant:** One's enough.

**Mr. Chudleigh:** One's enough for a date, according to the Attorney General.

But while we're discussing this bill, there are 38 groups of people, many people, who are not being heard on Bill 107. If we're not going to discuss Bill 107 today in this House, I don't think we should be debating anything in this House, so I'm going to sit down.

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

**Mr. Prue:** This was indeed an entertaining presentation from the member from Halton. I listened intently to what he had to say. Of course, he wanted to talk about other bills, and I don't blame him for wanting to talk about those other bills because they're very dear to his heart.

But in terms of this bill and what he had to say about the bill, I would gladly agree with him. Many of his sentiments are probably very commonplace in the province of Ontario and with the people of Canada in terms of what constitutes a political party, how a political party of two really can't be a political party and all of those things. However, I would have to beg to differ. As I said in my own debate, the Supreme Court of Canada has already weighed in heavily on this particular issue. It said that the—

*Interjection.*

**Mr. Prue:** No. The Supreme Court of Canada is supreme when it comes to the law and to the Constitution. In terms of the Constitution, the Supreme Court has weighed in and has said quite clearly that you cannot artificially set the number of people or the number of people seeking office that constitutes a political party. This government in turn has chosen to do that.

I cannot accept the argument of the member from Halton, although I do appreciate the passion with which he delivered that argument. I do appreciate that he gave all of us a little respite from this room in order to get our collective wits about us and that he felt it necessary to bring some kind of clarity to the position he wanted to take.

I would just remind the member, though, that indeed the germination of most political parties starts out very, very small. In fact, many of the great parties of the world started out with little more than a single individual or a small cadre of individuals who developed the party to the point where it would one day have power. I think that's what we need to look at as well.

**Mr. Levac:** What has been unfortunate about this debate so far is that we've got one group that is saying it's not enough, and then we've got another group that's

saying it's too much, in terms of the bodies it's going to require in order to have recognition. One side did mention it, but they didn't quite follow the logic, and that is that the Supreme Court has already given us the premise for the reason this legislation is important.

In terms of what I heard from the member from Halton, he was talking an awful lot about sticking to the good old days and making sure things happen. If you'd look backwards, we are not stagnant. Even when we look in this place, there's nothing stagnant about democracy in that there is this ongoing evolution and this fluidity that take place in our democracy. What's interesting about it is that laws that were written in Legislatures starting back in Britain and coming into Canada basically said that women were property and women didn't have a vote. Those laws were thrown out because the people said, "It's time for us to start looking at that."

**1740**

So if we take a look at, "Let's just stay right still, and everything is perfect the way it is," let's hold on a minute and recognize that we have to start looking at the future. This particular piece of legislation: Although it was said to us by the Supreme Court that at the national level the number that constituted a party—50—was wrong, we needed to put in legislation that broadened that capacity for us to respect the smaller parties—the CCF is a perfect example—or the farming groups that put together the parties in which we now see evolutions. In my particular riding, Harry Nixon didn't start out as a Liberal but ended up being the Premier for a short time. He came from a party that actually started out as about three people around the kitchen table in somebody's front room. I think we've got to be careful of saying that the status quo is acceptable.

**Mr. Norman W. Sterling (Lanark-Carleton):** I've heard a lot of people say that the Supreme Court of Canada has already made the decision on this particular issue. The Supreme Court of Canada has made a decision with regard to our federal election system; yes, they made that decision. They have not made a decision on the provincial one. There is a significant difference between the federal and the provincial systems. In the federal system, third parties are severely constrained from entering into an election. They can't spend more than \$150,000 to let their views out. At the provincial level, a third party can enter into the election with any amount of money they want to encourage people to vote one way or the other. Third parties are not constrained to spend only \$150,000; they could spend \$150 million.

That is the genesis of the suit at the federal level. The animal rights group wanted to go into the federal election and say, "Vote NDP." They didn't want to become a political party; they wanted to spend money to tell people to vote for the NDP. The Supreme Court of Canada said, "If you constrain their activity, then the only other way out is to allow them to become a political party." At our level, we don't have to do that because the animal rights group has every right to raise as much money as they want, and they can say, "Vote Conservative," "Vote Liberal" or "Vote NDP."

This legislation is unnecessary in order to meet any charter challenge. I encourage the Attorney General to go through with the lawsuit which is pending before the courts, fight it out at that level, then come back and, if they find that a piece of legislation is necessary, do it then.

**Ms. Horwath:** It's my pleasure to make a few remarks on the speech by our friend the member from Halton. I have to say it was very interesting to listen to him talk about the bill that shall not be named and shall not be debated in this discussion this evening, as opposed to the bill that's here before us. I have to congratulate the Speaker on his diligence in reminding members that we're here to talk about this particular bill.

I'm interested in the member for Lanark–Carleton's remarks because, yes, it is my understanding that this bill that's before us was the provincial government's response to this Supreme Court issue. It's interesting to note that perhaps there needs to be some relevance to the provincial perspective before such a bill is necessary. It's like you're fixing a problem before a problem has even been identified for the provincial milieu. Things are not exactly the same. I think it's really important that that issue be brought forward. Perhaps the issue needs to be tested in the courts before we even get to the point of requiring legislation. I think that's a wise way of looking at the bill that's before us.

I have some comments to make to this bill very shortly and look forward to doing so. There are many implications that haven't yet come to the table. While the member from Halton has raised a number of concerns from his perspective, mine is a little bit different, although I would say that some of the issues are underlying the concerns that members have been bringing in regard to "Two members isn't enough for a party; it's enough for a date," which I thought was very funny. But there are some things that two members can do that might disrupt the process, and I think that's important to get on the record.

**The Deputy Speaker:** Member for Halton, you have up to two minutes to respond.

**Mr. Chudleigh:** I appreciate the member for Beaches–East York, who has looked into this from a legal perspective. He made some comments referring to the Supreme Court, and I think that's something we should all look at and remember. The Supreme Court, after all—I agree that the Legislature and the House of Commons are supreme, but the comments of the Supreme Court certainly should not be ignored.

Member for Brant, thank you very much for your comments. You mentioned that two people may not be enough, and you talked about the good old days. I'm going to have to check Hansard to find out whether I mentioned the good old days. I don't think I did.

I talked about the necessity of making sure that the political process was available to all people, and in that context I referred to two people forming a party as not being realistic. According to the member for Hamilton East, I made the comment, frivolously perhaps, that two people is not a party; it's a date. But sometimes it's

putting those things into perspective that makes a difference in the political context.

The member for Lanark–Carleton, the dean of the House, when he talks about the electoral interference of the courts and the way in which the process is structured—the kind of experience we have in almost 30 years of experience in this House should not be ignored.

*Interjection.*

**Mr. Chudleigh:** It's not 30 years, Norm? You're not that old? But it's soon to be 30 years of experience in this House. That kind of experience is not to be ignored, and we shouldn't go blindly into the future ignoring that kind of advice. Two people is not a party; it's a date.

**The Deputy Speaker:** Further debate?

**Ms. Horwath:** It's my pleasure to have an opportunity to speak to Bill 62, which amends the requirements for elections in the province of Ontario—in a somewhat minor way, one would think, but I would submit that there are issues we need to consider if this bill is to go forward and become law in the province of Ontario.

You'll know that earlier this evening my friend from Beaches–East York spent some time talking about where this all came from, why we are even debating a bill of this nature in the Legislature this afternoon. Of course, many speakers tonight have talked about the Supreme Court of Canada decision, the ruling that says that there's no justification for forcing parties to meet any particular threshold, that the whole point is that if people are of a particular view or have an important contribution, idea or suggestion they would like to make within the context of the electoral system, they should be able to do that without restriction. This, of course, is a federal ruling based on the federal situation.

But in looking at what some of the members of the opposition were talking about in terms of the extent to which perhaps this was frivolous, in terms of suggesting that only fielding two candidates as a minimum is good enough—I think they were using words like, "It would be more like a date than a political party"—I wanted to bring to the attention of the House an incident that has actually occurred in Canada in another province that brings to light the fact that there are things that can take place, if this system is put into place, that are perhaps not things we necessarily thought of or necessarily expected or planned when putting this legislation into place. I'm going to review it with you, because I think it's quite interesting. It's the issue of the possibility, the potential for mischief being brought into the mix with this particular situation, because making it easier for parties to get recognized and to get status makes it easier perhaps for parties with very few elected candidates to have a significant impact on the electoral results at the end of the day after a general election, and this happened in British Columbia.

**1750**

There was an organization called Independent Native Voice, also known as Native Voice. It was a very short-lived party that in fact was in Manitoba. In this particular instance, this party was in place in Manitoba. It was created in 1995 and it ran three candidates in the 1995

provincial election. After the election had taken place, accusations began to surface that Native Voice was not a political party per se, but was being funded by a different political party, one of the major political parties, and that in fact the Progressive Conservative Party was the one that was behind establishing and getting candidates to run for the Native Voice party as a specific strategy to siphon off votes from the New Democratic Party.

The Independent Native Voice leader was a person named Nelson Contois, who contested the Swan River constituency. Other candidates were his daughter, Carey Contois, in Dauphin and Darryl Sutherland in Interlake.

What happened was, on April 22, 1995, the Winnipeg Free Press newspaper quoted Progressive Conservative organizer Allan Aitken as saying that he had assisted Sutherland and the Contois in setting up their campaigns. He said he only wanted to ensure that “everyone ha[d] an equal shot at running” and denied that his actions contravened provincial law at the time.

A former New Democratic Party member was quoted in the same article as speculating that Aitken’s assistance was a plot to undermine NDP support in native communities. Two days later, Sutherland told the Interlake Spectator that he had accepted help from Progressive Conservative organizers early in his campaign, but later distanced himself from these figures. He added that his candidacy was in fact legitimate.

Independent Native Voice fared poorly as a party in that election and received a total of 518 votes spread amongst those three candidates. Provincially, the PCs under Gary Filmon were re-elected in their second consecutive majority government, and the NDP registered a complaint as a result with Elections Manitoba concerning the Native Voice candidates, but no charges were laid afterwards.

But following an extensive exposé that was done by the CBC’s Curt Petrovich, an interview was undertaken with Sutherland, and reports ran that indicated that his candidacy on June 22, 1998, was in fact the result of work of the Progressive Conservative Party.

Accusations that were laid included accusations by Sutherland that the PCs were guilty of vote-rigging and inducement in the 1995 campaign. The resulting scandal became a political flashpoint in the province of Manitoba. A Winnipeg Free Press article from June 24 noted that Sutherland was receiving \$111 biweekly in welfare payments at the time of the election, yet he contributed almost \$5,000 to his own campaign war chest. On the same day, Sutherland named local Progressive Conservative organizer Cubby Barrett as the source of his funds.

Premier Filmon, at the time, attempted to kind of push all of this aside, ignore it and not deal with it, but eventually he called a public inquiry under Judge Alfred Monnin before the end of June in response to mounting evidence that improper behaviour had in fact occurred. The ruling ended up being that the local Progressive Conservative organizers were guilty of inducing at least one candidate, Sutherland, to contest the election. Senior party organizer Taras Sokolyk was personally implicated

when it was discovered that he had channelled party funds to Aitken during the campaign. In his summary, Monnin described the behaviour of the Conservative organizers as “unethical” and “morally reprehensible.”

Recalling the testimony of the high-profile Tories who perpetrated the vote-rigging effort, the retired jurist wrote that “in all my years on the bench I never encountered as many liars in one proceeding as I did during this inquiry.”

So the point of my bringing this issue into the debate today is that there is a potential for this kind of tomfoolery to take place. I think those of us who are looking at this bill and acknowledging that perhaps there may be a need for some changes also need to be sure that safeguards are put in place to reduce the likelihood of this kind of tomfoolery taking place. Ultimately—and I don’t disagree with the member from Brantford, who spoke earlier this evening—any kind of change in terms of electoral reform needs to be moving us forward on a path of making sure that people have more opportunity for democratic process, more opportunity for open and transparent debate, more opportunity to review and view the ideas, the thoughts and the hopes that people in Ontario have. In some cases those are articulated and encapsulated in some of the major political parties, but in some cases they will be represented by smaller voices or by smaller groups of people. I don’t think there’s anything wrong with that. In fact, I think that’s a very positive thing. However, we have to make sure that, as we contemplate these kinds of significant changes, we also ensure that we’re putting in place a system—because we don’t ever want to be in the same situation that Manitoba was in when they saw the kinds of activities that were taken on by their Progressive Conservative Party in a way to try to gerrymander and affect in a negative and dishonest way the outcome of the will of the voters.

That’s certainly something that we would never want to see in the province. I’m sure nobody in this chamber, nobody in this Legislature, no elected official at the provincial level would like to see that happen here in Ontario. It would certainly be a bad thing in terms of a negative result that could come if we’re not careful about how we move the yardsticks when it comes to a reform of the electoral system in the province of Ontario.

Notwithstanding the fact that the official opposition has more time today, particularly, talking about the bill that shall not be debated today, I believe that this bill needs to go through the appropriate process of committee review, because there are probably some compromises that can be made and some decisions that can be determined that are more appropriate and more sensitive to the kinds of issues that are being brought to light today.

I see it’s that time, Mr. Speaker.

**The Deputy Speaker:** It is that time. It’s ever so near 6 of the clock. This House is adjourned until 1:30 of the clock Monday, December 4.

*The House adjourned at 1757.*

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